

CURRICULUM VITAE

MICHELLE M. MELLO

Stanford Law School
559 Nathan Abbott Way, Stanford, CA 94305-8610
Tel. (650) 725-3894, Fax (650) 725-0253
Email: mmello@law.stanford.edu

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	B.A.	Stanford University, Stanford, CA

LICENSURE AND CERTIFICATION:

2001- Massachusetts State Bar

ACADEMIC APPOINTMENTS:

2014-	Professor of Law, Stanford Law School and Professor of Health Research and Policy, Stanford University School of Medicine
2014-	Adjunct Professor of Law and Public Health, Department of Health Policy and Management, Harvard School of Public Health
2008-14	Professor of Law and Public Health, Department of Health Policy and Management, Harvard School of Public Health
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
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

HONORS AND DISTINCTIONS:

2013 Member, Institute of Medicine

2008-13 Robert Wood Johnson Foundation Investigator Award in Health Policy Research

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 Henry 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:

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- Institutional Review Board, Harvard School of Public Health

1998- Peer reviewer for: *New England Journal of Medicine; JAMA; Health Affairs; Journal of Health Economics; American Journal of Public Health; Annals of Internal Medicine; Lancet; BMJ; Inquiry; Medical Care; Health Economics; BMC Quality & Safety; PLoS Medicine, PLoS One, Journal of Law, Medicine and Ethics; Academic Medicine; Journal of Health Politics, Policy and Law; Health Expectations; Milbank Quarterly; Health Services Research; Social Science and Medicine; Health Policy; Journal of General Internal Medicine; American Journal of Managed Care; Southern Economic Journal; Journal of Rural Health; Joint Commission Journal on Quality and Patient Safety; Journal of Economic Literature; Aging & Society; Tobacco Control; BMC Quality & Safety; BMC Health Services Research; American Journal of Bioethics; JAMA Internal Medicine; Public Health Reports; Hastings Center Report; Journal of Empirical Legal Studies; Health Care Financing and Organization Program; RAND COMPARE Program; Robert Wood Johnson Foundation grantmaking programs*

PROFESSIONAL SOCIETIES:

AcademyHealth
Society for Empirical Legal Studies

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

ADMINISTRATIVE RESPONSIBILITIES:

2009- 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:

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 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:

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, 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
2. Medical malpractice litigation
3. Medical errors and patient safety
4. Pharmaceuticals
5. Ethics

RESEARCH SUPPORT:

PAST FUNDING:

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)

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- 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 FUNDING:

- 2013-15 Agency for Healthcare Research and Quality
Comprehensive Patient Safety and Medical Liability Communication and Program Resolution Education Toolkit
(Co-investigator)
- 2012-14 Beth Israel Deaconess Medical Center
Disclosure, Apology and Offer
(Co-investigator)
- 2010-14 National Institutes of Health / DHHS Office of Research Integrity
Accountability and the Role of the Principal Investigator in Multicenter Trials
(Co-investigator)
- 2010-15 Agency for Healthcare Research and Quality
New York State Medical Liability Reform and Patient Safety Demonstration Project
(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)

TEACHING EXPERIENCE:

- 2002-14 *Public Health Law*. Harvard School of Public Health. Course Director.
- 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;80:1595-1637.
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.
10. **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 obstetrician-gynecologists. *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.
82. **Mello MM**. Federal Trade Commission regulation of food advertising to children: possibilities for a reinvigorated role. *J Health Polit Pol'y Law* 2010;35(2):227-276.
83. Kesselheim A, Studdert DM, **Mello MM**. Whistle-blowers' experiences in fraud litigation against pharmaceutical companies. *N Engl J Med* 2010;362(19):1832-1839.
84. Studdert DM, **Mello MM**, Brennan TA. Defensive medicine and tort reform—a wide view. *J Gen Intern Med* 2010;25(5):380-81.

