



NATIONAL ASSOCIATION OF  
SPECIALTY PHARMACY

Corporate Member of the Month

December 2020

**FRIER LEVITT**  
ATTORNEYS AT LAW

CELEBRATING  
**20**  
YEARS

**Located: Offices in Pine Brook, NJ; New York, NY and Uniondale, NY**

**Number of Employees: 66 including 39 attorneys**

**Type of Business: Frier Levitt is a national boutique Healthcare and Life Sciences law firm.**

#### **What is your organization's mission and vision?**

Established in 2000, our Firm represents stakeholders across the entire Life Sciences spectrum including specialty pharmacies, hospital-owned pharmacies, drug manufacturers, drug wholesalers, hubs, as well as state and national pharmacy organizations. Representative legal matters include state and federal regulatory guidance, purchases and sales of pharmacy businesses, industry transactional advice and assistance, defense of regulatory enforcement, and litigation and arbitration against PBMs and payors. With many of our attorneys being licensed providers as well, including multiple pharmacists, a podiatrist, registered nurse and paramedic – we use our specialized clinical knowledge to protect the independence of providers and fight PBM abuse.

#### **How does your organization impact the specialty patient care journey and help put the *special* in specialty pharmacy?**

Our successful battles against PBMs to preserve the viability of specialty pharmacies – through ensuring reasonable reimbursement rates and protecting network access – is critical for those patients that have chosen specialty pharmacies. But that battle rages on. Specialty patients are coveted by Pharmacy Benefit Managers (PBMs) all of whom own their own specialty pharmacies. PBMs often steer prescriptions away from independent specialty pharmacies, and erect barriers, preventing pharmacies from joining their specialty networks. “Network exclusions” often violate State and Federal law and such exclusions can be successfully challenged. The Rule of Law is critical to the growth of specialty pharmacies, including the laws applicable to network access, as well as State and Federal any willing provider laws that also protect reasonableness of PBM drug reimbursements to specialty pharmacies. Frier Levitt has helped countless specialty pharmacies preserve the Rule of Law and has safeguarded the rights of these pharmacies and their patients.

#### **How does your organization define success?**

Success is keeping independent specialty pharmacies in critical PBM networks in their geographic areas and protecting the reasonableness in drug reimbursement rates. Success is understanding not only the law, but all related industry issues that impact our clients. Success is recovering DIR fees from PBMs by way of arbitration awards or judgments in litigation.

#### **What else would you like people to know about your organization?**

Frier Levitt is not just focused on PBM matters. Our attorneys have decades of experience negotiating the complicated healthcare landscape, with an eye towards providing our clients with advice that helps clients develop programs and arrangements that comport with all applicable laws. With regard to our robust Litigation Department, we represent numerous clients in intra-corporate disputes, restrictive covenant litigation, False Claims Act investigations, Qui Tam, Self-Disclosure, investigative subpoenas, healthcare fraud investigations and various other high stakes matters. These matters involve intense document review and production, novel legal and often clinical issues and attention to detail. Our diverse team of attorneys, including several clinician attorneys, take a collaborative and cross departmental approach to representing our clients, integrating our corporate, transactional, litigation and regulatory departments to provide the most comprehensive services.

#### **Who and how should other NASP members contact you to learn more about your organization?**

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