

VICTORIA CRAWSHAW SCANLON

SHAREHOLDER



AREAS OF PRACTICE

Health Care Liability
Long-Term Care Liability
Product Liability
General Liability

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ADMISSIONS

Massachusetts
1999

U.S. District Court District of
Massachusetts
2002

Pennsylvania
2008

U.S. District Court Middle District
of Pennsylvania
2011

OVERVIEW

Victoria is the supervising attorney for the Health Care Liability Practice Group in the Scranton office. She is an experienced litigator with more than 20 years of experience representing physicians, midwives, nurse practitioners, nurses, physical therapists, hospitals, ambulatory surgery centers, skilled nursing facilities, personal care homes, home health care providers and physician practice groups in Pennsylvania and Massachusetts. Victoria is a proven trial attorney and highly successful negotiator. She also provides risk management services.

Prior to joining Marshall Dennehey in 2008, Victoria was a partner in the Boston office of a large litigation firm, where she represented health care professionals and entities in malpractice suits and manufacturers in products liability matters. She is a 1998 graduate of Suffolk University Law School. Victoria obtained her undergraduate degree in communications and political science in 1994 from the University of Rhode Island, where she was the 1994 student commencement speaker and captain of the debate team.

Victoria was born in Johannesburg, South Africa. She is a dual citizen of the United States of America and South Africa.

EDUCATION

Suffolk University Law School
(J.D., 1998)

University of Rhode Island (B.A.,
1994)

HONORS & AWARDS

The Best Lawyers in America®,
Medical Malpractice Law -
Defendants
2023-2024

BV® Distinguished™ by
LexisNexis Martindale-Hubbell

International Association of
Defense Counsel (IADC)
2006 Trial Academy, attendee

Massachusetts Super Lawyer
Rising Star
2007

ASSOCIATIONS & MEMBERSHIPS

Lackawanna Bar Association

Massachusetts Bar Association

YEAR JOINED

2008

THOUGHT LEADERSHIP

Enforceability of Nursing Home Arbitration Agreements in Pennsylvania

Scranton

Long-Term Care Liability

December 1, 2014

By Victoria C. Scanlon, Esq.* Key Points: Defense Digest, Vol. 20, No. 4, December 2014

Marshall Dennehey Warner Coleman & Goggin Elects New Shareholders

December 14, 2012

Philadelphia, PA – Marshall Dennehey Warner Coleman & Goggin is pleased to announce that the following 13 attorneys were elected shareholders at the Annual Shareholders' Meeting on December 11, 2012: Christoph

[Read More](#)

Use caution when asking for a jury instruction in a medical battery/lack of consent claim.

Health Care Liability

October 1, 2012

The Supreme Court affirmed that the jury charge given in a medical battery/lack-of-consent claim, which included "intent to cause harm" language, in its entirety, clearly and accurately set forth in the law. Case Law Alert - 4th Qtr 2012

When must the MCARE Fund defend under Section 715 status?

Health Care Liability

July 1, 2012

The Supreme Court held that the MCARE Fund owed a duty to assume the obligations of the primary insurer where the defendant physician and his insurer first received notice of the claim more than four years after the events giving rise to liability Case Law Alert - 3rd Qtr 2012

Physician successful in obtaining excess coverage after denial by hearing officer.

Health Care Liability

April 1, 2012

The Mcare Fund denied Dr. Wolfson excess coverage because it alleged that he received notice of a claim prior to the Mcare Fund's receipt of his assessment payment for that calendar year. Case Law Alert - 2nd Qtr 2012

CLASSES/SEMINARS TAUGHT

Legal Update: Advanced Practice Providers, CHART Institute webinar, October 24, 2023

What a Radiologist Should Know About Medical Malpractice, Department of Radiology at Penn State Hershey Medical School, May 11, 2023

Advanced Practice Clinicians in Health Care: What Your Facility Needs to Know, ASHRM 2018 Annual Conference, Nashville, Tennessee, October 8, 2018

Mock Depositions: What the Child Psychiatrist Needs to Know Before Sitting in the Hot Seat, The American Academy of Child and Adolescent Psychiatry 64th Annual Meeting, Washington, D.C., October 27, 2017

Mock Trial: Lessons for Psychiatrists from the Bar and Risk Management, New York-Presbyterian Hospital Child Psychiatry Residency, New York University Child Psychiatry Residency, Weill Cornell Psychiatry Residency Programs, Allied World, August 2017

