

Kansas Register

Vol. 43, No. 15

April 11, 2024

Pages 369-422



In this issue ...

Page

Rates

Pooled Money Investment Board
 Notice of Investment Rates Effective April 8 – April 14, 2024371

Kansas Secretary of State
 Notice of Code Mortgage Rate for April 2024371

Notices

Kansas Water Authority
 Notice of Meeting.....371

Kansas Department of Administration – Office of Facilities and Property Management
 Notice of Requested Architectural Programming Services for
 Pittsburg State University371
 Notice of Requested Architectural and Engineering, Services for the
 Kansas Adjutant General’s Department372

Kansas Department of Administration – Office of Accounts and Reports
 Notice of Petroleum Storage Tank Release Trust Fund Unobligated Balances
 for April 2024372

Kansas State Board of Regents Universities
 Notice to Bidders for University Purchases373

Kansas Department of Administration – Office of Procurement and Contracts
 Notice to Bidders for State Purchases373

Wichita State University
 Notice of Intent to Lease Real Property374
 Notice of Intent to Lease Real Property374

Kansas Department for Aging and Disability Services

Kansas Department of Health and Environment – Division of Health Care Finance
 Notice of Proposed Nursing Facility Medicaid Rates for State Fiscal Year 2025.....374

Kansas Department of Health and Environment
 Notice of Proposed Kansas/Federal Water Pollution Control Permits
 and Applications386

Kansas Department for Children and Families
 Request for Comments on the State Fiscal 2025 Social Services Block Grant388

Johnson County Community College
 Request for Proposals for Prime Vendor Food and Supplies389

Kansas Department of Transportation
 Request for Proposals for On-Call Traffic Engineering Services389
 Request for Proposals for Embedded Traffic Engineer391
 Request for Proposals for Embedded Temporary Traffic Control Engineer392
 Request for Proposals for Embedded In-House Signing Projects Engineer.....393
 Request for Proposals for US-54 East Kellogg Phase 2 Project in
 Sedgwick County395
 Request for Proposals for Construction Inspection Services for Projects in
 Multiple Counties398
 Request for Proposals for Construction Inspection Services for Projects in
 Doniphan County (Re-Advertisement)400

Executive Branch

Office of the Governor
 Executive Directive No. 24-581, Authorizing Expenditure of Federal Funds402

Legislative Branch

Legislative Administrative Services
 Legislative Bills and Resolutions Introduced March 28 - April 3, 2024402

Bonds

Kansas Development Finance Authority
 Notice of Hearing on Proposed Revenue Bonds403

Cover Artwork: Wheat Ready to Harvest
 Photo by Todd Caywood

The Kansas Register is an official publication of the state of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly and a cumulative index is published annually by the Kansas Secretary of State.

© Kansas Secretary of State 2024. Reproduction of the publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

Current and back issues of the Kansas Register (HTML and PDF Format) can be found at <https://www.sos.ks.gov/publications/kansas-register.html>.

Register Office:
 1st Floor, Memorial Hall
 785-368-8095
 kansasregister@ks.gov



Published by
 Scott Schwab
 Secretary of State
 1st Floor, Memorial Hall
 120 SW 10th Ave.
 Topeka, KS 66612-1594
 785-296-4564
<https://www.sos.ks.gov>

New State Laws

Kansas Legislature

Senate Bill 360, concerning tax-advantaged savings programs; allowing the taxpayer to elect the taxable year in which a subtraction modification for contributions to 529 qualified tuition accounts, ABLE accounts or first-time home buyer savings accounts would be applied; authorizing the state treasurer to appoint a 529 program advisory committee..... 403

Regulations

Kansas Department of Administration

Notice of Hearing on Proposed Administrative Regulation 407

Kansas Department of Health and Environment

Permanent Administrative Regulations..... 407

Kansas Department of Wildlife and Parks

Permanent Administrative Regulations..... 407

Kansas State Board of Accountancy

Permanent Administrative Regulations..... 410

Kansas Corporation Commission

Permanent Administrative Regulations..... 417

Index to administrative regulations..... 419

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d) and K.S.A. 12-1675a(g).

Effective 4-8-24 through 4-14-24

Term	Rate
1-89 days	5.33%
3 months	5.28%
6 months	5.23%
12 months	5.00%
18 months	4.84%
2 years	4.68%

Joel Oliver
Executive Director
Chief Investment Officer
Pooled Money Investment Board

Doc. No. 052017

State of Kansas

Secretary of State

Notice of Code Mortgage Rate for April 2024

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of April 1-30, 2024, is 12 percent. The reference rate referred to in the definition of "code mortgage rate" set forth in K.S.A. 16a-1-301(11)(b)(i) is discontinued, has become impractical to use, and/or is otherwise not readily ascertainable from the Federal Home Loan Mortgage Corporation.

Scott Schwab
Secretary of State

Doc. No. 052019

State of Kansas

Kansas Water Authority

Notice of Meeting

The Kansas Water Authority will meet at 8:00 a.m. Wednesday, April 17, 2024, at the Garden City Community College Beth Tedrow Student Center, 801 Campus Dr., Garden City, Kansas. More information is available at <http://www.kwo.ks.gov>.

Kristin Kaipust
Strategic Communications Coordinator
Kansas Water Office

Doc. No. 052027

State of Kansas

Department of Administration
Office of Facilities and Property Management

Notice of Requested Architectural
Programming Services

Notice is hereby given of the commencement of the selection process for architectural programming services for Pittsburg State University. The firm will assist the university in the development of programming for capital and small projects. These projects may include buildings, utilities, infrastructure, site work/landscaping, etc. Minimum requirements for programs include background and justification, project budgets, and project schedules. For new buildings construction or major renovations to buildings, the programs must also include space projections, space summaries, space descriptions, a discussion of the impact the additional space will have on overall campus space and new building operating costs and the proposed source of funding for such operating costs (or a *(continued)*)

statement that such will not be requested). Additional information that the university deems necessary may also be requested. The contract will be for three years.

For more information, contact Lindell Haverstic at lhaverstic@pittstate.edu, phone 620-235-4130.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. These forms may be found at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/forms-and-documents>. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation, and an abbreviated project name in the title of the PDF document. Proposals should be less than 5 Mb and follow the current State Building Advisory Commission guidelines which can be found in Part B–Chapter 2 of the Building Design and Construction Manual at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/building-design-and-construction-manual-bdcm>. Paper copies and flash drives containing copies of the proposals are not required.

Proposals should be sent to professional.qualifications@ks.gov. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions about the proposal submissions, please contact Randy Riveland at randy.riveland@ks.gov or call 785-296-0749. The PDF proposal submissions shall be delivered to the attention of the State Building Advisory Commission by 2:00 p.m. on or before April 26, 2024.

The State of Kansas, as a matter of public policy, encourages anyone doing business with the State of Kansas to take steps to discourage human trafficking. If prospective bidders/vendors/contractors have any policies or participate in any initiatives that discourage human trafficking, then the prospective bidder/vendor/contractor is encouraged to submit same as part of their bid response.

Barbara Schilling
Deputy Director-DCC
Office of Facilities and Property Management
Department of Administration

Doc. No. 052021

State of Kansas

Department of Administration Office of Facilities and Property Management

Notice of Requested Architectural and Engineering Services

Notice is hereby given of the commencement of the selection process for architectural, engineering, and mechanical-electrical-plumbing engineering services for the Trembly White Readiness Center. The Trembly White Readiness Center is the newest acquisition to the Kansas Army National Guard (KSARNG) portfolio. The former Army Reserve property has been unoccupied for several years. KSARNG wants to restore the building to house a new guard unit and STARBASE program in the

Kansas City area. The work needed will include all new HVAC, lighting, plumbing, installation of an elevator, window replacement, mass alert fire alarm system and sprinkling of the building, paint, flooring, ceiling, door and hardware replacement, roof repairs, interior wayfinding signs, and exterior signage. The project construction budget is \$4,000,000.

An architectural/engineering program is available at <http://admin.ks.gov/offices/ofpm/dcc/arch-eng-programs>. For more information contact Julie A. Stremel at julie.a.stremel.nfg@army.mil, phone 785-646-0745.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. These forms may be found at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/forms-and-documents>. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation, and an abbreviated project name in the title of the PDF document. Proposals should be less than 5 Mb and follow the current State Building Advisory Commission guidelines which can be found in Part B–Chapter 2 of the Building Design and Construction Manual at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/building-design-and-construction-manual-bdcm>. Paper copies and flash drives containing copies of the proposals are not required.

Proposals should be sent to professional.qualifications@ks.gov. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions about the proposal submissions, please contact Randy Riveland at randy.riveland@ks.gov or call 785-296-0749. The PDF proposal submissions shall be delivered to the attention of the State Building Advisory Commission by 2:00 p.m. on or before April 26, 2024.

The State of Kansas, as a matter of public policy, encourages anyone doing business with the State of Kansas to take steps to discourage human trafficking. If prospective bidders/vendors/contractors have any policies or participate in any initiatives that discourage human trafficking, then the prospective bidder/vendor/contractor is encouraged to submit same as part of their bid response.

Barbara Schilling
Deputy Director-DCC
Office of Facilities and Property Management
Department of Administration

Doc. No. 052025

State of Kansas

Department of Administration Office of Accounts and Reports

Public Notice

Under requirements of K.S.A. 65-34,117(c), as amended, records of the Office of Accounts and Reports show the unobligated balances are \$7,271,658.00 in the Under-

ground Petroleum Storage Tank Release Trust Fund and \$6,194,903.98 in the Aboveground Petroleum Storage Tank Release Trust Fund at March 31, 2024.

Jocelyn Gunter
Director
Office of Accounts and Reports
Department of Administration

Doc. No. 052023

**State of Kansas
Board of Regents Universities**

Notice to Bidders

The universities of the Kansas Board of Regents encourage interested vendors to visit the various universities' purchasing offices' websites for a listing of all transactions, including construction projects, for which the universities' purchasing offices, or one of the consortia commonly utilized by the universities, are seeking information, competitive bids, or proposals. The referenced construction projects may include project delivery construction procurement act projects pursuant to K.S.A. 76-7,125 et seq.

Emporia State University – Bid postings: <https://www.emporia.edu/about-emporia-state-university/business-office/purchasing>. Additional contact info: phone: 620-341-5137, email: purchaseorders@emporia.edu. Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Cir., Emporia, KS 66801.

Fort Hays State University – Electronic bid postings: <http://www.fhsu.edu/purchasing/bids>. Additional contact info: phone: 785- 628-4251, email: purchasing@fhsu.edu. Mailing address: Fort Hays State University Purchasing Office, 601 Park St., Sheridan Hall 318, Hays, KS 67601.

Kansas State University – Bid postings: <https://bidportal.ksu.edu>. Effective August 1, 2023, all bids, quotes, or proposals must be submitted via the Kansas State University Bid Portal at <https://bidportal.ksu.edu>. Division of Financial Services/Purchasing, 2323 Anderson Ave., Kansas State University, Manhattan, KS 66506. Additional contact information, phone: 785-532- 6214, email: kspurch@k-state.edu.

Pittsburg State University – Bid postings: <https://www.pittstate.edu/office/purchasing>. Additional contact info: phone: 620-235-4167, email: swburke@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762.

University of Kansas – Electronic bid postings: <http://www.procurement.ku.edu/>. The University of Kansas exclusively uses the online eBid tool and will no longer accept paper responses unless otherwise specified in a solicitation. Additional contact information, email: purchasing@ku.edu. Mailing address: University of Kansas, Procurement Department, 1246 W. Campus Road Room 20, Lawrence, KS 66045.

University of Kansas Medical Center – Electronic bid postings: <https://www.kumc.edu/finance/supply-chain/bid-opportunities.html>. Additional contact information, phone: 913-588-1117, email: hunkemoore@kumc.edu.

The University of Kansas Medical Center accepts only electronic bids.

Wichita State University – Bid postings: https://www.wichita.edu/services/purchasing/Bid_Documents/Bid_Documents.php. Additional contact information, phone: 316-978-3080, fax: 316-978-3738, email: purchasing.office@wichita.edu. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 38, Wichita, KS 67260-0038.

Chris Robinson
Director
Purchasing and Contract Services
Kansas State University

Doc. No. 051386

**State of Kansas
Department of Administration
Office of Procurement and Contracts**

Notice to Bidders

Sealed bids for items listed will be received by the Office of Procurement and Contracts until 2:00 p.m. on the date indicated. For more information, call 785-296-2376.

All bids are to be submitted via email only to procurement@ks.gov. For more information, please visit https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL.

04/07/2024	EVT0009666	AB-3 Shoulder Rock – KDOT
05/02/2024	EVT0009672	Cold Recycles RAP for Geary and Ellsworth Counties – KDOT
05/02/2024	EVT0009674	D2 Commercial Cold Mix – KDOT
05/07/2024	EVT0009654	Adult Education Data Management System – KBOR
05/10/2024	EVT0009664	Unclaimed Property Program Securities Custodian – State Treasurer
05/10/2024	EVT0009670	Clipping Service Database for Kansas Tourism – DOC

The above referenced bid documents can be downloaded at the following website:

https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL

Additional files may be located at the following website (please monitor this website on a regular basis for any changes/addenda):

<https://admin.ks.gov/offices/procurement-contracts/bidding--contracts/additional-bid-opportunities>

There are No Bids Under this Website Closing in this Week's Ad

Information regarding prequalification, projects, and bid documents can be obtained at 785-296-8899 or <http://admin.ks.gov/offices/ofpm/dcc>.

Todd Herman
Director
Office of Procurement and Contracts
Department of Administration

Doc. No. 052028

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to 1.22 acres of real property located on the northwest corner of the intersection of Fountain Avenue and 21st Street North, directly adjacent to the Wichita State University campus. This location would be designated for private development committed to supporting broadband infrastructure and Internet exchanges. The university is interested in leasing such ground to any individual, organization, or entity whose presence would advance WSU's vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. WSU intends to lease such space for a mutually agreeable period of time, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with WSU's educational mission and identify anticipated benefits to the university, its students, and the surrounding community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, community benefit commitments, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU and the surrounding community, design concepts, financial stability, and proposed use. Interested tenants will be responsible for all costs associated with the development and ongoing maintenance costs of any improvements. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of the improvement, and benefit to WSU. WSU will consider serious offers and inquiries from any financially qualified individual, group, organization. If interested, please contact Property Manager Crystal Stegeman at crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman
University Property Manager
Office of the Vice President for
Administration and Finance
Wichita State University

Doc. No. 051863

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to four acres of real property located on the Wichita State University's campus designated as the "Innovation Campus," for the private development and operation of a partnership building or buildings. The university is interested in leasing such ground to any individual, organization, or entity

whose presence on campus would advance the university's applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. The university intends to lease such space for a mutually agreeable period of time up to sixty years, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with the university's educational mission and identify anticipated benefits to the university, its students, and the WSU community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU, design concepts, financial stability, and proposed use. Interested tenants will be required to construct adjacent and adequate surface parking that will not be included in the leased ground. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of building improvement, and benefit to the university. The university will consider serious offers and inquiries with detailed proposal terms from any financially qualified individual, group, organization. If interested, please contact Senior Vice President for Industry and Defense Programs, Dr. John Tomblin at john.tomblin@wichita.edu or Property Manager Crystal Stegeman at crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman
University Property Manager
Office of the Vice President for
Administration and Finance
Wichita State University

Doc. No. 051864

State of Kansas

Department for Aging and Disability Services

Department of Health and Environment
Division of Health Care FinanceNotice of Proposed Nursing Facility
Medicaid Rates for State Fiscal Year 2025;
Methodology for Calculating Proposed Rates,
and Rate Justifications;Notice of Intent to Amend the Medicaid State Plan;
Request for Written Comments; and
Notice of Intent to Publish Final Rates

Under the Medicaid program, 42 U.S.C. 1396 et seq., the State of Kansas pays nursing facilities, nursing facilities for mental health, and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The Secretary of Aging and Disability Services administers the nursing facility program, which includes hospital long-term care units, and the nursing facility for mental health program. The Secretary acts on behalf of the Kansas Department of Health and Environment Division of Health Care Finance (DHCF), the single state Medicaid agency.

As required by 42 U.S.C. 1396a(a)(13), as amended by

Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the Secretary of the Kansas Department for Aging and Disability Services (KDADS) is publishing the proposed Medicaid per diem rates for Medicaid-certified nursing facilities for State Fiscal Year 2025, the methodology underlying the establishment of the nursing facility rates, and the justifications for those rates. KDADS and DHCF are also providing notice of the state's intent to submit amendments to the Medicaid State Plan to the U. S. Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) on or before September 30, 2024.

I. Methodology Used to Calculate Medicaid Per Diem Rates for Nursing Facilities.

In general, the state uses a prospective, cost-based, facility-specific rate-setting methodology to calculate nursing facility Medicaid per diem rates, including the rates listed in this notice. The state's rate-setting methodology is contained primarily in the following described documents and authorities and in the exhibits, attachments, regulations, or other authorities referenced in them:

- A. The following portions of the Kansas Medicaid State Plan maintained by DHCF are being revised:
 1. Attachment 4.19D, Part I, Subpart C, Exhibit C-1, inclusive;

The text of the portions of the Medicaid State Plan identified above in section IA.1, but not the documents, authorities and the materials incorporated therein by reference, is reprinted in this notice. The Medicaid State Plan provisions set out in this notice appears in the version which the state currently intends to submit to CMS on or before September 30, 2024. The Medicaid State Plan amendment that the state ultimately submits to CMS may differ from the version contained in this notice.

Copies of the documents and authorities containing the state's rate-setting methodology are available upon written request. A request for copies will be treated as a request for public records under the Kansas Open Records Act, K.S.A. 45-215 et seq. The state may charge a fee for copies, in accordance with Executive Order 18-05. Written requests for copies should be sent to:

KDADS KORA Officer
New England Building, Second Floor
503 S. Kansas Ave.
Topeka, KS 66603-3404
Fax: 785-296-0767
KDADSKORA@ks.gov

A.1 Attachment 4.19D, Part I, Subpart C, Exhibit C-1: Methods and Standards for Establishing Payment Rates for Nursing Facilities

Under the Medicaid program, the State of Kansas pays nursing facilities (NF), nursing facilities for mental health (NFMH), and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The narrative explanation of the nursing facility reimbursement formula is divided into 11 sections. The sections are: Cost Reports, Rate Determination, Quarterly Case Mix Index Calculation, Resident Days, Inflation Factors, Upper Payment Limits,

Quarterly Case Mix Rate Adjustment, Real and Personal Property Fee, Incentive Factors, Rate Effective Date, and Retroactive Rate Adjustments.

1. Cost Reports

The Nursing Facility Financial and Statistical Report (MS2004) is the uniform cost report. It is included in Kansas Administrative Regulation (K.A.R.) 129-10-17. It organizes the commonly incurred business expenses of providers into three reimbursable cost centers (operating, indirect health care, and direct health care). Ownership costs (i.e., mortgage interest, depreciation, lease, and amortization of leasehold improvements) are reported but reimbursed through the real and personal property fee. There is a non-reimbursable/non-resident related cost center so that total operating expenses can be reconciled to the providers' accounting records.

All cost reports are desk reviewed by agency auditors. Adjustments are made, when necessary, to the reported costs in arriving at the allowable historic costs for the rate computations.

Calendar Year End Cost Reports

All providers that have operated a facility for 12 or more months on December 31 shall file a calendar year cost report. The requirements for filing the calendar year cost report are found in K.A.R. 129-10-17.

When a non-arms length or related party change of provider takes place or an owner of the real estate assumes the operations from a lessee, the facility will be treated as an ongoing operation. In this situation, the related provider or owner shall be required to file the calendar year end cost report. The new operator or owner is responsible for obtaining the cost report information from the prior operator for the months during the calendar year in which the new operator was not involved in running the facility. The cost report information from the old and new operators shall be combined to prepare a 12-month calendar year end cost report.

Projected Cost Reports

The filing of projected cost reports are limited to: 1) newly constructed facilities; 2) existing facilities new to the Medicaid program; or 3) a provider re-entering the Medicaid program that has not actively participated or billed services for 24 months or more. The requirements are found in K.A.R. 129-10-17.

2. Rate Determination

Rates for Existing Nursing Facilities

Medicaid rates for Kansas NFs are determined using a prospective, facility-specific rate-setting system. The rate is determined from the base cost data submitted by the provider. The current base cost data is the combined calendar year cost data from each available report submitted by the current provider during 2021, 2022, and 2023.

If the current provider has not submitted a calendar year report during the base cost data period, the cost data submitted by the previous provider for that same period will be used as the base cost data. Once the provider completes their first 24 months in the program, their first calendar year cost report will become the provider's base cost data.

(continued)

The allowable expenses are divided into three cost centers. The cost centers are Operating, Indirect Health Care and Direct Health Care. They are defined in K.A.R. 129-10-18.

The allowable historic per diem cost is determined by dividing the allowable resident related expenses in each cost center by resident days. Before determining the per diem cost, each year's cost data is adjusted from the midpoint of that year to December 31, 2024. The resident days and inflation factors used in the rate determination will be explained in greater detail in the following sections.

The inflated allowable historic per diem cost for each cost center is then compared to the cost center upper payment limit. The allowable per diem rate is the lesser of the inflated allowable historic per diem cost in each cost center or the cost center upper payment limit. Each cost center has a separate upper payment limit. If each cost center upper payment limit is exceeded, the allowable per diem rate is the sum of the three cost center upper payment limits. There is also a separate upper payment limit for owner, related party, administrator, and co-administrator compensation. The upper payment limits will be explained in more detail in a separate section.

The case mix of the residents adjusts the Direct Health Care cost center. The reasoning behind a case mix payment system is that the characteristics of the residents in a facility should be considered in determining the payment rate. The idea is that certain resident characteristics can be used to predict future costs to care for residents with those same characteristics. For these reasons, it is desirable to use the case mix classification for each facility in adjusting provider rates.

There are add-ons to the allowable per diem rate. The add-ons consist of the incentive factor, the real and personal property fee, and per diems to cover costs not included in the cost report data. The incentive factor and real and personal property fee are explained in separate sections of this exhibit. The rate components are explained in separate subparts of Attachment 4.19D of the State Plan. The add-ons plus the allowable per diem rate equal the total per diem rate.

Rates for New Construction and New Facilities (New Enrollment Status)

The per diem rate for newly constructed nursing facilities, or new facilities to the Kansas Medical Assistance program shall be based on a projected cost report submitted in accordance with K.A.R. 129-10-17.

The cost information from the projected cost report and the first historic cost report covering the projected cost report period shall be adjusted to December 31, 2023. This adjustment will be based on the S&P Global, National Skilled Nursing Facility Market Basket Without Capital Index (S&P Index). The S&P indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to December 31, 2024. The provider shall remain in new enrollment status until the base data period is re-established. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in new enrollment status.

