## CURRICULUM VITAE

## MICHELLE M. MELLO

Stanford Law School
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#### EDUCATION:

2000	Law	J.D.	Yale Law School New Haven, CT
1999	Health Policy and Administration	Ph.D.	University of North Carolina at Chapel Hill, NC
1995	Comparative Social Research	M.Phil.	New College, University of Oxford, Oxford, England
1993	Political Science, Applied Ethics	в.А.	Stanford University, Stanford, CA

### LICENSURE AND CERTIFICATION:

2001- Massachusetts State Bar

# ACADEMIC APPOINTMENTS:

2019-	Professor of Law, Stanford Law School, and Professor of Medicine, Center for Health Policy / Primary Care and Outcomes Research, Department of Medicine, Stanford University School of Medicine
2014-19	Professor of Law, Stanford Law School, and Professor of Health Research and Policy, Stanford University School of Medicine
2014-17	Adjunct Professor of Law and Public Health, Department of Health Policy and Management, Harvard T.H. Chan School of Public Health
2008-14	Professor of Law and Public Health, Department of Health Policy and Management, Harvard School of Public Health
2006-08	C. Boyden Gray Associate Professor of Health Policy and Law, Department of Health Policy and Management, Harvard School of Public Health
2005-06	Associate Professor of Health Policy and Law, Department of Health Policy and Management, Harvard School of Public Health
2006	Visiting Lecturer, Faculty of Law, University of Otago, Dunedin, New Zealand

2000-05 Assistant Professor of Health Policy and Law, Department of Health Policy and Management, Harvard School of Public Health

#### ACADEMIC AFFILIATIONS:

- 2014- Affiliated Faculty, Meta-Research Innovation Center at Stanford (METRICS)
- 2014- Core Faculty, Health Policy PhD Program, Stanford University School of Medicine
- 2013-14 Residential Lab Fellow, Edmond J. Safra Center for Ethics, Harvard University
- 2013-14 Faculty Affiliate, Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics at Harvard Law School

#### HONORS AND DISTINCTIONS:

- David Barap Brin Visiting Professorship in Medical Ethics, Johns Hopkins University School of Medicine
- 2017 Dean's Distinguished Scholar in Law, Washington University School of
- Department of Health Policy and Management Alumni Leadership Award, Gillings School of Public Health, University of North Carolina at Chapel Hill
- 2013 Elected to National Academy of Medicine (formerly the Institute of Medicine)
- 2008-13 Robert Wood Johnson Foundation Investigator Award in Health Policy
- 2010 Roger L. Nichols Excellence in Teaching Award, Harvard School of Public Health
- 2006 Alice S. Hersh New Investigator Award, AcademyHealth
- 2005-09 Greenwall Faculty Scholar
- 2005 Citation for Excellence in Teaching, Harvard School of Public Health
- 2004 Citation for Excellence in Teaching, Harvard School of Public Health
- 2000 Delta Omega Honorary Public Health Society, Theta Chapter
- 1997-99 Beinecke Scholar
- 1995-97 Kenan Fellow, University of North Carolina
- 1997 Harry T. Phillips Award for Teaching, University of North Carolina
- 1995 Graduation with Distinction, Oxford University
- 1993-95 Marshall Scholar
- 1993 Lyle and Olive Cook Prize, Stanford University
- 1993 Graduation with Honors and Distinction, Stanford University
- 1991 Phi Beta Kappa
- 1990 Cottrell Prize for Political Science, Stanford University

## PROFESSIONAL SERVICE:

2020-	Lancet Commission on Vaccine Refusal, Acceptance, and Demand in the United States
2019	Report Review Monitor and Coordinator, National Academies of Sciences, Medicine and Medicine
2016-19	Board of Directors, ChangeLab Solutions
2016-17	Committee on Ensuring Patient Access to Affordable Drug Therapies, National Academies of Sciences, Engineering and Medicine
2016-	Open Science Expert Panel, Patient-Centered Outcomes Research Institute (PCORI)
2016-17	Committee on Clinical Trials During the 2014-15 Ebola Outbreak, National Academies of Sciences, Engineering, and Medicine
2016-18	External Mentor, NSF ADVANCE Scholar Program for female faculty of color
2015-16	Planning Committee, Second Symposium on Gain-of-Function Research, National Academy of Medicine
2015-	Advisory Board, McCoy Family Center for Ethics in Society, Stanford University
2014-19	Technical Expert Panel, Agency for Healthcare Research and Quality Patient Safety Net (AHRQ PSNet)
2014-16	Expert Advisory Group, Patient Safety in Genome Medicine Project (NHGRI ELSI R21 project)
2013	Co-Chair, Working Group on Data Sharing, Multi-Regional Clinical Trials Center at Harvard University
2010-12	Committee on Ethical and Scientific Issues in Studying the Safety of Approved Drugs, Institute of Medicine
2010-11	Study Section, Research on Research Integrity, NIH $\!\!/$ DHHS Office of Research Integrity
2009	National Advisory Council Subcommittee on Patient Safety and Medical Liability Reform Demonstrations, Agency for Healthcare Research and Quality
2009-11	Board of Directors, Coalition for Health Services Research
2008-09	Special Emphasis Panel, Research on Ethical Issues in Human Studies, National Institutes of Health
2007-08	Planning Committee, CDC 2008 National Summit on Legal Preparedness for Obesity Prevention and Control
2007-11	Board of Directors, AcademyHealth
2007	Bioethics Ad Hoc Study Section, National Institutes of Health
2005-	Advisory Board on Publication Ethics, PLOS Medicine journal
2003-06	Links with Academia Advisory Group, American Health Lawyers Association
2003	Study Section, National Institute of Neurological Disorders and Stroke
2001-04	Ethics Advisory Committee, Children's Hospital, Boston

