

## ATTORNEY BIOGRAPHY



### Elizabeth L.B. Greene

Partner

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### Legal Administrative Assistant

Cathleen L. Lefebvre

Tel: 508.860.1515 | Email: [clefebvre@mirickoconnell.com](mailto:clefebvre@mirickoconnell.com)

### Education

JD, Boston University School of Law (1992)  
BA, Brandeis University (1989)

### Bar and Court Admissions

Massachusetts

U.S. District Court for Massachusetts

U.S. Court of Appeals for the First Circuit

### Professional/Community Affiliations

American Bar Association, Health Law Section, Chair, Physician Issues Interest Group; Co-Chair, 2021 Physicians Legal Issues Healthcare Delivery & Innovation Conference; Planning Committee, 2020 Physician Legal Issues Healthcare Delivery & Innovation Conference; member, ADR and Conflict Management in Healthcare Interest Group, Tort Trial and Insurance Practice Section, Employee Benefits Committee, and Medicine and Law Committee

American Health Lawyers Association

Defense Research Institute

Massachusetts Bar Association

Worcester County Bar Association

American Heart Association, Central MA Division, Board member; past Board Chair; Advocacy Committee Chair; Vaping Task Force Chair; Stroke Committee member; Heart & Stroke Ball Executive Committee member; Mirick O'Connell Heart & Stroke Team Co-Captain; Mirick O'Connell Lawyers Have Heart team member

Reliant Foundation, Inc., Chair, Board of Trustees; Co-Chair, Grants Committee; Executive Leadership Committee member

Southborough Extended Day Program, Member, Board of Directors

BSA Troop 1, Southborough, Court of Honor coordinator; Board of Review panel member

### Practice Groups and Specialty Areas

Medical Liability and Healthcare

Health Law

Litigation

Elizabeth is a Partner and member of the Firm's Health Law and Litigation Groups. She focuses her practice on advising and advocating for healthcare clinicians, care delivery systems and digital health companies with knowledge and understanding of their clinical and business challenges. Elizabeth's health law practice includes assisting with structuring contracts and business arrangements to meet federal and state statutory and regulatory requirements, and advising clients on complying with HIPAA, Part 2 and fraud and abuse regulations. She also defends healthcare clients in medical malpractice cases, resolving cases by trial and alternative dispute resolution. Elizabeth represents healthcare providers before their professional licensure boards, and advises on medical staff issues, including credentialing, peer review, and representation in corrective action hearings. Elizabeth has also served as counsel for insurance companies in life, health and disability insurance claims brought under state law and ERISA.

Elizabeth serves as Chair of the Physician Issues Interest Group for the American Bar Association Health Law Section, and is Co-Chair of the 2021 Physicians Legal Issues Healthcare Delivery & Innovation Conference.

In 2020, *Massachusetts Lawyers Weekly* recognized Elizabeth as one of the "Top Women of Law." Annually since 2013, she has been selected for inclusion in *The Best Lawyers in America* in the field of Medical Malpractice Law – Defendants and has been named a Massachusetts "Super Lawyer" by *Boston Magazine* and *Law & Politics*. She has also been recognized by *Boston Magazine* and *Law & Politics* as one of the Top Women Attorneys in Massachusetts.

Elizabeth shares the Firm's commitment to our community. She serves as Chair of the Board of Trustees for Reliant Foundation, addressing the opioid and youth mental health crises. Elizabeth has served in leadership and advocacy roles with the American Heart and Stroke Associations locally, regionally, and nationally for over 20 years, assisting with community education, engagement and fundraising efforts.

### Representative Matters

- Successfully defended numerous physicians, nurses, medical groups and hospitals in medical malpractice cases at trial and arbitration
- Obtained jury verdict on behalf of neurosurgeon on claims for breach of informed consent and alleged delay in diagnosis and treatment of cauda equina syndrome
- Obtained jury verdict on behalf of surgeon on claims for breach of informed consent and wrong site surgery
- Obtained jury verdict on behalf of primary care physician in wrongful death case involving alleged delay in diagnosis of prostate cancer
- Obtained jury verdict on behalf of medical practice in wrongful death case involving sudden cardiac arrest
- Obtained jury verdict on behalf of medical practice in wrongful death case involving alleged delay of diagnosis of prostate cancer
- Obtained jury verdict on behalf of hospital nurse in wrongful death case involving aspiration during induction of anesthesia