Rates for Facilities Recognized as a Change of Provider (Change of Provider Status)

The payment rate for the first 24 months of operation shall be based on the base cost data of the previous owner or provider. This base cost data shall include data from each calendar year cost report that was filed by the previous provider from 2021-2023. If base cost data is not available, the most recent calendar year data for the previous provider shall be used. Beginning with the first day of the 25th month of operation the payment rate shall be based on the historical cost data for the first calendar year submitted by the new provider.

All data used to set rates for facilities recognized as a change-of-provider shall be adjusted to December 31, 2023. This adjustment will be based on the S&P Index. The S&P indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to December 31, 2023. The provider shall remain in change-of-provider status until the base data period is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in change of provider status.

Rates for Facilities Re-entering the Program (Reenrollment Status)

The per diem rate for each provider reentering the Medicaid program shall be determined from a projected cost report if the provider has not actively participated in the program by the submission of any current resident service billings to the program for 24 months or more. The per diem rate for all other providers reentering the program shall be determined from the base cost data filed with the agency or the most recent cost report filed preceding the base cost data period.

All cost data used to set rates for facilities reentering the program shall be adjusted to December 31, 2023. This adjustment will be based on the S&P Index. The S&P indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to December 31, 2023. The provider shall remain in reenrollment status until the base data period is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in reenrollment status.

3. Quarterly Case Mix Index Calculation

Providers are required to submit to the agency the uniform assessment instrument, which is the Minimum Data Set (MDS), for each resident in the facility. The MDS assessments are maintained in a computer database.

Effective July 1, 2024 the Patient Driven Payment Model (PDPM) Nursing component classification is used as the resident classification system to determine all case-mix indices, using data from the MDS submitted by each facility. The 25 PDPM case mix groups (CMG) and corresponding case mix indices (CMI) developed by the Centers for Medicare and Medicaid Services (CMS) and

implemented as of October 1, 2019, shall be the basis for calculating facility average case mix indices to be used to adjust the Direct Health Care costs in the determination of upper payment limits and rate calculation. Resident assessments that cannot be classified will be assigned the lowest CMI for the state.

Each resident in the facility on the first day of each calendar quarter with a completed and submitted assessment shall be assigned a PDPM nursing CMG calculated on the resident’s most current assessment available on the first day of each calendar quarter. This PDPM nursing CMG shall be translated to the corresponding CMI based on the PDPM weights effective October 1, 2019. From the individual resident case mix indices, average case mix indices for all residents and for each payment source type (Medicaid, Medicare and Other) are calculated for each Medicaid nursing facility four times per year based on the assessment information available on the first day of each calendar quarter.

The facility-wide average CMI is the simple average, carried to four decimal places, of all resident case mix indices. The Medicaid-average CMI is the simple average, carried to four decimal places, of all indices for residents, including those receiving hospice services, where Medicaid is known to be a per diem payer source on the first day of the calendar quarter or at any time during the preceding quarter. The private-pay/other average CMI is the simple average, carried to four decimal places, of all indices for residents where neither Medicaid nor Medicare were known to be the payer source on the first day of the calendar quarter or at any time during the preceding quarter. Case mix indices for ventilator-dependent residents for whom additional reimbursement has been determined shall be excluded from the average CMI calculations.

Rates will be adjusted for case mix twice annually using case mix data from the two quarters preceding the rate effective date. The case mix averages used for the rate adjustments will be the simple average of the case mix averages for each quarter. The resident listing cut-off for calculating the average CMIs for each quarter will be the first day of the quarter. The following are the dates for the resident listings and the rate periods in which the average Medicaid CMIs will be used in the semi-annual rate-setting process.

Rate Effective Date	Cut-Off Dates for Quarterly CMI
July 1	January 1 and April 1
January 1	July 1 and October 1

The resident listings will be distributed to providers prior to the dates the semi-annual case mix adjusted rates are determined. This will allow the providers time to review the resident listings and make corrections before they are notified of new rates. The cut off schedule may need to be modified in the event accurate resident listings and Medicaid CMI scores cannot be obtained from the MDS database.

4. Resident Days

Facilities with 60 beds or less

For facilities with 60 beds or less, the allowable historic per diem costs for all cost centers are determined by dividing the allowable resident related expenses by the ac-

tual resident days during the cost report period(s) used to establish the base cost data.

Facilities with more than 60 beds

For facilities with more than 60 beds, the allowable historic per diem costs for the Direct Health Care cost center and for food and utilities in the Indirect Health Care cost center are determined by dividing the allowable resident related expenses by the actual resident days during the cost report period(s) used to establish the base cost data. The allowable historic per diem cost for the Operating and Indirect Health Care Cost Centers less food and utilities is subject to an 85% minimum occupancy rule. For these providers, the greater of the actual resident days for the cost report period(s) used to establish the base cost data or the 85% minimum occupancy based on the number of licensed bed days during the cost report period(s) used to establish the base cost data is used as the total resident days in the rate calculation for the Operating cost center and the Indirect Health Care cost center less food and utilities. All licensed beds are required to be certified to participate in the Medicaid program.

There are two exceptions to the 85% minimum occupancy rule for facilities with more than 60 beds. The first is that it does not apply to a provider who is allowed to file a projected cost report for an interim rate. Both the rates determined from the projected cost report and the historic cost report covering the projected cost report period are based on the actual resident days for the period.

The second exception is for the first cost report filed by a new provider who assumes the rate of the previous provider. If the 85% minimum occupancy rule was applied to the previous provider’s rate, it is also applied when the rate is assigned to the new provider. However, when the new provider files a historic cost report for any part of the first 12 months of operation, the rate determined from the cost report will be based on actual days and not be subject to the 85% minimum occupancy rule for the months in the first year of operation. The 85% minimum occupancy rule is then reapplied to the rate when the new provider reports resident days and costs for the 13th month of operation and after.

5. Inflation Factors

Inflation will be applied to the allowable reported costs from the calendar year cost report(s) used to determine the base cost data from the midpoint of each cost report period to December 31, 2023. The inflation will be based on the S&P Global, CMS Nursing Home without Capital Market Basket index.

The S&P Global, CMS Nursing Home without Capital Market Basket Indices listed in the latest available quarterly publication will be used to determine the inflation tables for the payment schedules processed during the payment rate period. This may require the use of forecasted factors in the inflation table. The inflation tables will not be revised until the next payment rate period.

The inflation factor will not be applied to the following costs:

1. Owner/Related Party Compensation
2. Interest Expense
3. Real and Personal Property Taxes

(continued)

6. Upper Payment Limits

There are three types of upper payment limits that will be described. One is the owner/related party/administrator/co-administrator limit. The second is the real and personal property fee limit. The last type of limit is an upper payment limit for each cost center. The upper payment limits are in effect during the payment rate period unless otherwise specified by a State Plan amendment.

Owner/Related Party/Administrator/Co-Administrator Limits

Since salaries and other compensation of owners are not subject to the usual market constraints, specific limits are placed on the amounts reported. First, amounts paid to non-working owners and directors are not an allowable cost. Second, owners and related parties who perform resident related services are limited to a salary chart based on the Kansas Civil Service classifications and wages for comparable positions. Owners and related parties who provide resident related services on less than a full time basis have their compensation limited by the percent of their total work time to a standard work week. A standard work week is defined as 40 hours. The owners and related parties must be professionally qualified to perform services which require licensure or certification.

The compensation paid to owners and related parties shall be allocated to the appropriate cost center for the type of service performed. Each cost center has an expense line for owner/related party compensation. There is also a cost report schedule titled, "Statement of Owners and Related Parties." This schedule requires information concerning the percent of ownership (if over five percent), the time spent in the function, the compensation, and a description of the work performed for each owner and/or related party. Any salaries reported in excess of the Kansas Civil Service based salary chart are transferred to the Operating cost center where the excess is subject to the Owner/Related Party/Administrator/Co-Administrator per diem compensation limit.

Schedule C is an array of non-owner administrator and co-administrator salaries. The schedule includes the calendar year 2023 historic cost reports in the database from all active nursing facility providers. The salary information in the array is not adjusted for inflation. The per diem data is calculated using an 85% minimum occupancy level for those providers in operation for more than 12 months with more than 60 beds. Schedule C for the owner/related party/administrator/co-administrator per diem compensation limit is the first schedule run during the rate setting.

Schedule C is used to set the per diem limitation for all non-owner administrator and co-administrator salaries and owner/related party compensation in excess of the civil service based salary limitation schedule. The per diem limit for a 50-bed or larger home is set at the 90th percentile on all salaries reported for non-owner administrators and co-administrators. A limitation table is then established for facilities with less than 50 beds. This table begins with a reasonable salary per diem for an administrator of a 15-bed or less facility. The per diem limit for a 15-bed or less facility is inflated based on the State of

Kansas annual cost of living allowance for classified employees for the rate period. A linear relationship is then established between the compensation of the administrator of the 15-bed facility and the compensation of the administrator of a 50-bed facility. The linear relationship determines the per diem limit for the facilities between 15 and 50 beds.

The per diem limits apply to the non-owner administrators and co-administrators and the compensation paid to owners and related parties who perform an administrative function or consultant type of service. The per diem limit also applies to the salaries in excess of the civil service based salary chart in other cost centers that are transferred to the operating cost center.

Real and Personal Property Fee Limit

The property component of the reimbursement methodology consists of the real and personal property fee that is explained in more detail in a later section. The upper payment limit is 105% of the median determined from a total resident day-weighted array of the property fees in effect April 1, 2024.

Cost Center Upper Payment Limits

Schedule B is an array of all per diem costs for each of the three cost centers-Operating, Indirect Health Care, and Direct Health Care. The schedule includes a per diem determined from the base cost data from all active nursing facility providers. Projected cost reports are excluded when calculating the limit.

The per diem expenses for the Operating cost center and the Indirect Health Care cost center less food and utilities are subject to the 85% minimum occupancy for facilities over 60 beds. All previous desk review and field audit adjustments are considered in the per diem expense calculations. The costs are adjusted by the owner/related party/administrator/co-administrator limit.

Prior to the Schedule B arrays, the cost data on certain expense lines is adjusted from the midpoint of the cost report period to December 31, 2024. This will bring the costs reported by the providers to a common point in time for comparisons. The inflation will be based on the S&P Global, CMS Nursing Home Without Capital Market Basket Index.

Certain costs are exempt from the inflation application when setting the upper payment limits. They include owner/related party compensation, interest expense, and real and personal property taxes.

The costs used for the Direct Health Care cost center will include expenditures made during the cost report period on behalf of the facility from the Long Term Care Rapid Response Staffing Support Center grant. These expenditures will be included in the adjusted Direct Health Care cost prior to applying inflation. See A.2 for more details.

Schedule B is the median compilations. These compilations are needed for setting the upper payment limit for each cost center. The median for each cost center is weighted based on total resident days. The upper payment limits will be set using the following:

Operating	110% of the median
Indirect Health Care	115% of the median
Direct Health Care	130% of the median

Direct Health Care Cost Center Limit

The Kansas reimbursement methodology has a component for a case mix payment adjustment. The Direct Health Care cost center rate component and upper payment limit are adjusted by the facility average CMI.

For the purpose of setting the upper payment limit in the Direct Health Care cost center, the facility cost report period CMI and the statewide average CMI will be calculated. The facility cost report period CMI is the resident day-weighted average of the quarterly facility-wide average case mix indices, carried to four decimal places. The quarters used in this average will be the quarters that most closely coincide with the financial and statistical reporting period. For example, a 01/01/20XX-12/31/20XX financial and statistical reporting period would use the facility-wide average case mix indices for quarters beginning 04/01/XX, 07/01/XX, 10/01/XX and 01/01/XY. The statewide average CMI is the resident day-weighted average, carried to four decimal places, of the facility cost report period case mix indices for all Medicaid facilities.

The statewide average CMI and facility cost report period CMI are used to set the upper payment limit for the Direct Health Care cost center. The limit is based on all facilities with a historic cost report in the database. There are three steps in establishing the base upper payment limit.

The first step is to normalize each facility's inflated Direct Health Care costs to the statewide average CMI. This is done by dividing the statewide average CMI for the cost report year by the facility's cost report period CMI, then multiplying this answer by the facility's inflated costs. This step is repeated for each cost report year for which data is included in the base cost data.

The second step is to determine per diem costs and array them to determine the median. The per diem cost is determined by dividing the total of each provider's inflated case mix adjusted base direct health care costs by the total days provided during the base cost data period. The median is located using a day-weighted methodology. That is, the median cost is the per diem cost for the facility in the array at which point the cumulative total of all resident days first equals or exceeds half the number of the total resident days for all providers. The facility with the median resident day in the array sets the median inflated direct health care cost. For example, if there are eight million resident days, the facility in the array with the 4 millionth day would set the median.

The final step in calculating the base Direct Health Care upper payment limit is to apply the percentage factor to the median cost. For example, if the median cost is \$150 and the upper payment limit is based on 130% of the median, then the upper payment limit for the statewide average CMI would be \$195 ($D=130\% \times \150).

7. Quarterly Case Mix Rate Adjustment

The allowance for the Direct Health Care cost component will be based on the average Medicaid CMI in the facility. The first step in calculating the allowance is to determine the Allowable Direct Health Care Per Diem Cost. This is the lesser of the facility's per diem cost from the base cost data period or the Direct Health Care upper payment limit. Because the direct health care costs were previously adjusted for the statewide average CMI,

the Allowable Direct Health Care Per Diem Cost corresponds to the statewide average CMI.

The next step is to determine the Medicaid acuity adjusted allowable Direct Health Care cost. The facility's Medicaid CMI is determined by averaging the facility average Medicaid CMI from the two quarters preceding the rate effective date. The facility's Medicaid CMI is then divided by the statewide average CMI for the cost data period. Finally, this result, is then multiplied by the Allowable Direct Health Care per diem cost. The result is referred to as the Medicaid Acuity Adjustment.

The Medicaid Acuity Adjustment is calculated semi-annually to account for changes in the Medicaid CMI. To illustrate this calculation, take the following situation: The facility's direct health care per diem cost is \$120, the Direct Health Care per diem limit is \$195, and these are both tied to a statewide average CMI of 1.000, and the facility's current Medicaid CMI is 0.9000. Since the per diem costs are less than the limit the Allowable Direct Health Care Cost is \$120, and this is matched with the statewide average CMI of 1.0000. To calculate the Medicaid Acuity Adjustment, first divide the Medicaid CMI by the statewide average CMI, then multiply the result by the Allowable Direct Health Care Cost. In this case that would result in \$108 ($0.9000/1.0000 \times \120). Because the facility's current Medicaid CMI is less than the statewide average CMI the Medicaid Acuity Adjustment moves the direct health care per diem down proportionally. In contrast, if the Medicaid CMI for the next semi-annual adjustment rose to 1.1000, the Medicaid Acuity Adjustment would be \$132 ($1.1000/1.0000 \times \120). Again the Medicaid Acuity Adjustment changes the Allowable Direct Health Care Per Diem Cost to match the current Medicaid CMI.

8. Real and Personal Property Fee

The property component of the reimbursement methodology consists of the real and personal property fee (property fee). The property fee is paid in lieu of an allowable cost of mortgage interest, depreciation, lease expense and/or amortization of leasehold improvements. The fee is facility specific and does not change as a result of a change of ownership, change in lease, or with re-enrollment in the Medicaid program. The original property fee was comprised of two components, a property allowance and a property value factor. The differentiation of the fee into these components was eliminated effective July 1, 2002. At that time each facility's fee was re-established based on the sum of the property allowance and value factor. The providers receive the lower of the inflated property fee or the upper payment limit.

For providers re-enrolling in the Kansas Medical Assistance program or providers enrolling for the first time but operating in a facility that was previously enrolled in the program, the property fee shall be the sum of the last effective property allowance and the last effective value factor for that facility. The property fee will be inflated to 12/31/08 and then compared to the upper payment limit. The property fee will be the lower of the facility-specific inflated property fee or the upper payment limit.

Providers entering the Kansas Medical Assistance program for the first time, who are operating in a build-

(continued)

ing for which a fee has not previously been established, shall have a property fee calculated from the ownership costs reported on the cost report. This fee shall include appropriate components for rent or lease expense, interest expense on real estate mortgage, amortization of leasehold improvements, and depreciation on buildings and equipment. The process for calculating the property fee for providers entering the Kansas Medical Assistance program for the first time is explained in greater detail in K.A.R. 129-10-25.

There is a provision for changing the property fee. This is for a rebasing when capital expenditure thresholds are met (\$25,000 for homes under 51 beds and \$50,000 for homes over 50 beds). The original property fee remains constant but the additional factor for the rebasing is added. The property fee rebasing is explained in greater detail in K.A.R. 129-10-25. The rebased property fee is subject to the upper payment limit.

9. Incentive Factors

An incentive factor will be awarded to both NF and NF-MH providers that meet certain outcome measures criteria. The criteria for NF and NF-MH providers will be determined separately based on arrays of outcome measures for each provider group.

Nursing Facility Quality and Efficiency Incentive Factor

The Nursing Facility Incentive Factor is a per diem amount determined by four per diem add-ons providers can earn for various outcomes measures. Providers that maintain a case mix adjusted staffing ratio at or above the 75th percentile will earn a \$3.00 per diem add-on. Providers that fall below the 75th percentile staffing ratio but improve their staffing ratio by 10% or more will earn a \$0.50 per diem add-on. Providers that achieve a staff retention rate at or above the 75th percentile will earn a \$2.50 per diem add-on as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs. Providers that have a staff retention rate lower than the 75th percentile but that increase their staff retention rate by 10% or more will receive a per diem add-on of \$0.50 as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs. Providers that have a Medicaid occupancy percentage of 65% or more will receive a \$0.75 per diem add-on. Finally, providers that maintain quality measures at or above the 75th percentile will earn a \$1.25 per diem add-on. The total of all the per diem add-ons a provider qualifies for will be their incentive factor.

The table below summarizes the incentive factor outcomes and per diem add-ons:

Incentive Outcome	Incentive Add-ons
CMI adjusted staffing ratio ≥ 75th percentile (5.36), or CMI adjusted staffing < 75th percentile but improved ≥ 10%	\$3.00 \$0.50
Staff retention rate ≥ 75th percentile, 71% Contracted labor < 10% of total direct health care labor costs or Staff retention rate < 75th percentile but increased ≥ 10% Contracted labor < 10% of total direct health care labor costs	\$2.50 \$0.50
Medicaid occupancy ≥ 65%	\$0.75
Quality Measures ≥ 75th percentile (580)	\$1.25
Total Incentive Add-on Available	\$7.50

The Culture Change/Person-Centered Care Incentive Program

The Culture Change/Person-Centered Care Incentive Program (PEAK 2.0) includes nine different incentive levels to recognize homes that are either pursuing culture change, have made major achievements in the pursuit of culture change, have met minimum competencies in person-centered care, have sustained person-centered care, or are mentoring others in person-centered care.

Each incentive level has a specific pay-for-performance incentive per diem attached to it that homes can earn by meeting defined outcomes. The first six levels (Level 0 – Level 5) are intended to encourage quality improvement for homes that have not yet met the minimum competency requirements for a person-centered care home.

Level 6 recognizes those homes that have attained a minimum level of core competency in person-centered care. Level 7 and Level 8 are reserved for those homes that have demonstrated sustained person-centered care for multiple years and have gone on to mentor other homes in their pursuit of person-centered care. The table below provides a brief overview of each of the levels.

Level and Per Diem Incentive	Summary of Required Nursing Home Action	Incentive Duration
Level 0: The Foundation \$0.50 per Medicaid Resident per Day (PMRPD)	Home completes a self-evaluation tool according to the enrollment instructions. Home participates in all required activities noted in the Foundation timeline and Workbook. Homes that do not complete the requirements at this level must sit out for the remainder of the program year. At successful completion of the Foundation level, homes move to Level 1.	Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year, provided the home participates in program activities. Homes' incentive may be dropped mid-year for non-participation. Receipt of incentive also based on survey eligibility.
Level 1: 0-2 Cores \$0.75 PMRPD	Home completes a self-evaluation tool (annually). Home submits an action plan addressing at least 2 of the total 12 PEAK cores. A home can turn in additional action plans mid-year at their discretion. Homes are eligible for level 1 incentive by passing the Foundation level and/or sustaining practices in 1-2 cores. Level 1 homes undergo an in-person or Zoom evaluation with the PEAK team. 20-25 homes are selected for a random site visit. Homes must participate in the random site visit, if selected, to continue incentive payment. Action planned cores are evaluated within the same fiscal year. Previously passed cores will be re-evaluated every 2 years for sustainability. Level is adjusted based on the evaluation results and KDADS' guidance.	Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year. Receipt of incentive also based on survey eligibility.

