

## KACEY C. WIEDT

ASSISTANT DIRECTOR, WORKERS' COMPENSATION DEPARTMENT  
SHAREHOLDER



### AREAS OF PRACTICE

Workers' Compensation

### CONTACT INFO

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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.