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### Representative Matters

- Obtained arbitration decision in favor of hospital on claim of injury following a visitor's fall
- Obtained arbitration decision in favor of pediatrician on claim of failure to diagnose diabetes in child
- Obtained arbitration decision in favor of pathologist on claim of failure to diagnose cancer
- Obtained arbitration decision in favor of obstetrician on claim of delayed delivery resulting in brain injury
- Obtained arbitration decision in favor of obstetrician on claim of wrongful death of baby and harm to delivering mother
- Successfully represented physicians, nurses, physician assistants and nursing home administrator responding to complaints and issues before their professional boards
- Represented a disability insurer before the U.S. Court of Appeals for the First Circuit in establishing the scope of de novo review in ERISA benefit claim determinations
- Obtained a jury verdict in federal district court for an insurer on plaintiff's disability claim
- Obtained a ruling on behalf of an insurer in federal district court that the arbitrary and capricious standard of review applies when "proof must be satisfactory to [the insurer]" and that the insurer's disability decision was reasonable
- Obtained a ruling on behalf of an insurer in federal district court that an administrative record could not be opened to admit evidence generated after a final decision on an ERISA claim

### Honors

- Eastern States Legacy Leadership Award, American Heart Association (2020)
- Heart of Gold Honor, American Heart Association (2013)
- Heart of the Mission Award, American Heart Association (2011)
- Northeast Affiliate Division Volunteer of the Year (2003)
- "40 under Forty" professional honored for her professional excellence and community service, *Worcester Business Journal* (2002)

### Publications/Presentations

- "[February is Heart Awareness Month](#)," *On Air with Mirick O'Connell* legal podcast (February 2021)
- Featured in "Elizabeth Greene Aims to Prevent Heart Disease and Stroke in Central Massachusetts," *American Bar Association Journal*, February 2021
- "Maintaining Healthcare Delivery in the Midst of a Pandemic," presented at the 18<sup>th</sup> Annual (Virtual) Washington Health Law Summit, American Bar Association Health Law Section (moderator) (December 2020)
- Quoted in "Provider Relief Funds Require Strict Compliance Program," *Healthcare Risk Management* December 2020
- Featured in "Movers & Shakers for 12/6," *Milford Daily News*, December 6, 2020
- Quoted in "What to Do When Malpractice Allegations Becomes Defamation," *Hospital Peer Review*, November 11, 2020
- Featured in "Southborough Residents Names to 2020 Massachusetts Super Lawyers List," *The Villager*, November 10, 2020
- "[Remembering RBG: Her Life and Legacy](#)," *On Air with Mirick O'Connell* legal podcast (November 2020)
- Quoted in "Questions Raised Over Clinician Discipline in COVID-19 Era," *Relias Media*, October 14, 2020
- Featured in "Southborough Resident Receives 2020 Top Women of Law Award," *Wicked Local*, September 4, 2020
- Featured in "Greene Named as One of Top Women of Law," *Community Advocate*, August 17, 2020
- Featured in "Movers and Shakers," *Waltham News Tribune & Milford Daily News*, August 9, 2020
- Featured in "Movers and Shakers," *MetroWest Daily News*, August 8, 2020
- Featured in "Elizabeth L.B. Greene ('92) Honored Among Top Women of Law," Boston University School of Law, August 5, 2020
- Quoted in "Avoid Common Mistakes in Handling Medical Malpractice Claims," *Healthcare Risk Management*, July 21, 2020
- Quoted in "When Patient Refuses to Wear a Mask, Stand on Rights or Work to Accommodate," *Part B News*, June 7, 2020
- Quoted in "Health Foundation Grants Deliver Results Across Central Mass.," *Worcester Telegram & Gazette*, January 19, 2020
- Quoted in "Criminal Charges Can Creep Up on Clinicians, Administrators," *reliasmmedia.com*, June 2019

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### Publications/Presentations

- Quoted in "Plan for practice survival if a partner gets caught up in the opioid crackdown," *Part B News*, April 2019
- "Medical Coding and Billing 303 Master Class," CLE Webinar, American Bar Association Health Law Section (moderator) (March 2019)
- "The National Practitioner Data Bank Master Class," CLE Webinar, American Bar Association Health Law Section (moderator) (June 2018)
- "Medical Coding and Billing 202," CLE Webinar, American Bar Association Health Law Section (moderator) (March 2018)
- "Medical Coding and Billing 101," CLE Webinar, American Bar Association Health Law Section (moderator) (April 2017)
- Quoted in "Insurance: Tails and Types," *practicelink.com*, Fall 2014
- "Medical Malpractice," Massachusetts Superior Court Civil Practice Jury Instructions MCLE, Inc., 1998; 2003; 2008; 2011; 2014; 2016; 2018 supp., (co-author)
- "Misrepresentations in the Life, Health, and Disability Insurance Application Process: A National Survey," American Bar Association, 2009
- "Litigating Disability Insurance Claims, Using Investigative Surveillance to Support Your Determination of Functional Capacity," American Conference Institute (co-presenter) (June 2008)
- "First Circuit," in ERISA Survey of Federal Circuits, American Bar Association (2005)
- "Health and Disability Newsletter," Defense Research Institute (contributing author)
- Mirick O'Connell Life, Health and Disability Newsletter (contributing author)
- "TIPS Life Insurance Health and Disability Committee Newsletter," American Bar Association (contributing author)