

do have injuries who we need to take care of and...and, you know, to me, it looks to me like we're spending a lot of time on hypothetical issues and continuing to refer to doctors as quacks, doesn't necessarily set that well with me and I would hope that it wouldn't with other members of this body. You know, a lot of doctors spend a lot of years in their training and I guess I'm just taking that point of view because I object to your continuing use of that word.

SENATOR CHAMBERS: Then I won't say...I won't talk about "chiroquackers" for sure.

SENATOR VRTISKA: Thank you.

SPEAKER BAACK: Thank you, Senator Vrtiska. Senator Hohenstein.

SENATOR HOHENSTEIN: Mr. Speaker, members of the body, Senator Chambers, let me give you a little bit of advice, if you'll take it from me. A while back I mentioned on a debate on Senator Day's bill Senator Vrtiska's doctor and he dressed me down pretty good too, so I think maybe just leave this one alone. (Laughter.) I do have a question for Senator Landis relating to what I talked about before. I'm...I'm not real comfortable with...with defining a denial of compensability with legislative intent language during debate on the floor but if that's what we've got, we ought to have it right. Senator Landis, if...if...let me see if I can get this right. If an insurer, risk manager, or self-insured employer has determined that an injured employee has reached maximum medical improvement, would the failure to provide additional benefits constitute a denial of compensability?

SENATOR LANDIS: My answer to that is no, it wouldn't, because understand that up to that point the employer would have said, yes, you are injured, yes, we are responsible, yes, we will pay, and they paid up to the point that the medical treatment, as far as they were concerned, had reached its full impact. So they have admitted responsibility. They have just run the course of what they think they're responsible for. The appropriate remedy is a suit before the court to determine if, in fact, additional medical services are reasonable or necessary, and if they are, the court will order it and the employer will be responsible and they will be provided to the employee.

SENATOR HOHENSTEIN: Okay, in that...in that scenario, just