2000-14 Institutional Review Board, Harvard School of Public Health

### PROFESSIONAL SOCIETIES:

AcademyHealth Society for Empirical Legal Studies American Public Health Association American Society of Law, Medicine and Ethics

### OTHER PUBLIC SERVICE:

2004-09	Executive Committee, Yale Law School
2003-09	Executive Committee, Yale Law School Association of New England
2001-03	Member, Cabot House Senior Common Room, Harvard University
2000-08	Volunteer, Boston Cares
1998-99	Executive Board, Yale Law Women

## SELECTED ADMINISTRATIVE RESPONSIBILITIES:

2018-19	Appointments Committee, Stanford Law School
2017	University Long Range Planning Committee, Stanford University
2014-17	Committee on Joint Degrees, Stanford Law School
2009-15	Key Consultant and Methods Core member, National Program Office, Public Health Law Research Program, Robert Wood Johnson Foundation
2013-14	Member, MPH Transformation Team, Harvard School of Public Health
2009-14	Member, University-wide Committee on Conflicts of Interest, Harvard University
2008-14	Member, Committee on Higher Degrees in Health Policy, Harvard University
2006-14	Chair, Institutional Review Board, Harvard School of Public Health
2006-14	Director, Program in Law and Public Health, Harvard School of Public Health
2000-14	Master of Public Health Steering Committee, Harvard School of Public Health
2012-13	Member, Human Research Protection Program Unification Committee, Harvard University
2011-13	Co-chair and member, Standing Committee on Appointments, Reappointments and Promotions, Harvard School of Public Health
2006-08	Vice Chair, Faculty Council, Harvard School of Public Health
2006-07	Standing Committee on Ethics and Conflict of Interest in Continuing Education, Harvard Medical School
2004-07	Information Technology Advisory Committee, Harvard School of Public Health
2002-04	Resident Scholar, Cabot House, Harvard University
2001-06	Associate Director, Program in Law and Public Health, Harvard School of Public Health

### BUSINESS AND CONSULTING EXPERIENCE:

2018-	Consultant to CVS/Caremark on value-based formulary
2015-16	Consultant to the Medicare Payment Advisory Commission (MedPAC) on medical liability issues
2014	Consultant to CVS/Caremark on tobacco-free pharmacies
2011-12	Consultant to Oregon Health Authority on medical liability reform issues
2010-11	Consultant to James Bell Associates, Inc. on evaluation of AHRQ demonstration project program for medical liability and patient safety
2009-10	Consultant to the Medicare Payment Advisory Commission (MedPAC) on medical liability reform issues
2007-09	Consultant to Common Good on technical assistance to states considering medical liability reform
2007-08	Consultant to New York State Medical Liability Task Force
2006-07	Consultant to American Cancer Society on study of impact of laws relating to breast cancer screening
2006-07	Consultant to American Medical Risk Insurance Company on design of innovative professional liability insurance product
2005-06	Consultant to Robert Wood Johnson Foundation Policy Synthesis Project
2005	Consultant to Washington State Noneconomic Damages Task Force on study of noneconomic damages schedules
2004-05	Consultant to American Hospital Association Task Force on Health Care Liability Reform
2004-05	Consultant to Wyoming Health Care Commission on study of medical liability and patient safety reform commissioned by the Wyoming legislature
2001	Consultant to plaintiffs' attorneys in Simon v. Philip Morris Inc. (consolidated tobacco litigation in the Eastern District of New York).
1999	Summer Associate, Perkins Coie LLP, Seattle, WA
1999	Summer Associate, Miller, Cassidy, Larroca & Lewin, LLP, Washington, DC
1999	Intern, United States Attorney's Office, New Haven, CT
1998-99	Intern, New Haven Legal Assistance Association, New Haven, CT

## EDITORIAL BOARDS:

2015-	Editorial Board, The Milbank Quarterly
2012-13	Guest Editor, Theme Issue on Public Health Law Research, Journal of
	Health Politics, Policy and Law
2004-05	Guest Editor, Symposium Issue on Medical Malpractice, Journal of
	Law, Medicine & Ethics
1999-00	Essays Chair, Yale Law Journal

1999-00	Editor,	Yale	Journal of Health Policy, l	Law,	& Ethics
1998-99	Editor,	Yale	Law Journal		
1997-98	Editor,	Yale	Journal on Regulation		

#### MAJOR RESEARCH INTERESTS:

1. Empirical analysis of health law issues

(Principal Investigator)

(Co-investigator)

2012-16 Beth Israel Deaconess Medical Center Disclosure, Apology and Offer

- 2. Medical malpractice litigation
- 3. Medical errors and patient safety
- 4. Pharmaceuticals
- 5. Bioethics

## RESEARCH SUPPORT:

PAST FUNDING:		
2018-19	Stanford University School of Medicine Discovery Innovation Fund Application of Big Data to Medical Malpractice Policy Questions (Principal Investigator)	
2018-19	California Tobacco Control Program / ChangeLab Solutions Diffusion of Model Ordinances for Local Tobacco Control in California (Co-investigator)	
2018-19	Laura and John Arnold Foundation / Johns Hopkins Bloomberg School of Public Health  Johns Hopkins Drug Access and Affordability Initiative (Co-investigator)	
2016-19	Alfred P. Sloan Foundation Stanford Data Center for Population and Social Science Research: A Model Data Core (Co-investigator)	
2016-19	Laura and John Arnold Foundation / Bioethics International Pharma Integrity Index Project (Co-investigator)	
2016-17	SUMIT Insurance Company Ltd.  Practice Changes Among Physicians Who Incur Paid Claims and  Disciplinary Actions (Co-investigator)	
2016-17	Stanford University Cybersecurity and Health Information Exchanges (Co-investigator)	
2015-16	Greenwall Foundation Clinical Trial Participants' Attitudes Toward Participant-Level Clinical Trial Data Sharing	

