

to go back to that same doctor in whom the employee would have no confidence. I also did not want to see the employee forced to stay in a managed care program because my feeling is that in the mind of the injured person all of this is one complex design to exploit the worker. This amendment is somewhere in-between what I think we ought to have and what Senator Landis is allowed to give. So the employee, after going to court and having established that additional reasonable medical services were warranted, the court would then allow that person to select another physician for the additional treatment. I would like to ask Senator Landis a question.

SENATOR KRISTENSEN: Senator Landis.

SENATOR CHAMBERS: Senator Landis, and this just occurred to me, when we allow a person to select a doctor because compensability was denied, and then subsequently compensability was established, the employer had to pay. We don't have anything like that in this amendment.

SENATOR LANDIS: As far as payment?

SENATOR CHAMBERS: Right.

SENATOR LANDIS: It's understood, Senator Chambers. Understand that there's a court order in which they have ordered reasonable medical services to be given.

SENATOR CHAMBERS: Uh-huh.

SENATOR LANDIS: And that will make it the obligation of the employer to pay.

SENATOR CHAMBERS: And would that include the medical care given prior to the person coming to court? They went to the other doctor and had to pay.

SENATOR LANDIS: Right.

SENATOR CHAMBERS: And if they hadn't paid, well, they're going to be billed for it. It's their obligation.

SENATOR LANDIS: Right. If the court finds that medical services were reasonable and necessary or are reasonable and necessary, they're the employer's obligation.