

FRANCIS X. WICKERSHAM

SHAREHOLDER



AREAS OF PRACTICE

Workers' Compensation
Cannabis Law

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ADMISSIONS

Pennsylvania
1989

EDUCATION

Widener University
School of Law (J.D., 1989)

Villanova University (B.A.,
1986)

HONORS & AWARDS

The Best Lawyers in
America®, Workers'
Compensation Law -
Employers
2023-2026

ASSOCIATIONS & MEMBERSHIPS

Claims & Litigation Management Alliance (CLM)

Montgomery County Bar Association

RIMS - Delaware Valley Chapter

YEAR JOINED

1992

OVERVIEW

Frank provides seasoned defense counsel to employers, insurance carriers and third-party administrators across the full spectrum of workers' compensation matters. His practice blends deep legal knowledge with a solutions oriented approach that supports clients both inside and outside the courtroom. In addition to his litigation work, Frank regularly advises on risk management practices designed to prevent claims before they arise.

Clients value Frank's ability to pair innovative legal strategy with real-world practicality, achieving favorable outcomes while reducing exposure and controlling costs.

An accomplished writer, Frank's articles on trending issues impacting workers' compensation have appeared in various publications. He also provides monthly Pennsylvania case law updates for the firm's *What's Hot In Workers' Comp* newsletter. In addition, Frank is a frequent speaker for local and national employer and insurance industry groups. He is an active member of the Montgomery County Bar Association, the Claims & Litigation Management Alliance, and the RIMS Delaware Valley Chapter.

Frank received his undergraduate degree from Villanova University and his juris doctor from the Widener University School of Law.

THOUGHT LEADERSHIP

Pennsylvania Supreme Court Limits 120-Day Notice Requirement for Owner-Employees

King of Prussia

Workers' Compensation

May 1, 2026

Erie Insurance Property and Casualty Company v. David Heater(WCAB); No. 103 MAP 2024; decided March 26, 2026; by Chief Justice Todd.

A Dispenser of Durable Medical Equipment is Not a Health Care Provider Under Section 109 of the Act and Therefore May Not Seek Recourse Through the Medical Fee Review Process

King of Prussia

Workers' Compensation

April 1, 2026

Scomed Supply v. Hartford Accident & Indemnity Co.

Commonwealth Court Rules the Security Fund Is Not Subject to Attorney-Fee Assessments

Workers' Compensation

March 1, 2026

In this case, the claimant and employer settled a 1998 work injury by Compromise and Release agreement.

Pennsylvania Supreme Court Holds Co-Worker Immunity Applies Only When Both Employees Are Acting in the Course of Employment At The Time of Injury

Workers' Compensation

March 1, 2026

In this case, Brown, an employee, was injured on the job with American Concrete Solutions (ACS) while attempting to enter a skid loader when a hydraulic arm caught his body, crushing him between the top of the cab

and the arm of the

Commonwealth Court Holds that a Workers' Compensation Judge Has the Authority Under the Act to Address Fee Disputes Between Claimant's Attorneys

King of Prussia

Workers' Compensation

February 4, 2026

In this case, the claimant suffered a tick bite and developed a work-related Lyme Disease injury in 2014. In 2016, a Workers' Compensation Judge approved a 20% attorney's fee for the claimant's original counsel.

CLASSES/SEMINARS TAUGHT

One Less Workers' Compensation Zombie in the Apocalypse, CLM Work Comp, Casualty & Risk Management Conference, Chicago, IL, May 18, 2023

State of the Union - Medical Marijuana, Workers' Compensation Insurance ExecuSummit, Uncasville, Connecticut, January 24-25, 2023

Protecting Against Unreasonable Medical Expenses and Fee Reviews, Marshall Dennehey Workers' Compensation Seminar, October 27, 2022

Unique Workers' Compensation Aspects of Independent Contractors and Traveling Employees, Lorman Education Services webinar, December 16, 2021

The URO Challenge and the Impact of Medical Marijuana, Marshall Dennehey webinar, October 29, 2020

Mitigating the Risk of Workplace Bullying, Marshall Dennehey Workers' Compensation Seminar, October 24, 2019

Pot For Pain, Marshall Dennehey Workers' Compensation Seminar, October 25, 2018

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

Defense Counsel Wish List, Marshall Dennehey Workers' Compensation Seminar, October 19, 2016

Aging Gracefully? The Senior Workforce and Impacts on Workers' Compensation, CLM Atlanta, Atlanta, Georgia, May 2016

Doped Up: Implications of Compound Medications, Generic Drugs and Medical Marijuana, Marshall Dennehey Workers' Compensation Seminar, October 22, 2015

Marijuana in Workers' Compensation - Medical and Legal Challenges, CLM 2015 Medical Legal Summit, Chicago, Illinois, June 3, 2015

Medicare Liens and Set-Asides and Workers' Compensation Liens, Philadelphia Bar Association's Bench-Bar & Annual Conference, October 18, 2014

Behind the Robe: An Interview With the Judges, Roadmap to Success - Understanding Workers' Compensation, Marshall Dennehey seminar, October 24, 2013

Career Day, Upper Merion Middle School, 2011

Case Law Update, Broadspire and Glaxosmithkline, 2010

Navigating the Workers' Compensation Court Room, Berkley Midatlantic Group, 2010

How to Distinguish Between ADA, FMLA and Workers' Compensation Actions, Wegmans, 2009

