



Marcie A. Courtney

Principal
Professional Liability

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Defends hospitals, physicians, nurses, physical therapists, respiratory therapists, and other healthcare providers in complex professional liability cases involving catastrophic injuries with high financial exposure.

Bio

Marcie A. Courtney is a Principal with the Firm's Professional Liability Defense and Medical Malpractice Defense Litigation Practice Groups. She focuses her practice on the defense of hospitals, physicians, nurses, physical therapists, respiratory therapists, and other healthcare providers in complex cases involving catastrophic injuries with high financial exposure.

Ms. Courtney is a litigator, whose trial, arbitration and mediation experience includes the defense of healthcare providers in a diverse range of cases, including those involving alleged injuries and death from/due to: negligent medical care; the failure to diagnose and properly treat various medical conditions; the failure to provide appropriate psychiatric care to mentally ill patients; and claims involving alleged improper medical screening and discharge under the Emergency Medical Treatment and Active Labor Act (EMTALA).

In 2006, 2010 and 2015, Ms. Courtney was recognized as a Pennsylvania "Rising Star" in the legal profession as published in *Philadelphia Magazine*, a listing which includes the top 2.5 percent of attorneys in the Commonwealth who are 40 years of age or younger or have been practicing for less than 10 years. For information about this selection and an overview of common third-party publications, rankings, and lists methodologies, [click here](#).

Representative Matters

- Secured defense verdict after trial for a Philadelphia hospital in a medical case involving the alleged failure to timely diagnose and treat a pulmonary embolism which resulted in death.
- Secured defense verdict after trial for a physical therapist and hospital in a medical case involving an alleged bone fracture due to the performance of physical therapy.
- Secured defense verdict after trial for a hospital in a medical case involving allegations of improper monitoring which resulted in a fall.
- Secured defense verdict after arbitration for an occupational health physician in a medical case involving the alleged failure to diagnose a rotator cuff tear.

Practices

- Professional Liability
- Medical Malpractice Litigation
- Behavioral Health Litigation
- Premises Liability Litigation

Industries

- Health Care

Education

- J.D., Temple University James E. Beasley School of Law, 2002
- M.P.H. in Health Policy and Management, Columbia University, 1999
- B.A. in Psychology, *Dean's List*, Smith College, 1997

Bar Memberships

- Pennsylvania
- New Jersey

Court Admissions

- U.S. District Court for the Eastern District of Pennsylvania

- Secured defense verdict after arbitration for a hospital in a medical case involving injuries due to the alleged improper administration of medication.
- Secured defense verdict after arbitration for a neurologist in a medical case involving the alleged improper administration of medication which resulted in permanent brain injury.
- Secured defense verdict after arbitration for an anesthesiologist and hospital in a medical case involving alleged improper extubation which resulted in permanent brain injury.
- Secured defense verdict after arbitration for hospital in a medical case involving allegations of skin injury during performance of colonoscopy.
- Secured dismissal of Emergency Medical Treatment and Active Labor Act (EMTALA) claim for suburban hospital in Federal Court in a medical negligence case.

Publications

- Quoted, "These Suits Against EPs Became Indefensible: Medical Records Were Altered," *ED Legal Letter* (January 2015)
- Quoted, "EMR Charting Creates New Areas of Liability for EPs," *ED Legal Letter* (July 2014)
- Quoted, "Lack of Documentation Equals Indefensible Missed MI Case," *ED Legal Letter* (January 2014)
- Chapter in *Health Law Handbook* 2011 Edition, "The Impact of the Use of Electronic Health Records on Health Care Providers' Potential Legal Liability."
- Co-Author, "19th Annual Civil Litigation Update, Recent Legislation & Cases in Professional Malpractice," Pennsylvania Bar Institute, PBI, no. 2006-4147
- Co-Author, "The Defense Counsel's Perspective," *Clinical Orthopaedics and Related Research*, Association of Bone and Joint Surgeons, Number 433, pp. 15-25 (April 2005)
- Co-Author, "18th Annual Civil Litigation Update, Recent Legislation & Cases in Professional Malpractice," Pennsylvania Bar Institute, PBI, no. 2005-3863
- Co-Author, "17th Annual Civil Litigation Update, Recent Legislation & Cases in Professional Malpractice," Pennsylvania Bar Institute, PBI, no. 2004-3479
- Co-Author, "16th Annual Civil Litigation Update, Recent Legislation & Cases in Professional Malpractice," Pennsylvania Bar Institute, PBI, no. 2003-3116
- Co-Author, "The Embryo versus Endometrium Controversy Revisited," *Human Reproduction*, 12: 45-50; doi:10.1093/humrep/12.1.45 (1997) [Abstract] [PDF]

Speaking Engagements

- Presenter, "Fall Precautions and Documentation," Mock Trial, Annual Quality Retreat, Jefferson Northeast Hospital (October 2018)
- Conducted mock trial of a case involving allegedly negligent obstetrical care for attending physicians, residents and nurses of a regional health system (March 25, 2016)
- Mock deposition regarding the Registered Nurse involved with a Medication Error, Medication Safety Conference at a regional health system (March 31, 2010)

- "Promoting Patient Safety and Decreasing Nursing Liability Exposure in Obstetrical Nursing," at a local community hospital (September 12, 2008)
- "Safeguarding Your Documentation," at a local community hospital (June 30, 2008)
- Mock trial for Pennsylvania Association of Nurse Anesthetists, Hershey, PA (April 14, 2007)

Affiliations

- Pennsylvania Bar Association
- Philadelphia Bar Association
- Trustee, Bridgeway Rehabilitation Services