2010-16	National Institutes of Health / DHHS Office of Research Integrity Accountability and the Role of the Principal Investigator in Multicenter Trials (Co-investigator)
2010-16	Agency for Healthcare Research and Quality New York State Medical Liability Reform and Patient Safety Demonstration Project (Co-investigator)
2014-15	Greenwall Foundation  Understanding the Lifecycle of Public Opinion of Public Health Laws  (Principal Investigator)
2013-15	Agency for Healthcare Research and Quality  Comprehensive Patient Safety and Medical Liability Communication and  Program Resolution Education Toolkit  (Co-investigator)
2008-14	Robert Wood Johnson Foundation Responding Justly to Patients Harmed by Medical Care: Disclosure, Compensation, and Litigation (Co-Principal Investigator) (Investigator Award)
2013-14	Edmond J. Safra Center for Ethics, Harvard University Institutional Oversight of Faculty Consulting Relationships (Residential Lab Fellowship)
2010-14	Agency for Healthcare Research and Quality  Communication to Prevent and Respond to Medical Injuries: Washington  State Collaborative (Co-investigator)
2010-13	National Institutes of Health / National Center for Research Resources Restrictive Provisions in Faculty Consulting Agreements (Principal Investigator)
2011-13	Greenwall Foundation  Moral Legitimacy in Public Health Practice (Principal Investigator)
2008-13	National Institutes of Health  Harvard Catalyst (Clinical and Translational Science Award) (Co-Investigator, Ethics Core)
2010-11	Agency for Healthcare Research and Quality Removing Barriers to Disclosure-and-Offer Models (Co-investigator)
2010	Robert Wood Johnson Foundation  An Empirical Evaluation of Public Health Law Approaches to Obesity  Prevention - Phase II  (Principal Investigator)
2009-10	Robert Wood Johnson Foundation

	An Empirical Evaluation of Public Health Law Approaches to Obesity Prevention - Phase I $(Principal\ Investigator)$
2007-10	Robert Wood Johnson Foundation  State Policy Approaches to Fostering Uptake of the Human  Papillomavirus Vaccine  (Principal Investigator)
2005-10	Greenwall Faculty Scholars Program  Ethical Issues in the Pharmaceutical Industry  (Investigator Award)
2007-09	Robert Wood Johnson Foundation  Preventing Childhood Obesity: Restricting Advertising and Promotion of Foods and Beverages to Children (Subcontract from Public Health Law & Policy/Yale University) (Principal Investigator)
2004-08	Robert Wood Johnson Foundation  Design of a Reliable System of Medical Justice  (Principal Investigator)
2003-06	National Institute of Neurological Disorders and Stroke Industry-Sponsored Research Contracts: An Empirical Study of Policies and Practices at Academic Medical Centers (Phase II) (Principal Investigator)
2005	Harvard Interfaculty Program for Health Systems Improvement Constitutionality of Administrative Compensation Systems (Co-Principal Investigator)
2005	Commonwealth Fund Alternative Approaches to Compensating Medical Injury: Lessons from International Models (Co-investigator)
2004-05	Harvard/Kennedy School Health Care Delivery Policy Program  Adverse Event Disclosure Evaluation Project Planning Grant (Principal Investigator)
2001-05	Agency for Healthcare Research and Quality  Malpractice Insurers Medical Error Prevention Study  (Co-investigator)
2004	US Agency for International Development  Health Enhancing Local Partnerships - Local Government Units Project (Co-investigator)
2004	Harvard Interfaculty Program for Health Systems Improvement Caps on Noneconomic Damages: Efficacy and Equity (Co-Principal Investigator)
2002-04	Pew Charitable Trusts An Empirical Investigation of the Pennsylvania Malpractice Environment (Principal Investigator)
2002-04	National Institute of Neurological Disorders and Stroke

	Industry-Sponsored Research Contracts: An Empirical Study of Policies and Practices at Academic Medical Centers (Phase I) (Principal Investigator)
2002-03	Commonwealth Fund  Legal Approaches to Improving the Business Case for Quality  (Principal Investigator)
2001-02	Harris Interactive/Anderson Consulting Strategic Health Perspectives (Co-investigator)
2001	Harvard Risk Management Foundation  Malpractice Insurers Medical Error Prevention Study (Co-investigator)
2000-01	National Science Foundation  Public Valuation of Lifesaving: The Controllability Issue (Co-investigator)
1998-99	Health Care Financing Administration (Dissertation Grant)  Market Penetration, Biased Selection, and Utilization in Medicare  HMOs (Principal Investigator)
1996-97	New College, University of Oxford (Thesis Grant)  Ethical Issues in "Do-Not-Resuscitate" Decisions (Principal Investigator)
CURRENT FUN	IDING:
2020-	Greenwall Foundation  Late Career Practitioners: Balancing Patient Safety and Physician  Autonomy  (Co-investigator)
2019-21	Arnold Ventures / Bioethics International  Pharma Integrity Index Project (Co-investigator)
2019-20	Greenwall Foundation  Ethical and Policy Issues for University Data Sharing in the Age of Big Data (Principal Investigator)
2019-22	Laura and John Arnold Foundation / Johns Hopkins Bloomberg School of Public Health  Johns Hopkins Drug Access and Affordability Initiative (Co-investigator)
TEACHING EX	PERIENCE:
2015-	Torts. Stanford Law School. Course Director.

