



## Bryan P. Murray

Partner

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Bryan focuses his practice on health care, life sciences, and general corporate matters and often acts as outside general counsel for clients. He regularly advises a wide variety of health care businesses, including retail and specialty pharmacies, health systems, hospitals, medical practices, residential health providers, and drug, medical device, and dietary supplement manufacturers.

He advises clients on operational and compliance issues, risk mitigation strategies, FDA regulatory affairs, data privacy, mergers and acquisitions, vendor and customer agreements, and other sophisticated corporate transactions. He has strong practical experience on structuring and implementing complex care delivery models and assisting clients in developing and executing cutting edge strategic initiatives.

Further, Bryan is nationally recognized for his skills on the federal 340B drug pricing program and was recently named the National Law Review's Go-To Thought Leader on 340B matters. His 340B Program-related work is critically important to the financial survival of safety net health care facilities, including disproportionate share hospitals, children's hospitals, critical access hospitals, rural hospitals, and federal grantee clinics. Bryan is a committed partner of 340B Program stakeholders and leverages his deep experience in the 340B Program and Medicaid Drug Rebate Program to improve and protect his clients' access to essential drug discounts.

Prior to joining Dinsmore, Bryan served as in-house counsel to a national specialty pharmacy and a Medicaid and Medicare managed care plan. His familiarity with the complexities of health care and life sciences industries, as well as his understanding of in-house legal needs, enables him to provide his clients professional and efficient legal advice.

### Services

- Corporate & Transactional
- Health Care Industry
- Life Sciences Industry
- Life Sciences Corporate Compliance & Ethics
- Life Sciences Corporate & Transactional

- Life Sciences FDA Research, Enforcement & Litigation
- Life Sciences Internal Investigations
- Life Sciences Privacy & Cybersecurity
- Life Sciences Regulatory Counseling & Compliance

## Education

- University of Pittsburgh School of Law (J.D., *cum laude*, 2013)
  - Certificate in health law
- University of Utah (B.S., *with honors*, 2009)
  - Political Science
  - Campaign Management/Local Government minor

## Bar Admissions

- Pennsylvania
- Texas

## Affiliations/Memberships

- Pennsylvania Bar Association
- Allegheny County Bar Association
- American Health Lawyers' Association
- National Association of Specialty Pharmacy
- 340B Health

## Distinctions

- *Best Lawyers*®
  - "Ones to Watch" in Pittsburg for Commercial Litigation (2024)

# Experience

### Advised a Pharmacy Chain on DSCSA Compliance

Bryan advised a Pennsylvania-based pharmacy chain, which was licensed as a pharmacy, wholesaler and manufacturer, on its compliance obligations imposed by the Drug Supply Chain Security Act. He developed appropriate procedures for identification of DSCSA issues and manners in which DSCSA discrepancies could be resolved with upstream and downstream supply chain partners.

### Helped a Pharmacy Chain Recover Underpayments

Bryan represented a Pennsylvania-based pharmacy chain in its recovery of nearly \$800,000 in systematic underpayments by a national pharmacy benefits management (PBM) organization. He reviewed the chain's provider agreements, applicable state and federal law, and advised the chain on proper exercise of its contractual

rights. He also supported streamlining of the chain's claims identification and verification procedures to prevent future underpayment occurrences.

### **Successfully Defended a Medicaid Managed Care Organization**

Bryan successfully defended a Medicaid Managed Care Organization (MCO) in over 200 claims denial appeal procedures before Medicare Administrative Law Judges (ALJ) and the secretary of the Department of Human Services in Pennsylvania. He also developed reporting metrics and case-based training for the MCO to improve utilization review and quality review procedures, and to bolster compliance with various federal and state insurance regulations.

