

determination. Secondly, there shall be notice for the new rules and regulations. This is in response to complaints that were raised by attorneys that felt that there was not a proper notice and selection of the rules and regulations under the current process of the workers' comp court. This is a significant change and so I think you should be aware of that as well. The physician choice section, denial of compensability, I think the conversation that should be applied for purposes of legislative history is the...as the introducer of the amendment, as the individual that drafted the amendment, the intent that I have for denial of compensability is strictly construed to the conversation that I had with Senator Landis over the course of what is, in fact, denial of compensability, that is my intent for purposes of legislative history. The final portion dealing with suitability is, I believe, is an important protection for the worker so that when he goes back to work he finds a suitable job and this is important so that an individual that's making \$15 an hour should not go back and make \$5 an hour and call that a suitable similar type of job. This is not what we're intending. We want that individual to be receiving the same sort of compensation, to go back to the same type of job. And, finally, the independent medical examiner. When it comes to issues of irrebuttable presumption, when you have two...you have a person filing, the claimant filing a claim against the employer or an insurance company demanding to receive workers' compensation there is a dispute between the two parties and as a result of that dispute an independent medical examiner is appointed by the court. There shall not be an irrebuttable presumption on the part of the independent medical examiner but that evidence will be presented into court and shall be allowed in by the court's admission, as is provided for. It does not deal with the issue of pro se or an individual that agrees to an independent medical examiner. That shall continue to be binding, and we do not affect that particular portion of the bill. With that, I urge the adoption of the amendment and thank you.

SPEAKER BAACK: Thank you, Senator Abboud. You've heard the closing on the Abboud amendment. We will now vote on the amendment. All those in favor vote aye, opposed vote no. Record, Mr. Clerk.

CLERK: 28 ayes, 0 nays, Mr. President, on the adoption of Senator Abboud's amendment to the Landis amendment.