<p>Level 2: 3-4 Cores \$1.00 PMRPD</p>	<p>Home completes a self-evaluation tool (annually). Home submits an action plan addressing at least 2 of the total 12 PEAK cores. A home can turn in additional action plans mid-year at their discretion. Homes are eligible for level 2 incentive by passing and/or sustaining 3-4 cores. Level 2 homes undergo an in-person or Zoom evaluation with the PEAK team. 20-25 homes are selected for a random site visit. Homes must participate in the random site visit, if selected, to continue incentive payment. Action planned cores are evaluated within the same fiscal year. Previously passed cores will be re-evaluated every 2 years for sustainability. Level is adjusted based on the evaluation results and KDADS' guidance.</p>	<p>Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year. Receipt of incentive also based on survey eligibility.</p>
<p>Level 3: 5-6 Cores \$1.25 PMRPD</p>	<p>Home completes a self-evaluation tool (annually). Home submits an action plan addressing at least 2 of the total 12 PEAK cores. A home can turn in additional action plans mid-year at their discretion. Homes are eligible for level 3 incentive by passing and/or sustaining 5-6 cores. Level 3 homes undergo an in-person or Zoom evaluation with the PEAK team. 20-25 homes are selected for a random site visit. Homes must participate in the random site visit, if selected, to continue incentive payment. Action planned cores are evaluated within the same fiscal year. Previously passed cores will be re-evaluated every 2 years for sustainability. Level is adjusted based on the evaluation results and KDADS' guidance.</p>	<p>Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year. Receipt of incentive also based on survey eligibility.</p>
<p>Level 4: 7-8 Cores \$1.50 PMRPD</p>	<p>Home completes a self-evaluation tool (annually). Home submits an action plan addressing at least 2 of the total 12 PEAK cores. A home can turn in additional action plans mid-year at their discretion. Homes are eligible for level 4 incentive by passing and/or sustaining 7-8 cores. Level 4 homes undergo an in-person or Zoom evaluation with the PEAK team. 20-25 homes are selected for a random site visit. Homes must participate in the random site visit, if selected, to continue incentive payment. Action planned cores are evaluated within the same fiscal year. Previously passed cores will be re-evaluated every 2 years for sustainability. Level is adjusted based on the evaluation results and KDADS' guidance.</p>	<p>Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year. Receipt of incentive also based on survey eligibility.</p>
<p>Level 5: 9-11 Cores \$1.75 PMRPD</p>	<p>Home completes a self-evaluation tool (annually). Home submits an action plan addressing at least 2 of the total 12 PEAK cores. A home can turn in additional action plans mid-year at their discretion. Homes are eligible for level 5 incentive by passing and/or sustaining 9-11 cores. Level 5 homes undergo an in-person or Zoom evaluation with the PEAK team. 20-25 homes are selected for a random site visit. Homes must participate in the random site visit, if selected, to continue incentive payment. Action planned cores are evaluated within the same fiscal year. Previously passed cores will be re-evaluated every 2 years for sustainability. Level is adjusted based on the evaluation results and KDADS' guidance.</p>	<p>Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year. Receipt of incentive also based on survey eligibility.</p>
<p>Level 6: 12 Cores Person-Centered Care Home \$2.00 PMRPD</p>	<p>Home completes a self-evaluation tool (annually). Homes are eligible for level 6 by demonstrating minimum competency as a person-centered care home (passes all 12 core areas or 90% of the PEAK practices). The home does this by passing a full on-site visit to evaluate all 12 PEAK core areas. KDADS and KSU will facilitate a full on-site visit to evaluate PEAK practices. KDADS will make final determination of movement to level 6.</p>	<p>Available beginning July 1 following confirmed minimum competency of person-centered practice. Incentive is granted for one full fiscal year. Receipt of incentive also based on survey eligibility.</p>

(continued)

Level and Per Diem Incentive	Summary of Required Nursing Home Action	Incentive Duration
Level 7: 12 Cores Sustained Person-Centered Care Home \$2.50 PMRPD	Home completes a self-evaluation tool (annually). Homes are eligible for level 7 by demonstrating minimum competency as a person-centered care home (passes all 12 core areas or 90% of the PEAK practices) two consecutive years. The home does this by passing a full on-site visit to evaluate all 12 PEAK core areas. KDADS and KSU will facilitate a full on-site visit to evaluate PEAK practices. KDADS will make final determination of movement to level 7.	Available beginning July 1 following confirmation of the upkeep of minimum person-centered care competencies in all 12 PEAK cores for the second consecutive year. Incentive is granted for two fiscal years. Renewable biannually. Receipt of incentive also based on survey eligibility.
Level 8: 12 Cores Mentor Home \$3.00 PMRPD	Home completes a self-evaluation tool (annually). Homes are eligible for level 8 by demonstrating minimum competency as a person-centered care home (passes all 12 core areas or 90% of the PEAK practices) two consecutive years and meeting the minimum mentoring activities, as directed in the mentoring log. The home does this by passing a full on-site visit to evaluate all 12 PEAK core areas. KDADS and KSU will facilitate a full on-site visit to evaluate PEAK practices bi-annually and turning in a mentor log. KDADS will make final determination of movement to level 8.	Available beginning July 1 following confirmation of mentor home standards (upkeep of minimum person-centered care competencies in all 12 PEAK cores and mentoring points). Incentive is granted for two fiscal years. Renewable bi-annually. Receipt of incentive also based on survey eligibility.

Nursing Facility for Mental Health Quality and Efficiency Incentive Factor

The Quality and Efficiency Incentive plan for Nursing Facilities for Mental Health (NFMH) will be established separately from nursing facilities. Nursing Facilities for Mental Health serve people who often do not need the NF level of care on a long-term basis. There is a desire to provide incentive for NFMHs to work cooperatively and in coordination with Community Mental Health Centers to facilitate the return of persons to the community.

The Quality and Efficiency Incentive Factor is a per diem add-on ranging from zero to seven dollars and fifty cents. It is designed to encourage quality care, efficiency and cooperation with discharge planning. The incentive factor is determined by five outcome measures: case-mix adjusted nurse staffing ratio; operating expense; staff turnover rate; staff retention rate; and occupancy rate. Each provider is awarded points based on their outcomes measures and the total points for each provider determine the per diem incentive factor included in the provider's rate calculation.

Providers may earn up to two incentive points for their case mix adjusted nurse staffing ratio. They will receive two points if their case-mix adjusted staffing ratio equals or exceeds 3.41, which is 120% of the statewide NFMH median of 2.84. They will receive one point if the ratio

is less than 120% of the NFMH median but greater than or equal to 3.12, which is 110% of the statewide NFMH median. Providers with staffing ratios below 110% of the NFMH median will receive no points for this incentive measure.

NFMH providers may earn one point for low occupancy outcomes measures. If they have total occupancy less than 90% they will earn a point.

NFMH providers may earn one point for low operating expense outcomes measures. The provider will earn one point if the per diem operating expenses are below \$35.69, or 90% of the statewide median of \$39.66.

NFMH providers may earn up to two points for the turnover rate outcomes measure. Providers with direct health care staff turnover equal to or below 63%, the 75th percentile statewide, will earn two points as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs. Providers with direct health care staff turnover greater than 63% but equal to or below 68%, the 50th percentile statewide, will earn one point as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs.

Finally, NFMH providers may earn up to two points for the retention rate outcomes measure. Providers with staff retention rates at or above 59%, the 75th percentile statewide will earn two points. Providers with staff retention rates below 59% but at or above 45%, the 50th percentile statewide, will earn one point.

The table below summarizes the incentive factor outcomes and points:

Quality/Efficiency Outcome	Incentive Points
CMI adjusted staffing ratio ≥ 120% (3.41) of NF-MH median (2.84), or	2, or
CMI adjusted staffing ratio between 110% (3.12) and 120%	1
Total occupancy ≤ 90%	1
Operating expenses < \$35.69, 90% of NF-MH median, \$39.66	1
Staff turnover rate ≤ 75th percentile, 63%	2, or
Staff turnover rate ≤ 50th percentile, 68%	1
Contracted labor < 10% of total direct health care labor costs	
Staff retention ≥ 75th percentile, 59%	2, or
Staff retention ≥ 50th percentile, 45%	1
Total Incentive Points Available	8

Schedule E is an array containing the incentive points awarded to each NFMH provider for each quality and efficiency incentive outcome. The total of these points will be used to determine each provider's incentive factor based on the following table.

Total Incentive Points	Incentive Factor Per Diem
Tier 1: 6-8 points	\$7.50
Tier 2: 5 points	\$5.00
Tier 3: 4 points	\$2.50
Tier 4: 0-3 points	\$0.00

The survey and certification performance of each NF and NFMH provider will be reviewed quarterly to determine each provider's eligibility for incentive factor payments. In order to qualify for an incentive, factor a home must not have received any health care survey deficiency of scope and severity level "H" or higher during the survey review period. Homes that receive "C" level deficiencies, but no "H" level or higher deficiencies, and that

correct the “G” level deficiencies within 30 days of the survey, will be eligible to receive 50% of the calculated incentive factor. Homes that receive no deficiencies higher than scope and severity level “F” will be eligible to receive 100% of the calculated incentive factor. The survey and certification review period will be the 12-month period ending one quarter prior to the incentive eligibility review date. The following table lists the incentive eligibility review dates and corresponding review period end dates.

Incentive Eligibility Effective Date	Review Period End Date
July 1	March 31st
October 1	June 30th
January 1	September 30th
April 1	December 31st

10. Rate Effective Date

Rate effective dates are determined in accordance with K.A.R. 129-10-19. The rate may be revised for an add-on reimbursement factor (i.e., rebased property fee), desk review adjustment or field audit adjustment.

11. Retroactive Rate Adjustments

Retroactive adjustments, as in a retrospective system, are made for the following three conditions:

A retroactive rate adjustment and direct cash settlement is made if the agency determines that the base year cost report data used to determine the prospective payment rate was in error. The prospective payment rate period is adjusted for the corrections.

If a projected cost report is approved to determine an interim rate, a settlement is also made after a historic cost report is filed for the same period.

All settlements are subject to upper payment limits. A provider is considered to be in projection status if they are operating on a projected rate and they are subject to the retroactive rate adjustment.

A.2 Medicaid Add-On

To compensate and incentivize providers with high Medicaid participation, the Kansas Legislature appropriated funding for State Fiscal Year 2024 with a Medicaid Add-On. This per diem add-on was implemented effective July 1, 2023 in the amount of \$19.58 per member. The Medicaid Add-On will expire on June 30, 2024. Rates effective July 1, 2024 do not include a Medicaid Add-On.

A.3 Rapid Response Staffing Grant Adjustment

The Kansas Department of Health and Environment began partnering with KFMC Health Improvement Partners (KFMC) in 2022 to assist long-term care facilities impacted by COVID-19 with emergency temporary staffing services through the Rapid Response Staffing Support Center Grant program. This program provides qualifying nursing facilities with short-term (up to two weeks) emergency staffing services. The costs of the emergency staffing services provided to each facility are covered entirely by the program with no expenditures from the facility. Therefore this additional staffing and the costs related to it are not reflected in the Medicaid cost reports. To account for grant program expenditures made on behalf of each Medicaid nursing facility, a Rapid Response Staffing Grant Adjustment will be added to each participating facility’s total reported Direct Health Care

Costs for each applicable year in the base cost data period. The Rapid Response Staffing Grant Adjustment will reflect the amount of grant funds expended in a given cost report year to provide emergency staffing services to the facility. This amount will be combined with the total reported costs and cost report adjustments to determine the total adjusted costs for Direct Health Care for each cost report year included in the base data period. The grant expenditures will be subject to inflation and case mix adjustments applied to the Direct Health Care costs for each year. The grant expenditures will then flow through the rate calculation as part of the Direct Health Care costs subject to the cost center limitation and Medicaid acuity adjustment to determine the Direct Health Care per diem rate component.

1. Qualifying Providers

All providers identified by KFMC as receiving emergency temporary staffing services through the Rapid Response Staffing Support Center Grant program.

2. Rapid Response Staffing Grant Adjustment:

The annual grant expenditure amount made on behalf of each facility will be added to the Direct Health Care costs prior to adjusting for inflation and case mix.

II. Medicaid Per Diem Rates for Kansas Nursing Facilities

A. Cost Center Limitations

The state establishes the following cost center limitations which are used in setting rates effective July 1, 2024.

Cost Center	Limit Formula	Per Day Limit
Operating	110% of the Median Cost	\$57.31
Indirect Health Care	115% of the Median Cost	\$70.82
Direct Health Care	130% of the Median Cost	\$192.96
Real and Personal Property Fee	105% of the Median Fee	\$10.51

These amounts were determined according to the “Reimbursement Limitations” section. The Direct Health-care Limit is calculated based on a CMI of 1.2906, which is the statewide average.

B. Case Mix Index

These proposed rates are based upon each nursing facility’s Medicaid CMI calculated as the average of the quarterly Medicaid CMI averages with a cutoff dates of January 1, 2024 and April 1, 2024. The CMI calculations use the PDPM Nursing component CMI values implemented by CMS effective October 1, 2019. In Section II.C below, each nursing facility’s Medicaid average CMI is listed beside its per diem rate.

C. Rates

The following list includes the calculated Medicaid rate for each nursing facility provider currently enrolled in the Medicaid program and the Medicaid case mix index used to determine each rate.

Facility Name	City	Daily Medicaid Rate	Medicaid CMI
Village Manor	Abilene	300.68	1.1456
Life Care Center of Andover	Andover	216.54	1.3784
Anthony Community Care Center	Anthony	251.33	1.1850
Medicalodges Health Care Ctr Arkansas	Arkansas City	254.14	1.4067
Arkansas City Presbyterian Manor	Arkansas City	270.97	1.1160
Arma Operator, LLC	Arma	271.74	1.8097

(continued)

Facility Name	City	Daily Rate	Medicaid CMI	Facility Name	City	Daily Rate	Medicaid CMI
Medicalodges Atchison	Atchison	261.56	1.1957	Anderson County Hospital	Garnett	345.31	1.3282
Atchison Senior Village	Atchison	300.49	1.2602	Parkview Heights	Garnett	352.82	1.5505
Dooley Center	Atchison	275.17	0.8408	The Nicol Home, Inc.	Gasco	287.92	1.6640
Attica Long Term Care	Attica	314.59	1.1342	Medicalodges Goddard	Goddard	284.46	1.5080
Good Samaritan Society-Atwood	Atwood	304.54	1.2473	Bethesda Home	Goessel	301.06	1.1084
Lake Point Nursing Center	Augusta	242.12	1.3449	Topside Manor, Inc	Goodland	269.40	1.0832
Baldwin Healthcare and Rehab Center	Baldwin City	298.08	1.7866	Medicalodges Great Bend	Great Bend	323.79	1.3719
Quaker Hill Manor	Baxter Springs	249.89	1.2353	Azria Health Great Bend	Great Bend	268.68	1.6297
Catholic Care Center Inc.	Bel Aire	338.37	1.4155	Haviland Operator, LLC	Haviland	178.29	0.9777
Belleville Healthcare and Rehab Ctr	Belleville	271.35	1.3630	Good Samaritan Society-Hays	Hays	253.13	1.2010
Mitchell County Hospital LTCU	Beloit	318.61	1.1664	Ascension Living Via Christi Village	Hays	306.90	1.1941
Hilltop Lodge Health and Rehab	Beloit	263.06	1.2712	Diversicare of Haysville	Haysville	219.06	1.4811
Bonner Springs Nursing & Rehab Ctr	Bonner Springs	270.78	1.3228	Legacy at Herington	Herington	278.41	1.2360
Hill Top House	Bucklin	340.65	1.5722	Schowalter Villa	Hesston	315.64	1.1301
Buhler Sunshine Home, Inc.	Buhler	291.62	1.1614	Maple Heights Nursing and Rehab Ctr	Hiawatha	216.79	1.1664
Life Care Center of Burlington	Burlington	303.65	1.4990	Dawson Place, Inc.	Hill City	247.35	1.2315
Eastridge Nursing Home	Centralia	385.94	1.6000	Salem Home	Hillsboro	274.51	1.3194
Heritage Health Care Center	Chanute	223.07	1.3748	Parkside Homes, Inc.	Hillsboro	284.50	1.1819
Diversicare of Chanute	Chanute	241.33	1.2421	Medicalodges Jackson County	Holton	277.18	1.1820
Chapman Valley Manor	Chapman	276.80	1.3178	Mission Village Living Center	Horton	269.44	1.3800
Cheney Golden Age Home Inc.	Cheney	276.17	1.2134	Sheridan County Hospital	Hoxie	304.19	1.1165
Cherryvale Care Center	Cherryvale	224.48	1.2582	Pioneer Manor	Hugoton	311.48	1.1175
The Shepherd's Center	Cimarron	282.39	1.1978	Diversicare of Hutchinson	Hutchinson	264.75	1.1086
Advena Living of Clay Center	Clay Center	259.95	1.3556	Good Sam Society-Hutchinson Village	Hutchinson	273.03	1.1220
Clay Center Presbyterian Manor	Clay Center	301.48	1.1493	Hutchinson Operator, LLC	Hutchinson	284.07	1.4944
Clearwater Nursing and Rehab	Clearwater	262.51	1.2881	Wesley Towers	Hutchinson	283.21	1.2321
Park Villa Nursing Home	Clyde	254.51	1.1628	Medicalodges Independence	Independence	230.12	1.2296
Medicalodges Coffeyville on Midland	Coffeyville	285.67	1.3042	Montgomery Place Nursing Center,LLC	Independence	239.21	1.3315
Medicalodges Iola	Coffeyville	287.04	1.1712	Pleasant View Home	Inman	309.78	1.2630
Colby Operator, LLC	Colby	338.14	1.6384	Stanton County Hospital- LTCU	Johnson	318.01	1.2235
Prairie Senior Living Complex	Colby	332.09	1.3686	Valley View Senior Life	Junction City	254.76	1.2714
Pioneer Lodge	Coldwater	279.00	1.2515	Medicalodges Post Acute Care Center	Kansas City	259.24	1.0862
Medicalodges Columbus	Columbus	299.68	1.3709	Riverbend Post Acute Rehabilitation	Kansas City	287.30	1.5222
Sunset Home, Inc.	Concordia	273.48	1.4360	Lifecare Center of Kansas City	Kansas City	248.35	1.0510
Spring View Manor Healthcare and Rehab	Conway Springs	276.61	1.4483	Providence Place LTCU	Kansas City	374.52	1.6685
Chase County Care and Rehab	Cottonwood Falls	388.75	1.7555	Ignite Med Resort Rainbow Blvd, LLC	Kansas City	315.65	1.6465
Diversicare of Council Grove	Council Grove	228.65	1.2060	The Healthcare Resort of Kansas City	Kansas City	354.58	1.4699
Hilltop Manor Nursing Center	Cunningham	232.56	1.2952	The Wheatlands	Kingman	221.50	1.0885
Westview of Derby Rehab and Health	Derby	208.10	1.2393	Medicalodges Kinsley	Kinsley	341.19	1.6574
Derby Health and Rehabilitation	Derby	338.01	1.4877	Kiowa District Manor	Kiowa	308.08	1.1951
Hillside Village	DeSoto	260.08	1.4656	Locust Grove Village	Lacrosse	242.99	1.0110
Trinity Manor	Dodge City	253.52	1.1861	High Plains Retirement Village	Lakin	340.59	1.4118
Sunporch of Dodge City	Dodge City	288.45	1.1578	Lansing Care and Rehab	Lansing	291.24	1.3479
Manor of the Plains	Dodge City	365.48	1.4934	Diversicare of Larned	Larned	207.02	1.0883
Downs Care and Rehab	Downs	295.54	1.5029	Lawrence Presbyterian Manor	Lawrence	343.28	1.3320
Anew Healthcare Easton	Easton	256.62	1.3745	Medicalodges Leavenworth	Leavenworth	296.40	1.3708
Parkway Care and Rehab	Edwardsville	243.45	1.4257	The Healthcare Resort of Leawood	Leawood	374.86	1.7355
Kaw River Care and Rehab	Edwardsville	287.21	1.3903	Delmar Gardens of Lenexa	Lenexa	233.75	1.2904
Edwardsville Care and Rehab	Edwardsville	187.97	1.0439	Lakeview Village	Lenexa	319.12	1.1960
Lakepoint Nursing Center-El Dorado	El Dorado	236.57	1.1704	Westchester Village of Lenexa	Lenexa	312.53	1.1700
El Dorado Care and Rehab	El Dorado	336.20	1.7212	Leonardville Nursing Home	Leonardville	288.20	1.1744
Good Samaritan Society-Ellis	Ellis	254.29	1.2191	Wichita County Health Center	Leoti	331.28	1.2126
Good Sam Society-Ellsworth Village	Ellsworth	298.85	1.3041	Good Samaritan Society-Liberal	Liberal	299.52	1.4475
Emporia Presbyterian Manor	Emporia	274.95	1.0906	Wheatridge Park Care Center	Liberal	270.10	1.3709
Holiday Resort	Emporia	284.02	1.4023	Lincoln Park Manor, Inc.	Lincoln	269.08	1.2542
Flint Hills Care and Rehab Center	Emporia	219.44	1.1403	Bethany Home Association	Lindsborg	315.04	1.1933
Enterprise Estates Nursing Center, I	Enterprise	246.73	1.3064	Linn Community Nursing Home	Linn	253.99	1.3828
Esckridge Care and Rehab	Esckridge	221.16	1.0886	Sandstone Heights Nursing Home	Little River	317.41	1.2645
Medicalodges Eudora	Eudora	285.15	1.3804	Logan Manor Community Health Service	Logan	265.28	1.2634
Eureka Nursing Center	Eureka	233.25	1.3356	Louisburg Healthcare and Rehab Center	Louisburg	276.09	1.3884
Kansas Soldiers' Home	Fort Dodge	317.37	1.2456	Meadowlark Hills Retirement Community	Manhattan	304.92	1.1742
Medicalodges Fort Scott	Fort Scott	234.12	1.2822	Ascension Living Via Christi Village	Manhattan	279.52	1.2206
Fowler Residential Care	Fowler	318.22	1.1819	St. Luke Living Center	Marion	275.97	1.1615
Frankfort Community Care Home, Inc.	Frankfort	280.98	1.0316	Riverview Estates, Inc.	Marquette	284.46	1.2096
Medicalodges Frontenac	Frontenac	243.93	1.4015	Cambridge Place	Marysville	248.83	1.2343
Galena Nursing Home	Galena	230.58	1.1920	McPherson Operator, LLC	McPherson	341.07	1.9468
Garden Valley Retirement Village	Garden City	212.26	1.2996	The Cedars, Inc.	McPherson	317.83	1.2683
Recover Care Meadowbrook Rehab,LLC	Gardner	335.19	1.3105	Meade District Hospital, LTCU	Meade	305.58	1.0786

