

SENATOR CHAMBERS: Okay, if you will.

SENATOR LANDIS: Thank you. I have more pain, I want more service. The first doc is going to, at that point, say, additional treatment is unnecessary and unreasonable, it's not going to get any better. And the employee says, no, I need more care.

SENATOR CHAMBERS: Uh-huh.

SENATOR LANDIS: That difference of opinion is not a denial of compensability, it is a...it is a discussion of the dimension of compensation that should be received as opposed to saying, no, you don't get any compensation. So, under that situation, there isn't a denial of compensability...

SENATOR CHAMBERS: But so I could be clear.

SENATOR LANDIS: ...and I think there should be...there should be a lawsuit to see whether or not this additional medical treatment is, in fact, reasonable and necessary, and, if it is, they should get it.

SENATOR CHAMBERS: But if the doctor has said, no additional treatment is necessary, and is not going to give it, how can that not be a denial? I'm not arguing with you, I'm asking.

SENATOR LANDIS: I understand. One of our difficulties here is that this phrase, denial of compensability which came about because of the language that Senator Abboud brought to me, is not a term anywhere otherwise used in the statutes. Unfortunately, we can't look to a body of law on this to clearly give us the dimensions of this term.

SENATOR CHAMBERS: How about the law of indenture servitude? But that would go back kind of far.

SENATOR LANDIS: (Laughter.)

SENATOR CHAMBERS: But, in all seriousness,...

SENATOR LANDIS: Yes.

SENATOR CHAMBERS: ...under what circumstances when the company doctor is treating the person and then says, in my medical