85. **Mello MM**, Gallagher TH. Malpractice reform—opportunities for leadership by healthcare institutions and liability insurers. *N Engl J Med* 2010;362(15):1353-1356.
86. Winickoff J, Gottlieb M, **Mello MM**. Regulation of smoking in public housing. *N Engl J Med* 2010;362(24):2319-2325.
87. Burris S, Wagenaar AC, Swanson JW, Ibrahim JK, Wood J, **Mello MM**. Making the case for laws that improve health: a framework for public health law research. *Milbank Q* 2010;88(2):169-210.
88. **Mello MM**, Wolf LE. The Havasupai Indian tribe case—lessons for research involving stored biologic samples. *N Engl J Med* 2010;363(3):204-207.
89. Colgrove J, Abiola S, **Mello MM**. School mandates for HPV vaccination—public health law making amid political and scientific controversy. *N Engl J Med* 2010;363(8):785-791.
90. Carrier E, Reschovsky JD, **Mello MM**, Mayrell RC, Katz D. Physicians' fears of malpractice lawsuits are not assuaged by tort reforms. *Health Aff* 2010;29(9):1585-1592.
91. **Mello MM**, Chandra A, Gawande A, Studdert DM. National costs of the medical liability system. *Health Aff* 2010;29(9):1569-1577.
92. Mastroianni A, **Mello MM**, Sommer S, Hardy M, Gallagher TH. The flaws in state 'apology' and 'disclosure' laws dilute their intended impact on malpractice suits. *Health Aff* 2010;29(9):1611-1619.
93. Mangalmurti S, Murtagh L, **Mello MM**. Medical malpractice liability in the age of electronic health records. *N Engl J Med* 2010;362(21):2060-2067.
94. Studdert DM, Spittal MJ, **Mello MM**, O'Malley AJ, Stevenson DG. Relationship between quality of care and negligence litigation in nursing homes. *N Engl J Med* 2011;364:1243-50.
95. Kesselheim AS, **Mello MM**, Studdert DM. Strategies and practices in off-label marketing of pharmaceuticals: a retrospective analysis of whistleblower complaints. *PLoS Med* 2011;8(4):e1000431.
96. Kachalia A, **Mello MM**. New directions in medical liability reform. *N Engl J Med* 2011;364(16):1564-1572.
97. Studdert DM, Kachalia AB, Salomon JA, **Mello MM**. Rationalizing noneconomic damages: a health-utilities approach. *Law & Contemp Prob* 2011;74:57-101.
98. Kesselheim A, Murtagh L, **Mello MM**. "Pay for delay" settlements of disputes over pharmaceutical patents. *N Engl J Med* 2011;365:1439-45.
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128. Kesselheim AS, **Mello MM**. Prospects for regulation of off-label drug promotion in an era of expanding commercial speech protection. *North Carolina Law Rev* 2014;92(3):.

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 7. **Mello MM**, Rosenthal MB, Neumann PJ. Liability for adverse events in direct-to-consumer advertising [letter]. *JAMA* 2003;289:2647.
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 14. **Mello MM**. Understanding malpractice insurance: a primer. Research Synthesis Report No. 8 (Princeton, NJ: The Robert Wood Johnson Foundation, 2006).
 15. **Mello MM**. Medical malpractice: impact of the crisis and effect of state tort reforms. Research Synthesis Report No. 10 (Princeton, NJ: The Robert Wood Johnson Foundation, 2006). Available at <http://www.rwjf.org/pr/product.jsp?id=15168>.
 16. **Mello MM**. Book review: *Can We Say No? The Challenge of Health Care Rationing*. *J Econ Lit* 2006;44:1049-1054.

17. Moran P, Pomeranz J, **Mello MM**. Policies affecting access to sugar-sweetened beverages in schools: a legal and regulatory review. Report to the Robert Wood Johnson Foundation, 2006.
18. Bian J, Lipscomb J, **Mello MM**. Spillover effects of state mandated-benefit laws: the case of outpatient breast cancer surgery [abstract and oral presentation]. AcademyHealth Annual Meeting, 2007.
19. Studdert DM, **Mello MM**, Gawande A, Brennan TA. Disclosure: the authors respond [letter]. *Health Aff* 2007;26:904-05.
20. **Mello MM**, Chandra A. The cap doesn't fit. *New York Times* [op-ed], July 12, 2009.
21. **Mello MM**. Reform the medical liability system. *New York Times* [op-ed on nytimes.com], Nov. 14, 2010.
22. **Mello MM**, **Kachalia A**. Evaluation of options for medical malpractice system reform. Report to the Medicare Payment Advisory Commission. April 2010. Available at http://www.medpac.gov/documents/Apr10_MedicalMalpractice_CONTRACTOR.pdf
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SELECTED PRESENTATIONS, LAST 3 YEARS:

