



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