

ATTORNEY BIOGRAPHY



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, Council Member; Chair, Interest Group Executive Leadership Team; IG Executive Representative to Membership Committee; Vice Chair, Medical-Legacy Partnership Interest Group; Co-Chair, 2021 & 2022 Physicians Legal Issues Healthcare Delivery & Innovations Conference; former Vice Chair, Interest Group Executive Leadership Team; former Vice Chair, Programs Executive Leadership; past Chair, Physician Legal Issues Interest Group; past Vice Chair, ADR and Conflict Management in Healthcare Interest Group, Medicine and Law Committee, Physician Issues Interest Group, and Membership Committee

American Health Lawyers Association

Defense Research Institute

Massachusetts Bar Association

Worcester County Bar Association

American Heart Association, Central MA Division, Board Chair; State-Wide Advocacy Committee; Stroke Awareness Committee; former Executive Leadership Committee, annual Heart & Stroke Ball; Mirick O'Connell Heart & Stroke Team Co-Captain, and Lawyers Have Heart Team member

Reliant Foundation, Inc., Board Chair Emeritus; former Grants Committee Chair

Southborough Extended Day Program, former Member, Board of Directors

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

Elizabeth L.B. Greene

Partner

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Legal Administrative Assistant

Cathleen L. Lefebvre

Tel: 508.860.1515 | **Email:** clefebvre@mirickoconnell.com

Practice Groups and Specialty Areas

Health Law

Litigation
Regulatory and Compliance
Transactional

Litigation

Life, Health, Disability and ERISA Litigation
Medical Liability and Healthcare Litigation
Real Estate and Environmental 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 has also served as counsel in environmental claims involving the federal Clean Water Act, the Resource Conservation & Recovery Act, and state claims under Massachusetts General Laws, Chapter 21E and various tort theories.

Elizabeth serves on the Council for the American Bar Association Health Law Section and serves as Chair of the section's Interest Group Executive Leadership Team and liaison to the Membership Committee. She is actively involved in several other committees and endeavors with the American Bar Association Health Law Section.

Elizabeth was included in the 2024 edition of *The Best Lawyers in America*® for Medical Malpractice Law – Defendants. She has been recognized in *The Best Lawyers in America*® since 2013. In addition, Elizabeth was named the *Best Lawyers*® Medical Malpractice Law – Defendants "Lawyer of the Year" in Worcester, 2023. Elizabeth has been named a Massachusetts "Super Lawyer" by *Boston* magazine and *Law & Politics* every year since 2013. In 2020, *Massachusetts Lawyers Weekly* recognized Elizabeth as one of the "Top Women of Law." 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 served 11 years and was elected Chair Emeritus of the Board of Trustees for Reliant Foundation, which addresses 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 25 years, assisting with community education, engagement and fundraising efforts. She was recently re-appointed to the Central Massachusetts Division Board and serves as Chair of the Board of Directors.

ATTORNEY BIOGRAPHY – ELIZABETH L.B. GREENE

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
- 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
- Successfully represented municipal owner of the then-largest solid waste landfill in Massachusetts in federal and state groundwater contamination claims involving 1-4 dioxane and other contaminants, on claims brought by two non-profit environmental groups and over 30 families under the federal Clean Water Act, Resource Conservation & Recovery Act and Massachusetts General Laws, Chapter 21E and various tort theories.

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 professional excellence and community service, *Worcester Business Journal* (2002)

Publications/Presentations

- "Medicolegal Risk in Pathology and Ways to Mitigate Risk/Liability, with a focus on Physician Wellness," Massachusetts Society of Pathologist Fall Meeting, (September 12, 2023) (speaker)
- "Reclaiming Physician Wellness: Burnout and Solutions in Law and Practice," American Bar Association Health Law Section- Physician Legal Issues, Healthcare Delivery & Innovation Conference, (September 7, 2023) (speaker)
- Quoted in "NPPs get hired without licenses, despite exclusion; keep your guard up," *Part B News*, May 4, 2023
- Quoted in "Fake Diplomas Pose Risk to Healthcare Employers," *Healthcare Risk Management*, May 1, 2023
- Quoted in "One Year After Landmark Case, Criminal Convictions Remain a Risk for Providers," *Healthcare Risk Management*, May 1, 2023
- Quoted in "Avoid Patient Abandonment Claims with Education, Follow-up," *Healthcare Risk Management*, April 1, 2023
- Quoted in "Avoid Common Mistakes in Malpractice Cases," *Healthcare Risk Management*, February 19, 2023
- Quoted in "How should you handle a medical board complaint?," *Urology Times*, November 17, 2022 and *Medical Economics*, November 4, 2022
- "Physicians Legal Issues: Healthcare Delivery & Innovation Conference," American Bar Association, Health Law Section (September 15-17, 2022) (co-chair)

ATTORNEY BIOGRAPHY – ELIZABETH L.B. GREENE

Publications/Presentations

- Quoted in “Nurse’s Criminal Conviction Could Chill Safety Investigations,” *Relias Media*, June 1, 2022
- Quoted in “Dealing with Medical Board Complaints,” *Medical Economics*, January 11, 2022
- Quoted in “Post-COVID Could Bring Surge in Med Mal Cases,” *Healthcare Risk Management*, October 2021
- “Physicians Legal Issues: Health Care Delivery & Innovation Virtual Conference,” American Bar Association, Health Law Section (September 20-24, 2021) (co-chair)
- “Risk Management: Avoiding Legal Pitfalls for Pathologists,” Twitter chat, July 20, 2021 (guest)
- Quoted in “‘COVID Glow’ May Bring Benefits in Malpractice Litigation,” *Healthcare Risk Management*, July 2021
- Quoted in “As new rule looms, get ready to meet patient PHI email requests and avoid breaches,” *Part B News*, March 11, 2021
- Quoted in “When a fragile patient fails to show, weigh risks, consider emergency outreach,” *Part B News*, February 25, 2021
- “[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 18th Annual (Virtual) Washington Health Law Summit, American Bar Association Health Law Section (December 2020) (moderator)
- 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,” *reliasmedia.com*, June 2019
- 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 (March 2019) (moderator)
- “The National Practitioner Data Bank Master Class,” CLE Webinar, American Bar Association Health Law Section (June 2018) (moderator)
- “Medical Coding and Billing 202,” CLE Webinar, American Bar Association Health Law Section (March 2018) (moderator)
- “Medical Coding and Billing 101,” CLE Webinar, American Bar Association Health Law Section (April 2017) (moderator)
- 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 (June 2008) (co-presenter)
- “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)