

independent evaluation of the extent of injury, the compensability of the injury of a given worker. However, the objections that I and that I think some of my colleagues have to both of those provisions lies in the...in the same area, and that is simply the ability of an individual to obtain an opinion that is truly an independent opinion. In the physician's choice issue, the problem lies in a situation where an individual does not have a personal physician, sustains an injury and at that point is channeled into the company physician pipeline or managed care, as it's called in LB 757. The fear there is that the individual is going to be compelled to go to a physician who basically has a proclivity towards downplaying injuries that have occurred and maybe less likely to evaluate an injury in a light that is favorable to the employee as an independent physician or a physician of the employee's choice might have. The problem in the independent medical examiner area is similar in that the fear that I have and that some other people have is that the medical examiner that is appointed by the court, because of a bias that the court may have, will be less inclined to render an opinion that is favorable to the employee than might a truly independent medical examiner. The crux of my amendment would be to make...the court would still develop and maintain the list of the independent medical examiners for use by parties in dispute, however, that list would be subject to approval by this administrative panel that, as I said, is composed of three representatives, each, from the medical profession, labor organizations and management business organizations. This panel would be appointed by the Governor. So there would be an independent hand in there, that of the Governor initially appointing this panel and then that of the panel approving the list of IMEs developed by the Workers' Compensation Court. That's all this amendment would do. I think that it would serve the interests of fairness of having an unbiased panel of independent medical examiners to adopt this amendment. I look forward to the debate on this and would answer any questions anyone might have. Thank you.

SPEAKER BAACK: Thank you, Senator Will. Before I proceed to the next speaker, I would like to introduce some more guests of the Legislature. They are guests of Senator Bohlke. We have fourth grade students from the Alcott School in Hastings and they're in the north balcony. Would you folks please stand and be welcomed by the Legislature. Thank you for being here. The next speaker is Senator Abboud.