

difficulty in making it explicit. So, at his request and his language, basically, we say that after...after the decision that the IMEs, where it's jointly chosen as binding, it says, binding unless the employee was not given fair and adequate notice of all rights relinquished by the agreement at the time the agreement was made in a form and manner established by the compensation court. The court's going to draw out basically an IME acceptance. And what it's going to say is, look, here's your rights if you do this, and here's the rights you're going to...that you're going to relinquish if you use this mechanism. The court's going to do that. They would have done it anyway, I suspicion, but this makes it very explicit that the employee is told of the implications of agreeing. In addition, it says or unless the agreement to the use of a medical examiner was procured by fraud or coercion. Now I think under the consent rules that would be implied by the court but I have no difficulty in recognizing what are two normally defenses to any kind of consent, and that is the consent is achieved by fraud or the consent is achieved by coercion. Senator Chambers' language and mine has been on the desk but I'm not sure you have it so let me read it one last time and then I'll yield the rest of my time to Senator Chambers. The IME, where chosen by both parties, is binding unless the employee was not given fair and adequate notice of all rights relinquished by the agreement at the time the agreement was made in a form and manner established by the compensation court, or unless the agreement to the use of a medical examiner was procured by fraud or coercion. Good policy. I have no difficulty in making an agreement with Senator Chambers to that effect and I would yield the rest of my time to my cosponsor.

SPEAKER BAACK: Senator Chambers.

SENATOR CHAMBERS: Mr. Speaker and members of the Legislature, the only thing I wish that Senator Landis had not done is tie me so many times to this bill by making continual references to my name. I do support the amendment. I hope you will adopt it because I think it does give a measure of protection to the employee that may not otherwise exist.

SPEAKER BAACK: Thank you, Senator Chambers. Senator Abboud.

SENATOR ABBOUD: Mr. President, colleagues, I also rise in support of the amendment. I think this is a matter of fairness when you get into situations with an independent medical