



## Pharmacists Who Are Lawyers

PHARMACIST-LAWYERS at meeting in Chicago included (clockwise from left): Joseph Gendron, secretary, Rhode Island Pharmaceutical Assn, and member of the Rhode Island legislature; Norman Campbell, on the faculty at U of Rhode Island pharmacy school; Michael Danian, U of Cincinnati pharmacy school; C. Eugene White, Virginia Commonwealth U pharmacy school; Peter Previte, Ohio Northern U pharmacy school; Marc Kurzman, U of Minnesota pharmacy school; Bruce Stein, patent attorney for Upjohn; Carl DiMarco, legal counsel, American Society of Hospital Pharmacists; Robert Kamm, attorney for S. C. Johnson & Co.; Earl Friese, private law practitioner in Chicago; Joseph Fink III, Philadelphia College of Pharmacy & Science; Sam Shkolnik and Bernard Brody, both in private law practice in Chicago.

Also on hand at the meeting but not in the photo: Alvin Gesser, secretary, New Jersey Pharmaceutical Assn; Carl Marquardt, secretary, Wisconsin pharmacy board; Paul Pumpian, secretary, New Jersey pharmacy board; David Work, director of association affairs, NARD.

A national organization of pharmacist-lawyers is now in the making, as the result of an informal meeting held in Chicago in August, during the convention of the American Pharmaceutical Association. (See photo, above.)

The meeting was called by Joseph L. Fink III of Philadelphia, a pharmacist-lawyer himself, who has been trying for several years to form an organization of those with the dual background.

The meeting was attended by 18 men. They decided to launch an independent group, which will meet annually at the time of the APhA convention but will not be formally affiliated with APhA or with the American Bar Association.

A name is still to be selected. Among those tossed around at the meeting were: National (or American) Association for Pharmacy Law, Pharmaceutical Jurisprudence Society, Pharmacy-Law Institute, and others.

**Unique:** Most of those present saw the new group as a service organization, in a unique position to help both professions, pharmacy and law, on matters where the interests of both intersect. However, the consensus seemed to be that the organization could have a greater impact within pharmacy than within law.

Potential membership for the new group is fairly large, considering that those eligible must have degrees in two professions. Mr. Fink reported that he has assembled the names of 134 pharmacist-lawyers, plus 26 pharmacists currently enrolled in law schools.

The 18 men at the Chicago meeting decided that the organization's purposes will include:

- "Communicating accurate legal information to pharmacists."

- "Fostering knowledge and education pertaining to the rights and duties of pharmacists."

- "Providing a forum for exchange of information pertaining to pharmacy law."

**M**an becomes reaping maximum their professional quality. This combination of vocations frequently results in a synergism that yields both financial rewards and psychic satisfactions.

Today, lawyers are needed increasingly within pharmacy to deal with government regulations and consumerist challenges. A lawyer with a pharmacy background is obviously in a good position.

Drug manufacturers need lawyers with technical expertise in pharmacy to deal with patent problems and interpret government regulations.

**Refugees:** Many of the men who are filling these needs are refugees from retail pharmacy. The typical pharmacist-lawyer was, in fact, a pharmacist who became disillusioned with his career and shifted to law.

"Retail pharmacy just wasn't challenging," said Robert F. Wall, now a partner in the law firm of Richards and Wall, Hudson, Wisconsin.

"When I first got into pharmacy school I really didn't know much about what the practice of retail pharmacy would entail. The courses in college were fascinating and I expected to embark upon a challenging career after graduation. But I soon found that retail pharmacy is a narrow field and that the work was monotonous."

**Unhappy:** Gary Yingling, R.Ph., now an attorney with the Food and Drug Administration, said: "I was unhappy with my retail drug store experience. There was really little opportunity for advancement. If you want to better yourself in pharmacy, you need to open your own store. But that's not attractive because the future of independents is precarious. To top it off, the work itself uses only a part of one's intellectual potential."

Robert Kamm, R.Ph., an attorney with S.C. Johnson & Son, Inc. (Johnson's Wax), explained: "My first job upon graduation was in a drug store.

didn't allow me the decision opportunities that I wanted a job with more responsibility. Looking back, I now think that if I had worked in clinical pharmacy, which is more challenging, I would not have turned to law as a career."

**The attraction:** What drew these men to careers in law? Money, for one thing. Most pharmacist-lawyers contend that the possibility of earning higher income exists. But there is no guarantee.

The starting salary for R.Ph.s straight out of school ranges from \$14,000 to \$16,000. If the same pharmacist spends three more years in graduate studies and earns a law degree, he can expect to start with a salary averaging \$12,000. However, the lawyer's \$12,000 can be—and usually is—just the beginning.

David Kessler, R.Ph., a recent law school graduate, works full-time at Kravet Drug in Union, N.J. while building his law practice after hours.

"I know a lot of lawyers who are making a lot of money, but I also know a great many who aren't," he said.