Health Law: Improving Public Health. Stanford Law School and

Stanford University School of Medicine. Course Director.

2002-14 Public Health Law. Harvard School of Public Health. Course Director.

2015-

- 2002-14 Ethical Issues in International Health Research. Harvard School of Public Health. Member of course faculty.
- 2014 United States Health Policy. Harvard School of Public Health / EdX. Member of course faculty.
- 2000-13 Ethical Basis of the Practice of Public Health: Health Care Delivery. Harvard School of Public Health. Course Director.
- 2007-08 Law and Public Health. Harvard Law School. Course Director.
- 2001-03 Capstone Course in Law and Public Health. Harvard School of Public Health. Co-instructor.
- 2000 Democracy: Conflict, Collective Action, and the State. Yale University. Teaching Assistant.
- 1997 Statistical Methods. University of North Carolina at Chapel Hill. Course Director.
- 1997 Linear Regression. University of North Carolina at Chapel Hill. Teaching Assistant.
- 1996 Health Politics and Policy. University of North Carolina at Chapel Hill. Teaching Assistant.

#### **BIBLIOGRAPHY:**

#### ARTICLES:

- 1. **Mello MM**, Jenkinson C. Comparison of medical and nursing attitudes to resuscitation between a British and an American teaching hospital. Soc Sci Med 1998;46:415-24.
- 2. **Mello MM**. Death, life, and uncertainty: allocating the risk of error in the decision to terminate life support. Yale Law J 1999;109:635-42.
- 3. **Mello MM**. Of swords and shields: the use of clinical practice guidelines in medical malpractice litigation. Univ Penn Law Rev 2001;149:645-710.
- 4. **Mello MM**, Brennan TA. The controversy over high-dose chemotherapy with autologous bone marrow transplant for breast cancer. Health Aff 2001;20:101-17.
- 5. **Mello MM**, Brennan TA. Demystifying the law/science disconnect. J Health Polit Pol'y Law 2001;26:429-38.
- 6. **Mello MM**, Stearns SC, Norton EC. Do Medicare HMOs still reduce health services use after controlling for selection bias? Health Econ 2002;11:323-40.
- 7. **Mello MM**. Policing Medicaid and Medicare managed care: the role of courts and administrative agencies. J Health Polit Pol'y Law 2002;27:465-94.

- 8. **Mello MM**, Brennan TA. Deterrence of medical errors: theory and evidence for malpractice reform. Texas Law Rev 2002;80(7):1595-1637.
- 9. **Mello MM**. Using statistical evidence to prove the malpractice standard of care: bridging legal, clinical, and statistical thinking. Wake Forest Law Rev 2002;37:821-59.
- Mello MM, Rosenthal M, Neumann PJ. Direct-to-consumer advertising and shared liability for pharmaceutical manufacturers. JAMA 2003;289:477-81
- 11. Studdert DM, **Mello MM**, Brennan TA. Medical monitoring for pharmaceutical injuries: tort law for the public's health? JAMA 2003;289:889-94.
- 12. **Mello MM**, Studdert DM, Brennan TA. The Leapfrog standards: ready to jump from marketplace to courtroom? Health Aff 2003;22:46-59.
- 13. Whang E, **Mello MM**, Ashley SW, Zinner MJ. Implementing resident work hour limitations: lessons from the New York experience. Ann Surg 2003;237:449-455.
- 14. Ransom SB, Studdert DM, Dombrowski MP, **Mello MM**, Brennan TA. Reduced medicolegal risk by compliance with obstetric clinical pathways: a case-control study. Obstet Gynecol 2003;101:751-755.
- 15. **Mello MM**, Studdert DM, Brennan TA. The new medical malpractice crisis. N Engl J Med 2003;348:2281-84.
- 16. **Mello MM**, Stearns SC, Norton EC, Ricketts TC. Understanding biased selection in Medicare HMOs. Health Serv Res 2003;38:961-92.
- 17. **Mello MM**, Studdert DM, Brennan TA. The rise of litigation in human subjects research. Ann Intern Med 2003;139:40-45.
- 18. Brennan TA, **Mello MM**. Patient safety and medical malpractice: a case study. Ann Intern Med 2003;139:267-273.
- 19. Burns JP, **Mello MM**, Studdert DM, Puopolo AL, Truog RD, Brennan TA. Results of a controlled clinical trial on care improvement for the critically ill. Crit Care Med 2003;31:2107-2117.
- 20. Studdert DM, Burns JP, **Mello MM**, Puopolo AL, Truog RD, Brennan TA. Nature of conflict in the care of pediatric intensive care patients with prolonged stay. Pediatrics 2003;112:553-558.
- 21. Studdert DM, **Mello MM**, Burns JP, Puopolo AL, Galper BZ, Cook EF, Truog RD, Brennan TA. Conflict in the care of patients with prolonged stay in the ICU: types, sources, and predictors. Intensive Care Med 2003;29:1489-1497.
- 22. **Mello MM**, Brennan TA. Due process in investigations of research misconduct. N Engl J Med 2003;349:1280-1286.
- 23. Whang EE, Perez A, Ito H, **Mello MM**, Ashley SW, Zinner MJ. Work hours reform: perceptions and desires of contemporary surgical residents. J Am Coll Surg 2003;197:624-30.