Facility Name	City	Daily Rate	Medicaid CMI	Facility Name	City	Daily Rate	Medicaid CMI
Merriam Gardens Healthcare and Rehab	Merriam	261.16	1.4121	Sabetha Nursing Center	Sabetha	242.01	1.1887
Minneapolis Healthcare and Rehab	Minneapolis	247.17	1.2893	Apostolic Christian Home	Sabetha	281.94	1.2744
Minneola District Hospital-LTCU	Minneola	298.17	1.0722	Smoky Hill Rehabilitation Center	Salina	225.05	1.3822
Bethel Home, Inc.	Montezuma	302.39	1.2904	Kenwood View Health and Rehab Center	Salina	257.20	1.4728
Moran Manor	Moran	228.74	1.1835	Salina Windsor SNF OPCO, LLC	Salina	222.07	1.1134
Pine Village	Moundridge	267.40	1.1322	Pinnacle Park Nursing and Rehabilitation	Salina	257.51	1.3298
Moundridge Manor, Inc.	Moundridge	286.18	1.1139	Salina Presbyterian Manor	Salina	304.04	1.2300
Villa Maria, Inc.	Mulvane	278.28	1.2392	Satanta Dist. Hosp. LTCU	Satanta	334.66	1.3082
Neodesha Care and Rehab	Neodesha	278.63	1.5498	Park Lane Nursing Home	Scott City	303.69	1.2284
Ness County Hospital Dist.#2	Ness City	315.17	1.1235	Pleasant Valley Manor	Sedan	211.41	1.2394
Paramount Community Living and Rehab	Newton	310.18	1.4235	Diversicare of Sedgwick	Sedgwick	287.13	1.2606
Kansas Christian Home	Newton	270.16	1.2187	Crestview Nursing and Residential Living	Seneca	275.04	1.6300
Newton Presbyterian Manor	Newton	315.84	1.1753	Life Care Center of Seneca	Seneca	247.81	1.4462
Bethel Care Center	North Newton	322.33	1.2253	Shawnee Gardens Healthcare and Rehab	Shawnee	270.38	1.3011
Andbe Home, Inc.	Norton	219.85	1.0375	Sharon Lane Health and Rehabilitation	Shawnee	247.37	1.2408
Anew Healthcare	Nortonville	220.27	1.1406	Brookdale Rosehill	Shawnee	393.37	1.6102
Logan County Senior Living	Oakley	318.32	1.2263	Smith Center Operator, LLC	Smith Center	283.02	2.0276
Good Samaritan Society-Decatur Co.	Oberlin	291.63	1.0998	Sunporch of Smith County	Smith Center	257.85	0.9632
Villa St. Francis Catholic Care Ctr.	Olathe	339.54	1.5516	Mennonite Friendship Manor, Inc.	South Hutchinson	343.26	1.4266
Azria Health at Olathe	Olathe	280.70	1.3384	Southwinds at Spearville	Spearville	367.62	1.6000
Good Samaritan Society-Olathe	Olathe	335.31	1.4059	Spring Hill Care and Rehab	Spring Hill	295.92	1.6002
Evergreen Community of Johnson County	Olathe	336.44	1.2964	Cheyenne County Village, Inc.	St. Francis	323.33	1.3420
Aberdeen Village, Inc.	Olathe	349.92	1.3684	Community Hospital of Onaga, LTCU	St. Mary's	309.34	1.0722
Nottingham Health and Rehab	Olathe	324.79	1.2013	Prairie Mission Retirement Village	St. Paul	238.80	1.2661
The Healthcare Resort of Olathe	Olathe	331.77	1.5482	Leisure Homestead at Stafford	Stafford	249.00	1.3213
Onaga Operator, LLC	Onaga	288.54	1.3787	Sterling Village	Sterling	306.48	1.1834
Osage Nursing and Rehab Center	Osage City	244.32	1.2568	Solomon Valley Manor	Stockton	246.68	1.2260
Life Care Center of Osawatomie	Osawatomie	313.29	1.3910	Tonganoxie Terrace	Tonganoxie	271.00	1.2864
Parkview Health and Rehab LLC	Osborne	256.66	1.7778	Brewster Health Center	Topeka	319.35	1.2368
Heritage Gardens Health and Rehab	Oskaloosa	303.82	1.3607	Topeka Presbyterian Manor Inc.	Topeka	336.86	1.2994
Oswego Operator, LLC	Oswego	271.04	1.6442	Legacy on 10th Ave.	Topeka	230.75	1.1291
Rock Creek of Ottawa	Ottawa	269.18	1.4158	Halstead Health and Rehab Center	Topeka	231.05	1.2131
Brookside Manor	Overbrook	226.59	1.0965	McCrite Plaza Health Center	Topeka	304.21	1.3839
Brookdale Overland Park	Overland Park	358.84	1.3679	Rolling Hills Health Center	Topeka	225.61	1.2208
Garden Terrace at Overland Park	Overland Park	273.77	1.1794	Topeka Center for Rehab and Healthcare	Topeka	261.82	1.4387
KPC Promise Hospital of Overland Par	Overland Park	292.31	2.0288	Stoneybrook Retirement Community	Topeka	253.87	1.3609
Overland Park Center for Rehab and HC	Overland Park	284.53	1.1755	Valley Health Care Center	Topeka	194.85	0.8800
Villa Saint Joseph	Overland Park	318.81	1.2520	Tanglewood Nursing and Rehabilitation	Topeka	223.69	1.2386
Delmar Gardens of Overland Park	Overland Park	296.89	1.3819	Brighton Place West Health Center	Topeka	192.30	1.1979
Overland Park Nursing and Rehab	Overland Park	293.38	1.2982	Countryside Health Center	Topeka	117.07	0.8897
Village Shalom, Inc.	Overland Park	336.99	1.3071	Providence Living Center	Topeka	193.80	1.0796
Tallgrass Creek, Inc.	Overland Park	333.48	1.2875	Brighton Place North	Topeka	116.22	1.0620
Shawnee Post Acute Rehab Center	Overland Park	354.43	1.6553	The Gardens at Aldersgate	Topeka	349.00	2.0967
Stratford Commons Rehab and HCC	Overland Park	366.50	1.6358	Recover-Care Plaza West Care Center	Topeka	247.31	1.4406
Colonial Village	Overland Park	355.64	1.5171	Holiday Resort of Salina	Topeka	246.99	1.1605
Anew Healthcare-Oxford	Oxford	253.75	1.2555	Lexington Park Nursing and Post Acute	Topeka	277.33	1.2627
Medicalodges Paola	Paola	153.18	0.9583	Pioneer Ridge Retirement Community	Topeka	230.73	1.3176
North Point Skilled Nursing Center	Paola	229.13	1.3814	Western Prairie Senior Living	Topeka	265.35	1.3218
Elmhaven East	Parsons	232.86	1.2753	Twin Oaks Health and Rehab	Topeka	275.92	1.3443
Parsons Presbyterian Manor	Parsons	305.43	1.1651	The Healthcare Resort of Topeka	Topeka	307.85	1.8208
Good Samaritan Society-Parsons	Parsons	250.35	1.0393	Ranch House Senior Living	Topeka	242.07	1.2472
Peabody Operator, LLC	Peabody	212.20	1.2241	Greeley County Hospital, LTCU	Tribune	268.78	1.2375
Access Mental Health	Peabody	159.31	0.9715	Trego Co. Lemke Memorial LTCU	Wakeney	316.35	1.1840
Phillips County Retirement Center	Phillipsburg	254.93	1.2315	Wakefield Care and Rehab	Wakefield	299.72	1.5684
Medicalodges Pittsburg South	Pittsburg	302.59	1.3757	Good Samaritan Society-Valley Vista	Wamego	282.69	1.2921
Pittsburg Care and Rehab	Pittsburg	215.51	1.2829	Wathena Healthcare and Rehab Center	Wathena	305.74	1.7034
Ascension Living Via Christi Village	Pittsburg	280.50	1.2838	Botkin Care and Rehab	Wellington	241.89	1.3444
Rooks County Senior Services, Inc.	Plainville	304.89	1.3490	Sumner Operator, LLC	Wellington	262.12	1.3127
The Village at Mission	Prairie Village	370.89	1.5170	Wellsville Manor	Wellsville	263.98	1.5727
Grand Plains-Skilled Nursing	Pratt	267.63	1.2861	Westy Community Care Home	Westmoreland	248.77	1.0839
Pratt Operator, LLC	Pratt	250.78	1.5279	Wheat State Manor	Whitewater	289.70	1.3577
Prairie Sunset Manor	Pretty Prairie	287.35	1.4860	Medicalodges Wichita	Wichita	274.77	1.1317
Protection Valley Manor	Protection	212.12	0.8908	Meridian Rehab and Health Care Center	Wichita	213.24	1.2383
Richmond Healthcare and Rehab Center	Richmond	280.59	1.6750	Homestead Health Center, Inc.	Wichita	307.34	1.2595
Fountainview Nursing and Rehab Center	Rose Hill	225.52	1.1074	Orchard Gardens	Wichita	238.22	1.3442
Rossville Healthcare and Rehab Center	Rossville	263.01	1.3773	Wichita Presbyterian Manor	Wichita	311.93	1.3620
Wheatland Nursing and Rehab Center	Russell	210.22	1.1255	Sandpiper Healthcare and Rehab Center	Wichita	221.03	1.3660
Russell Regional Hospital	Russell	245.58	0.6600				

(continued)

Facility Name	City	Daily Rate	Medicaid CMI
Lakepoint Wichita LLC	Wichita	268.61	1.3258
Wichita Center for Rehab and Healthcare	Wichita	268.53	1.3629
Legacy at College Hill	Wichita	252.75	1.3757
Seville Operator, LLC	Wichita	333.19	1.5644
Lincoln Care and Rehab	Wichita	288.70	1.3991
The Health Care Center at Larksfield Pl	Wichita	319.12	1.2657
Life Care Center of Wichita	Wichita	279.70	1.2201
Family Health and Rehabilitation Center	Wichita	321.61	1.3279
Caritas Center	Wichita	300.05	1.0668
Regent Park Rehab and Healthcare	Wichita	302.25	1.2056
Avita Health & Rehab of Reeds Cove	Wichita	305.18	1.3836
Ascension Living Via Christi Village	Wichita	313.94	1.3458
Ascension Living Via Christi Village	Wichita	304.41	1.2881
Mount St Mary	Wichita	303.29	1.1213
Azria Health Wichita	Wichita	313.23	1.3515
Wilson Care and Rehab	Wilson	323.74	1.6607
F W Huston Medical Center	Winchester	184.59	1.1058
Winfield Senior Living Community	Winfield	276.77	1.5906
Cumbernauld Village, Inc.	Winfield	327.95	1.5047
Winfield Rest Haven II LLC	Winfield	305.77	1.1696
Kansas Veterans' Home	Winfield	316.15	1.2172
Yates Operator, LLC	Yates Center	245.00	1.3519

III. Justifications for the Rates

1. The proposed rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan and pending amendments thereto.
2. The proposed rates are calculated according to a methodology which satisfies the requirements of K.S.A. 39-708c(x) and the DHCF regulations in K.A.R. Article 129-10 implementing that statute and applicable federal law.
3. The State's analyses project that the rates:
 - a. Would result in payment, in the aggregate of 98.04% of the Medicaid day weighted average inflated allowable nursing facility costs statewide; and
 - b. Would result in a maximum allowable rate of \$331.60 (for a CMI of 1.2906); with the total average allowable rate being \$272.00.
4. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will decrease approximately \$11.5 million.*
5. The state estimates that the rates will continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general population in the geographic area. The state's analyses indicate:
 - a. Service providers operating a total of 299 nursing facilities and hospital-based long-term care units (representing 97.08% of all the licensed nursing facilities and long-term care units in Kansas) participate in the Medicaid program;
 - b. There is at least one Medicaid-certified nursing facility and/or nursing facility for mental health, or Medicaid-certified hospital-based long-term care unit in 96 of the 105 counties in Kansas;
 - c. The statewide average occupancy rate for nursing facilities participating in Medicaid is 79.30%;
 - d. The statewide average Medicaid occupancy rate for participating facilities is 60.27%; and
 - e. The rates would cover 103.75%** of the estimat-

ed Medicaid direct health care costs incurred by participating nursing facilities statewide.

6. Federal Medicaid regulations at 42 C.F.R. 447.272 impose an aggregate upper payment limit that states may pay for Medicaid nursing facility services. The state's analysis indicates that the methodology will result in compliance with the federal regulation.

* The Medicaid Add-On was removed from estimated aggregate expenditures for SFY 2025 and is scheduled to sunset June 30, 2024.

**Includes Long Term Care Rapid Response Staffing Support Center grant.

IV. Request for Comments; Request for Copies

The state requests providers, beneficiaries and their representatives, and other concerned Kansas residents to review and comment on the proposed rates, the methodology used to calculate the proposed rates, the justifications for the proposed rates, and the intent to amend the Medicaid State Plan. Persons and organizations wishing to submit comments must mail, deliver, or email their signed, written comments before May 12, 2024 to:

Sheri Jurad
 Director of NF/ACH Programs
 Kansas Department for Aging and Disability Services
 New England Building
 503 S. Kansas Ave.
 Topeka, KS 66603-3404
Sheri.Jurad@ks.gov
 Subject Line: Notice of Proposed Nursing Facility Medicaid Rates for State Fiscal Year 2025

V. Notice of Intent to Amend the Medicaid State Plan

The state intends to submit Medicaid State Plan amendments to CMS on or before September 30, 2024.

Laura Howard
 Secretary
 Department for Aging and Disability Services

Christine Osterlund
 Deputy Secretary for Agency Integration and Medicaid
 Division of Health Care Finance
 Department of Health and Environment

Doc. No. 052026

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57a through 63, 28-18-1 through 17, 28-18a-1 through 31 and 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents

are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

Las acciones propuestas con respecto a los documentos preliminares se basan en la revisión del personal, aplicando los estándares, regulaciones y limitaciones de efluentes apropiados del estado de Kansas y de la Agencia de Protección Ambiental de Estados Unidos. La acción final resultará en la emisión de una Autorización Federal del Sistema Nacional de Eliminación de Descargas de Contaminantes y un permiso de Control de Contaminación del Agua de Kansas, sujeto a ciertas condiciones, revocación y reemisión del permiso designado o terminación del permiso designado. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación al 785-296-5156 o en: KDHE.NonDiscrimination@ks.gov.

Public Notice No. KS-AG-24-083/094

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
-------------------------------	-------------------	-----------------

Schwartz Wilke Farms, LLP - Henry Hills GDU Indian Rd. Longford, KS 67458	SE/4 of Section 05 T10S, R02E Clay County	Smoky Hill River Basin
---------------------------------------------------------------------------------	-------------------------------------------------	---------------------------

Kansas Permit No. A-SHCY-H001
Federal Permit No. KS0017401

The proposed action is to modify and reissue an existing State/NPDES permit for a facility for a proposed maximum capacity of 9,150 head (3,660 animal units) of swine weighing more than 55 pounds. This represents a decrease in the permitted animal units from the previous permit. This permit is transferring ownership of only the north facility, de-commissioning the south facility, and the adding new feed bins and one load chute. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
-------------------------------	-------------------	-----------------

Hays Feed Yard, LLC Perry Thompson 1174 Feedlot Rd. Hays, KS 67601	N/2 of Section 11 & NW/4 of Section 12 T13S, R19W Ellis County	Smoky Hill River Basin
-----------------------------------------------------------------------------	-------------------------------------------------------------------------	---------------------------

Kansas Permit No. A-SHEL-C002
Federal Permit No. KS0037630

The proposed action is to modify and reissue an existing NPDES permit for an expanding facility for 30,000 head (30,000 animal units) of cattle weighing more than 700 pounds and 1,000 head (500 animal units) of cattle weighing less than 700 pounds for a total of 30,500 animal units of cattle. This represents an increase in the permitted animal units from the previous permit. This permit is being modified to add a calf hutch area near the northeast portion of the facility.

Name and Address of Applicant	Legal Description	Receiving Water
-------------------------------	-------------------	-----------------

Deseret Cattle Feeders, LLC Armando Caballero 521 Road 50 Satanta, KS 67870	S/2 & NW/4 of Section 26 & W/2 of Section 23 T27S, R34W Haskell County	Upper Arkansas River Basin
--------------------------------------------------------------------------------------	------------------------------------------------------------------------------------	-------------------------------

Kansas Permit No. A-UAHS-C004
Federal Permit No. KS0039519

The proposed action is to modify the current NPDES permit and Nutrient Management Plan (NMP) for an existing facility for 55,000 head (55,000 animal units) of cattle weighing greater than 700 pounds. The proposed modification is to add composting as a mortality management method. There are no other changes to the permit or NMP. Only the portions of the permit and NMP being modified are subject to comment.

Name and Address of Applicant	Legal Description	Receiving Water
-------------------------------	-------------------	-----------------

Yeager Feedlot 115 W. K-96 Hwy. Dighton, KS 67839	E/2 of Section 18 T18S, R30W Lane County	Upper Arkansas River Basin
---------------------------------------------------------	------------------------------------------------	-------------------------------

Kansas Permit No. A-UALE-C005
Federal Permit No. KS0098582

The proposed action is to reissue an existing NPDES permit for an existing facility for 2,250 head (2,250 animal units) of cattle weighing more than 700 pounds and 1,500 head (750 animal units) of cattle weighing less than 700 pounds; for a total of 3,750 head (3,000 animal units) of cattle. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
-------------------------------	-------------------	-----------------

High Plains Ranch, LLC 12225 E. K-160 Hwy. Satanta, KS 67870	W/2 of Section 03 T29S, R35W Grant County	Cimarron River Basin
--------------------------------------------------------------------	-------------------------------------------------	-------------------------

Kansas Permit No. A-CIGT-D001
Federal Permit No. KS0096229

The proposed action is to modify the current NPDES permit for an existing facility. Modifications to the permit will be to the Land Application portion of section C, Nutrient Management Plan Requirements, of the permit. The NMP update and permit modification is that all wastewater and manure produced by the facility will be exported to nearby neighbors. There are no other changes to the permit. Only the portions of the permit being modified are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
-------------------------------	-------------------	-----------------

Gray County Feed Yard, LLC Tyler Siek 23405 K-23 Hwy. Cimarron, KS 67835	N/2 & SE/4 of Section 26 & S/2 of Section 23 T27S, R28W Gray County	Upper Arkansas River Basin
-----------------------------------------------------------------------------------	---------------------------------------------------------------------------------	-------------------------------

Kansas Permit No. A-UAGY-C004
Federal Permit No. KS0115304

The proposed action is to reissue an existing NPDES permit for an existing facility for 35,000 head (35,000 animal units) of cattle weighing greater than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
-------------------------------	-------------------	-----------------

Hume Cattle Co. Robert Hume 10600 S. Road V Manter, KS 67862	SE/4 of Section 24 & NE/4 of Section 25 T30S, R43W Stanton County	Cimarron River Basin
-----------------------------------------------------------------------	----------------------------------------------------------------------------	-------------------------

Kansas Permit No. A-CIST-B001

The proposed action is to reissue an existing state permit for an existing facility for 900 head (900 animal units) of cattle weighing more than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

(continued)

Name and Address of Applicant	Legal Description	Receiving Water
PPP, LLC 1994 US-24 Hwy. Glen Elder, KS 67446	NE/4 of Section 27 T06S, R09W Mitchell County	Solomon River Basin

Kansas Permit No. A-SOMC-S007

The proposed action is to reissue an existing state permit for an existing facility for 9,752 head (975.2 animal units) of swine 55 pounds or less. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
D&M Kennel Mary Moore 1567 75th St. Uniontown, KS 66779	NW/4 of Section 11 T25S, R22E Bourbon County	Marias des Cygnes River Basin

Kansas Permit No. A-MCBB-K001

The proposed action is to reissue an existing state permit for an existing facility for 440 head (11.4 animal units) of adult dogs. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Johnnie Rothlisberger 2776 10th Rd. Barnes, KS 66933	NE/4 of Section 16 T04S, R05E Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-S027

The proposed action is to reissue an existing state permit for an existing facility for 40 head (16 animal units) of swine more than 55 pounds, 400 head (40 animal units) of swine 55 pounds or less, and 150 head (150 animal units) of cattle 700 pounds or more, for a total of 206 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Barger Land & Livestock, Inc. 1692 I Rd. Garfield, KS 67529	W/2 of Section 21 T22S, R17W Pawnee County	Upper Arkansas River Basin

Kansas Permit No. A-UAPN-B012

The proposed action is to reissue an existing state permit for an existing facility for 950 head (475 animal units) of cattle weighing 700 pounds or less. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Syracuse Commission Co., Inc. Steve Schneider 109 S. Main St. Syracuse, KS 67878	SW/4 of Section 07 T24S, R40W Hamilton County	Upper Arkansas River Basin

Kansas Permit No. A-UAHM-B002

The proposed action is to reissue an existing state permit for an existing facility for average capacity of 274 animal units of cattle. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment (KDHE) if they wish to have the com-

ments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before May 11, 2024, will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-24-083/094) and name of the applicant/permittee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

Comments or objections for agricultural related draft documents, permit applications, registrations or actions should be submitted to the attention of Casey Guccione, Livestock Waste Management Section at the KDHE, Bureau of Environmental Field Services (BEFS), 1000 SW Jackson, Suite 430, Topeka, KS 66612. Comments or objections for all other proposed permits or actions should be sent to Andrew Bowman at the KDHE, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Jada Martin at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at kdhe.feedlots@ks.gov. Las preguntas o comentarios por escrito deben dirigirse a Erich Glave, Director, Bureau of Environmental Field Services en KDHE: 1000 SW Jackson St., Suite 430, Topeka, KS 66612-1367; por correo electrónico: kdhe.feedlots@ks.gov; por teléfono: 785-296-6432. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Jamie Packard, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-4148 or email at Jamie.Packard@ks.gov. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available at <http://www.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 052024

State of Kansas

Department for Children and Families

Request for Comments

The Kansas Department for Children and Families (DCF) will accept public comments on the State Fiscal 2025 Social Services Block Grant. A copy of the plan, pa-

per or electronic, may be obtained beginning April 15, 2024, by contacting Kim Holter by telephone at 785-368-8109, by email at Kimberly.Holter@ks.gov, or under the Quick Links, Newsroom section of the DCF website at <http://www.dcf.ks.gov/Newsroom>.

Comments must be submitted in writing and received by DCF by May 20, 2024.

Laura Howard
Secretary

Department for Children and Families

Doc. No. 052018

(Published in the Kansas Register April 11, 2024.)

Johnson County Community College

Request for Proposals

Johnson County Community College (JCCC) is accepting proposals for Prime Vendor Food and Supplies (RFP# 24-019). Solicitation documents may be obtained via the College’s eProcurement site and public bulletin board ProcureWare at <https://jccc.procureware.com/home>. Call 913-469-3812 or email procurement@jccc.edu if you have questions or need assistance. Bids received through ProcureWare no later than 2:00 p.m. (Central Time) May 1, 2024 will be evaluated. Upon completion of evaluation, ProcureWare will be updated with contract award information.

Jim Feikert
Executive Director
Procurement Services

Johnson County Community College

Doc. No. 052042

State of Kansas

Department of Transportation

Request for Proposals

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking up to five qualified consulting firms or teams of firms to perform professional services as described below. Interested consultants must submit a proposal to the appropriate bid form on Bid Express by 12:00 p.m. (Central Time) May 1, 2024, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be pre-qualified by KDOT or otherwise demonstrate qualification in the following category(s):

- 231 – Traffic Control Analysis and Design

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with

KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Background and Scope of Project

KDOT Bureau of Traffic Engineering is seeking the services of consultant firms to provide engineering and design services in the areas of traffic control analysis and design.

KDOT is seeking to execute on-call agreements up to five highly qualified firms, one of which may be selected on a project-by-project basis for specific assignment to be detailed in a task order/work order issued under a period of four years with an option to extend by one year with total max years of agreement possible of five years at KDOT’s sole discretion.

Anticipated Consultant Scope

KDOT anticipates the following to be included in the selected consultants’ scope:

The services may include the analysis and design for traffic signals and associated geometrics, geometric improvements such as addition of auxiliary lanes, highway lighting, pavement markings, signing, access management, and work zone traffic control. It also includes field and office investigations to determine the traffic control that would alleviate traffic problems at a specific location, performing capacity analysis of a roadway and/or intersection, and development comprehensive design concept of geometric and traffic control measures.