**Exposure:** For most pharmacist-lawyers, it was simply exposure to the field that led them to discover they liked law.

"I became interested in law while still in pharmacy school," noted William Woods, associate general counsel, the National Association of Retail Druggists. "In school I was active in student government. Bit by bit that drew me to law."

Ira Lebovitz, staff attorney with the Drug Enforcement Administration, could be considered an "hereditary" pharmacist.  
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## Krahulec Combines Law And Pharmacy In Public Relations Job With Walgreen

**W**Henever the Walgreen Company's public relations department runs into a problem that needs the attention of someone knowledgeable in both pharmacy and law, James Krahulec gets the assignment.

Mr. Krahulec's association with Walgreen began while he was attending pharmacy school at Purdue University. He did all his internship in Walgreen stores located near the school's campus in West Lafayette, Ind.

During his senior year at Purdue, Mr. Krahulec decided that pharmacy and law would make a good career combination. On graduating from Purdue in 1969, he enrolled at Kent College of Law in Chicago. He financed his law school studies by working as a pharmacist; for four years, he balanced a full day of law classes with a full night shift at a Walgreen

prescription counter.

When he got his law degree in 1973, Walgreen had already asked him to join the company permanently. Assigned to the public relations department, he handles a wide range of jobs, specializing in situations that involve legal matters. For example, he's the man the press talks to about Walgreen's current problems with the Texas pharmacy board, which wants to put a stop to open display of the chain's list of 10,000 prescription prices.

While he likes mixing pharmacy with law, Mr. Krahulec tries to keep his purely pharmaceutical skills honed. Right now, after finishing a full week at Walgreen corporate headquarters, he puts in a Friday night or Saturday shift in one of the company's Chicago area stores.

cist—both his father and uncle are pharmacists:

"I had always assumed that pharmacy would be my career. But about halfway through pharmacy school, the idea of law got into my head. When I became dissatisfied with retail pharmacy I applied to law school."

**Attorney Paul Pumpian, R.Ph.**, secretary of the New Jersey Board of Pharmacy, was influenced to pursue a legal career by friends:

"While at the University of Maryland I would have lunch every day with some close friends. I was a pharmacy school student and they were attending law school. The schools were across the street from each other.

"Little by little, I became fascinated with law. By the time my senior year rolled by, I was ready to attend law school."

**Unrealistic:** Although many pharmacist-attorneys who work for manufacturers do well financially, it is unrealistic to assume that their pharmaceutical back-

ground automatically assures a lucrative position. Manufacturers want experienced lawyers. They are faced with a wide variety of legal problems, and want lawyers with correspondingly diversified backgrounds. So although a pharmaceutical orientation helps, it is not an automatic "Open Sesame."

Many pharmacist-lawyers share the experience of Dr. Marc G. Kurzman, who teaches pharmaceutical law at the University of Minnesota:

"When I was about to graduate from law school I sent letters to drug manufacturers operating in those locales where I wanted to live. Basically, I said, 'Hey fellows look at me—a pharmacist and a lawyer.' I was ready to be grabbed by the highest bidder.

"Then they answered. Generally the replies said: 'Fantastic. When you've accumulated a few years of legal experience, please contact us and we will be happy to consider you.'"

**Salary:** In practice, the pharmacist-lawyer frequently starts at about the same salary level

as a licensed pharmacist, according to a check by AMERICAN DRUGGIST.

But a career in law offers more variety than one in pharmacy. One can concentrate on trial work, out-of-court negotiation, patents, regulatory agencies.

"Strictly speaking, there is no specialty known as pharmacy law," explained Joseph L. Fink 3rd, assistant professor, Philadelphia College of Pharmacy and Science.

"Of course, there are pharmacists like myself who are also lawyers and handle cases involving pharmacy. But this kind of specialization is not large enough to warrant law schools setting up a separate category.

"Some schools, however, are beginning to establish courses in FDA law or drug abuse law.

"For the most part, a 'pharmacy lawyer' is as much a specialist as an 'art lawyer'. 'Art lawyers' are men with strong backgrounds in art and they combine that with work in art fraud and so on. There are lawyers who work with 'building

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## Lawyers Who Returned To Pharmacy

While some pharmacists are abandoning the prescription counter for the legal bar, Stephen Scafidi has done the reverse: He has left his private law practice and returned to the drug store.

Mr. Scafidi, who is assistant manager at Giant Food's pharmacy in Sterling Park, Virginia, has also worked as an attorney for the Food and Drug Administration, served as an assistant Commonwealth Attorney in Arlington County (Va.), and conducted his own law practice.

**Time:** "It isn't worth it. In order to build a successful law ca-

reer you just have to make an enormous investment in time. Well, I have a young family and I want to spend as much time as I can with them.

"I can adjust to the income I make as a pharmacist. In this area, many pharmacists can earn \$18,000 to \$25,000 a year. The average new lawyer starts at \$10,000."

