

The cost of healing: Opioid bans in Mexico

By Marcela Del Muro and Marcos Vizcarra



In 2021, amid ongoing medicine shortages caused by the COVID-19 pandemic, Mexican anaesthesiologist Marisa Brito made a desperate decision: she bought medical fentanyl online with an official prescription to intubate critically ill patients.

But Mexico's Public Prosecutor's Office treated her action as drug trafficking at a moment when fentanyl was already on the table in bilateral negotiations with the United States over its eventual prohibition.

Brito spent months tangled in litigation, stigmatized for acquiring a substance regarded as if it were an illicit drug, when in fact it was an essential tool for her work.

Her case joined others that went nowhere – never resulting in a conviction for a crime she had not committed. Her defence

proved the purchase was legal and that the fentanyl was intended for medical use. Even so, the ordeal marked the start of a wave of criminalization targeting anaesthesiologists.

In July 2023, in Los Cabos, Baja California Sur, anaesthesiologist Gustavo Aguirre was forced from his home as part of a drug trafficking investigation. He had purchased fentanyl legally, with an official prescription and authorization, to treat patients with chronic pain. But by then, the Mexican government had already decreed a ban on the drug. Prosecutors searched his house with drones and military personnel, seized his home and linked him to criminal proceedings. 'Overnight, an essential medicine turned into a professional hazard,' recalls his lawyer, Antonio Juárez Navarro.

Aguirre ended up living in temporary housing while the case moved forward, dragging his family into the ordeal, as his wife also became the subject of a criminal investigation.

A political problem

The stories of these doctors reflect a larger issue: the ban on medical fentanyl in Mexico, enacted in 2023 under US political pressure. In the United States, synthetic opioids are involved in more than 75% of overdose deaths. In 2017, then president Donald Trump declared the opioid crisis a national emergency, and fentanyl became a bargaining chip in international negotiations.

Mexico, branded as a primary source of illicit fentanyl, responded with measures aimed at curbing trafficking and avoiding trade sanctions. This included the campaign 'Say no to drugs, fentanyl kills', which received 300 million Mexican pesos in funding for media and billboards. Though framed as prevention, experts argue the campaign's real purpose was diplomatic – appeasing Washington rather than addressing a genuine public health crisis.

Public discourse has cast fentanyl as the ultimate enemy, but inside hospitals, another battle is unfolding. Brito was investigated for acquiring just six vials to intubate critical patients. Cases like hers and Aguirre's reveal how doctors, even with legal permits, have been treated as traffickers.

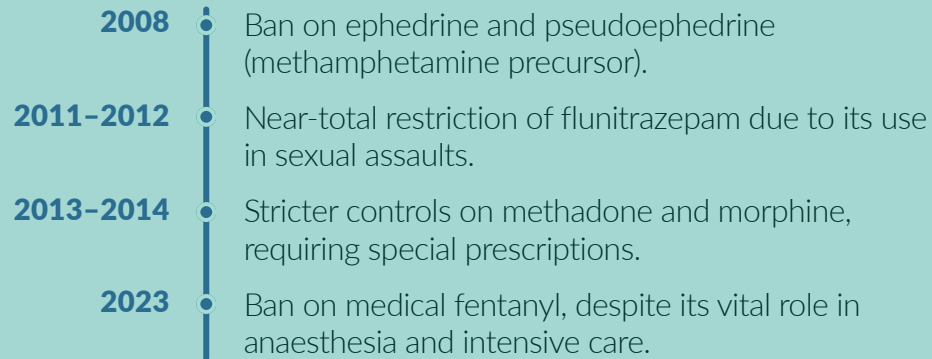
In 2023, then president López Obrador proposed replacing medical fentanyl with alternative painkillers. Anaesthesiologists pushed back, warning that no substitute matched fentanyl's effectiveness. 'Picture a patient – intubated, with a tube in their windpipe... fentanyl is what keeps them from suffering,' says anaesthesiologist José Ramón Saucillo.

With the ban in effect, persecution continues and shortages in public hospitals have only deepened the crisis.

Some history

Mexico's ban on medical opioids did not start with fentanyl. In 2008, ephedrine and pseudoephedrine were banned, leaving the country without effective flu medicines. Restrictions on morphine, methadone and ketamine have since led to repeated shortages.

TIMELINE: Opioid bans in Mexico

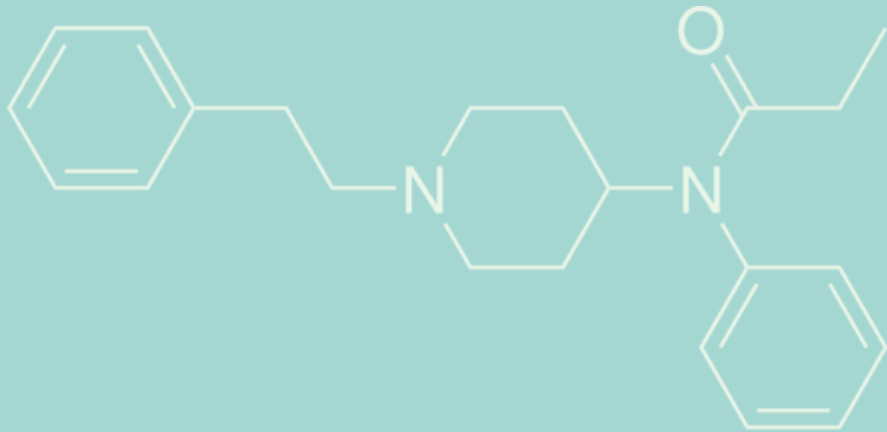
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- A vertical timeline with a central line and dots marking the years. The years are listed to the left of the line, and the corresponding ban details are to the right.
- 2008** • Ban on ephedrine and pseudoephedrine (methamphetamine precursor).
 - 2011–2012** • Near-total restriction of flunitrazepam due to its use in sexual assaults.
 - 2013–2014** • Stricter controls on methadone and morphine, requiring special prescriptions.
 - 2023** • Ban on medical fentanyl, despite its vital role in anaesthesia and intensive care.

Opioids like morphine, oxycodone and methadone remain available under tight prescription rules, but many specialists insist there is no substitute as effective or versatile as fentanyl.

Under the effects of the ban

By late 2023 and early 2024, operating rooms in Baja California and Guerrero hospitals ground to a halt as anaesthesiologists faced accusations and restrictions. The crisis soon spread nationwide. Doctors had patients and operating rooms, but no legal access to the opioids needed for anaesthesia. Without them, many surgeries were suspended, leaving patients in pain and delaying urgent procedures.

Medical organizations such as the Mexican College of Anaesthesiology warn that these restrictions prioritize national security over the right to health. The ban on medical fentanyl has done nothing to curb trafficking. Instead, it has turned anaesthesia into a battlefield.





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