

Richard B. Davis

Associate

Richard Davis has extensive experience with the 340B Drug Pricing Program, and has worked with both contract pharmacies and covered entities to develop and optimize their participation. His practice also focuses on a wide range of pharmacy regulatory issues such as controlled substances and state licensure compliance, including those arising from the COVID-19 pandemic. Richard also assists health care entities, including hospitals, nursing homes, and physician practices, with a diverse range of regulatory issues, transactional matters, and reimbursement appeals.

COVID-19-related Experience

- Conducting outreach to allow non-resident pharmacies to ship drugs directly to immunocompromised patients
- Conducting analysis and outreach to confirm that pharmacies may sell drugs to alleviate shortages at mobile hospitals
- Monitoring Health Resources and Services Administration (HRSA) guidance and advising clients on compliance with 340B requirements during the coronavirus pandemic
- Working to obtain urgent authority to distribute cancer medicine and controlled substances into states where they are not currently licensed to accommodate patients who would typically travel for cancer treatment, but cannot due to COVID-19 restrictions
- Providing advice on the distribution of prescription drugs to mobile hospitals from a pharmacy that is not licensed as a wholesale distributor

Representative Experience

- Assists in implementing and enhancing 340B drug pricing programs across a wide variety of health systems, enabling the systems to obtain millions of dollars in savings
- Provides ongoing compliance and operational support to 340B participating entities, including successfully disputing and mitigating HRSA OPA audit findings, enabling these entities to retain their 340B savings in addition to contracting with various national retail pharmacy chains and 340B program software vendors
- Drafts memoranda interpreting and analyzing HRSA OPA 340B program guidance based on relevant Medicare and Medicaid statutory and regulatory language
- Researches and assembles complex 50-state surveys on a variety of intricate issues related to pharmacy operations for national retail pharmacy chains
- Assists in negotiating GPO participation and drug purchasing



richard.davis@quarles.com

Milwaukee Office

Tel: (414) 277-5844

- agreements on behalf of various hospitals and health systems
- Represents health systems before the Departmental Appeals Board and the Provider Reimbursement Review Board to dispute millions of dollars in improper recoupment and payment adjustments by CMS and Medicare Administrative contractors
- Oversees physician practice acquisitions and other significant transactions involving drafting asset purchase agreements and member substitution agreements, reviewing physician employment agreements, conducting due diligence, and assisting in closing

Legal Services

- Health & Life Sciences
 - 340B
 - Fraud & Abuse Compliance and Litigation
 - Health Care Transactions

Education and Honors

- University of Wisconsin Law School (J.D., *with honors*, 2015)
- George Washington University (B.A.)
 - Major: International Affairs

Bar Admissions

- Wisconsin
- Pennsylvania

Professional and Civic Activities

- State Bar of Wisconsin Health Law Section (Board Vice Chair, 2020-present)