Another pharmacist-attorney, Jeffrey Graff, returned to the drug store reluctantly.

The owner of Liberty Drug in Chatham, New Jersey, Mr. Graff went directly from pharmacy school to law school.

Upon graduation he joined a budding partnership in Atlanta:

"I was really enjoying the work when my father needed help. His store was about to be displaced by the World Trade Center in New York City. To prepare for the store's closing, he had opened another one in Chatham, New Jersey. But he couldn't operate both stores without some help from me.

"I figured that this wouldn't take more than two years. I was wrong. But the store provides a comfortable living, and though I really enjoyed practicing law, it doesn't make any sense to give up the store."

## PHARMACISTS WHO ARE LAWYERS (Continued)

construction law'. But in neither case are these specialties recognized by law schools."

**Patent law**, on the other hand, is a recognized specialty. Patent lawyers must be approved by the United States Patent Office in order to practice before it. Drug companies need patent lawyers to protect their products.

Today, regulatory law appears to be the field that is drawing most pharmacist-lawyers.

If he works for a pharmacy board or association, a lawyer must grapple with regulations covering compulsory price posting, ownership restrictions, patient profile, and a plethora of other matters.

A lawyer who works for a manufacturer must contend with labeling requirements, product claims, and strategy to steer clear of legal pitfalls. He must deal with state and federal regulatory agencies. The scope of the agencies increases each year and with it the need for qualified lawyers to deal with them.

**Gratifying:** This appears, in fact, to be the field that pharmacist-lawyers find most gratifying.

"Frankly, I'm fascinated with the problems posed by product substantiation," confided Mr. Kamm. "In dealing with the regulatory agencies, I must draw upon my scientific background as well as my legal training."

Mr. Woods pointed out that dual degree holders seem to

find their best spots with state pharmacy associations. But he acknowledged that job history is just as important for such positions as having the two diplomas.

**The transition** from pharmacy to law is not always easy, however.

"Pharmacy is a science and law is an art," said Stuart Lee Friedel, associate with the law firm of Davis, Gilbert, Levine and Schwartz, N.Y.

"In pharmacy, when you have a problem, the answer you supply is either right or wrong. It's a black and white situation. In law school, most things are gray. Even if you come up with the wrong answer you may get high marks if your approach is logical and well argued. It's more creative."

But having a scientific background aids the pharmacist-lawyer.

Morton Simon, an attorney on the legal staff of Bristol Myers, finds that he is able to communicate easier with scientists and doctors because of his pharmacy training.

**Helpful:** On the other hand, Jeffrey Graff, the proprietor of Liberty Drug, Chatham, New Jersey, finds that his law background helps him run his drug store:

"It helps me in most of my business dealings—signing contracts, hiring, buying, etc. In effect, I'm my own legal counsel, but I still use other lawyers when necessary."

Pharmacist-lawyer Joseph S. Gendron, executive director of the Rhode Island Pharmaceutical Association, chairs the Finance Committee of the State Senate. The job puts Mr. Gendron among the handful of pharmacist-attorneys who have advanced politically.

"I got the idea to run when a new district was created with my father's drug store at its heart. He had been operating a pharmacy in that area for nearly 40 years, and knew just about everyone. The Democrats refused to endorse me, but I ran in the primary anyway and won the nomination. The election was no problem and I've held the seat since January, 1967.

"Pharmacy will never have a problem presenting its view while I'm in office."

**The future** of pharmacist-lawyers was summed up by one observer as follows:

"While I don't see any burgeoning demand for pharmacist-lawyers, there is a mushrooming need for other pharmacist specialists. The whole field is being transformed with HMOs and other health care systems. This is creating many opportunities in industry and government.

"Pharmacist-lawyer training is not the only route open to someone wanting to get involved in these developments. My advice would be to take a BS in pharmacy, follow it up with an MBA, and then cap it all with a PhD in marketing or economics."

## Kodak Will Give Advance Notice On Some New Items

Eastman Kodak Co. has agreed to give competing manufacturers of cameras and projectors at least 18 months advance notice of any new film development, if the new development cannot be used in existing equipment.

The agreement is contained in a settlement of a federal anti-trust suit brought against Kodak in 1973 by Bell & Howell. The suit charged that Kodak's intro-

duction of new film products made Bell & Howell cameras and projectors obsolete. According to Bell & Howell, Kodak's dominant position in the film market endangers the ability of Bell & Howell cameras and projectors to compete in the photo equipment market.

Under the agreement, signed in Chicago federal court, any competitor willing to pay \$10,000 will be given 18 months

advance information about the characteristics and format of planned film products that would not fit existing equipment. Three months before actual marketing of the new product, Kodak would supply the competitor with experimental quantities of the product.

The agreement expires in six years. It does not apply to Kodak innovations in instant or self-developing photography.