

KACEY C. WIEDT

ASSISTANT DIRECTOR, WORKERS' COMPENSATION DEPARTMENT
SHAREHOLDER



AREAS OF PRACTICE

Workers' Compensation

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ADMISSIONS

Pennsylvania
1996

EDUCATION

Widener University School of Law
(J.D., 1996)

Washington & Jefferson College
(B.A., 1992)

HONORS & AWARDS

Best Lawyers in America®,
Workers' Compensation Law –
Employers
2024

Central Penn Business Journal's
Power List For Law
2024

ASSOCIATIONS & MEMBERSHIPS

Dauphin County Bar Association

Harrisburg Claims Association

Pennsylvania Bar Association

OVERVIEW

Kacey is the Assistant Director of the Workers' Compensation Department, where he assists in the oversight of more than 30 attorneys in 10 offices. He also serves as the managing attorney of the Workers' Compensation Department in the Harrisburg office.

In addition to his various management responsibilities, Kacey focuses his practice on high-exposure and complex workers' compensation litigation, representing clients in the construction, oil and gas, grocery, hospitality, landscaping, transportation and poultry industries. Kacey also consults with workers' compensation carriers to provide advice and guidance on pre-litigated workers' compensation cases. He is also a frequent presenter on topics relating to workers' compensation for carriers and employers.

A graduate of Washington & Jefferson College, Kacey received a B.A. in Political Science and Business Administration. He subsequently received his *juris doctor* from Widener University School of Law.

THOUGHT LEADERSHIP

Did the Commonwealth Court Decide the Retroactive Effect of 'Protz'?

Harrisburg
Workers' Compensation
October 12, 2017

On the Pulse...40 Years of Workers' Compensation Defense

Workers' Compensation
June 1, 2015

Marshall Dennehey Warner Coleman & Goggin has been protecting and defending employers and insurance carriers in the litigation of workers' compensation matters for 40 years. Defense Digest, Vol. 21, No. 2, June 2015

Special Pennsylvania Alert - Important Change in Pennsylvania Fee Review Cases

Philadelphia - Headquarters
Harrisburg
Workers' Compensation
April 7, 2011

We have just learned that all fee review cases will now be under the jurisdiction of Workers' Compensation Judges and will no longer

CLASSES/SEMINARS TAUGHT

The Impact of COVID-19 on Workers' Compensation in Pennsylvania, Controlling Workers' Compensation Costs webinar, March 18, 2021

Understanding the Debate with the ADA, FMLA and Workers' Compensation, Marshall Dennehey webinar, October 27, 2020

Tackling the Opioid Crisis: How Much Is Too Much?, Marshall Dennehey Workers' Compensation Seminar, October 24, 2019

Uninsured Employers Guaranty Fund, Pennsylvania Bar Institute's Tough Problems in Workers' Compensation Seminar, April 18, 2019

Coverage Issues, Marshall Dennehey Workers' Compensation Seminar, October 18, 2018

In a Pickle: The Implications of Protz, Marshall Dennehey Workers' Compensation Seminar, October 19, 2017

How Employers, Insurers and Self-Insurers Can Save Money, SEAK National Workers' Compensation and Occupational Medicine Conference, July 20, 2017

Best Practices to Avoid Common Workers' Compensation Mistakes, Lorman Education Services webinar, June 29, 2017

Overview of Pennsylvania Workers' Compensation, client seminar, June 16, 2017

Return to Work Strategies, client seminar, May 4, 2017

Workers' Compensation Jurisdictional Issues with Pennsylvania and New Jersey, client seminar, November 14, 2016

Understanding Medical Records, Marshall Dennehey Workers' Compensation Seminar, October 19, 2016

Back on the Job! Returning Injured Workers To Gainful Employment, Human Resource Professionals of Central Pennsylvania Fall Conference, October 27, 2015

An Overview of Pennsylvania Workers' Compensation, Nationwide Insurance Company, July 2015

Top Mistakes in Workers' Compensation, Susquehanna Human Resource Management Association, January 20, 2015

From Kachinski to Phoenixville Hospital: Proving Earning Capacity in the Modern Era, Marshall Dennehey Workers' Compensation Seminar, November 6, 2014

IMEs: How They Really Work, Roadmap to Success - Understanding Workers' Compensation, Marshall Dennehey seminar, October 24, 2013

Proper Usage of PA Workers' Compensation Bureau Forms, Mac Risk Management, Boston, MA, February 5, 2013

Proper Usage of PA Workers' Compensation Bureau Forms, School Claims Services, New Cumberland, PA, January 23, 2013

Voluntary Withdraw From the Labor Market -- Retirement and Benefits Offsets, School Claims Services, New Cumberland, PA, November 26, 2012