Services shall be performed in accordance with the appropriate MUTCD, the HSM, AASHTO, luminaires and traffic signals policies and procedures as directed by KDOT.

In addition, requests for services may occur on accelerated schedules. For this reason, approved consultants will need the ability to respond within a week to KDOT requests for traffic engineering on-call services.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (Central Time) May 1, 2024.
2. Evaluation and ranking of proposals are expected to occur on or around May 3, 2024.
3. Executed agreements are anticipated to be complete by June 17, 2024.

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant’s proposal must not exceed 4 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5” x 11”). Any page larger than standard letter size will be count as two or more pages depending on size.
3. A single PDF (10MB maximum size) of the proposal must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
4. The proposal PDF file name must read:
 - a. “On-Call Traffic Engineering Services 2024_ FIRM NAME”

(continued)

5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”), No. 10 (“Policy Regarding Sexual Harassment”), and No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing.
6. The outline in Table 1 below describes the expected proposal organization and content sections.
7. Table 2 lists the evaluation criteria and associated weights which will be used to make a selection.
8. Contact information for one consultant individual who is capable of answering any questions that may arise from the proposal shall be included in the proposal.
9. Depending on the number of responses received, KDOT may elect to shortlist (based on proposals) and hold in-person interviews prior to final selection (which may be based on both proposal and interview content). If KDOT deems them necessary, interview evaluation criteria will be distributed to shortlisted consultant teams in advance.

Table 1: Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Project Approach	Demonstrate adequate capabilities to provide the services efficiently and to a high standard. Include cost-effective and optimized solutions. Include unique qualifications or experience related to the services required.	
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services, reports and other deliverables with professional quality and technical accuracy.	
Qualifications and Experience	For key personnel to be assigned to the project, provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and their ability to dedicate what percent of their time to the project when providing the subject services. If there are changes in key personnel, KDOT should be notified immediately, and the above information should be provided for the new personnel.	
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	
Familiarity with KDOT and Project Areas	Describe team’s familiarity with KDOT’s processes and standards. Describe familiarity with geotechnical engineering and geology in Kansas and any special site conditions you might anticipate finding.	

Table 2: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	20%
Past performance history for similar projects/services for KDOT	20%
Availability to respond to the work	15%
Unique qualifications	10%
Approach to quality control	15%
Demonstrated understanding of nature and scope of project	20%

Contract Terms and Conditions

The full list of consultants holding a “Traffic Engineering On-Call Agreement” resulting from this Request for Proposals is intended to replace the existing list of “Traffic Engineering On-Call Agreement” holders based on the contracts executed in 2019. Each 2019 contract will remain in effect until either the contract expiration date (without extension) or when KDOT has determined the consultant has reached the contract maximum cumulative aggregate maximum cost. After the first of these occurs, each 2019 contract will be considered expired.

Upon such expiration, firms currently holding a “Traffic Engineering On-Call Agreement” that are not short-listed or are otherwise unable to successfully negotiate a new on-call agreement for this purpose will no longer receive on-call service requests associated with this Request for Proposals.

A KDOT on-call agreement for engineering and technical services will be used. KDOT may request this service via on-call service requests over a period of four years with an option to extend by one year with total max years of agreement possible of five years at KDOT’s sole discretion, which will result in work orders subject to a maximum cumulative aggregate amount payable to each on-call agreement holder under the agreement. This maximum amount payable will be the same for all on-call agreement holders, will be stated in each agreement, and anticipate the upper limit not to exceed \$2,000,000.

The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)

Special Contract Conditions

On-call agreements negotiated with the selected firms will take effect on July 1, 2024, have a maximum cost of services of two million dollars (\$2,000,000) over the life of the agreement, per consultant, and remain effective until such amount is spent associated with the agreement.

Finally, each firm shortlisted must affirm it utilizes accounting systems capable of the following before the firm may be awarded a contract:

- Valid, reliable, and current costs must be available within the system to support actual costs and pricing data.
- Capability to provide a means of measuring the reasonableness of incurred costs.

- Capability to identify and accumulate allowable costs by contract or project records that will reconcile with the general ledger.
- Ability to provide supporting documentation of actual expenditures for each billing, based on costs.

Questions

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Questions can be submitted until April 18, 2024; answers will be provided to all prequalified consultants on April 25, 2024.

Calvin Reed
Secretary
Department of Transportation

Doc. No. 052029

State of Kansas

Department of Transportation

Request for Proposals

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm to supply personnel to perform professional services as described below. Interested consultants must upload a proposal by 12:00 p.m. (Central Time) May 1, 2024, to the Bid Express page to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category(s):

- 231 – Traffic Control Analysis and Design

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: KDOT is looking for embedded staff to provide full time, in house, technical assistance to the Traffic Engineering Section. This staff for Embedded Engineer service would primarily provide assistance with traffic studies (possibly including data collection) and limited project management assistance for BTE lead projects. Other duties may be asked on a as needed basis for traffic engineering expertise/guidance. The engineer must have an active Professional Engineering License in the State of Kansas (if multiple employees, at least one must be licensed in Kansas). Services may be provided either on-site or off-site (remote).

Consultant staff will be utilized a minimum of 40/60 hours per week excluding holidays. Hours may be split between multiple employees of the firm. KDOT will not be anticipating payment of overtime rates for these services. The contract period will be two years with an option for three, one-year extensions.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (Central Time) May 1, 2024.
2. Ranking of proposals is expected to occur on or around May 3, 2024. Negotiations with the most highly ranked firm are expected to begin on or around May 17, 2024. An executed agreement is anticipated around June 17, 2024.
3. The program fiscal year for this project is FY2025 (July 2024–June 2025).
4. Anticipate start of July 1, 2024

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant’s proposal must not exceed 4 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5” x 11”). Any page larger than standard letter size will be counted as two or more pages depending on size.
3. A PDF (2MB maximum size) of the proposal must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:
 - a. “EN-4501-25_Embedded Traffic Engineer _FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”), No. 10 (“Policy Regarding Sexual Harassment”), and No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. Both attachments are required for every firm involved in a multi-consultant team.
6. The outline in Table 1 below describes the expected proposal organization and content sections.
7. Table 2 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 1: Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Project Approach	Demonstrate a unique approach to accomplish the design efficiently and to a high standard. Include cost-effective and optimized solutions to address the anticipated improvements in the design. Include unique qualifications or experience related to the project approach.	

(continued)

Section	Description of Intent	Page Limit
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.	
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	
Familiarity with KDOT and KDOT Traffic Engineering Practices	Describe team’s familiarity with KDOT’s design process and standards. Describe familiarity with KDOT Bureau of Traffic Engineering and its practices.	

Table 2: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	20%
Past performance history for similar projects/services for KDOT	15%
Availability to respond to the work	15%
Unique qualifications	5%
Approach to quality control	15%
The quality and completeness of the response	10%
Understanding of KDOT Technical Policies	5%
Demonstrated understanding of nature and scope of project	15%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)
- Special Attachment No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”)

Questions

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Questions can be submitted until April 18, 2024; answers will be provided to all prequalified consultants on April 25, 2024.

Calvin Reed
Secretary
Department of Transportation

State of Kansas

Department of Transportation

Request for Proposals

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm to supply personnel to perform professional services as described below. Interested consultants must upload a proposal by 12:00 p.m. (Central Time) May 1, 2024, to the Bid Express page to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category(s):

- 231 – Traffic Control Analysis and Design

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: KDOT is looking for embedded staff to provide part-time, in-house, technical assistance to the Temporary Traffic Control Unit. This staff for Embedded Engineer service would primarily provide assistance to manage Temporary Traffic Control (review or design of in-house plans and review of consultant plans), review TMP reports, and directing consultants on when to use checklist versus the TMP full document traffic modeling. Services may also include assistance to the Permanent Signing Unit in the form of review or design of in-house plans and review of consultant plans. The Engineer must have an active Professional Engineering License in the State of Kansas. Services may be provided either on-site or off-site (remote).

Consultant staff will be utilized a minimum of 20/30 hours per week excluding holidays. Hours may be split between multiple employees of the firm. KDOT does not anticipate overtime rate payments. The contract period will be two years with an option for three, one-year extensions.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (Central Time) May 1, 2024.
2. Ranking of proposals is expected to occur on or around May 3, 2024. Negotiations with the most highly ranked firm are expected to begin on or around May 17, 2024. An executed agreement is anticipated around June 17, 2024.

3. The program fiscal year for this project is FY2025 (July 2024–June 2025).
4. Anticipate start of July 1, 2024

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant’s proposal must not exceed 4 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5” x 11”). Any page larger than standard letter size will be counted as two or more pages depending on size.
3. A PDF (2MB maximum size) of the proposal must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:
 - a. “EN-4502-25_Embedded TTC Engineer FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”), No. 10 (“Policy Regarding Sexual Harassment”), and No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. Both attachments are required for every firm involved in a multi-consultant team.
6. The outline in Table 1 below describes the expected proposal organization and content sections.
7. Table 2 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 1: Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Project Approach	Demonstrate a unique approach to accomplish the design efficiently and to a high standard. Include cost-effective and optimized solutions to address the anticipated improvements in the design. Include unique qualifications or experience related to the project approach.	
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.	
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	

Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	
Familiarity with KDOT and KDOT Traffic Engineering Practices	Describe team’s familiarity with KDOT’s design process and standards. Describe familiarity with KDOT Bureau of Traffic Engineering and its practices.	

Table 2: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	20%
Past performance history for similar projects/services for KDOT	15%
Availability to respond to the work	15%
Unique qualifications	5%
Approach to quality control	15%
The quality and completeness of the response	10%
Understanding of KDOT Technical Policies	5%
Demonstrated understanding of nature and scope of project	15%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)
- Special Attachment No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”)

Questions

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Questions can be submitted until April 18, 2024; answers will be provided to all prequalified consultants on April 25, 2024.

Calvin Reed
Secretary

Department of Transportation

Doc. No. 052031

State of Kansas

Department of Transportation

Request for Proposals

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm to supply personnel to perform professional services as described below. Interested consultants must upload a proposal by 12:00 (continued)

p.m. (Central Time) May 1, 2024, to the Bid Express page to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category(s):

- 231 – Traffic Control Analysis and Design

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: KDOT is looking for embedded staff to provide full-time, in-house, technical assistance to the Permanent Signing Unit. This work includes project management and administration, preparation and review of highway signing plans (include sign and seal of final plans), review of plans submitted by consultants, and assisting KDOT staff with preliminary engineering. The engineer will also serve as project manager for the High-Performance Signing Program, which includes project management and administration, general communication, and completion of monthly progress reports. The engineer will also provide permanent signing training to KDOT staff (3-6 hours per week). The engineer must have an active Professional Engineering License in the State of Kansas. The engineer will work at KDOT headquarters in Topeka, Kansas an average of one to two days per week. The engineer may also provide these services off-site if not able to work at headquarters (with prior approval by KDOT).

Consultant staff will be utilized a minimum of 40/60 hours per week excluding holidays. Hours may be split between multiple employees of the firm. KDOT does not anticipate overtime rate payments. The contract period will be two years with an option for three, one-year extensions.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (Central Time) May 1, 2024.
2. Ranking of proposals is expected to occur on or around May 3, 2024. Negotiations with the most highly ranked firm are expected to begin on or around May 17, 2024. An executed agreement is anticipated around June 17, 2024.
3. The program fiscal year for this project is FY2025 (July 2024–June 2025).
4. Anticipate start of July 1, 2024.

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.

2. The consultant’s proposal must not exceed 4 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5” x 11”). Any page larger than standard letter size will be counted as two or more pages depending on size.
3. A PDF (2MB maximum size) of the proposal must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:
 - a. “EN-4504-25_In-House Signing Project Engineer FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”), No. 10 (“Policy Regarding Sexual Harassment”), and No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. Both attachments are required for every firm involved in a multi-consultant team.
6. The outline in Table 1 below describes the expected proposal organization and content sections.
7. Table 2 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 1: Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Project Approach	Demonstrate a unique approach to accomplish the design efficiently and to a high standard. Include cost-effective and optimized solutions to address the anticipated improvements in the design. Include unique qualifications or experience related to the project approach.	
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.	
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	

Familiarity with KDOT and KDOT Traffic Engineering Practices	Describe team’s familiarity with KDOT’s design process and standards. Describe familiarity with KDOT Bureau of Traffic Engineering and its practices.	
---------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------	--

Table 2: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	20%
Past performance history for similar projects/services for KDOT	15%
Availability to respond to the work	15%
Unique qualifications	5%
Approach to quality control	15%
The quality and completeness of the response	10%
Understanding of KDOT Technical Policies	5%
Demonstrated understanding of nature and scope of project	15%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)
- Special Attachment No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”)

Questions

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Questions can be submitted until April 18, 2024; answers will be provided to all prequalified consultants on April 25, 2024.

Calvin Reed
Secretary

Department of Transportation

Doc. No. 052032

State of Kansas

Department of Transportation

Request for Proposals

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm or team of firms to perform professional services for the project(s) described in Table 1 below. Interested consultants must upload a proposal as laid out herein by 12:00 p.m. (Central Time) May 1, 2024, to the Bid Express page to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category(s):

- 163 – Congestion Management/ITS
- 211 – Highway Design – Major Facility
- 221 – Non-Standard Span Bridge Design
- 231 – Traffic Control Analysis and Design
- 401 – Landscape, Seeding, and Erosion Control

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Table 1: Background and Scope of Project

Project Number	Background and Scope of Project
KA-6535-05	This project will include preliminary and final design to develop plans for the expansion of US-54/East Kellogg Ave. (per EA design alternative). Modernization of a 4-lane to 6-lane with frontage roads. New interchanges at Andover Road and over passes at Onewood Drive and Yorktown Road.

Table 2: Project Summary

Project Number	Route and Scope	Length (mi)	Project Termini
KA-6535-05	054-008 Expansion through the City of Andover	2	US-54 Butler County: Kellogg Ave: 0.25 miles east of 159th St. east to Prairie Creek Rd. (East Kellogg project Phase 2)
Project Number	Structure Scope, Structure Size and Type		
KA-6535-05	There are three new proposed bridge locations. US-54 and Onewood Drive, US-54 and Andover Road, and US-54 and Yorktown Road		

Anticipated Consultant Scope

- KDOT anticipates the following to be included in the consultant’s scope:
 - Preliminary Design Services.
 - Final Design Services.
 - Public Involvement Services – Consultant will provide needed information to the PMC for mailings, property owner meetings, HOA’s, businesses, and local government.
 - Environmental Documentation Preparation (Permitting), Letting and Construction Phase Service, and 3D Electronic Deliverables Preparation.

Current expectations for consultant scope are detailed below. The scope included herein may not be all-inclusive. A scoping meeting will take place after consultant selection is made.

- Geotechnical Services
 - Will be performed by KDOT.
- Geology Services
 - Will be performed by KDOT.

(continued)

- Pavement field investigation and design, surfacing recommendations.
 - Will be performed by KDOT.
- Project Management
 - Develop a comprehensive schedule that will be tracked on a bi-monthly basis.
 - Coordinate closely with the city and county involved.
 - Develop and communicate Project Management Plan and Quality Assurance Plan.
 - Perform quality control checks according to Quality Assurance Plan.
 - Provide electronic plan files compliant with the latest electronic deliverables including CAD conformance checks and ControlCAD indexed DGN files with ProjectWise attributes.
 - Provide bi-annual construction cost estimates and at major project milestones.
- Road Design
 - Development of alignments and typical sections.
 - Analyze and recommend interchange and intersection options.
 - A preliminary look at roundabouts, diverging diamonds, single points, and tight diamonds have been done. The traffic analysis for these will be provided to the successful consultant.
 - Identify areas where impacts to right of way and the environment can be reduced.
 - Perform roadway geometric design, drainage design, and roadside safety analysis.
 - Develop Preliminary Plans to Field Check.
 - Develop Right of Way Plans.
 - Develop Final Plans for Construction.
 - Stormwater control measures (SCM) are required on this project.
 - KDOT/PMC will provide the SCM report completed as a part of the NEPA process.
 - Visit the project site location.
 - Coordination with property owners for relocated driveways.
- Noise walls are not anticipated at this time but may be added to the project scope as design progresses.
- The NEPA preferred design alternative shows depressing the highway at the main intersection locations. A detailed analysis will need to be done to determine how to drain them.
- Bridge Design
 - Field Check
 - Preliminary layouts for bridges, 10 to 20-foot culverts, and retaining walls.
 - The consultant shall propose and evaluate different (curved and possibly skewed) framing layouts for review and acceptance by the KDOT Bridge Office or the PMC; focus shall be to minimize disruption to the traveling public and facilitate efficient construction to minimize closure.
 - Preliminary hydraulic assessment checklists, construction layouts, contour maps, and bridge sections.
 - Hydraulic analysis including supporting information for no-rise conditions.
- Final Design
 - Provide final plans for construction for all bridge-sized and 10 to 20-foot structures.
 - Final hydraulic assessment checklists, construction layouts, contour maps, and bridge sections.
 - Provide final plans for construction for all retaining walls.
 - Signing and lighting structures will be completed by the selected consultant.
- Traffic Engineering
 - Field Check
 - Construction sequencing.
 - Guide sign, lighting, and ITS schematic layouts.
 - Traffic signal schematic layouts.
 - Final Design
 - Traffic Control Plans.
 - Project Requirement
 - Traffic shall be carried by this corridor throughout construction.
 - Permanent signing and pavement marking plans.
 - Foundation and truss design.
 - Traffic signal plans.
 - ITS design and plans.
 - Preliminary and final lighting plans.
- Public Involvement Services
 - This project has a website developed and the successful consultant will be required to provide project updates and other information as needed to support communication thereby; involvement in meetings may also be required.
 - The public engagement goals are to maintain effective communication with identified stakeholder groups.
- KDOT/PMC Provided Services
 - Geotechnical Services
 - Will be performed by KDOT.
 - Geology Services
 - Will be performed by KDOT.
 - Pavement field investigation and design, surfacing recommendations.
 - Will be performed by KDOT.
 - Public Involvement
 - KDOT/PMC are responsible for developing and implementing a communication plan for the project. The document will include goals, objectives, strategies, channels, and messages and will be inclusive with all outreach and engagement efforts. This will be a living document maintained over the course of the project through the end of construction.
 - Right of Way Services
 - KDOT/PMC will provide the existing right of way files and property owners stripmap.
 - KDOT will manage right-of-way acquisition.
 - Survey Services
 - KDOT/PMC will provide all project survey files required for the design and right of way.
 - Project design surveys based on the preferred alternative and existing right of way are un-

der development and will be provided upon completion.

- Additional Scope Notes:
 - KDOT/PMC and the selected consultant will meet to share relevant information developed during the NEPA process and highlight the information that is critical to the project. NEPA level plans, design, and traffic information developed by KDOT/PMC will be provided to the selected consultant.
 - NEPA clearances and a FONSI were received January 24, 2023. This project is Phase 2 of the US-54 East Kellogg Environmental Assessment.
 - The scope of services may include traffic engineering, hydrology/hydraulics, and permitting assistance. Additional scope which may be added later (at the Secretary’s discretion) may include Construction Phase Services.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (Central Time) May 1, 2024.
2. Ranking of proposals is expected to occur on or around May 31, 2024. Negotiations with the most highly ranked firm are expected to begin on or around June 21, 2024. An executed agreement is anticipated around July 31, 2024.
3. The program fiscal year for this project is FY2029 (July 2028–June 2029).

Additional Anticipated Schedule Dates

- Notice to Proceed: July 31, 2024
- Field Check: November 28, 2025
- PLROW: January 31, 2026
- Plans Complete: January 31, 2028

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant’s proposal must not exceed 4 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5” x 11”). Any page larger than standard letter size will be counted as two or more pages depending on size.
3. A single PDF (10 MB maximum size) of the proposal must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
4. The proposal PDF file name must read:
 - a. “KA-6535-05_US-54 Kellogg Phase 2_FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”), No. 10 (“Policy Regarding Sexual Harassment”), and No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. All attachments are required for every firm involved in a multi-consultant team. Upload these files as instructed in Bid Express.

6. The outline in Table 3 below describes the expected proposal organization and content sections.
7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Project Approach	Demonstrate a unique approach to accomplish the design efficiently and to a high standard. Include cost-effective and optimized solutions to address the anticipated improvements in the design. Include unique qualifications or experience related to the project approach.	
Approach to Schedule	Describe the approach to accomplish the scope of services within the schedule requirements. Include anticipated key milestone dates and availability of staff.	
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.	
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	
Familiarity with KDOT and Project Area	Describe team’s familiarity with KDOT’s design process and standards. Describe familiarity with the project area and any identified special site conditions.	

Table 4: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	15%
Project approach	20%
Approach and commitment to meet advertised schedule	5%
Past performance history for similar projects/services for KDOT	20%
Understanding of the project area	10%
Innovation/Creativity in solutions	10%
Approach to quality control	10%
Demonstrated understanding of nature and scope of project	10%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services
(continued)

projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)
- Special Attachment No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”)

Special Contract Conditions

Steven Cross will be the KDOT project manager; the PMC will be assisting with daily operations and coordination, reviews, scheduling, and tracking.

Depending on the number and quality of responses received, KDOT anticipates shortlisting (based on proposals) and holding interviews prior to final selection (which may be based on both proposals and interview content). If KDOT deems them necessary, evaluation criteria for interviews will be distributed to shortlisted consultant teams in advance.

Questions

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Questions can be submitted until April 18, 2024; answers will be provided to all prequalified consultants on April 25, 2024.

Calvin Reed
Secretary

Department of Transportation

Doc. No. 052033

State of Kansas

Department of Transportation

Request for Proposals

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm, or team of firms, to perform construction inspection services on multiple projects in various counties. Summary information for each project is provided below in Table 1.

Interested consultants must upload a proposal by 12:00 p.m. (Central Time) May 1, 2024, to the Bid Express page to be considered for selection.

Consultant Prequalification

Consulting firms interested in providing service on any project listed below must be prequalified by KDOT in the following category(s):

- 241 – Construction Inspection and Testing

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Background and Scope of Projects

With this single solicitation, KDOT is requesting consulting services for construction inspections on the projects listed in Table 1. This table provides summary information for each project. One consultant will be selected to perform services associated with each group listed. Firms can express interest in the groups for which they would like to be considered by submitting a response as indicated below. There is no guarantee that a firm which has expressed interest will be selected for any project(s).