- 2011 "Legal and Policy Approaches to the Obesity Epidemic," Edward E. Mason Founder's Lecture, American Society for Metabolic & Bariatric Surgery 28th Annual Meeting, Orlando, FL.
- 2011 "Addressing Medical Liability Implications of the Electronic Age," World Congress 3rd Annual Leadership Summit on mHealth, Cambridge, MA.
- 2011 "Cyber Risk," Michigan Society of Healthcare Risk Management Annual Meeting, Lansing, MI.
- 2011 "Accountability for Medical Injuries," Robert Wood Johnson Foundation Health Policy Investigator Awards Annual Meeting, Princeton, NJ.
- 2011 "Institutional Oversight of Faculty Consulting Agreements With Industry," Harvard Catalyst Research Ethics Group, Boston, MA.
- 2011 "University Oversight of Faculty Consulting Agreements With Pharmaceutical Companies," Pharmaceutical Policy Research Seminar, Harvard Medical School/Harvard Pilgrim Health Care Institute, Boston, MA.
- 2011 "Institutional Oversight of Faculty Consulting Agreements With Industry," Health Policy and Management Faculty Research Seminar, Harvard School of Public Health, Boston, MA.
- 2012 "'Obamacare' in the Supreme Court," Harvard School of Public Health, Boston, MA.
- 2012 "Supreme Court Roundup: What Happened Last Week and What Does It Mean for Federal Health Reform?," Harvard School of Public Health, Boston, MA.
- 2012 "Institutional Oversight of Faculty Consulting Agreements With Pharmaceutical Companies," Pharmaceutical Policy Working Group, Harvard Law School, Cambridge, MA.
- 2012 "Health Courts as a Medical Liability Reform Strategy," National Coalition on Health Care Meeting, Washington, DC.
- 2012 "'Obamacare' in the Supreme Court: Legal and Policy Update," Health Policy and Management Executive Council Meeting, Harvard School of Public Health, Boston, MA.
- 2012 "Accountability: A Scholar's Perspective," HealthPact Forum Annual Meeting, SeaTac, WA.
- 2012 "Institutional Oversight of Faculty Consulting Agreements With Pharmaceutical Companies," Mongan Institute of Health Policy Faculty Seminar, Massachusetts General Hospital, Boston, MA.

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- 2012 "Building a Successful Career in Academia," AcademyHealth Annual Research Meeting, Orlando, FL.
- 2012 "Ethical Review Boards," Program in Ethical Issues in International Health Research, Harvard School of Public Health, Boston, MA.
- 2012 "Current Directions in Medical Liability Reform," Johns Hopkins Bloomberg School of Public Health, Baltimore, MD.
- 2012 "New Directions in Medical Liability Reform," Keynote Address, American College of Surgeons Medical Liability Summit, Washington, DC.
- 2012 "Hospital-Led Malpractice Reform: Disclosure-and-Offer Programs in Massachusetts and Beyond," Neurosurgery Grand Rounds, Massachusetts General Hospital, Boston, MA.
- 2013 "Disclosure of Medical Errors and Medicolegal Risk: Is It Safe to Be Honest?" Health Law Distinguished Speaker Series, Center for Health Law Studies, St. Louis University School of Law, St. Louis, MO.
- 2013 "Disclosure and Resolution Programs," Medical Malpractice Roundtable, University of Texas School of Law, Austin, TX.
- 2013 "Public Views on the Legitimacy of Legal Interventions to Fight Obesity and Chronic Disease," Leonard Davis Institute Speaker Seminar, University of Pennsylvania, Philadelphia, PA.
- 2013 "National Progress of Disclosure-and-Resolution Programs," Massachusetts Alliance for Communication and Resolution following Medical Injury Annual Forum, Waltham, MA.
- 2013 "Medical Liability and Accountability for Safe Care: Looking Back, Moving Forward," Regis J. Fallon Lecture, Center for Health and the Social Sciences, University of Chicago, Chicago, IL.
- 2013 "Potential Models for Data Sharing," Issues and Case Studies in Clinical Trial Data Sharing: Lessons and Solutions, Multi-Regional Clinical Trials Center, Cambridge, MA.
- 2013 "Disclosure of Medical Errors: Is It Safe to Be Honest?" Ethics Grand Rounds, Dana Farber Cancer Institute, Boston, MA.
- 2013 "The Nanny State? Legal Interventions to Fight Obesity and Chronic Diseases," Harvard School of Public Health Leadership Council Meeting, Cambridge, MA.
- 2013 "Managing Relationships With Industry," Hematology/Oncology Grand Rounds, Rhode Island Hospital, Providence, RI.
- 2013 "Next Steps for Communication and Resolution Programs," National Quality Colloquium Bootcamp, Washington, DC.
- 2013 "Disclosure and Resolution Programs as a Quality Improvement Initiative," 3rd HealthPact Forum, Seattle, WA.