- 24. **Mello MM**, Kelly CN, Studdert DM, Brennan TA, Sage WM. Hospitals' behavior in a tort crisis: observations from Pennsylvania. Health Aff 2003;22:225-233.
- 25. **Mello MM**, Rimm EB, Studdert DM. The McLawsuit: the fast food industry and legal accountability for obesity. Health Aff 2003;22:207-216.
- 26. Mello MM, Burns JP, Truog RD, Studdert DM, Puopolo AL, Brennan TA. Decision making and satisfaction with care in the pediatric ICU: findings from a controlled clinical trial. Ped Crit Care Med 2004;5:40-47.
- 27. Studdert DM, **Mello MM**, Brennan TA. Medical malpractice. N Engl J Med 2004;350:283-292.
- 28. **Mello MM**, Studdert DM, Brennan TA. The pharmaceutical industry versus Medicaid: limits on state initiatives to control prescription drug costs. N Engl J Med 2004;350:608-613.
- 29. **Mello MM**, Hemenway D. Medical malpractice as an epidemiological problem. Soc Sci Med 2004;59:39-46.
- 30. Studdert DM, Yang YT, **Mello MM**. Are damages caps regressive? A study of malpractice jury verdicts in California. Health Aff 2004;23:54-67.
- 31. **Mello MM**, Studdert DM, DesRoches CM, Peugh J, Zapert K, Brennan TA, Sage WM. Caring for patients in a malpractice crisis: physician satisfaction and quality of care. Health Aff 2004;23:42-53.
- 32. Studdert DM, **Mello MM**, Brennan TA. Financial conflicts of interest in physician relationships with the pharmaceutical industry: self-regulation in the shadow of federal prosecution. New Engl J Med 2004;351:1891-1900.
- 33. **Mello MM**. The experience of a community representative on an ethics consult team. J Clin Ethics 2004;15:296-301.
- 34. **Mello MM**, Kelly CN, Brennan TA. Fostering rational regulation of patient safety. J Health Polit Pol'y Law 2005;30:375-426.
- 35. **Mello MM**, Kelly CN. Effects of a professional liability crisis on residents' practice decisions. Obstet Gynec 2005;105:1287-1295.
- 36. **Mello MM**, Clarridge BR, Studdert DM. Academic medical centers' standards for clinical-trial agreements with industry. N Engl J Med 2005;352:2202-2210.
- 37. Studdert DM, **Mello MM**, Sage WM, DesRoches CM, Peugh J, Zapert K, Brennan TA. Defensive medicine among high-risk specialist physicians in a volatile malpractice environment. JAMA 2005;293:2609-2617.
- 38. Entwistle VE, **Mello MM**, Brennan TA. Advising patients about patient safety: current initiatives risk shifting responsibility. Joint Commission J Qual Patient Safety 2005;31:483-494.
- 39. **Mello MM**. Managing malpractice crises. J Law Med Ethics 2005;33:414-415.

- 40. Kelly CN, **Mello MM**. Are medical malpractice damages caps constitutional? An overview of state litigation. J Law Med & Ethics 2005;33:515-534.
- 41. Irani JL, **Mello MM**, Ashley SW, Whang EE, Zinner MJ, Breen E. Surgical residents' perceptions of the effects of the ACGME duty hour requirements one year after implementation. Surgery 2005;138:246-253.
- 42. Breen E, Irani JL, **Mello MM**, Whang EE, Zinner MJ, Ashley SW. The future of surgery: today's residents speak. Curr Surg 2005;62:543-546.
- 43. **Mello MM**, Studdert DM, DesRoches CM, Peugh J, Zapert K, Brennan TA, Sage WM. Effects of the malpractice crisis on specialist supply and access to care. Ann Surg 2005;242:621-628.
- 44. **Mello MM**, Clarridge BR, Studdert DM. Researchers' views of the acceptability of restrictive provisions in clinical trial agreements with industry sponsors. Accountability in Res 2005;12:163-191.
- 45. **Mello MM**, Brennan TA. Legal concerns and the influenza vaccine shortage. JAMA 2005;294:1817-1820.
- 46. **Mello MM**, Powlowski MP, Nañagas JMP, Bossert T. The role of law in public health: the case of family planning in the Philippines. Soc Sci Med 2006;63:384-396.
- 47. Studdert DM, **Mello MM**, Gawande AA, Gandhi TK, Kachalia A, Yoon C, Puopolo AL, Brennan TA. Claims, errors, and compensation payments in medical malpractice litigation. N Engl J Med 2006;354:2024-2033.
- 48. **Mello MM**, Studdert DM, Brennan TA. Obesity--the new frontier of public health law. N Engl J Med 2006;354(24):2601-2610.
- 49. Samanta A, **Mello MM**, Foster C, Tingle J, Samanta J. The role of clinical guidelines in medical negligence litigation: a shift from the *Bolam* standard? Med Law Rev 2006;14:321-366.
- 50. **Mello MM**, Studdert DM, Kachalia A, Brennan TA. "Health courts" and accountability for patient safety. Milbank Q 2006;84:459-492.
- 51. Kesselheim AS, **Mello MM**. Medical process patents—-monopolizing the delivery of health care. N Engl J Med 2006;355:2036-2041.
- 52. Studdert DM, **Mello MM**, Gawande AA, Brennan TA, Wang YC. Disclosure of medical injury: an improbable risk management strategy. Health Aff 2007;26:215-226.
- 53. Joffe S, **Mello MM**, Cook EF, Lee SJ. Advance care planning among patients undergoing hematopoietic cell transplantation. Biol Blood & Marrow Transpl 2007;13:65-73.
- 54. Studdert DM, **Mello MM**, Jedrey CM, Brennan TA. Regulatory and judicial oversight of nonprofit hospitals. N Engl J Med 2007;356:625-631.
- 55. Kesselheim AS, **Mello MM**. Confidentiality laws and secrecy in medical research: improving access to data on drug safety. Health Aff 2007;26:483-491.

