



Laura K. Binford Attorney

141 East Washington St.
Fourth Floor
Indianapolis, IN 46204

LBinford@RBELAW.com
Phone: 317-636-8000
Fax: 317-955-7171

Biography

Laura K. Binford concentrates her practice in medical malpractice defense. She represents hospitals, long term care facilities, physicians, nurses, nurse practitioners, clinics, and other healthcare providers in the defense of medical negligence claims.

Community Activity

- Wishard Foundation George H. Rawls, M.D. Scholarship Dinner Committee, Member
- Harrison College Paralegal Advisory Board, Member
- Scholarship Committee for Indiana Healthcare Association, Member

Cases Studies

- Represented hospital and residents in medical malpractice claim filed by a patient who alleged a lack of informed consent to the participation of residents in her surgery. The trial court granted summary judgment in favor of the defendant providers. The Court of Appeals affirmed and held that it was not necessary to name residents or students individually on the consent form, as the form's generic reference to "residents" and "students" sufficed. *Tipton v. Isaacs*, 17 N.E.3rd 292 (Ind.Ct.App.2014), transferred denied, 24 N.E.3rd 967 (Ind.2015).
- Successfully defended pediatric hospitalist in a Section 1983 federal court lawsuit alleging the hospitalist violated plaintiffs - parents and their children's - respective constitutional rights when she, in bad faith, submitted a report of suspected medical child abuse to the Indiana Department of Child Services. Plaintiffs filed a companion case with the Indiana Department of Insurance alleging the hospitalist's diagnosis of medical child abuse was negligently made. The United States District Court for the Southern District of Indiana granted summary judgment in favor of the hospitalist finding that she was immune from liability as a matter of law. The Marion County Superior Court dismissed the plaintiffs' medical malpractice action. In applying Indiana's Anti-SLAPP Act, the court found the plaintiffs' lawsuit to be retaliatory in nature and an attempt to chill the hospitalist's right to free speech.
- Represented landowner alleged to have breached duty to invitee to prevent criminal acts of third parties, in which Indiana Supreme Court affirmed grant of summary judgment in favor of landowner, on the grounds landowner did not breach duty to take reasonable steps to prevent foreseeable criminal acts against invitees: *L.W. v. Western Golf Ass'n.*, 712 N.E.2d 983, 136 Ed. Law Rep. 538 (Ind. 1999).

- Successfully defended long-term care facility and secured an opinion from the United States District Court for the Southern District of Indiana holding that as a matter of law the provisions of the Federal Nursing Home Reform Act do not create rights enforceable under Section 1983. Rather, such claims are governed by Indiana's Medical Malpractice Act. Diana L. Terry, Personal Representative of the *Estate of Jack J. McMillen v. The Health and Hospital Corporation of Marion County and American Senior Communities, LLC* In the United States District Court for the Southern District of Indiana, Indianapolis Division Case No. 1:10-cv-000607-DML-JMS.
- Has successfully defended healthcare providers in medical malpractice actions before the Indiana Department of Insurance and in courts throughout the State of Indiana.

Rankings and Awards

Distinguished Fellow of the Indy Bar Foundation (2015)

- Each year the Indianapolis Bar Foundation honors individuals for their dedication to the law by bestowing on them the designation of Distinguished Fellow. This small but select group is chosen by the Directors of the Indianapolis Bar Foundation to become Distinguished Fellows as a result of their significant contributions to the legal profession and to our community.

Associations

- Indianapolis Bar Association
- Defense Trial Counsel of Indiana, Medical Liability & Healthcare Law Section
- Defense Research Institute, Health Law Section
- American Health Lawyers Association, Healthcare Liability and Litigation and Long Term Care, Senior Housing, In-Home Care, and Rehabilitation Sections
- Indiana Health Care Association
- Indiana Society for Healthcare Risk Management
- Sagamore American Inn of Court
- American Society of Healthcare Risk Management

Education

- Butler University, B.S. (1986)
- Indiana University Robert H. McKinney School of Law, J.D. (1989)

Bar Admission

- Indiana (1989)
- U.S. District Court, Southern District of Indiana (1989)
- Seventh Circuit Court of Appeals