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- 2013 "Implementing Communication and Resolution Programs: Insights from Early Adopters," Georgia State University Center for Law, Health and Society Workshop, Atlanta, GA.
- 2013 "The Nanny State? Public Views on Legal Interventions to Fight Obesity and Chronic Disease," Georgia State University Center for Law, Health and Society Grand Rounds, Atlanta, GA.
- 2013 "Preparing for Responsible Sharing of Clinical Trial Data," Invited presentation to Institute of Medicine Committee on Strategies for Responsible Sharing of Clinical Trial Data," Washington, DC.
- 2013 "Concern about Malpractice Risk Predicts Physicians' Clinical Decisions in Office-Based Practice," 8th Annual Conference on Empirical Legal Studies, Philadelphia, PA.
- 2013 "Implementing Communication-and-Resolution Programs in Hospitals," American Society for Healthcare Risk Management Annual Meeting, Austin, TX.
- 2013 "Law as a Tool of Public Health," Stanford Law School Faculty Workshop, Stanford, CA.
- 2013 "Law as a Tool of Public Health," Duke Law School Faculty Workshop, Stanford, CA.
- 2014 "Public Health Law Research: The First Five Years," Robert Wood Johnson Foundation Public Health Law Research Program Annual Meeting, Atlanta, GA.
- 2014 "Tobacco 21," Robert Wood Johnson Foundation Public Health Law Research Program Annual Meeting, Atlanta, GA.
- 2014 "Managing Medical Liability Risk Through Error Disclosure and Proactive Compensation: Opportunities and Challenges," Beth Israel Deaconess Medical Center Medicine Grand Rounds, Boston, MA.
- 2014 "Update on Medical Malpractice," Petrie-Flom Center Health Law Year in P/Review, Harvard Law School, Cambridge, MA.
- 2014 "Clinical Trial Data Sharing: What and How," New England Journal of Medicine Editorial Board Retreat, Salem, MA.
- 2014 "Consequences of the Supreme Court Decisions on the ACA," Medical Ethics Faculty Seminar Series, Harvard Medical School, Boston, MA.
- 2014 "Defensive Medicine: What Do We Know, Where Do We Go?" Health Research and Policy Workshop, Stanford Medical School, Stanford, CA.
- 2014 "Managing the Risks of Malpractice and Error Disclosure," Harvard Medical School Leadership Development for Physicians and Scientists Program, Boston, MA.
- 2014 "Hospitals' Responses to Medical Errors: The Role of Alternative Dispute Resolution," Quinnipiac-Yale Dispute Resolution Workshop, Hamden, CT.
- 2014 "Public Health Law," Yale Law School, New Haven, CT.

- 2014. "Operation and Effects of Communication-and-Resolution Programs in Hospitals," Empirical Health Law Conference, Cornell University, Ithaca, NY.
- 2014 "Bioethics 2025: What Aren't We Thinking About, But Should Be For Our Field's Future?" Greenwall Faculty Scholars Meeting, New York, NY.
- 2014 "Preparing for Responsible Sharing of Clinical Trial Data," Society for Clinical Trials 35th Annual Meeting, Philadelphia, PA.
- 2014 "Snapshot of the Communication, Apology and Resolution Program," Massachusetts Alliance for Communication and Resolution Following Medical Injury 2nd Annual CARE Forum, Waltham, MA.