- 56. **Mello MM**, Studdert DM, Schumi J, Brennan TA, Sage WM. Changes in physician supply and scope of practice during a malpractice crisis: evidence from Pennsylvania. Health Aff 2007;26:w425-w435 (web exclusive).
- 57. Studdert DM, Mello MM, Levy MK, Gruen RL, Dunn EJ, Orav EJ, Brennan TA. Geographic variation in informed consent law: two standards for disclosure of treatment risks. J Empirical Leg Stud 2007;4:103-124.
- 58. Brennan TA, **Mello MM**. Sunshine laws and the pharmaceutical industry. JAMA 2007;297:1255-1257.
- 59. **Mello MM**, Joffe S. Compact versus contract: industry sponsors' obligations to their research subjects. N Engl J Med 2007;356:2737-2743.
- 60. **Mello MM**, Studdert DM, Thomas EJ, Yoon C, Brennan TA. Who pays for medical errors? An analysis of adverse event costs, the medical liability system, and incentives for patient safety improvement. J Empirical Leg Stud 2007;4(4):835-860.
- 61. **Mello MM**, Studdert DM, Moran P, Dauer EA. Policy experimentation with administrative compensation for medical injury: issues under state constitutional law. Harvard J Legis 2008;45:59-106.
- 62. **Mello MM**. Rationalizing vaccine injury compensation. Bioethics 2008;22(1):32-42.
- 63. Kachalia AB, Studdert DM, Brennan TA, **Mello MM**. Beyond negligence: avoidability and medical injury compensation. Soc Sci Med 2008;66(2):387-402.
- 64. **Mello MM**. Obesity—personal choice or public health issue? Nature Clin Pract Endocrinol Metab 2008;4(1):2-3.
- 65. Studdert DM, **Mello MM**. When tort resolutions are "wrong": predictors of discordant outcomes in medical malpractice litigation. J Leg Stud 2008;36(Suppl 2):S47-S78.
- 66. **Mello MM**, Zeiler K. Empirical health law: the state of the field. Georgetown Law J 2008;96:649-702.
- 67. **Mello MM**, Studdert DM. Deconstructing negligence: the role of individual and system factors in causing medical injuries. Georgetown Law J 2008;96:599-623.
- 68. **Mello MM**, Pomeranz J, Moran P. The interplay of public health law and industry self-regulation: the case of sugar-sweetened beverage sales in schools. Am J Pub Health 2008;98:595-604.
- 69. Yang YT, Studdert DS, Subramanian SV, **Mello MM**. A longitudinal analysis of the impact of liability pressure on the supply of obstetriciangynecologists. J Empirical Leg Stud 2008;5(1):21-53.
- 70. Miller FG, **Mello MM**, Joffe S. Incidental findings in human research: what do investigators owe research participants? J Law Med Ethics 2008;36(2):271-279.

- 71. Barringer PJ, Studdert DM, Kachalia A, **Mello MM**. Administrative compensation of medical injuries: a hardy perennial blooms again. J Health Polit Pol'y Law 2008;33(4):725-760.
- 72. **Mello MM**, Rosenthal MB. Wellness programs and lifestyle discrimination—the legal limits. N Engl J Med 2008;359(2):192-199.
- 73. Siegal G, **Mello MM**, Studdert DM. Adjudicating severe birth injury claims in Florida and Virginia: The experience of a landmark experiment in personal injury compensation. Am J Law Med 2008;34:489-533.
- 74. Yang YT, **Mello MM**, Subramanian SV, Studdert DM. Relationship between malpractice litigation pressure and rates of cesarean section and vaginal birth after cesarean section. Med Care 2009;47(2):234-242.
- 75. **Mello MM**, Studdert DM, Brennan TA. Shifting terrain in the regulation of off-label promotion of pharmaceuticals. N Engl J Med 2009;360(15): 1557-1566.
- 76. **Mello MM**. New York City's war on fat. N Engl J Med 2009;360(19):2015-2020.
- 77. Brennan TA, **Mello MM**. Incremental health care reform. JAMA 2009; 301(17):1814-1816.
- 78. Gallagher TH, Bell SK, Smith KM, **Mello MM**, McDonald TB. Disclosing harmful errors to patients: tackling three tough cases. Chest 2009;136:897-903.
- 79. **Mello MM**, Brennan TA. The role of medical liability reform in federal health reform. N Engl J Med 2009;361(1):1-3.
- 80. **Mello MM**, Gostin LO. A legal perspective on diabetes surveillance—privacy and the police power. Milbank Q 2009;87(3):575-580.
- 81. Bian J, Lipscomb J, **Mello MM**. Spillover effects of state mandated-benefit laws: the case of outpatient breast cancer surgery. Inquiry 2009;46:433-447.
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- 34. **Mello MM**, Studdert DM, Kachalia A. Medical liability and reporting malpractice payments—reply. JAMA 2015;313(10):1058.
- 35. **Mello MM**, Kachalia A. Medical malpractice: evidence on reform alternatives and claims involving elderly patients. Report to the Medicare Payment Advisory Commission. December 2016. <a href="http://www.medpac.gov/docs/default-source/reports/dec16">http://www.medpac.gov/docs/default-source/reports/dec16</a> medicalmalpractice medpac contractor.pdf?sfvrsn=0.
- 36. **Mello MM**. Comment on two patients, two operating rooms, one surgeon-does the math add up? Clin Orthop Relat Res. 2016;474: 2097-2099.
- 37. Livingston EH, **Mello MM**. Length of stay after overlapping surgery—reply [letter]. JAMA 2017;318(21):2140-1.
- 38. **Mello MM**, Benjamin EM, Kachalia A. Avoiding malpractice suits: the authors reply [letter]. Health Aff (Millwood) 2018;37(4):676.
- 39. Moore J, **Mello MM**. What patients expect and deserve—reply [letter]. JAMA Intern Med 2018;178(4):578-579.
- 40. Engstrom FN, **Mello MM**. Litigation is critical to opioid response. San Francisco Daily Journal, Mar. 13, 2019:1.
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- 43. Cohen IG, **Mello MM**. HIPAA in the era of data sharing—reply [letter]. JAMA 2020;323(5):477.
- 44. Kahn J, Johns Hopkins Project on Ethics and Governance of Digital Contact Tracing Technologies. *Digital Contact Tracing for Pandemic Response* (Baltimore: Johns Hopkins University Press, 2020). https://muse.jhu.edu/book/75831/pdf.

