

Focused for 50 & the Future: Epstein Becker Green on Its 50th Anniversary

By Jim Flynn

Upon reaching a milestone anniversary, it is interesting to step back and take stock. At the beginning, in the early 1970s, Epstein Becker Green was focused on what was next for health care law before few, if any, saw it as a separate discipline. We complemented that focus on health care by adding a focus on labor and employment law, also somewhat new at the time, which created beneficial synergies as health care became an ever-growing piece of our gross domestic spending and every business, including those in the health care industry, had to effectively manage its workforce from an employment law, labor law, and employee benefits standpoint.

As EBG grew into a super boutique in health care and workforce management, we added a robust litigation and transactional capacity to better serve our clients. More recently, we further expanded the depth we offered in our super boutique practices by creating EBG Advisors to provide holistic professional service solutions (consulting, legal, and other expertise) all under one roof to the health care industry. We also aligned with Deloitte Legal to provide workforce management services globally. And,

fittingly, EBG registered a trademark referencing our thought leadership. Thought leadership that reflects our past, describes our present, and presages our future as we support our clients in meeting their ever-changing business and legal challenges.

EBG began in 1973 when Steven Epstein, a pioneer of the field of health care law who helped write the significant federal health care legislation that created HMOs, reached out from his Washington, D.C., office to his friend Jeffrey Becker, then practicing corporate law in Manhattan, to suggest that they create a “health care law firm.” In a field just beginning to develop, they opened their firm in March of that year, simultaneously in Washington and New York—two cities, two different regions, and two attorneys—and quickly added others into the fold. Among those others, a few years later, came Ron Green, an employment lawyer whose presence and vision opened new vistas for the firm. The firm grew from there, adding lawyers and offices around the country. Building on our founders’ energy and example, we remained focused through the challenges of the late 70s, the ensuing decades, 9/11, the recession in 2008-09, Superstorm Sandy, and the pandemic. Today, we are 350 attorneys in 12 states and 18 cities with a team of highly dedicated

EPSTEIN
BECKER
GREEN

50
YEARS

professional staff to serve our clients.

Behind this success are broader lessons on culture and perseverance. They are lessons that we reflect upon to stay the course, and they are perhaps ones from which others can learn. Throughout our history, I am reminded most of the importance of always:

Being thoughtful. The two senses of this word have always epitomized EBG. If you look up “thoughtful,” it means both “absorbed in and involving thought” and “showing consideration for the needs of other people.” If you can create a professional services organization that is “thoughtful” in both senses of the word, as we have, that is a great start. Serving clients means coming up with the right ideas, disproving the bad ones, and doing that in a way that is considerate of your clients’ and colleagues’ needs and desires.

EBG reflects a commitment to creative problem-solving in client

matters through substantive experience and accumulated knowledge in our core areas of focused excellence that we carry forward in a considerate manner through our Values Commitment, which was part of our unwritten ethos long before its formal adoption in late 2017. We also propel it forward with a long-term commitment to embracing and reflecting a rich diversity, as illustrated by, among other things, our Mansfield Certification Plus status, Disability Equality Index score, and more. But our concept of thoughtfulness as an action item is really best epitomized by something Green said at a 1999 meeting shortly after I joined EBG: “When you get a call looking for help from one of our colleagues, they just became your most important client. So, we expect you to react that way to help them serve the client need that prompted the outreach.”

Doing your homework to prepare for what’s ahead. Lawyers often look back, as they must, because many client problems are about things that have already gone wrong. But those most successfully and consistently serving their clients go beyond explaining what happened in retrospect. They spend time thinking, seeing and acting upon what will come next. A hockey great once famously said his success occurred largely because he would “skate to where the puck is going, not where it has been.” Our founders did that themselves and instilled that attitude into the firm, with an eye toward never losing focus. Beyond Epstein, Becker, and Green individually, we

and the firm’s attorneys have lived examples of that, as with the creation of EBG Advisors, seeing years ago that our clients’ future challenges, especially in health care, would require answers that combined legal, consulting, and technical skills and experience. And there are many other examples, such as the firm’s Employment Law This Week video series conceived by a creative colleague committed to client service, or the Women Business Leaders of the U.S. Health Care Industry Foundation, an organization of women leading in health care founded by a longtime EBG member of the firm to promote greater gender representation on corporate boards. We see it in Halting Harassment, a cutting-edge e-learning solution filling the need to train employees efficiently and entertainingly, and in signature events like The Future of Healthcare Conference Series® and the Annual Workforce Management Briefing. These are all about shining a light on what is next for our clients. And we feel that same innovative spirit in our vibrant new presence in growing communities like Columbus and Nashville, Tennessee, our plans for the future, and the dynamic thought leadership of our up-and-coming generation.

Showing up with a forward focus. As we reflect on our first 50 years, we also set our focus on the future. EBG remains at the forefront of progress, building out systems, networks, and resources to be able to deftly address new issues, such as those emerging in artificial intelligence and those concerning cybersecurity

and data privacy, as we forge new paths for compliance and regulatory government agencies addressing these developments.

As recently as Jan. 4, I had a conversation with one of our founders about what the next “white space” may be, because we still live the lesson EBG was built upon that one always needs to look ahead and then act to be in front of what is next. This discussion reminded me of the Gaelic proverb that translates to “Nobody ever plowed a field by turning it over in their mind.” Thoughts, plans and preparation have always been important to our success, but such success doesn’t happen without actually doing something with our thought leadership. Although the best intentions matter, even the Golden Rule starts with the word “Do.” So, every generation, indeed every day, needs somebody who believes enough to do, knows enough to do it right, and cares enough to do it well. I’m happy to be somewhere surrounded by such people as we celebrate EBG’s 50th anniversary.

Jim Flynn is managing director of EBG (ebglaw.com). The firm is celebrating its 50th anniversary in March 2023. Located in 18 cities, in 12 states and the District of Columbia, the firm brings the focused excellence of practices in workforce management, health care, and life sciences, coupled with powerful litigation and transactional strategies, to its clients. Flynn has been the firm’s managing director since Jan. 1, 2019, and has practiced with the firm since January 1999.