

## CAREER OPPORTUNITIES AS A PHARMACIST-ATTORNEY

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In the United States there are probably between 75 to 150 pharmacist-attorneys. (Since there has been no survey on this subject to my knowledge, I am basing this estimate on personal information and conversations with individuals interested in this subject.) Many pharmacist attorneys are making valuable contributions to the pharmacy profession by performing a variety of interesting duties -- legal, pharmaceutical, administrative and teaching. Obviously, there is a limitation on the number of pharmacist-attorneys needed and some with the two degrees are not utilizing their joint educational background.

In most instances, the two degrees are acquired when a pharmacist decides that he would like to pursue his profession in some specialized way by adding legal training to his academic training in pharmacy.

Certainly there is an economic risk involved. Frankly, there is a greater demand for the combination of law-medicine or law-engineering than there is for the law-pharmacy background. I am convinced, however, that in the future the profession of pharmacy will benefit if a reasonable number of pharmacists have law degrees. Such training is not recommended to the young pharmacist who wishes to devote his life to community pharmacy or hospital pharmacy or who wants a career as a medical service representative.

If the young pharmacy graduate has the time and money for additional education, and if he has a desire to work in a specialized area where the combination would be valuable, such as on the staff of a pharmacy association or a state board of pharmacy, he might wisely consider studying law. Realistically, however, we know that most pharmacy executives in these jobs became interested in pursuing board or association activity many years after pharmacy college graduation. Opportunities may also lie in specialized government, teaching and industry assignments. In any event, a careful review of law school curriculum should be undertaken to determine an actual interest in courses that will be studied. Conferences with a few leading attorneys, jurists and law professors will improve the perspective of anyone who is thinking about studying law. These members of the legal profession may not be able to visualize all of the possibilities, because they are without intimate knowledge of pharmacy, but they can clarify what is expected of law school students and discuss some of the elements needed to make a successful lawyer. Naturally, a law career should be contemplated only by students having a genuine interest in law.

The American Bar Association has reported it receives about 10,000 inquiries annually from prospective law students. Only five of these in-

quiries pertain to the medicine-law combination. None involve pharmacy-law. There are more than 200,000 lawyers, more than 4,000 of whom are women. Law remains primarily a man's calling. While the Association will have less knowledge than a pharmacy graduate about the opportunities available to a pharmacist-attorney, a wealth of reference material regarding the legal profession is available by addressing inquiries to the American Bar Association, 1155 East 60th Street, Chicago 37, Illinois.

Dean Roscoe Pound, formerly Dean of Harvard Law School, emphasized in an article for the New York Life Insurance Company that it takes a lot of hard work for success in the legal profession. He listed, after a half-century of teaching the law, the following natural attributes a boy must have: character, common sense, self-reliance, patience, courage, ability to think logically and to write clearly.

Following are brief descriptions of the various areas offering career opportunities for pharmacist-attorneys to assist any pharmacist contemplating the study of law:

1. Private Law Practice: A pharmacy degree is of very limited value unless the law firm specializes in some aspect of pharmaceutical law. Even in firms specializing in product liability cases, I do not know of a pharmacist-attorney employed by the firms. While this may well change, it should be emphasized that these firms use pharmaceutical scientists and pharmacy professors as consultants to provide technical information needed in a case.

A young pharmacist-attorney might build up a successful law practice representing only pharmacists, but the possibilities are limited, except in a large metropolitan area. First, the legal problems of the average pharmacist or in the average pharmacy are so general and broad that there are no good reasons why the pharmacy owner should go to an attorney with a pharmacy background. The development of such a practice would depend on how active a pharmacist-attorney is in pharmaceutical affairs, his legal competence and his popularity. As with all legal practice, an attorney has to have a favorable reputation in order to be employed in a legal capacity. The pharmacist-attorney may be perfectly capable of becoming a successful attorney in any form of legal practice without handling any type of pharmaceutical jurisprudence, but if this is the path he chooses, he does not need the pharmacy training.

2. Community and Hospital Pharmacy: A pharmacist could hardly justify the time and expense for a law degree. It is much better when one needs an attorney to have one who specializes in the particular field involved: taxes, trials, wills and estates, negligence, etc. Studying law so that you can be your own attorney makes no more sense than going to medical school so you can treat your own family.