Overview of Workers' Compensation Judges, School Claims Services, New Cumberland, PA, May 31, 2012

Workers' Compensation From an Employer's Perspective, Susquehanna Human Resources Management Association, Lewisburg, PA, March 20, 2012

Earning Power Assessments, co-presenter with Compass Rehabilitation, School Claims Services, New Cumberland, PA, February 29, 2012

Proper Handling of Bureau Forms, School Claims Services, New Cumberland, PA, February 15, 2012

Structured Settlements and Pitfalls of Compromise and Release Agreement, Gallagher Bassett Insurance Company, July 13, 2011

Legal Strategies and Using Independent Medical Evaluations, co-presenter with Dr. Ross Noble, Nationwide Insurance Company, April 1, 2011

Limiting Workers' Compensation Exposure, Tyson Foods, August 12, 2010

Workers' Compensation and the Employer, Marshall Dennehey workshop, April 30, 2010

Avoiding the Pitfalls and the Use of Bureau Forms, School Claims Services, New Cumberland, PA, December 2009

Workers' Compensation Legal and Medical Issues, co-presenter with Dr. Robert Smith, Gallagher Bassett Services Roffers Captive, November 10, 2009

Evaluation of Settlement and Mediation Process, Sedgwick Insurance Company, 2008

Workers' Compensation 101, Pennsylvania Chamber of Commerce, June 15, 2006

Handling PA Workers' Compensation Bureau Forms, and Limiting Exposure on Claims, National Grange Mutual Insurance Company, March 29, 2004

Addressing Workers' Compensation Issues to Determine if Medical Conditions Are Related to Work Activities Under the Workers' Compensation Act, Harley-Davidson Motor Company, February 4, 2004

Case Law Update, Liberty Mutual Insurance Company, November 21, 2003

Limiting Workers' Compensation Exposure, CNA Insurance Company, October 31, 2003

Cost Control, Return to Work Issues, Offsets, and Rights and Duties of Employers, featured speaker at Penn Prime's First Annual Regional Meeting, August 11, 2003

Limiting Exposure and Cost Control, MAC Risk Management, June 24, 2003

PUBLISHED WORKS

"Did the Commonwealth Court Decide the Retroactive Effect of 'Protz'? *Pennsylvania Law Weekly*, October 12, 2017

RESULTS

More Than \$30,000 Recovered for Employer in Workers' Compensation Case

Workers' Compensation

September 25, 2023

We prevailed on termination, suspension and review petitions, where the workers' compensation judge found that the claimant was fully recovered as of the date of our medical expert's examination. The judge found our witnesses more credible than the claimant's and denied the claimant's review petition to expand the accepted injury. We successfully recovered \$33,508 from the Supersedeas Fund for our client.

Successfully Prosecuted Termination Petition on Behalf of a Multinational Manufacturing Corporation.

Workers' Compensation

March 15, 2023

We presented medical evidence, including a record review of all diagnostic study films and medical records from a Board-certified physiatrist, to establish that the claimant's physiological complaints were unrelated to a work injury. The judge accepted our evidence as fully competent, persuasive and credible, and, as a result, terminated the claimant's benefits.

Successful defense of claim petition in case involving forklift accident.

Workers' Compensation

November 10, 2022

The claimant was hit by a forklift while operating a forklift, and alleged the accident caused a back injury. Through employer witness testimony and medical testimony, we showed that the claimant did not sustain a back injury, and that her medical issues were pre-existing and unrelated to the accident. The judge found that the evidentiary evidence presented by the employer established that, even though the claimant was involved in a forklift incident, the claimant did not sustain a work injury, and her ongoing medical issues are unrelated to the forklift accident.

Defense prevails in high-exposure workers' comp case.

Workers' Compensation

April 22, 2022

We prevailed on a lengthy case on behalf of a trash collection company. The case involved testimony from seven employer witnesses, in addition to medical expert testimony. We successfully defended all petitions pertaining to the claim, including review and penalty petitions. This high-exposure case—the claimant had an average weekly wage of \$2,846 with a maximum compensation rate—was the result of the claimant being terminated for failure to timely report a work-related injury as per company policy.

Favorable decision from Workers' Compensation Appeal Board.

Workers' Compensation

May 7, 2021

We obtained a favorable decision from the Workers' Compensation Appeal Board, reversing the underlying judge's decision pertaining to a school district's entitlement to a credit for wages paid to a school teacher pursuant to a collective bargaining agreement. The Board granted credits for wages received by the injured worker through the school district's collective bargaining agreement, allowing offsets against the claimant's future entitlement to wage loss benefits.