Table 1: Summary of Project Information

Group	RT-CO	Project #	Scope, County	Anticipated Start	Working Days or CCD	Office	Comments
24109	K009-043	KA-7118-01	Resurfacing, Jackson	June 10, 2024	30	Horton	
	K009-003	KA-7057-01	Resurfacing, Atchison	June 10, 2024	30	Horton	
24110	K099-099	KA-2603-03	Grading and Surfacing, Wabaunsee	April 15, 2024	August 29, 2025	Wamego	KDOT will provide the project manager for the entirety of the project. KDOT can handle all inspection for the first several weeks of the project, but will require two consultant inspectors for the majority of the project.

Group	RT-CO	Project #	Scope, County	Anticipated Start	Working Days or CCD	Office	Comments
24111	K246-007	KA-7045-01	Resurfacing, Brown	July 1, 2024	15	Horton	
24112	K016-044	KA-7042-01	Resurfacing, Jefferson	July 5, 2024	30	Topeka/Emporia	
24113	U040-023	KA-3634-03	Grading, Bridge, and Surfacing, Douglas			Topeka/Emporia	
24115	U073-052	KA-7131-01	Resurfacing, Leavenworth	May 27, 2024	90	Bonner Springs	Likely night work
24116	K092-052	KA-7100-01	Resurfacing, Leavenworth	June 3, 2024	60	Bonner Springs	
24024	U081-015	KA-7130-01	Resurfacing, Cloud	July 22, 2024	25	Belleville	
24308	I070-098	KA-6859-01	Lighting, Trego	June 3, 2024	40	Hays	
24408	K039-103	KA-6728-01	Bridge Repair, Wilson	May 20, 2024	90	Independence	
24505	-106	KA-6262-01	Signing, Multiple	June 10, 2024	125	Wichita Hillside/West	

Additional project information including construction scope to be inspected, a detailed description of the project location, and resources and inspection scope specifically requested from consultants in this request can be viewed in an online table at <https://ike.ksdot.gov/about/construction-inspection-rfps>. Upon publication of this Request for Proposals, KDOT anticipates each of these inspection efforts will require full teams (project manager and inspectors, as opposed to single role staff augmentation as is occasionally request) for various types of construction inspection except as noted in the table. Watch the website linked above for updated information. Tabulated information (both in this Request for Proposals and on the website) shall not be relied upon during inspections. It is provided for the convenience of consultants, specifically to aid in making decisions about which projects they are interested in performing.

Specific project needs are subject to modification and/or cancellation at KDOT's discretion.

Anticipated Consultant Scope

The scope of construction inspection services and certifications required will vary for each project and are listed in the table available on the website noted above. Inspection efforts will be managed out of the offices listed. Also included for the convenience of consultants are indications of which grouped projects are currently slated to be performed by the same contractors.

Anticipated Schedule and Key Dates

- Proposals are due by or before 12:00 p.m. (Central Time) May 1, 2024.
- Ranking of proposals is expected to occur on or around May 3, 2024. Negotiations with the most highly ranked firm are expected to begin on or around May 17, 2024. An executed agreement is anticipated shortly thereafter.
- Anticipated scope starts dates and working days or anticipated calendar completion dates are shown in the table. All dates are subject to change.

Instructions for Proposal

- No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.

- The consultant's proposal must not exceed the page limit laid out in Table 2 below (including any cover letter, index, etc.). All pages shall be standard letter size (8.5" x 11"). Any page larger than standard letter size will be counted as two or more pages depending on size.
- A single PDF (10MB maximum size) of the proposal including all attachments must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
- The proposal PDF file name must read:
 - "ConstInsp Multiple Projects_2024.04 Release FIRM NAME"
- The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate"), No. 10 ("Policy Regarding Sexual Harassment"), and No. 12 ("Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems"). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. All attachments are required for every firm involved in a multi-consultant team. Upload these files as instructed in Bid Express.
- The outline in Table 2 below describes the expected proposal organization, content sections, and limits on number of pages:
 - Each team is limited to a single, one-page cover letter.
 - Consultants may indicate interest in any and all projects, indicate preference (s) for up to three projects, and shall both indicate interest and preferences on the "April 2024 Construction Inspections Interest & Preference Form" is provided on the Bid Express page to complete and upload. Also, consultants are to use the bottom of that form to indicate any capacity limitations that need to be taken into account when making selections.

(continued)

- c. Thereafter, each team is limited to two pages per project in which they express interest. In these pages, consultants shall:
 - i. Describe the approach they plan to execute to deliver success on the project.
 - ii. Present the relevant qualifications and experience of the people they are proposing will provide the services.
 - iii. Provide the firm’s familiarity with KDOT and the project area.
- d. Finally, consultants are limited to a single, on-page descriptions of general qualifications (“Past Performance” selection plus “Approach to Quality Control” section) regardless of the number of projects in which they are expressing interest.
- 7. Table 3 lists the evaluation criteria and associated weights which will be used to make a selection.
- 8. Although not anticipated at this time, KDOT reserves the right to interview for the requested services associated with any of the listed projects prior to making final selections.

Table 2: Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Consultant Project Interest and Preference	Fill out “April 2024 Construction Inspections Interest & Preference Form” and submit with your proposal.	1 Page
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.	2 Pages per project in which team is interested
Qualifications and Experience	For key personnel to be assigned to the project provide names, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	
Familiarity with KDOT and Project Area	Describe team’s familiarity with KDOT’s inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.	
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	1 Page total
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.	

Table 3: Evaluation Factors

Evaluation Factor	Weight
The quality and completeness of the response	10%
Availability to respond to the work	20%

Qualifications and experience of project manager and other key project team members proposed for services	20%
Past performance history for similar projects/services for KDOT	20%
Understanding of the project area	10%
Understanding of KDOT contract administration and closeout procedures	20%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)
- Special Attachment No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”)

Special Contract Conditions

Batch Request for Proposals.

Questions

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Questions can be submitted until April 18, 2024; answers will be provided to all prequalified consultants on April 25, 2024.

Calvin Reed
Secretary
Department of Transportation

Doc. No. 052034

State of Kansas

Department of Transportation

Request for Proposals

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm, or team of firms, to perform construction inspection services on multiple projects in various counties. Summary information for each project is provided below in Table 1.

Interested consultants must upload a proposal by 12:00 p.m. (Central Time) April 26, 2024, to the Bid Express page to be considered for selection.

Consultant Prequalification

Consulting firms interested in providing service on any project listed below must be prequalified by KDOT in the following category(s):

- 241 – Construction Inspection and Testing

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT

prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Background and Scope of Projects

With this single solicitation, KDOT is requesting consulting services for construction inspections on the project listed in Table 1. This table provides summary information for the project. One consultant will be selected to perform services associated with the group listed.

Table 1: Summary of Project Information

Group	RT-CO	Project #	Scope, County	Anticipated Start	Working Days or CCD	Office	Comments
24109	U036-022	KA-6588-01	Resurfacing, Doniphan	May 6, 2024	35	Horton	Scheduled to follow project 36-22 KA-6588-01
	K238-022	KA-7101-01	Resurfacing, Doniphan		15	Horton	

Additional project information including construction scope to be inspected, a detailed description of the project location, and resources and inspection scope specifically requested from consultants in this request can be viewed in an online table at <https://ike.ksdot.gov/about/construction-inspection-rfps>. Upon publication of this Request for Proposals, KDOT anticipates each of these inspection efforts will require full teams (project manager and inspectors, as opposed to single role staff augmentation as is occasionally request) for various types of construction inspection except as noted in the table. Watch the website linked above for updated information. Tabulated information (both in this Request for Proposals and on the website) shall not be relied upon during inspections. It is provided for the convenience of consultants, specifically to aid in making decisions about which projects they are interested in performing.

Specific project needs are subject to modification and/or cancellation at KDOT's discretion.

Anticipated Consultant Scope

The scope of construction inspection services and certifications required for the projects and are listed in the table available on the website noted above. Inspection efforts will be managed out of the offices listed.

Anticipated Schedule and Key Dates

- Proposals are due by or before 12:00 p.m. (Central Time) April 26, 2024.
- Ranking of proposals is expected to occur on or around April 29, 2024. Negotiations with the most highly ranked firm are expected to begin on or around May 13, 2024. An executed agreement is anticipated shortly thereafter.
- Anticipated scope starts dates and working days or anticipated calendar completion dates are shown in the table. All dates are subject to change.

Instructions for Proposal

- No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
- The consultant's proposal must not exceed the page limit laid out in Table 2 below (including any cover letter, index, etc.). All pages shall be standard let-

ter size (8.5" x 11"). Any page larger than standard letter size will be counted as two or more pages depending on size.

- A single PDF (10MB maximum size) of the proposal including all attachments must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
- The proposal PDF file name must read:
 - "ConstInsp Multiple Project re-ad 2024.03&04 Release FIRM NAME"
- The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate"), No. 10 ("Policy Regarding Sexual Harassment"), and No. 12 ("Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems"). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. All attachments are required for every firm involved in a multi-consultant team. Upload these files as instructed in Bid Express.
- The outline in Table 2 below describes the expected proposal organization, content sections, and limits on number of pages:
 - Each team is limited to a single, one-page cover letter.
 - Describe the approach they plan to execute to deliver success on the project.
 - Present the relevant qualifications and experience of the people they are proposing will provide the services.
 - Provide the firm's familiarity with KDOT and the project area.
 - Finally, consultants are limited to a single, on-page descriptions of general qualifications ("Past Performance" selection plus "Approach to Quality Control" section) regardless of the number of projects in which they are expressing interest.
- Table 3 lists the evaluation criteria and associated weights which will be used to make a selection.
- Although not anticipated at this time, KDOT reserves the right to interview for the requested ser-

(continued)

vices associated with any of the listed projects prior to making final selections.

Table 2: Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Consultant Project Interest and Preference	Fill out "April 2024 Construction Inspections Interest & Preference Form" and submit with your proposal.	1 Page
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.	2 Pages per project in which team is interested
Qualifications and Experience	For key personnel to be assigned to the project provide names, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	
Familiarity with KDOT and Project Area	Describe team's familiarity with KDOT's inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.	
Past Performance	Describe team's past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	1 Page total
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.	

Table 3: Evaluation Factors

Evaluation Factor	Weight
The quality and completeness of the response	10%
Availability to respond to the work	20%
Qualifications and experience of Project Manager and other key project team members proposed for services	20%
Past performance history for similar projects/services for KDOT	20%
Understanding of the project area	10%
Understanding of KDOT contract administration and closeout procedures	20%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 ("Tax Clearance Certificate")
- Special Attachment No. 10 ("Policy Regarding Sexual Harassment")
- Special Attachment No. 12 ("Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems")

Questions

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Questions can be submitted until April 17, 2024; answers will be provided to all prequalified consultants on April 23, 2024.

Calvin Reed
Secretary

Department of Health and Environment

Doc. No. 052035

State of Kansas

Office of the Governor

**Executive Directive No. 24-581
Authorizing Expenditure of Federal Funds**

By virtue of the authority vested in the Governor as the head of the Executive Branch of the State of Kansas, the following transactions are hereby authorized:

Pursuant to the authority of the Secretary of the Kansas Department of Agriculture to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 193 of Chapter 82 of *The 2023 Session Laws of Kansas*, approval is hereby granted to the Kansas Department of Agriculture for expenditure in FY 2024 of monies in the federal fund entitled "Heartland Regional Food Business Center Project Grant Fund."

I have conferred with the Director of the Budget and members of my staff, and I have determined that the guidelines set forth in KSA 75-3711 and 75-3711c have been applied and that none of the foregoing actions exceeds the limitations contained therein.

Dated March 27, 2024.

Laura Kelly
Governor

Doc. No. 052022

State of Kansas

Legislative Administrative Services

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced March 28th – April 3rd during the 2024 session of the Kansas Legislature. Full text of bills, bill tracking, and other information may be accessed at <http://www.kslegislature.org/li/>.

House Resolutions

HR 6045, A RESOLUTION approving an amendment to the gaming compact between the Iowa Tribe of Kansas and Nebraska and the State of Kansas, by Joint Committee on State-Tribal Relations.

HR 6046, A RESOLUTION congratulating SevenDays on its 10th anniversary of teaching kindness and making a ripple to change the world, by Representative Poskin

Senate Bills

SB 558, AN ACT concerning health and healthcare; relating to cannabis and cannabidiol; creating the Kansas medical cannabis act; providing for the licensure and regulation of the cultivation, processing, manufacturing, distribution, sale and use of medical cannabis and medical

cannabis products; imposing a tax on the gross receipts of the retail sale thereof; providing for distribution of the tax revenues derived therefrom; establishing the medical cannabis registration fund, the medical cannabis regulation fund, the medical cannabis revenues fund and the medical cannabis refund fund; creating the Kansas cannabidiol regulation act; providing for the licensure, testing and regulation of the retail sale of cannabidiol products; making exceptions to the crimes of unlawful manufacture and possession of controlled substances; amending K.S.A. 2-3901, 8-1567, 21-5703, 21-5705, 21-5706, 21-5707, 21-5709, 21-5710, 21-6109, 21-6607, 22-3717, 23-3201, 38-2269, 44-501, 44-706, 44-1009, 44-1015, 79-5201 and 79-5210 and K.S.A. 2023 Supp. 65-1120 and 65-28b08 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 559, AN ACT concerning the legislature; relating to legislation on child labor; providing for a review process and evaluation criteria for the legislature when considering bills proposing that child labor protections be reduced or eliminated; requiring the secretary of labor to provide a report to the legislature to assist the legislature’s consideration of such proposals and authorizing the secretary to provide such report independently; amending K.S.A. 2023 Supp. 77-436 and repealing the existing section, by Committee on Federal and State Affairs.

Senate Resolutions

SR 1750, A RESOLUTION approving an amendment to the gaming compact between the Iowa Tribe of Kansas and Nebraska and the State of Kansas, by Joint Committee on State-Tribal Relations.

SR 1751, A RESOLUTION recognizing Success Learning Inclusion for its dedication to supporting individuals with intellectual and developmental disabilities and commending the Success Learning Inclusion President and CEO, Lisa Jackson, for her commitment to those with developmental disabilities in the Topeka and Shawnee county area, by Senators Dietrich, Kloos and O’Shea.

SR 1752, A RESOLUTION congratulating SevenDays on its 10th anniversary of teaching kindness and making a ripple to change the world, by Senator Sykes.

Doc. No. 052039

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be held at 9:00 a.m. April 26, 2024, in the conference room of Kansas Development Finance Authority (the “Authority”), 534 S. Kansas Ave., Suite 800, Topeka, Kansas, regarding the technical reissuance by the Authority of its Multifamily Note (Pioneer Curtis Homes Project), Series 2020Q (the “Note”). The Note was issued in the amount of \$4,081,000 to finance the costs of acquisition and rehabilitation of an existing 59-unit affordable multi-family housing property, operated as Pioneer Curtis Homes and located at 300 NW Grant St., Topeka, Kansas (the “Project”). The Project is owned and operated by Curtis Homes, LLC, a Kansas limited liability company (the “Borrower”). The technical reissuance of the Note will occur upon the conversion of the Project financing from the construction phase to the permanent phase, at which time the outstanding principal amount of the Note is expected to be \$2,880,000.

The Note will be a limited obligation of the Authority, payable solely from revenues pledged by the Borrower, and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, nor will the Note constitute an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged, but the Note will be payable sole-

ly from revenues pledged by the Borrower in amounts sufficient to pay the principal of, interest and redemption premium, if any, on the Note.

This public hearing does not impose any liability on the Authority or the State of Kansas but is an accommodation by the Authority to satisfy the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended.

Interested individuals may participate in the public hearing in person or via conference call. Please call toll-free 844-621-3956 and use access code 145 880 8929 followed by # to join the hearing.

At the time and place fixed for the hearing, all individuals who appear will be given an opportunity to express their views for or against the proposal to issue the Note for the Project, and all written comments previously filed with the Authority at its above-referenced offices will be considered. Additional information regarding the Project may be obtained by contacting the Authority at the address of its offices shown above.

Rebecca Floyd
President

Kansas Development Finance Authority

Doc. No. 052020

State of Kansas

Secretary of State

Certification of New State Laws

I, Scott Schwab, Secretary of State of the State of Kansas, do hereby certify that the following bill is a correct copy of the original enrolled bill now on file in my office.

Scott Schwab
Secretary of State

(Published in the Kansas Register April 11, 2024.)

Senate Bill No. 360

AN ACT concerning tax-advantaged savings programs; allowing the taxpayer to elect the taxable year in which a subtraction modification for contributions to 529 qualified tuition accounts, ABLE accounts or first-time home buyer savings accounts would be applied; authorizing the state treasurer to appoint a 529 program advisory committee; amending K.S.A. 75-644 and K.S.A. 2023 Supp. 79-32,117 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 75-644 is hereby amended to read as follows: 75-644. (a) The state treasurer shall implement and administer the program under the terms and conditions established by K.S.A. 75-640 through 75-648, and amendments thereto.

(b) In furtherance of such implementation and administration, the state treasurer shall have the authority and responsibility to:

- (1) Develop and implement the program in a manner consistent with the provisions of K.S.A. 75-640 through 75-648, and amendments thereto, through adoption of rules and regulations;
- (2) engage the services of consultants on a contract basis for rendering professional and technical assistance and advice;
- (3) seek rulings and other guidance from the United States department of treasury and the federal internal revenue service relating to the program;
- (4) make changes to the program required for the participants in the program to obtain the federal income tax benefits or treatment pro-

(continued)

vided by section 529 of the federal internal revenue code of 1986, as amended, or any similar successor legislation;

(5) charge, impose and collect administrative fees and service charges in connection with any agreement, contract or transaction relating to the program;

(6) develop marketing plans and promotion material;

(7) establish the methods by which the funds held in accounts shall be dispersed ~~disbursed~~;

(8) establish the method by which funds shall be allocated to pay for administrative costs;

(9) do all things necessary and proper to carry out the purposes of K.S.A. 75-640 ~~to through~~ 75-648, and amendments thereto;

(10) adopt rules and regulations necessary to administer K.S.A. 75-640 ~~to through~~ 75-648, and amendments thereto; ~~and~~

(11) evaluate the Kansas postsecondary education savings program annually, and make a report thereon to the governor and legislature for the period; *and*

(12) *appoint an advisory committee to make recommendations for the implementation and operation of the program. The state treasurer shall determine the membership of the committee, and members shall serve at the pleasure of the state treasurer. No member of the advisory committee appointed pursuant to this paragraph shall receive any compensation, subsistence, mileage or other allowance for serving on the advisory committee.*

Sec. 2. K.S.A. 2023 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xv) or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be

to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(xxvii) For all taxable years commencing after December 31, 2020, the amount deducted by reason of a carryforward of disallowed business interest pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to K.S.A. 2023 Supp. 58-4904(e), and amendments thereto.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b(a) and 228c(a) (1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2017, The cumulative amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary that are contributed to: (1) A family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated

(continued)

beneficiary; or (2) an achieving a better life experience (ABLE) account established under the Kansas ABLE savings program or a qualified ABLE program established and maintained by another state or agency or instrumentality thereof pursuant to section 529A of the internal revenue code of 1986, as amended, for the purpose of saving private funds to support an individual with a disability. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and amendments thereto, and the provisions of such sections are hereby incorporated by reference for all purposes thereof. *For all taxable years beginning after December 31, 2022, contributions made to a qualified tuition program account or a qualified ABLE program account pursuant to this paragraph on and after January 1 but prior to the date required for filing a return pursuant to K.S.A. 79-3221, and amendments thereto, of the successive taxable year may be elected by the taxpayer to apply to the prior taxable year if such election is made at the time of filing the return. No contribution shall be used as a modification pursuant to this paragraph in more than one taxable year.*

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to an

other person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(xxv) For all taxable years commencing after December 31, 2020, 100% of global intangible low-taxed income under section 951A of the federal internal revenue code of 1986, before any deductions allowed under section 250(a)(1)(B) of such code.

(xxvi) For all taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxvii) For taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 274 of the federal internal revenue code of 1986 for meal expenditures shall be allowed to the extent such expense was deductible for determining federal income tax and was allowed and in effect on December 31, 2017.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2023 Supp. 58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in a first-time home buyer savings account. *For all taxable years beginning after December 31, 2022, contributions made to a first-time home buyer savings account pursuant to subparagraph (1) on and after January 1 but prior to the date required for filing a return pursuant to K.S.A. 79-3221, and amendments thereto, of the successive taxable year may be elected by the taxpayer to apply to the prior taxable year if such election is made at the time of filing the return. No contribution shall be used as a modification pursuant to subparagraph (1) in more than one taxable year.*

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 3. K.S.A. 75-644 and K.S.A. 2023 Supp. 79-32,117 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

Doc. No. 052040

State of Kansas

Department of Administration

Notice of Hearing on Proposed
Administrative Regulation

A public hearing will be conducted at 10:00 a.m. Wednesday, June 12, 2024, in Room 1200A, of the Eisenhower State Office Building, 700 SW Harrison, Topeka, Kansas, to consider the adoption of proposed changes to an existing rule and regulation of the Department of Administration.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to the Office of Accounts and Reports, Attn: Jennifer Efird, 700 SW Harrison, Suite 300, Topeka, KS 66603, or by email to jennifer.efird@ks.gov. All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed changes during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Jennifer Efird at 785-368-8165 or TTY 800-766-3777. The north entrance to the Eisenhower State Office Building is accessible. Handicapped parking is located across the street from the north entrance to the building.

Copies of the proposed regulation and the economic impact statement for the proposed changes to the regulation can be obtained at <https://admin.ks.gov/offices/accounts-reports/links>. Summary of the proposed regulation and the economic impact follow:

K.A.R. 1-16-21. Registration and membership fees. The proposed amendment to the regulation allows state agencies to provide employees organizational membership fees or professional license fees and dues in the name of an individual. Upon appropriate agency approval, the expenditures would be eligible to pay direct or by employee reimbursement. The economic impact may include an increase in direct expenditures for agencies that choose to pay professional licenses, membership fees, or certifications. Employees of state agencies will have a savings if currently paying for a job-related license or fee.

Adam C. Proffitt
Secretary
Department of Administration

Doc. No. 052043

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 16.—WATER POLLUTION CONTROL

28-16-113. Interest rate. Each loan shall accrue interest for the entire life of the loan at a rate set by the secretary. The interest rate shall be calculated as a percentage, as specified in the intended use plan established pursuant to K.S.A. 65-3325 and amendments thereto, of three months' average of the bond buyer's weekly 20-bond GO (general obligation) index. The loan interest rate as calculated shall include any loan servicing fee as set by the secretary and may vary depending on the loan repayment period provided for in the loan agreement. (Authorized by K.S.A. 65-3323; implementing K.S.A. 2023 Supp. 65-3326; effective May 29, 1989; amended April 26, 2024.)