3. Pharmaceutical Associations and State Boards of Pharmacy: In this area lie some of the best opportunities for pharmacist-attorneys. The combination training and experience will be useful in many ways. The continuing expansion of state and federal interest in matters pharmaceutical enhance the value of legal training for secretaries of state boards of pharmacy and state or na-

tional pharmaceutical associations. It should be realized, however, that outside counsel would still be necessary to handle many cases. The state attorney general's office may represent a board of pharmacy in an involved, complicated legal case even though the board secretary is a pharmacist-attorney. Nevertheless, the legal training will be invaluable to a secretary as he considers problems and advises his board and other pharmacists. In the future, the training will be even more important because of the new kinds of defendants appearing before the boards.

Potent drugs for specific therapeutic uses have increased public and legal interest in all phases of pharmacy. Legal training will enable a pharmacist to work more efficiently on legislative and statutory matters.

Anyone considering board or association activity should discuss these areas thoroughly with some of these pharmacy executives before undertaking expensive legal training. It should be recognized that the executives of associations and boards usually have long tenure, and vacancies seldom occur in a given state. In these jobs other qualifications are important and many pharmacy executives have rendered outstanding service to the profession of pharmacy without having any legal training.

4. Teaching: Dual education in pharmacy and law is most useful to professors of pharmaceutical jurisprudence.

5. Public Service: While pharmacists are currently rendering valuable public service in a variety of ways, a greater number of possibilities will be available to the pharmacist with a legal background. Reliable figures indicate that over 18,000 attorneys are serving their counties, states and cities. Thousands more hold important government offices.

6. Medicolegal Activity: Authorities estimate that one-third to one-half of all cases involve medical-legal problems in some way. The demand for a physician-attorney in these cases would be significantly greater than the need for a pharmacist-attorney. In hospital pharmacy, the use of the hospital formulary may increase the liability of hospital personnel, if an injury resulted because the drug dispensed was not the drug prescribed. In this area, the counsel of a pharmacist-attorney is valuable.

7. Drug Industry: The drug industry will continue to grow. Probably the wide variety of laws and regulations affecting the industry will increase, too. Government-industry relations will create greater need for lawyers. The pharmacist-attorney is a relatively new product of our educational system and not many are now employed in industry. There are a few carrying heavy responsibilities and doing good jobs in pharmaceutical companies. Before too many years, it will be possible to evaluate the total need as the number so employed gradually increases. An individual could be successful in this area only if he really enjoyed corporate employment.

The general legal problems of a corporation do not require a lawyer with pharmacy training. It should be noted that many corporations like to obtain their young attorneys from large law firms specializing in corporate law, patents, trademarks, etc. It is not likely that many people would have

the time to go through pharmacy school, law school, and training periods for both professions. By the time such a program had been completed, the age factor might be a deterrent.

Pharmacist-attorneys could make valuable contributions in various administrative capacities in the pharmaceutical industry because of their unique background of knowledge and the industry's certain expansion. In the legal departments, this knowledge would be useful in areas involving the Food, Drug and Cosmetic Law, investigational drugs, new drug applications, patents, trademarks, fair trade matters, state pharmacy legislation, Robinson-Patman matters, government contracts, and work with outside counsel on medicolegal problems.

An individual's legal aptitude, law school record, personality and background, along with the needs of a particular company, may be the determining factors. So far, most legal departments in the industry are without pharmacist-attorneys. A company might be willing to hire a person with this combination without the usual two or three years legal experience. I think it is fair to say that the right person may find opportunities in industry on either the legal or business side.

8. Government Agencies: This area may open opportunities as welfare and medical care programs expand to provide drugs to increasingly large numbers of recipients. The regulations and laws will be operative at both state and national levels. As these programs grow, it is possible the need for pharmacist-attorneys will increase in the government at the same time there is a larger use of them in industry and pharmaceutical associations. At this point, it is hard to say whether these dual professional talents will be essential or only desirable as a plus factor favoring an applicant.

It is clear that federal and state governments are increasing their influence on all facets of pharmacy. In the welfare area alone, we see policies that make it increasingly difficult in some states for physicians to prescribe for welfare patients the same drugs prescribed for other patients. As the states adopt new welfare policies restricting drug usage, we see tendencies to make welfare officials immune from legal liabilities while community pharmacists are asked to assume liability for any drug they dispense even though it is a drug they would not dispense if it were not for the welfare department regulation. If such a practice mushrooms, many new problems may be created to engage the services of pharmacist-attorneys.

As to the future, pharmacist-attorneys will probably find an increasing number of areas where their skills will be valuable to the profession of pharmacy. The extent of their utilization may continue to be a highly personalized situation which will certainly limit the number needed. It will be very interesting to review this specialty in 1975 in terms of the number of persons with the dual professional qualifications, the type of employment in which they are engaged, the economic rewards, and contributions to the profession of pharmacy.