

amendments, these are important amendments to the process, to the structure that is being established by LB 757. I think, clearly, as the debate has pointed out, the selection of an IME is crucial. The IME is coming in often in the position of being the final binding arbiter of a dispute between an injured employee and the company that he or she works for, and to have an IME that is biased one way or another could jeopardize the integrity of the entire workers' compensation process. This amendment simply tries to get the selection of the IMEs to the point where that selection process is being evaluated independently by a panel that has nothing to do with the company involved, with the worker involved, or with the Workers' Compensation Court. I would urge your support for it. Any time I have left, I would like to give some to Senator Ashford.

SPEAKER BAACK PRESIDING

SPEAKER BAACK: Senator Ashford, you have two and a half minutes.

SENATOR ASHFORD: Thank you, Mr. Speaker. I think, just for the record now because it appears that most people have made up their mind on this, this is a very, very basic amendment. The...and the reason that it's so basic is because of the, as Senator Will has suggested, the important position which this bill allots to the independent medical examiner. Not only does the independent medical examiner make it...possibly make a determination in an arbitration sense between two parties in dispute but also the report of the independent medical examiner, at least under the bill as it's written now, that report is a rebuttable presumption. There is a rebuttable presumption that the independent medical examiner's opinion is correct. And the judges of the court will then be evaluating the...that opinion as well as the opinion of other doctors that are submitted to the court, so the court will be looking at and evaluating the opinion as an evidentiary issue of a...of a witness that they have a role in selecting. I just...that's so basic to the idea of equity and fairness on this issue. I...I agree with basically what Senator Landis is trying to do here but I think we need to make sure, make absolutely sure that this is a fundamentally fair process. Governors select judges for a purpose. It's to maintain some independence and to also make sure that the political process has some say in the selection. It is...and it's the same criteria applied to the selection of this independent arbiter in the workmen's comp process. Again,