#### UNDER REVIEW:

- 1. Liu S, **Mello MM**, Kesselheim AS. Prospects for enforcement of off-label drug promotion after United States v. Caronia: an analysis of litigated cases. J Health Polit Pol'y Law 2020 (under revision).
- 2. Krass M, Henderson P, Mello MM, Studdert DM, Ho DE. Artificial intelligence, Covid-19 and law: the need for evaluation in the age of many models. BMJ 2020 (under review).
- 3. Schulz-Moore JS, Bismark M, Jenkinson C, **Mello MM**. Assessing patients' experiences with medical injury reconciliation processes: item generation for a novel survey questionnaire. Jt Comm J Qual Safety 2020 (under review).
- 4. Kachalia A, **Mello MM**. Surge 2.0-keeping hospitals afloat during Covid-19. N Engl J Med 2020 (under review).

#### SELECTED PRESENTATIONS, LAST 3 YEARS:

- 2017 "Outcomes of a Communication-and-Resolution Program in Two Massachusetts Hospital Systems," Faculty Workshop, Washington University School of Law, St. Louis, MO.
- 2017 "Clinical Trial Data Sharing: Study Participants' Views," Stanford Prevention Research Center Seminar, Stanford, CA.
- 2017 "When Things Go Wrong: Responding to Patients' Needs and Managing Legal Risk," Bergein F. Overholt Keynote Lecture, GI Roundtable, Fort Worth, TX.
- 2017 "Outcomes of a Communication-and-Resolution Program in Two Massachusetts Hospital Systems," Health Policy & Management Workshop, Texas A&M School of Public Health, College Station, TX.
- 2017 "Health Policy in the Trump Administration," Stanford Law Alumni Dallas Chapter, Dallas, TX.
- 2017 "Health Policy in the Trump Administration," Association of Surgical Administrators Annual Retreat, Stanford, CA.
- 2017 "Lessons Learned from the Ebola Epidemic," Between Complacency and Response: Legal, Ethical, and Policy Responses to Emerging Infectious Diseases," Northeastern University School of Law, Boston, MA.

- 2017 "Patients' Experiences With Adverse Event Disclosure and Reconciliation," Massachusetts Alliance for Communication and Resolution Following Medical Injury 5<sup>th</sup> Annual Forum, Waltham, MA.
- 2017 "CARe Evaluation Results," Massachusetts Alliance for Communication and Resolution Following Medical Injury 5<sup>th</sup> Annual Forum, Waltham, MA.
- 2017 "Managing the Risks of Overlapping Surgeries," Keynote Address, Society of Neurological Surgeons Annual Meeting, Houston, TX.
- 2017 "Outcomes of a Communication-and-Resolution Program in Two Massachusetts Hospital Systems," Health Law Professors Conference, Atlanta, GA.
- "Legal Challenges to City Ordinances Aimed at Sugar-Sweetened Beverages," National Academies of Sciences, Engineering and Medicine Workshop on Strategies to Limit Sugar-Sweetened Beverage Consumption in Young Children, Washington, DC.
- "Outcomes of Communication-and-Resolution Programs," CANDOR Conference, Iowa Medical Society, Des Moines, IA.
- 2017 "Why Ensuring Access to Affordable Drugs Is the Hardest Problem in Health Policy," Minnesota Law Review Symposium on a Prescription for Pharmaceuticals' Future: Balancing Industry and Consumer Concerns in Pharmaceutical Drug Development, University of Minnesota Law School, Minneapolis, MN.
- 2017 "Clinical Trial Participants' Views of Clinical Trial Data Sharing," Stanford Center for Biomedical Ethics Workshop, Stanford, CA.
- 2017 "The Problem of Prescription Drug Affordability," seminar before the Justices and staff of the California Supreme Court, San Francisco, CA.
- 2017 "What Makes Prescription Drug Affordability the Hardest Problem in Health Policy?" Faculty Workshop, University of San Diego School of Law, San Diego, CA.
- "Meeting Patients' Needs Following Adverse Events: What the Evidence Tells Us," 36<sup>th</sup> Annual David Barap Brin Lecture in Medical Ethics, Sidney Kimmel Comprehensive Cancer Center at Johns Hopkins, Baltimore, MD.
- 2018 "Clinical and Policy Responses to the Problem of High-Cost Medicines," Oncology Grand Rounds, Sidney Kimmel Comprehensive Cancer Center at Johns Hopkins, Baltimore, MD.
- 2018 "Ethical, Legal, and Social Issues in Conducting Research During Infectious Disease Outbreaks," American Academy of Arts and Sciences Annual Meeting, Austin, TX.
- 2018 "Why Prescription Drug Affordability Is the Hardest Problem in Health Policy," Faculty Workshop, Stanford Law School, Stanford, CA.
- 2018 "Clinical Trial Participants' Views of Clinical Trial Data Sharing,"
  Health Policy and Management Research Seminar, Indiana University
  Richard M. Fairbanks School of Public Health, Indianapolis, IN.

