



Philadelphia

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Ken Powell focuses his practice on medical malpractice matters, healthcare law, civil rights, and general and professional liability.

His clients include a variety of medical professionals such as hospitals, physicians, nurses, physician assistants, physical therapists and dentists. He has extensive civil rights experience representing healthcare providers who work in a prison setting.

Experience

- Successfully defended a primary care physician in a case where the plaintiff claimed that the doctor failed to appropriately treat the plaintiff's decedent's hypertension causing him to develop an enlarged heart, thickened ventricle and ultimately ventricular fibrillation and death. The plaintiff's decedent was a married, employed father of two who was in his mid-50s. We contended that the care provided by our physician and the hospital was reasonable and appropriate and that any gap in the patient's care was brought about by his non-compliance. The lowest demand was in excess of seven figures. A jury trial resulted in a defense verdict.
- Represented a hospital in a matter which was brought on behalf of the estate of a physician who practiced at the hospital. During the physician's admission to the hospital for treatment of a recurrence of Hodgkin's Disease he passed away. During the admission the patient underwent a transhepatic needle biopsy. Plaintiff alleged that following the procedure, the patient bled. Because this was not properly diagnosed and treated by his friends and colleagues, the patient expired. While the Co-Defendant intensivist and hematologist were found to be negligent, resulting in a multi-million dollar verdict, the hospital was found to be not-negligent.

Assistant

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Industries

Healthcare

Practices

General Liability
Civil Rights and Municipal Liability
Medical Malpractice
Litigation

Education

Widener University School of Law, J.D.
Widener University, B.A.

Bar Admissions

Pennsylvania

Court Admissions

Supreme Court Pennsylvania
United States District Court Eastern
District of Pennsylvania
United States Court of Appeals Third
Circuit
United States Supreme Court

- Successfully defended a physician in a case where the plaintiff contended that the doctor was negligent in prescribing a Fentanyl patch, along with Tylenol 3 and that this caused the patient's death from an overdose. The matter was submitted to an arbitrator with a binding high/low agreement in place. After hearing all evidence, including the testimony of the decedent's parents and the physician, the arbitrator concluded that there was no negligence.
- Successfully defended a hospital in a case where the plaintiff contended that there was a delay in the diagnosis of compartment syndrome. The plaintiff was an 18-year-old who played on a university football team. After a day of practice, he began to experience pain in his calf. The pain became so severe that he went to the ER. The plaintiff contended that there was a delay in diagnosis of compartment syndrome which resulted in significant muscle tissue death, scarring and disfigurement. He was unable to continue to play football at a university level and he discontinued his education. He also contended that the orthopedic surgeons who were not named were negligent and that the orthopedic surgeons were the agents to the hospital. The jury concluded that the orthopedic surgeons were not the agents of the hospital and found that the named defendants were not negligent.
- Successfully represented an ER physician and hospital in a matter which also named the patient's primary doctor who acted as an attending during the hospitalization and several surgeons. The plaintiff's decedent weighed in excess of 400 pounds. Before coming to the hospital by way of ambulance, he sustained a fall at home. The plaintiff contended that there was a delay in diagnosis of a large rectus sheath hematoma which caused cardiac collapse and death. The plaintiff's decedent was an employed, married, father of two. The plaintiff contended that the delay in diagnosis was brought about by misinformation with respect to the weight limits of the CT scanner.
- Successfully defended a hospital and anesthesiologist during a weeklong jury trial. The plaintiff contended that because of an improperly placed epidural needle used for post-operative pain management the patient developed a significant partial paralysis.
- Successfully represented a hospital, ER physician, internist and CT surgeon in a wrongful death matter. The plaintiff alleged that the defendants failed to timely diagnose pericardial effusion, leading to cardiac collapse and death. The defense contended that while she had pericardial effusion, this was not

the cause of her death and that the cause was sepsis. Before the trial, the cardiothoracic surgeon and ER physician were dismissed. After a six-day trial in front of a judge and jury, a verdict was returned in favor of all the defendants.

Professional & Community Involvement

- Delaware County Bar Association
- ASHRM: American Society for Health Care Risk Management