## **Publications**

January 12, 2024

**Kentucky Senator Introduces Legislation to Combat Discrimination in the 340B Drug Program**

January 4, 2024

**\$9 Billion+ to be Repaid to 340B Hospitals- Is your Hospital Eligible?**

February 23, 2023

**Cosmetic Regulations Get a Facelift**

January 31, 2023

**Pennsylvania Rescinds New Policy Impacting 340B Savings – Workgroup Will Convene To Discuss Further Changes To The 340B Program in Pennsylvania**

January 19, 2023

**D.C. District Court Rules HHS Will be in Charge of OPPS Repayments**

January 6, 2023

**New Pennsylvania Rule Puts 340B Savings at Risk**

June 28, 2022

**340B Hospital Payment Cuts Unanimously Overturned by Supreme Court**

December 23, 2021

**CMS Plans to Regulate Pharmacy Benefit Manager DIR Fees**

December 10, 2021

**Pennsylvania Releases New Recovery Home Licensure Regulations**

December 6, 2021

**The Death of Chevron? Supreme Court Hears Oral Arguments on Medicare cuts to 340B Reimbursement**

November 18, 2021

**DEA Considering Regulation of Telepharmacy Practice**

November 18, 2021

**Landmark FDA Proposal Seeks to Open Hearing Aid Manufacturing Market and Provide Millions with Access to Care**

September 24, 2021

**HRSA Refers Six Drug Manufacturers to OIG for Possible 340B-Related Civil Penalties**

June 9, 2021

**Medicare Coverage of Innovative Technology Program Breakthrough Devices Delayed**

May 19, 2021

**HRSA Says Drug Manufacturers Violated 340B Program Statute**

March 18, 2021

**2021 Open Payments (Sunshine Act) Reporting Window Closes March 31**

February 2, 2021

**Interagency Fraud Enforcement Action Highlights Telepharmacy Compliance Risks**

January 22, 2021

**HHS Freezes Rule Affecting Community Health Center's 340B Drug Discounts**

December 14, 2020

**HRSA Publishes Long-Awaited 340B Program Administrative Dispute Resolution Procedures**

December 1, 2020

**Ohio Pharmacist Duties to Report: Ohio Board Issues Updated Guidance**

March 31, 2020

**340B COVID-19 Updates: HRSA COVID-19 Resources and Regulatory Flexibility**

March 31, 2020

**Disclosing COVID-19 Patient Information to Law Enforcement, First Responders, and Public Health Agencies**

March 11, 2020

**Opioid Treatment Agreements: PA Dept. of Health Publishes Temporary Regulations**

January 10, 2020

**Pennsylvania Health Insurers Must Cover Medication Synchronization Services Beginning July 2020**

January 10, 2020

**CMS Releases Bulletin Discussing Best Practices for Avoiding 340B Duplicate Discounts in Medicaid**

October 8, 2019

**Kentucky Proposed 340B Policy and Procedures Manual**  
HealthBEAT

July 1, 2019

**PA Board of Pharmacy Issues Compounding Regulations**

June 4, 2019

**EPA Hazardous Waste Pharmaceuticals Rule Mandates Changes for Health Care Facilities**

June 4, 2019

**CMS Publishes Long-Awaited Final Rule Requiring Drug Pricing Transparency**

April 25, 2019

**Are Stronger Dietary Supplement Regulations on the Horizon?**

April 3, 2019

**340B Drug Ceiling Prices Now Available**

February 14, 2019

**HHS Proposes Changes to Prescription Drug Rebates and Discounts Kickback Safe Harbors**

January 8, 2019

**Federal District Court Rules HHS Cuts to 340B Reimbursement 'Exceeded' Authority**

December 14, 2018

**FDA Releases Medical Device De Novo Pathway Proposed Rule**

December 14, 2018

**PBM Contracting Transparency: Pennsylvania Auditor General Releases PBM Report**

November 15, 2018

**FDA Proposes Changes to Clinical Trial Informed Consent Rules**

November 2, 2018

**Manufacturer CMP and 340B Ceiling Price Rule to Become Effective on January 1, 2019**

September 18, 2018

**CMS Proposes to Reduce Medicare CoPs and CfCs Burdens**

August 28, 2018

**OIG Considering Changes to Anti-kickback Statute and CMP Law**