- "Legal and Policy Interventions to Improve Patient Safety: Progress Since the Institute of Medicine's Report", 24<sup>th</sup> Annual Clifford Symposium on Tort Law and Social Policy, DePaul University College of Law, Chicago, IL.
- "Insights From Patients: The Future of Communication and Resolution Programs" [keynote]. Northwest Patient Safety Conference, SeaTac, WA.
- 2018 "Does Tort Liability Deter Medical Malpractice? A Fresh Look at the Evidence," Health Law Professors Conference, Case Western Reserve School of Law, Cleveland, OH.
- 2018 "Leveraging Purchasing Power to Address Drug Costs," AcademyHealth Annual Research Meeting, Seattle, WA.
- 2018 "Clinical Trial Data Sharing: Perspectives From Participants and PCORI," NIH Collaboratory Grand Rounds [webinar].
- 2018 "Effects of a Communication-and-Resolution Program on Hospitals' Malpractice Claims and Costs," Law, Economics and Organization Workshop, Yale Law School, New Haven, CT.
- 2018 "Effects of a Communication-and-Resolution Program on Hospitals'
  Malpractice Claims and Costs," Law and Economics/Applied Microeconomics
  Seminar, Vanderbilt Law School, Nashville, TN.
- "Open Science and Data Transparency," PCORI/Association of Health Care Journalist Fellowship on Comparative Effectiveness Research Workshop, Washington, DC.
- 2018 "Ensuring Access to Affordable Prescription Drugs," AMIA 2018 Annual Symposium Corporate Roundtable, San Francisco, CA
- 2018 "Clinical Trial Data Sharing: Perspectives From Participants," Keynote, Public Responsibility in Medicine and Research (PRIM&R) 2018 Advancing Ethical Research Conference, San Diego, CA
- 2018 "Why Prescription Drug Affordability Is the Hardest Problem in Health Policy," Distinctive Voices Lecture Series, National Academy of Sciences, Engineering & Medicine, Irvine, CA.
- 2019 "Ensuring Access to Affordable Prescription Drugs," Keynote, Journal of Legal Medicine Inaugural Symposium, Georgia State University College of Law, Atlanta, GA.
- 2019 "Patients' Experiences of Medical Error Disclosure and Reconciliation," Department of Medicine Grand Rounds, University of Pittsburgh Medical Center, Pittsburgh, PA.
- 2019 "Does Medical Malpractice Liability Make Healthcare Safer?" Bioethics Colloquium, University of Pittsburgh Medical Center, Pittsburgh, PA.
- 2019 "University Technology Transfer Office Practices," Roundtable on University Patenting, Stanford Law School, Stanford, CA.

- 2019 "Nudging Pharmaceutical Companies Toward Better Practices: The Good Pharma Scorecard," Center for Law & the Biosciences Workshop, Stanford Law School Stanford, CA.
- 2019 "Communication-and-Resolution Program Pilot Study Results," MACRMI Annual Forum, Massachusetts Medical Society, Waltham, MA.
- 2019 "Practice Changes Among Medical Malpractice 'Frequent Flyers'," Health Law Professors Conference, Loyola Law School, Chicago, IL.
- 2019 "Legal Strategies for Reining in 'Unconscionable' Prices for Prescription Drugs," Northwestern University Law School Faculty Workshop, Chicago, IL.
- "Peering into Hidden Worlds: The Past and Future of Legal Epidemiology," Keynote Address, Symposium on 10 Years of Public Health Law Research: Looking Back and Looking Ahead, Temple University Law School, Philadelphia, PA.
- 2019 "Legal Strategies for Reining in 'Unconscionable' Prices for Prescription Drugs," Health Law Workshop, Harvard Law School, Cambridge, MA.
- 2020 "Why Do Data Use Agreements Take So Long? A Study of Top-50 Research Universities," Stanford Health Policy Research-in-Progress Seminar, Stanford University School of Medicine, Stanford, CA.
- 2020 "Ethics of Data and Code Sharing," Workshop on Scientific Publication Beyond the Text: Sharing Research Objects, Center for Reproducible Neuroscience, Stanford University, Stanford, CA.
- 2020 "Coronavirus and the Ethics of Quarantine," Epidemiology Supper Club, Stanford University School of Medicine, Stanford, CA.
- "Legal Challenges to Vaccination Mandates," Vaccine Law and Policy: The Role of the Law from a Health Justice and Human Rights Lens, Yale Law School, New Haven, CT.
- "Patients' Experiences of Medical Error Disclosure and Reconciliation,"
  Reza Gandjei Memorial Lecture, UCSF Medical Center Medicine Grand
  Rounds, San Francisco, CA.
- "Ethical Issues in the Integration of Digital Technologies into Research and Clinical Care," An Examination of Emerging Bioethical Issues in Biomedical Research: A Workshop, National Academies of Sciences, Engineering and Medicine, Washington, DC.
- 2020 "Why Do Data Use Agreements Take So Long? A Study of Top-50 Research Universities," Standardizing Data Use Agreements, Harvard University, Boston, MA.
- 2020 "COVID-19, Digital Technologist, and the Future of Disease Surveillance," Center for Law & Biosciences Workshop, Stanford, CA.
- "Federalism and the U.S. Response to COVID-19," Freeman-Spogli Institute Webinar, Stanford, CA.

- 2020 "COVID-19 and Digital Epidemiology," SPILS Workshop, Stanford Law School, Stanford, CA.
- "Data Sharing for Academic Research: Process and Agreements," Faculty Workshop, Stanford Law School, Stanford, CA.
- "Federalism and COVID-19," COVID-19 and Federalism: Opportunities and Challenges (webinar), Rappaport Center for Law and Public Policy, Boston College Law School, Newton, MA.