28-16-114. Repayment of loans. (a) All principal and interest shall be repaid in accordance with the terms and conditions of the executed loan agreement. Principal and interest payments shall begin no later than one year following the completion of the project. Repayment of the loan shall not exceed a 30-year repayment period as agreed upon in the loan agreement. For the purposes of this regulation, project completion shall mean the initiation of operation or capability to initiate operation.

(b) Prepayment of principal in whole or part may be made in accordance with the terms and conditions of the executed loan agreement. (Authorized by K.S.A. 65-3323; implementing K.S.A. 65-3322 and K.S.A. 2023 Supp. 65-3326; effective May 29, 1989; amended April 26, 2024.)

Janet Stanek
Secretary

Doc. No. 052036

State of Kansas

Department of Wildlife and Parks

Permanent Administrative Regulations

Article 4.—BIG GAME

115-4-11. Big game and wild turkey permit applications. (a) General application provisions.

(1) Unless otherwise authorized by law or regulation, an individual shall not apply for or obtain more than one antlered or horned big game or wild turkey permit for each big game species or wild turkey, except when the individual is unsuccessful in a limited quota drawing and alternative permits for the species are available at the time of subsequent application or when the individual is the final recipient of a commission permit.

(2) Unless otherwise authorized by law or regulation, each big game or wild turkey permit application shall be signed by the individual applying for the permit.

(3) Subject to any priority draw system established by this regulation, if the number of permit applications of a specific species and type received by the designated ap-

(continued)

plication deadline exceeds the number of available permits of that species and type, a random drawing to issue permits of that species and type shall be conducted by the secretary.

(4) A hunt-on-your-own-land permit shall not be tabulated in a priority draw system if the permit would otherwise reduce the applicant's odds of receiving a big game permit through that draw system.

(b) Deer permit applications.

(1) Subject to any priority draw system established by this subsection, in awarding deer permits in units having a limited number of permits, the first priority shall be given to those applicants who did not receive, in the previous year, a deer permit that allowed the taking of an antlered deer. All other deer permit applicants shall be given equal priority.

(2) In awarding a limited number of deer permits by a priority draw system, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(A) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a priority draw system, a deer permit that allows the taking of an antlered deer.

(B) If the individual fails to make at least one application or purchase one preference point within a period of five consecutive years, all earned points shall be lost.

(C) If an applicant obtains, by a priority draw system, a deer permit that allows the taking of an antlered deer, all earned points shall be lost.

(D) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(E) If an individual wants to apply for a preference point for a deer permit that allows the taking of antlered deer and not receive a permit, the person may apply for and receive a preference point by paying the proper application or preference point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(3) If an individual is a final recipient of a commission deer permit, the individual shall not possess more than one regular antlered deer permit and one commission deer permit.

(4) Applications for nonresident limited-quota antlered deer permits shall be accepted in the Pratt office from the earliest date that applications are available through the last Friday of April each year. Any nonresident applicant may select, at the time of application, one deer management unit and up to one adjacent management unit where that permit shall be valid.

(5) Applications for resident firearms either species, either-sex permits shall be accepted at designated locations from the earliest date that applications are available through the second Friday of June.

(6) Applications for resident any-season white-tailed

either-sex deer permits, resident archery deer permits, resident muzzleloader either-species either-sex permits, and hunt-on-your-own-land deer permits shall be accepted at designated locations from the earliest date that applications are available through December 30.

(7) Each resident applicant for either-species, either-sex muzzleloader or firearm deer permits shall select, at the time of application, the unit where the permit shall be valid. The west unit permit shall be valid in units 1, 2, 17, and 18. The east unit permit shall be valid in units 3, 4, 5, 7, and 16.

(8) Applications for antlerless white-tailed deer permits shall be accepted at designated locations from the earliest date that applications are available through January 30 of the following year.

(9) Each nonresident applicant for a regular deer permit shall have purchased a nonresident hunting license before submitting the application or shall purchase a nonresident hunting license when submitting the application.

(c) Antelope permit applications. In awarding antelope permits allocated in a limited number, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(1) One point shall be awarded to an individual for each year the individual applies unsuccessfully for an antelope permit.

(2) If the individual fails to submit at least one application or purchase one preference point within five consecutive years, all earned points shall be lost.

(3) If an applicant obtains an antelope permit by a priority draw system, all earned points shall be lost.

(4) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(5) An individual may purchase a preference point for an antelope permit by paying the designated preference point fee and submitting an application within the application period outlined in this regulation. No individual may purchase more than one preference point within the same calendar year. No individual may purchase a preference point during the same calendar year in which they are also applying for a permit.

(6) Applications for resident permits shall be accepted in the Pratt office from the earliest date that applications are available through the second Friday of June.

(7) Applications for resident and nonresident archery permits shall be accepted at designated locations from the earliest date that applications are available through the last day of the season.

(8) If there are any unfilled permits after all timely applications have been considered, the application period may be extended by the secretary.

(9) No individual may purchase an unlimited permit during the same calendar year in which they also apply for a permit or purchase a preference point.

(d) Elk permit applications.

(1) An individual receiving a limited-quota elk permit shall not be eligible to apply for or receive an elk permit in subsequent seasons, with the following exceptions:

(A) An individual receiving an any-elk or a bull-only elk permit may apply for and receive an antlerless-only elk permit in subsequent seasons.

(B) An individual receiving a limited-quota, antlerless-only elk hunting permit shall not be eligible to apply for or receive a limited-quota, antlerless-only elk permit for a five-year period thereafter. Subject to this subsection, however, this individual may apply for and receive an any-elk or bull-only elk permit without a waiting period.

(C) When a limited number of elk permits are awarded by a random draw system, each individual shall have an additional opportunity of drawing for each bonus point earned by the individual in addition to the current application. Bonus points shall be awarded as follows:

(i) One bonus point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a random draw system, an elk permit that allows the taking of an elk.

(ii) If an individual fails to make at least one application or purchase one bonus point within five consecutive years, all earned bonus points shall be lost.

(iii) If an applicant obtains, by a random draw system, an elk permit that allows the taking of an elk, all earned points shall be lost.

(iv) If an individual wants to apply for a bonus point for an elk permit that allows the taking of elk and not receive a permit, the person may apply for and receive a bonus point by paying the proper application or bonus point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one bonus point in the same calendar year, and no individual shall apply for a bonus point in the same calendar year as the calendar year in which the individual is applying for a permit.

(D) Each individual who is the final recipient of a commission elk permit shall be eligible for a limited-quota elk permit, subject to the provisions of this subsection.

(E) Limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be awarded from a pool of applicants who are Fort Riley military personnel and applicants who are not Fort Riley military personnel.

(2) Applications for hunt-on-your-own-land and unlimited over-the-counter elk permits shall be accepted at designated locations from the earliest date that applications are available through March 14 of the following year.

(3) Applications for limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be accepted at designated locations from the earliest date that applications are available through the second Friday in June.

(4) If there are leftover limited-quota antlerless-only elk permits or limited-quota either-sex permits after all timely applications have been considered, the application periods for those permits may be reopened by the secretary. Leftover permits shall be drawn and issued on a daily basis for those application periods reopened by the secretary. Any applicant unsuccessful in obtaining a permit through a drawing may apply for any leftover permit or any other permit that is available on an unlimited basis.

(5) Any individual may apply for or obtain no more than one permit that allows the taking of an elk, unless

the individual is unsuccessful in a limited-quota drawing and alternative permits for elk are available at the time of subsequent application or the individual obtains a commission permit pursuant to this subsection.

(e) Wild turkey permit applications.

(1) When awarding wild turkey permits in units having a limited number of permits, the first priority shall be given to those individuals who did not receive a permit in a limited wild turkey unit during the previous year. All other applicants shall be given equal priority.

(2) In awarding a limited number of wild turkey permits by a priority draw system, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(A) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a priority draw system, a wild turkey permit.

(B) If the individual fails to submit at least one application or purchase one preference point within five consecutive years, all earned points shall be lost.

(C) If an applicant obtains, by a priority draw system, a wild turkey permit, all earned points shall be lost.

(D) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(E) If an individual wants to apply for a preference point for a wild turkey permit and not receive a permit, the person may apply for and receive a preference point by paying the preference point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(3) Fall wild turkey permits for unit 1, unit 2, unit 3, unit 5, and unit 6, youth turkey permits, and game tags for unit 2, unit 3, unit 5, and unit 6 may be purchased over the counter at designated locations, from the earliest date in the year that applications are available through 5:00 p.m. on January 30 of the following year.

(4) Applications for spring wild turkey permits in unit 4 shall be accepted by the department from the earliest date that applications are available until midnight on the second Friday of February. If there are turkey permits left over after all timely applications have been considered, the application period may be reopened by the secretary. Leftover turkey permits shall be issued on a daily competitive basis until the day before the last day of the turkey season or until all turkey permits are issued.

(5) Spring wild turkey resident permits in unit 1, unit 2, unit 3, unit 5, and unit 6, youth turkey permits, and game tags in unit 1, unit 2, unit 3, unit 5, and unit 6 may be purchased over the counter at designated locations from the earliest date that applications are available until midnight on the day before the closing date for the season.

(6) Applications for spring wild turkey for nonresident permits in unit 1, unit 2, unit 3, unit 5, and unit 6, and game tags in unit 1, unit 2, unit 3, unit 5, and unit 6 shall

(continued)

be accepted by the department when applications are available approximately four weeks prior to the second Friday of February until midnight on the second Friday of February. If there are turkey permits left over after all timely applications have been considered, the application period may be reopened by the secretary. Leftover turkey permits shall be issued on a daily competitive basis until the day before the last day of the turkey season or until all turkey permits are issued. Any nonresident applicant may select, at the time of application, one turkey management unit where that permit shall be valid. (Authorized by K.S.A. 2023 Supp. 32-807, K.S.A. 32-937, K.S.A. 32-969, and K.S.A. 32-970; implementing K.S.A. 32-937, K.S.A. 32-969, and K.S.A. 32-970; effective Sept. 10, 1990; amended May 27, 1991; amended June 1, 2001; amended April 18, 2003; amended Feb. 18, 2005; amended May 15, 2009; amended Feb. 5, 2010; amended April 8, 2011; amended May 24, 2013; amended Nov. 30, 2015; amended April 21, 2017; amended April 26, 2019; amended Oct. 7, 2022; amended July 21, 2023; amended April 26, 2024.)

Article 30.—BOATING

115-30-10. Personal watercraft; definition, requirements, and restrictions. (a) Personal watercraft shall mean any vessel that uses an inboard motor powering a jet pump as the vessel's primary source of propulsion and is designed to be operated by a person sitting, standing, or kneeling on the vessel rather than the conventional manner of sitting, standing, or kneeling inside the vessel.

(b) Personal watercraft shall be subject to all applicable laws and regulations that govern the operation, equipment, registration, numbering, and all other matters relating to vessels whenever a personal watercraft is operated on the waters of this state, except as follows:

(1) A personal watercraft shall not be operated unless each person aboard the personal watercraft is wearing a United States Coast Guard-approved personal flotation device.

(2) Each person operating a personal watercraft equipped by the manufacturer with a lanyard-type engine cutoff switch shall attach the lanyard to the operator's person, clothing, or personal flotation device, as appropriate.

(3) A person shall not operate a personal watercraft between sunset and sunrise.

(4) Each person shall operate a personal watercraft at no-wake speeds of five miles per hour or less when within 200 feet of the following:

- (A) A dock;
- (B) a boat ramp;
- (C) a person swimming;
- (D) a bridge structure;
- (E) a moored or anchored vessel;
- (F) a sewage pump-out facility;
- (G) a nonmotorized watercraft;
- (H) a boat storage facility; or
- (I) a concessionaire's facility.

(5) A person shall operate a personal watercraft in a reasonable and prudent manner. Maneuvers that endanger life, limb, or property shall be prohibited. This pro-

hibition shall include weaving through congested vessel traffic or jumping the wake produced by another vessel at an unsafe distance.

(6) A person shall not operate a personal watercraft unless the person is facing forward.

(7) A person shall not operate or use a personal watercraft to tow a person on water skis, kneeboards, inflatable crafts, or any other device unless the personal watercraft is designed to accommodate more than one person.

(8) No person in possession of a personal watercraft shall permit another person to operate the personal watercraft unless that person has met the boater education requirements as specified in K.S.A. 32-1139 and amendments thereto.

(c) A boat livery shall not lease, hire, or rent a personal watercraft to, or for the operation by, any person who has not met the boater education requirements as specified in K.S.A. 32-1139 and amendments thereto.

(d) The provisions of paragraphs (b) (4), (5), (6), and (8) shall not apply to a person participating in a regatta, race, marine parade, tournament, or exhibition that has been authorized or permitted by the department or is otherwise exempt from this authorization or permit requirement.

(e) This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 32-1103 and K.S.A. 32-1119; effective June 13, 1994; amended June 11, 1999; amended Jan. 1, 2008; amended April 26, 2024.)

Christopher Kennedy
Secretary

Department of Wildlife and Parks

Doc. No. 052037

State of Kansas

Board of Accountancy

Permanent Administrative Regulations

Article 1.—EXAMINATIONS

74-1-3. Retaking the examination and granting of credits. (a) A testing candidate may take the test sections individually and in any order. Credit for passing any test section shall be valid for that test section for 30 months from the date the passing score for such test section is released by NASBA to the candidate or the board, as applicable, regardless of the number of test sections taken or having to attain a minimum score on any failed section(s).

(b) Each testing candidate shall pass all four test sections within a rolling 30-month period that begins on the date the first passing score(s) are released by NASBA to the candidate or the board, as applicable. The rolling 30-month period concludes on the date the candidate sits for the final test section passed, regardless of when the score is released by NASBA for the final test section.

(c) A testing candidate who earns initial credit on one or more of the test section(s) of the examination must sit for and complete the remaining required test section(s) of the examination by midnight local time on the last day of the 30-month period.

(d) If all required test section(s) are not passed within this initial 30-month period, credit for the first test section(s) passed shall expire and a new rolling 30-month period shall begin on the date the second passing score(s) were released by NASBA to the candidate or the board, as applicable, and continue for 30-months from that date. If all required test section(s) are not passed within this next rolling 30 month period, credit for the second test section(s) passed shall expire and a new rolling 30-month period will begin on the date the next test section passing score, if any, was released by NASBA to the candidate or the board, as applicable, and this cycle of 30-month rolling periods and test section credit expirations will continue until all test section(s) are passed within one 30-month rolling period. Despite the foregoing, if a candidate stops testing for a 30-month period, then all credit for previously passed test sections will expire.

(e) A testing candidate shall not retake a failed test section until the candidate has been notified of the score for the most recent attempt of that failed test section.

(f) A testing candidate shall be deemed to have passed the examination if the candidate obtains credit for passing all required test sections in one rolling 30-month period.

(g) Each testing candidate shall retain credit for any and all required test sections of the examination passed as a candidate of another state if that credit would have been given under the applicable requirements in this state.

(h) Despite the provisions of subsections (a), (b), and (c), the period of time in which to pass all test sections of the examination may be extended by the board upon a showing that the credit was lost by reason of circumstances beyond the testing candidate's control. (Authorized by K.S.A. 1-202 and K.S.A. 1-304; implementing K.S.A. 1-304; effective Jan. 1, 1966; amended, E-82-27, Dec. 22, 1981; amended May 1, 1982; amended Jan. 12, 1996; amended Nov. 14, 2003; amended Jan. 11, 2008; amended Feb. 19, 2016; amended Nov. 29, 2019; amended April 26, 2024.)

Article 4. — PERMITS TO PRACTICE AND CONTINUING EDUCATION REQUIREMENTS

74-4-7. Continuing education requirements. (a)(1) Each applicant for renewal of a permit to practice as a certified public accountant in Kansas shall have completed 80 hours of acceptable continuing education (CE) during each biennial period for renewal and shall be in possession of proof of attendance or completion of the CE hours claimed before the applicant submits an application for renewal. Each applicant for renewal or reinstatement of a permit shall have completed two hours in professional ethics relating to the practice of certified public accountancy as part of the continuing education requirement. Proof of attendance or completion of any CE hours claimed through an application for renewal means: for all attended, group, independent and self-study programs, a certificate of completion or attendance in accordance with K.A.R. 74-4-9(b)(2); for instruction credit, a certificate or verification in accordance with K.A.R. 74-4-9(b)(3); for a university or college course successfully com-

pleted for credit, an official transcript showing the grade; for a university or college non-credit course, a certificate of attendance in accordance with K.A.R. 74-4-9(b)(5); and for research and writing time claimed under K.A.R. 74-4-8(d), a written copy of the published article, book or program.

(2) Ethics courses, which shall be defined as courses dealing with regulatory and behavioral ethics, shall be limited to courses on the following:

- (A) Professional standards;
- (B) licenses and renewals;
- (C) SEC oversight;
- (D) competence;
- (E) acts discreditable;
- (F) advertising and other forms of solicitation;
- (G) independence;
- (H) integrity and objectivity;
- (I) confidential client information;
- (J) contingent fees;
- (K) commissions;
- (L) conflicts of interest;
- (M) full disclosure;
- (N) malpractice;
- (O) record retention;
- (P) professional conduct;
- (Q) ethical practice in business;
- (R) personal ethics;
- (S) ethical decision making; and

(T) corporate ethics and risk management as these topics relate to malpractice and relate solely to the practice of certified public accountancy.

(b) The standards used to determine acceptable continuing education shall include the following:

(1) One hour of credit shall be granted for each 50 minutes of participation in a group, independent study, or self-study program. One-half hour of credit shall be granted for each 25-minute period after the first hour of credit has been earned.

(2) Hours devoted to actual preparation time by an instructor, discussion leader, or speaker for formal programs shall be computed at a maximum of up to twice the number of continuing education credits that a participant would be entitled to receive, in addition to the time for presentation. No CE credit shall be granted for time devoted to preparation by a participant.

(3) Hours served as an instructor, discussion leader, or speaker shall be included to the extent that they contribute to the professional competence of the applicant in the practice of certified public accountancy. Repeated presentations of the same course shall not be counted unless it is demonstrated that the program content involved was substantially changed and the change required significant additional study or research.

(4) Hours devoted to actual preparation as specified in paragraph (b)(2) and hours served as an instructor, discussion leader, or speaker as specified in paragraph (b)(3) shall not exceed, alone or in combination, 50 percent of the total number of continuing education hours required for permit renewal or reinstatement.

(c) The requirements of subsection (a) may be waived by the board for reasons of health, military service, for-

(continued)

eign residence, or retirement, or for other good cause determined by the board.

(d) Any applicant for renewal of a permit to practice as a certified public accountant may carry over a maximum of 20 hours of continuing education earned in the previous renewal period. Any professional ethics hours that exceed the two-hour requirement may be included in the 20-hour carryover, but these hours shall not be used to meet the professional ethics requirement for any subsequent renewal period.

(e) If an applicant for renewal fails to obtain the continuing education required by this regulation, the applicant shall be required by the board to obtain an additional eight hours of continuing education within a period of time specified by the board before the applicant's permit to practice is renewed. (Authorized by K.S.A. 1-202; implementing K.S.A. 1-202 and K.S.A. 1-310; effective, E-82-27, Dec. 22, 1981; effective May 1, 1982; amended May 1, 1985; amended July 13, 1992; amended Sept. 25, 1998; amended Nov. 17, 2000; amended Nov. 15, 2002; amended Nov. 14, 2003; amended May 19, 2006; amended May 23, 2008; amended May 29, 2009; amended May 25, 2012; amended Jan. 26, 2018; amended April 26, 2024.)

74-4-8. Continuing education programs; requirements. (a) A program designed to allow a participant to learn a given subject through interaction with an instructor and other participants in a classroom or conference setting, or intrafirm program using the internet, may be approved for continuing education credit under K.A.R. 74-4-7 if the program meets the following conditions:

(1) It is a formal program of learning that maintains or improves the professional competence of a certified public accountant and requires attendance.

(2) Participants are informed in advance of the learning objectives, prerequisites, program level, program content, any requirements for advance preparation, instructional delivery methods, recommended CE credit, and course registration requirements.

(3) The program is at least 50 minutes in length.

(4) The program is conducted by a person qualified in the subject area.

(5) The program sponsor issues to each participant a certificate of attendance that reflects the name of the program sponsor, title and course field of study, date and location of the program, delivery method of the course, name of the participant, NASBA registry number, if applicable, signature of a representative of the program sponsor, and number of CE contact hours.

(6) A record of registration and attendance is retained for six years by the program sponsor.

(b) The following types of programs addressing the subjects of accounting, auditing, consulting services, specialized knowledge and applications, taxation, management of a practice, ethics, or personal development may qualify as acceptable continuing education if the programs meet the requirements of subsection (a):

(1) Programs of the American institute of certified public accountants, state societies and local chapters of certified public accountants, and providers of continuing education courses;

(2) technical sessions at meetings of the American institute of certified public accountants, and of state societies and local chapters of certified public accountants;

(3) university or college credit courses. Each semester hour of credit shall equal 15 hours of continuing education credit. Each quarter hour of credit shall equal 10 hours of continuing education credit;

(4) hours from university or college credit courses shall not exceed 50 percent of the total number of continuing education hours required for permit renewal or reinstatement;

(5) university or college non-credit courses. These courses shall qualify for continuing education credit that equals the number of actual, full 50-minute class hours attended; and

(6) formal, organized, in-firm or interfirm educational programs.

(c) Hours from personal development courses shall not exceed 30 percent of the total number of continuing education hours required for permit renewal or reinstatement. Personal development courses, which shall be defined as courses dealing with self-management and self-improvement both inside and outside of the business environment, shall be limited to courses on communication, leadership, character development, dealing effectively with others, interviewing, counseling, career planning, emotional growth and learning, and social interactions and relationships.

(d) Any author of a published article or book and any writer of a continuing education program may receive continuing education credit for the actual research and writing time if all of the following conditions are met:

(1) The board determines that the research and writing maintain or improve the professional competence of the author or writer.

(2) The number of credit hours claimed is consistent with the quality and scope of the article, book, or program.

(3) The article or book has been published or the program was created during the biennial period for which credit is claimed.

(e) (1) Group internet-based programs and individual self-study programs that allow a participant to learn a particular subject without the major involvement of an instructor may be eligible for continuing education credit if all of the following requirements are met:

(A) The program sponsor shall meet one of the following requirements:

(i) Has been approved by NASBA's national registry of continuing professional education sponsors or NASBA's quality assurance service;

(ii) is the American institute of certified public accountants; or

(iii) is a state society of certified public accountants.

(B) The program shall require registration.

(C) The sponsor shall provide a certificate of satisfactory completion.

(2) In addition to meeting the requirements specified in paragraph (e)(1), each individual self-study program shall meet the following requirements:

(A) The program shall include a final examination.

(B) Each participant shall be required to score at least 70 percent on the final examination.