Medical Malpractice Case Study - Suicide and the Defense of a Wrongful Death Claim, Pennsylvania Association of Health Care Risk Management (PAHCRM), Annual Conference, September 9, 2016

Ostensible Agency and Corporate Liability Claims: What You Need to Know, Health Care and Health Law Seminar, Marshall Dennehey, November 5, 2015

Mock Trial: Lessons for Psychiatrists From the Bar and Risk Management, American Academy of Child and Adolescent Psychiatry Annual Meeting, San Antonio, Texas, October 30, 2015

Peer Review, Charting Pitfalls/Issues and Anticipated Legal Issues Pertaining to the Electronic Medical Record, Northeast Chapter of the Pennsylvania Association of Nonprofit Senior Services, Continuing Education Conference, April 2009

PUBLISHED WORKS

"Enforceability of Nursing Home Arbitration Agreements in Pennsylvania," *Defense Digest*, Vol. 20, No. 4, December 2014

Case Law Alerts, contributor, 2010-2012

RESULTS

Medical Malpractice Arbitration Ends in Defense Award

Health Care Liability

September 25, 2023

We obtained an arbitration defense award in a medical malpractice case, in which the plaintiff alleged that our radiologist client misread the first of two head CT scans. She claimed that a timely diagnosis of her issue, which turned out to be cerebral venous thrombosis (CVT), would have given her the opportunity for a cure. We successfully argued that the head CT showed what appeared to be a normal anatomical variant, which only identified plaintiff's CVT diagnosis with additional, more sensitive imaging studies.

Defense arbitration award in a podiatric surgical malpractice case.

Health Care Liability

March 2, 2020

The 55-year-old plaintiff underwent tarsal tunnel surgery. She developed post-operative complications, including infection, and required two additional surgeries, including a sural artery flap graft. The plaintiff gained over 100 pounds after the podiatric surgeries and underwent gastric bypass surgery. She alleged it was required as the result of being sedentary from the podiatric surgeries and complications.

Plaintiff's case not on the right foot.

Health Care Liability

July 25, 2019

We received a defense verdict in a podiatric surgical malpractice arbitration. The plaintiff alleged that the defendant podiatrist negligently performed foot surgery, causing her foot deformities to worsen and resulting in shooting pain in her big toe, pain under her second and third toes, and imbalance. Her husband claimed loss of spousal consortium. The defense successfully argued that the surgery was performed reasonably and within the standard of care, and that the plaintiff developed known and accepted risks and complications of the surgery.

Defense Verdict for Midwife.

Health Care Liability

August 24, 2018

Marshall Dennehey's health care attorneys obtained a defense verdict on behalf of a midwife in a case involving alleged failure to properly manage and care for a patient's labor and delivery, resulting in catastrophic injury to her child. Counsel for the minor-plaintiff argued that the pregnancy and labor were high risk. Therefore, it was below the standard of care to use intermittent auscultation (IA) during the second stage of labor.

Defense Puts Podiatrist on the Right Foot

Health Care Liability

February 16, 2015

Obtained a defense verdict in favor of a podiatrist who was claimed to have made a delayed diagnosis of melanoma of the foot in a 65-year-old male patient, resulting in lymph node involvement and metastasis to the lungs. The defendant treated his patient for seven months before performing a biopsy. The plaintiff's experts contended that an immediate biopsy was mandated because the lesion on the foot bled during debridement, was painful, and must have had a suspicious appearance because it was malignant.

SIGNIFICANT REPRESENTATIVE MATTERS

Obtained a defense verdict on behalf a midwife defendant in an alleged failure to properly manage and care for a patient's labor and delivery, resulting in catastrophic injury to her child. Counsel for the minor-plaintiff argued that the pregnancy and labor were high risk and, therefore, it was below the standard of care to use intermittent auscultation (IA) during the second stage of labor. The plaintiff argued that the fetus suffered a catastrophic brain injury during the second stage of labor, resulting in cerebral palsy and daily intractable seizures. The child, six years of age, wheelchair bound and unable to speak or feed himself, will require lifetime supervision and care. The defense argued that the patient's pregnancy remained low risk, and therefore, IA was within the standard of care; that a sentinel event did not occur during the second stage of labor; and that child's brain injury occurred in the days leading up to the hospital admission for labor.