Record Retention and E-Discovery, The Addis Group, 2009

Legal Updates: A Survival Guide, Pennsylvania Self-Insurers Association Annual Meeting, 2008

Impact of New Vocational Regulations on Pennsylvania Workers' Compensation Claims Handling, Sedgwick Claims Management Services, 2007

Impact of New Vocational Regulations on Pennsylvania Workers' Compensation Claims Handling, Cambridge Integrated Services, 2007

The Do's and Don'ts of Utilization Reviews, Montgomery Bar Association, 2007

Career Day, Upper Merion Middle School, 2005

Law Day, Caley Elementary School, 2002

Law Day, Caley Elementary School, 2001

Ethical Considerations in Workers' Compensation, Montgomery Bar Association, 2000

Interplay Between Workers' Compensation and Liability, Insurance Society of Philadelphia, 1999

Act 57 and its Impact On Workers' Compensation Litigation, Pottstown Hospital, February 1998

PUBLISHED WORKS

"Back to the Future: A Post-'Protz' Primer on Pre-'Protz' Law," *Pennsylvania Law Weekly*, August 11, 2022

"Blurred Lines: A Breakdown of Conventional Workplace Boundaries During the Pandemic," *Pennsylvania Law Weekly*, August 5, 2021

"Medical Marijuana: Reasonable and Necessary Medical Care for Injured Workers?" *The Legal Intelligencer's Cannabis Law Supplement*, May 27, 2020

"Workers' Compensation Fraud Case Against Pharmacies & Physicians Dismissed by Court," *What's Hot in Workers' Comp--Special PA Alert*, September 18, 2019

"Pot for Pain: A Cannabis Conundrum in the Courts," *CLM Magazine*, September 2018

"Much Anticipated Protz Decision Comes Down," *Philadelphia Bar Reporter*, September 2017

"Protz: Problems for Practitioners and Politicians," *Pennsylvania Law Weekly*, August 22, 2017

"State of Confusion: *Duffey v. WCAB* and Pennsylvania's Impaired Impairment Rating System," *Defense Digest*, Vol. 23, No. 2, June 2017

"Aging Gracefully? The Impact of a Senior Workforce on Workers' Compensation," *Workers' Compensation*, page 28. August/September 2016

"Supreme Court of Pennsylvania Carves Out Exception to Exclude Remedy Provisions of the Pennsylvania Workers' Compensation Act For Late Manifesting Occupational Disease Claims," *ABA TIPS Workers' Compensation And Employers' Liability Law Committee Newsletter*, Winter 2014

Case Law Alerts, regular contributor, 2010-present

"Legal Updates," *Pennsylvania Self-Insurers Association Newsletter*, 2009-present

"Ask an Expert," *Pennsylvania Self-Insurers Association Newsletter*,

January 2009

Digest of Insurance Law, Pennsylvania Workers' Compensation, Best's Directory of Recommended Insurance Attorneys, 2007-present

Special Pennsylvania Workers' Compensation Law Alerts, 2006-present

Critical Case Summaries, Pennsylvania Self-Insurers Association Newsletter, 2006-2008

What's Hot in Workers' Comp, Marshall Dennehey Workers' Compensation Department newsletter, 2002-present

"Decisions Impact Workers' Comp Benefits: Court Focuses on Release Agreement, Length of Employment," *The Legal Intelligencer*, March 2001

"Independent Contractor or Employee: Supreme Court Rolls Over Controversial Commonwealth Court Decision Holding That Federal and State Motor Carrier Regulations Require Finding of Employment," *Defense Digest*, Vol. 7, No. 2, April 2001

"Lykins: The Supreme Court Eliminates Unemployment Compensation Credit for pre-Act 44 Injuries," *Counterpoint*, January 1999

"Act 44 and Pre-Amendment Injuries: Banic Breaks the Mold," *PSIA Workers' Compensation Newsletter*, March 1996

"Pennsylvania Workers' Compensation Update," *Counterpoint*, newsletter of the PA Defense Institute, June 2002-present

RESULTS

The defense successfully proves flaw in claimant's expert testimony

Workers' Compensation

December 13, 2023

We successfully defended a Claim Petition on behalf of a national trucking company where the claimant alleged a disabling aggravation of a pre-existing cervical condition from a fall at work. Our thorough review of the medical records and the presentation of the evidence convinced the judge that the claimant did not meet his burden of proof on causation.

Successfully Defended a Claim Petition on Behalf of a National Trucking Company

Workers' Compensation

December 11, 2023

We successfully defended a claim on behalf of our client where the answer was late without a reasonable excuse. However, we persuaded the workers' compensation judge that the claim petition was not well-pled as to the main allegation. We further convinced the judge that the claimant did not meet his burden of proof on causation.

Workers' Compensation Appeal Board affirms Judge's decision granting a petition to terminate benefits.

Workers' Compensation

February 16, 2022

The Appeal Board rejected the claimant's argument that the testimony of the employer's medical expert did not support the judge's finding of a termination of benefits for a low back injury because the employer's medical expert testified that if the claimant was asymptomatic in her back prior to her slip and fall in a kitchen at work, the injury may have aggravated a pre-existing, underlying condition in her lumbar spine.

REPRESENTATIVE CASES

School District of Philadelphia v. WCAB (Hennegan), 751 A.2d 729 (Pa. Cmmwlth. 2000)

McKinney v. WCAB (Decision Data), 752 A.2d 928 (Pa. Cmmwlth. 2000)
(rev. per cuiam, 770 A.2d 326 (Pa. 2001))