(f) The amount of credit for group internet-based programs and self-study programs shall be determined by the board, as follows:

(1) Programs may be approved for one hour of continuing education credit for each 50 minutes of participation and one-half credit for each 25-minute period of participation after the first hour of credit has been earned.

(2) The amount of credit shall not exceed the number of recommended hours assigned by the program sponsor.

(g) Independent study programs that are designed to allow a participant to learn a given subject under the guidance of a continuing education program sponsor may be eligible for continuing education credit if all of the following conditions are met:

(1) The program meets one of the following requirements:

(A) Has been approved by NASBA's national registry of continuing professional education sponsors or NASBA's quality assurance service;

(B) is sponsored through the American institute of certified public accountants; or

(C) is sponsored through a state society of certified public accountants.

(2) The participant has a written learning contract with a program sponsor that contains a recommendation of the number of credit hours to be awarded upon successful completion of the program.

(3) The program sponsor reviews and signs a report indicating that all of the requirements of the independent study program, as outlined in the learning contract, are satisfied.

(4) The program is completed in 15 weeks or less.

(h) A participant in an independent study program may receive up to one hour of credit for each 50 minutes of participation and one-half hour of credit for each 25-minute period of participation after the first hour of credit has been earned. (Authorized by K.S.A. 1-202; implementing K.S.A. 1-202 and K.S.A. 1-310; effective, E-82-27, Dec. 22, 1981; effective May 1, 1982; amended May 1, 1985; amended Feb. 14, 1994; amended Sept. 25, 1998; amended Nov. 2, 2001; amended Nov. 15, 2002; amended Nov. 14, 2003; amended May 27, 2005; amended May 19, 2006; amended May 23, 2008; amended May 29, 2009; amended Nov. 29, 2010; amended May 25, 2012; amended Feb. 19, 2016; amended Jan. 26, 2018; amended April 26, 2024.)

74-4-9. Continuing education controls and reporting. (a) When applying for renewal of the permit to practice, each applicant shall sign a statement indicating the applicant's compliance with the requirements in K.A.R. 74-4-7 and 74-4-8, unless the applicant qualifies for the exemption outlined in K.S.A. 1-310, and amendments thereto.

(b)(1) Any applicant may be required by the board to verify the number of CE hours claimed in subsection (a), on a form provided by the board, which shall include the following information:

(A) The name of the organization, school, firm, or other sponsor conducting the program or course;

(B) the location of the program or course attended;

(C) the title of the program or course, or a brief description;

(D) the course field of study;

(E) the delivery method of the program or course;

(F) the dates attended or the date the program or course was completed; and

(G) the number of continuing education credits that the applicant received for participating in a program or course.

(2) Each applicant specified in paragraph (b)(1) shall provide the board with a certificate of completion or attendance for all attended, group internet-based, independent, and self-study program CE hours claimed. Each certificate of completion or attendance shall include the following:

(A) The name of the organization, school, firm, or other sponsor conducting the program or course;

(B) the location of the program or course attended;

(C) the title of the program or course, or a brief description;

(D) the dates attended or the date the program or course was completed;

(E) the delivery method of the program or course;

(F) the name of the participant;

(G) NASBA registry number, if applicable;

(H) the signature of a representative of the program sponsor; and

(I) the number of continuing education credits that the applicant received for participating in a program or course.

(3) For instruction credit, each applicant shall provide the board with a certificate or other verification supplied by the CE program sponsor.

(4) For a university or college course that is successfully completed for credit, each applicant shall provide the board with an official transcript of the grade that the participant received.

(5) For a university or college non-credit course, each applicant shall provide the board with a certificate of attendance issued by a representative of the university or college.

(c) Each applicant shall retain documentation of completion or attendance for any continuing education program or course for six years from the end of the year in which the program or course was completed.

(d) Each applicant required to verify the number of CE hours claimed shall respond to the board's request for verification within 30 days. (Authorized by K.S.A. 1-202; implementing K.S.A. 1-202 and K.S.A. 1-310; effective, E-82-27, Dec. 22, 1981; effective May 1, 1982; amended May 1, 1985; amended Sept. 25, 1998; amended Nov. 22, 2002; amended Nov. 14, 2003; amended May 23, 2008; amended Nov. 29, 2010; amended March 21, 2014; amended Feb. 19, 2016; amended Jan. 26, 2018; amended April 26, 2024.)

Article 5.—CODE OF PROFESSIONAL CONDUCT

74-5-2. Definitions. Each of the following terms, wherever used in this article of the board's regulations, shall have the meaning specified in this regulation:

(a) "AICPA" means American institute of certified public accountants.

(b) "AICPA professional standards" means the standards specified in this subsection, including definitions

(continued)

and interpretations, published by the AICPA, which are hereby adopted by reference. As used in the following AICPA professional standards, “member” shall mean a person or firm subject to the board’s regulation:

(1) “U.S. auditing standards—AICPA (clarified)” in “AICPA professional standards,” volume 1, pages 37-1364, except pages 1279-1285, as in effect on June 1, 2016, and statement on auditing standards no. 132, “the auditor’s consideration of an entity’s ability to continue as a going concern,” dated February 2017;

(2) “statements on standards for attestation engagements” in “AICPA professional standards,” volume 1, pages 1373-1705, as in effect on June 1, 2016;

(3) “U.S. attestation standards—AICPA (clarified)” in “AICPA professional standards,” volume 1, pages 1727-2095, as in effect on June 1, 2016;

(4) “statements on standards for accounting and review services [clarified]” in “AICPA professional standards,” volume 2, pages 2719-2882, as in effect on June 1, 2016, and the following statements issued after June 1, 2016:

(A) Statement on standards for accounting and review services no. 22, “compilation of pro forma financial information,” except the three unnumbered pages before the table of contents, issued September 2016; and

(B) statement on standards for accounting and review services no. 23, “omnibus statement on standards for accounting and review services—2016,” except the six unnumbered pages before the table of contents, issued October 2016;

(5) “code of professional conduct” in “AICPA professional standards,” volume 2, pages 2883-3076, as in effect on June 1, 2016, except for the following sections in Part 1:

(A) Section 1.800.001, “form of organization and name”;

(B) section 1.810.020, “partner designation”;

(C) section 1.810.030, “a member’s responsibility for nonmember practitioners”;

(D) section 1.810.040, “attest engagement performed with a former partner”;

(E) section 1.810.050, “alternative practice structures”;

(F) section 1.820.040, “use of a common brand name in firm name”;

(6) “statements on standards for valuation services” in “AICPA professional standards,” volume 2, pages 3293-3344, as in effect on June 1, 2016;

(7) “consulting services” in “AICPA professional standards,” volume 2, pages 3345-3350, as in effect on June 1, 2016;

(8) “quality control” in “AICPA professional standards,” volume 2, pages 3353-3386, as in effect on June 1, 2016;

(9) “standards for performing and reporting on peer reviews” in “AICPA professional standards,” volume 2, pages 3387-3588, as in effect on June 1, 2016;

(10) “tax services” in “AICPA professional standards,” volume 2, pages 3589-3630, as in effect on June 1, 2016; and

(11) “personal financial planning” in “AICPA professional standards,” volume 2, pages 3639-3654, as in effect on June 1, 2016.

All definitions included in the standards adopted in this subsection shall apply only to the documents adopted by reference.

(c) “Audit” means an independent examination of financial information or assertions of any entity, regardless of profit orientation, size, and legal form, if the examination is conducted to express an opinion thereon.

(d) “Board” means Kansas board of accountancy.

(e) “Certified public accountant” and “CPA” mean any of the following:

(1) A holder of a Kansas certificate;

(2) a person practicing certified public accountancy under the authorization to practice as provided in K.S.A. 1-322 and amendments thereto; or

(3) a firm.

(f) “Compilation” shall have the meaning specified in K.S.A. 1-321 and amendments thereto.

(g) “Firm” shall have the meaning specified in K.S.A. 1-321 and amendments thereto.

(h) “Generally accepted accounting principles” and “GAAP” mean the following standards, as applicable, in effect as specified and hereby adopted by reference:

(1) “Federal accounting standards,” issued by the federal accounting standards advisory board (FASAB) in “FASAB handbook of federal accounting standards and other pronouncements, as amended,” as in effect on June 30, 2016, except for the following portions: the forward, the preamble, and appendixes A-F. The following standards issued after June 30, 2016 are also adopted:

(A) Statement of federal financial accounting standards 50, “establishing opening balances for general property, plant, and equipment: amending statement of federal financial accounting standards (SFFAS) 6, SFFAS 10, SFFAS 23, and rescinding SFFAS 35,” dated August 4, 2016; and

(B) statement of federal financial accounting standards 51, “insurance programs,” dated January 18, 2017;

(2) accounting principles as adopted by the financial accounting standards board (FASB) and contained in “FASB accounting standards codification,” including accounting standards updates, as contained in volumes 1 through 5, published by the financial accounting standards board (FASB), as in effect on October 31, 2016;

(3) financial accounting principles for state and local governments as adopted by the governmental accounting standards board (GASB) as follows:

(A) “GASB codification of governmental accounting and financial reporting standards,” issued by the governmental accounting standards board, as in effect on June 30, 2016;

(B) GASB statement no. 83, “certain asset retirement obligations,” except appendices A and B, issued November 2016;

(C) GASB statement no. 84, “fiduciary activities,” except appendices A and B, issued January 2017; and

(D) GASB statement no. 85, “omnibus 2017,” except appendices A and B, issued March 2017; and

(4) international accounting and reporting principles established by the international accounting standards board (IASB) as contained in “IFRS® standards,” part A, issued by the international accounting standards board, as in effect on January 1, 2017, except part A, pages A7-A25.

(i) “Government auditing standards” means the “government auditing standards” issued by the United States

government accountability office, 2011 revision, revised on January 20, 2012, which is hereby adopted by reference, except pages 1-3 and appendixes I and III.

(j) "NASBA" means the national association of state boards of accountancy.

(k) "PCAOB" means the public company accounting oversight board created by the Sarbanes-Oxley act of 2002.

(l) "Practice of certified public accountancy" means performing or offering to perform attest or nonattest services for the public while using the designation "certified public accountant" or "CPA" in conjunction with these services. "Attest" and "nonattest" services shall have the meaning specified in K.S.A. 1-321 and amendments thereto.

(m) "Standards of the PCAOB" means the following, which are hereby adopted by reference:

(1) In "public company accounting oversight board bylaws and rules—rules—professional standards" as in effect on December 31, 2016, section 3, "auditing and related professional practice standards," part 1, "general requirements," and part 5, "ethics and independence";

(2) "auditing standards—reorganized," issued by the PCAOB as in effect on December 31, 2016; and

(3) "attestation standard no. 1" and "attestation standard no. 2," issued by the PCAOB as in effect on December 31, 2016.

(n) "Staff accountant" means a certified public accountant who meets the following requirements:

(1) Holds both a Kansas certificate and a Kansas permit;

(2) is an employee of a firm that is the certified public accountant's primary employer; and

(3) works at least 1,040 hours for the firm during a calendar year. (Authorized by and implementing K.S.A. 1-202; effective Jan. 1, 1974; amended May 1, 1978; amended May 1, 1979; amended May 1, 1985; amended July 22, 1991; amended July 13, 1992; amended April 5, 1993; amended Aug. 23, 1993; amended Jan. 12, 1996; amended Jan. 8, 1999; amended Nov. 17, 2000; amended Nov. 2, 2001; amended May 27, 2005; amended May 19, 2006; amended Feb. 16, 2007; amended Jan. 11, 2008; amended May 29, 2009; amended Nov. 29, 2010; amended May 25, 2012; amended March 21, 2014; amended Feb. 19, 2016; amended Jan. 26, 2018; amended April 26, 2024.)

74-5-2a. Definitions of terms in the AICPA code of professional conduct. (a) The definitions of the terms in ET 0.400 of the AICPA "code of professional conduct," as adopted by reference in K.A.R. 74-5-2, shall be applicable wherever these terms are used in this article, including any document adopted by reference in this article.

(b) The term "member," as used in the AICPA "code of professional conduct," shall mean any certified public accountant or firm. (Authorized by and implementing K.S.A. 1-202; effective May 29, 2009; amended Feb. 19, 2016; amended April 26, 2024.)

74-5-2b. Applicability of AICPA professional standards. The AICPA professional standards shall apply to each certified public accountant or firm, as defined in K.A.R. 74-5-2, regardless of whether the person or entity is a member of the AICPA. (Authorized by and implementing K.S.A. 1-202; effective Feb. 19, 2016; amended April 26, 2024.)

74-5-101. Independence. (a) Each certified public accountant or firm shall be independent in the performance of professional services as required by the following standards, as applicable:

(1) The AICPA "code of professional conduct," including the interpretations, as contained in the AICPA professional standards adopted by reference in K.A.R. 74-5-2(b)(5);

(2) chapter three of the government auditing standards adopted by reference in K.A.R. 74-5-2;

(3) the portions of regulation S-X codified at 17 C.F.R. 210.1-02 and 17 C.F.R. 210.2-01, as in effect on September 7, 2023, which are hereby adopted by reference; and

(4) PCAOB rules, section 3, "professional standards," part 5, "ethics," as adopted by reference in K.A.R. 74-5-2.

(b) In determining whether a certified public accountant's or a firm's independence is impaired, any other circumstances, relationship, or activity that the board determines could impair independence may be considered by the board. (Authorized by and implementing K.S.A. 1-202; effective Jan. 1, 1966; amended Jan. 1, 1972; amended Jan. 1, 1974; amended May 1, 1978; amended May 1, 1985; amended Nov. 15, 2002; amended May 27, 2005; amended May 19, 2006; amended Feb. 16, 2007; amended Jan. 11, 2008; amended May 29, 2009; amended Nov. 29, 2010; amended May 25, 2012; amended March 21, 2014; amended Feb. 19, 2016; amended April 26, 2024.)

74-5-102. Integrity and objectivity. (a) In the performance of professional services, each certified public accountant or firm shall maintain objectivity and integrity, shall be free of conflicts of interest, and shall not knowingly misrepresent facts to others or subordinate the accountant's or firm's judgment to another's judgment. In tax practice, any certified public accountant, or firm may resolve doubt in favor of the client if there is reasonable support for that position.

(b) Each certified public accountant or firm shall comply with the following applicable standards:

(1) AICPA "code of professional conduct," including the interpretations, as contained in the AICPA professional standards adopted by reference in K.A.R. 74-5-2(b)(5), which shall be used in determining whether integrity and objectivity have been maintained;

(2) chapter three of the government auditing standards adopted by reference in K.A.R. 74-5-2; and

(3) PCAOB rules, section 3, "professional standards," part 5, "ethics," as adopted by reference in K.A.R. 74-5-2. (Authorized by and implementing K.S.A. 1-202; effective Jan. 1, 1966; amended Jan. 1, 1974; amended May 1, 1978; amended May 1, 1985; amended Nov. 15, 2002; amended May 27, 2005; amended May 19, 2006; amended May 29, 2009; amended Feb. 19, 2016; amended April 26, 2024.)

74-5-201. General standards. (a) Each certified public accountant or firm shall meet the following requirements:

(1) Undertake only those professional services that the CPA or firm can reasonably expect to be completed with professional competence;

(continued)

(2) exercise due professional care in the performance of professional services;

(3) adequately plan and supervise the performance of professional services; and

(4) obtain sufficient relevant data to afford a reasonable basis for conclusions or recommendations in relation to any professional services performed.

(b) The AICPA "code of professional conduct" regarding general standards, including the interpretations as contained in the AICPA professional standards adopted by reference in K.A.R. 74-5-2, shall be used in determining whether there is compliance with the general standards. (Authorized by and implementing K.S.A. 1-202; effective Jan. 1, 1966; amended Jan. 1, 1972; amended Jan. 1, 1974; amended May 1, 1978; amended May 1, 1985; amended May 27, 2005; amended Jan. 11, 2008; amended May 29, 2009; amended Feb. 19, 2016; amended April 26, 2024.)

74-5-202. Compliance with standards. (a) Each certified public accountant or firm that performs auditing, attestation, review, compilation, management consulting, tax, or other professional services shall comply with the applicable professional standards promulgated by the following entities, which are adopted by reference in K.A.R. 74-5-2 and this regulation:

- (1) The federal accounting standards advisory board;
- (2) the financial accounting standards board;
- (3) the governmental accounting standards board;
- (4) the PCAOB;
- (5) the international accounting standards board;
- (6) the municipal services team of the office of accounts and reports, Kansas department of administration;
- (7) the AICPA accounting and review services committee;
- (8) the AICPA auditing standards board;
- (9) the AICPA management consulting services executive committee;
- (10) the AICPA tax executive committee;
- (11) the AICPA forensic and valuation services executive committee;
- (12) the AICPA professional ethics executive committee;
- (13) the AICPA personal financial planning executive committee; and

(14) the AICPA peer review board. (Authorized by and implementing K.S.A. 1-202; effective Jan. 1, 1966; amended Jan. 1, 1972; amended Jan. 1, 1974; amended May 1, 1978; amended, E-82-27, Dec. 22, 1981; amended May 1, 1982; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended May 22, 1989; amended Jan. 7, 1991; amended July 13, 1992; amended Aug. 23, 1993; amended Sept. 26, 1994; amended Jan. 12, 1996; amended Sept. 25, 1998; amended Sept. 10, 1999; amended Nov. 17, 2000; amended Nov. 2, 2001; amended Nov. 15, 2002; amended Nov. 14, 2003; amended May 27, 2005; amended May 19, 2006; amended Feb. 16, 2007; amended Jan. 11, 2008; amended May 29, 2009; amended Nov. 29, 2010; amended May 25, 2012; amended March 21, 2014; amended Feb. 19, 2016; amended Jan. 26, 2018; amended April 26, 2024.)

74-5-203. Accounting principles. Each certified public accountant or firm shall comply with the AICPA "code of professional conduct" regarding accounting principles,

including the interpretations, as contained in the AICPA professional standards adopted by reference in K.A.R. 74-5-2(b)(5). (Authorized by and implementing K.S.A. 1-202; effective Jan. 1, 1966; amended Jan. 1, 1974; amended May 1, 1978; amended, E-82-27, Dec. 22, 1981; amended May 1, 1982; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended May 22, 1989; amended Jan. 7, 1991; amended July 13, 1992; amended Aug. 23, 1993; amended Sept. 26, 1994; amended Jan. 12, 1996; amended Sept. 25, 1998; amended Sept. 10, 1999; amended Nov. 17, 2000; amended May 27, 2005; amended May 19, 2006; amended Nov. 29, 2010; amended Feb. 19, 2016; amended April 26, 2024.)

74-5-301. Confidential client information. (a) A certified public accountant or firm shall not disclose any confidential client information without the consent of the client.

(b) The AICPA "code of professional conduct," including the interpretations as contained in the AICPA professional standards adopted by reference in K.A.R. 74-5-2(b)(5), shall be used by the board in determining compliance with subsection (a). (Authorized by and implementing K.S.A. 1-202; effective Jan. 1, 1966; amended Jan. 1, 1974; amended May 1, 1978; amended Sept. 25, 1998; amended May 27, 2005; amended May 29, 2009; amended Feb. 19, 2016; amended April 26, 2024.)

74-5-407. (Authorized by and implementing K.S.A. 1-202 and K.S.A. 75-1119(a); effective May 1, 1978; amended May 1, 1979; amended, E-82-27, Dec. 22, 1981; amended May 1, 1982; amended May 1, 1985; amended Sept. 25, 1998; amended March 21, 2014; amended Feb. 19, 2016; revoked April 26, 2024.)

74-5-408. (Authorized by and implementing K.S.A. 1-202; effective Feb. 16, 2007; amended Jan. 26, 2018; revoked April 26, 2024.)

Article 10.—LICENSED MUNICIPAL PUBLIC ACCOUNTANTS

74-10-1. (Authorized by and implementing K.S.A. 1983 Supp. 75-1119; effective May 1, 1985; revoked April 26, 2024.)

74-10-2. (Authorized by and implementing K.S.A. 1983 Supp. 75-1119; effective May 1, 1985; revoked April 26, 2024.)

Article 12.—FEES

74-12-1. Fees. Each applicant shall submit the appropriate application form and fee as shown in the following schedule:

- (a) Issuance of Kansas certificate (initial or duplicate) \$50.00
- (b) Issuance of reciprocal certificate \$250.00
- (c) Initial permit to practice as a certified public accountant:
 - (1) For more than one year of a biennial period..... \$165.00
 - (2) For one year or less of a biennial period \$82.50
 - (d) Renewal of biennial permit to practice as a certified public accountant:

- (1) If received on or before July 1 of the renewal year in which the permit expires \$165.00
- (2) If received after July 1 of the renewal year in which the permit expires..... \$247.50
- (e) Reinstatement of permit to practice as a certified public accountant whose permit has expired:
 - (1) For more than one year of a biennial period \$247.50
 - (2) For one year or less of a biennial period \$123.75
- (f) Issuance of a duplicate permit \$25.00
- (g) Firm registration fee:
 - (1) Initial registration \$100.00
 - (2) Annual renewal..... \$100.00
 - (3) Late renewal \$150.00

(Authorized by and implementing K.S.A 1-301; effective May 1, 1988; amended May 22, 1989; amended Dec. 18, 1989; amended Sept. 26, 1994; amended Aug. 23, 1996; amended July 18, 1997; amended May 28, 1999; amended Nov. 29, 1999; amended Nov. 17, 2000; amended Nov. 2, 2001; amended Nov. 14, 2003; amended Nov. 29, 2010; amended Jan. 26, 2018; amended April 26, 2024.)

Article 16. — COOPERATION AND NOTIFICATION

74-16-1. Cooperation with the board. Each applicant, certified public accountant or firm shall cooperate in a timely manner with the board in its investigation of complaints or possible violations of the accounting statutes or the regulations of the board. Cooperation shall include responding to written communications from the board, and providing information and documentation as requested by the board, sent by mail to the last known preferred mailing address on file with the board, within a reasonable time frame specified by the board or appearing before the board, or any of its members, upon request. (Authorized by and implementing K.S.A. 1-202; effective April 26, 2024.)

74-16-2. Notification of non-renewal; change of name or address. Each certified public accountant (CPA) shall notify the board in writing if the CPA does not wish to renew the CPA’s permit to practice or the registration of an accounting firm within 30 days of the renewal deadline, or of any change in the person’s name, home address, employer name, employer address, business name, business address, or electronic-mail address within 30 days of the change. (Authorized by and implementing K.S.A. 1-202; effective April 26, 2024.)

Susan Somers
Executive Director
Board of Accountancy

Doc. No. 052038

State of Kansas
Kansas Corporation Commission
Permanent Administrative Regulations

Article 4. — MOTOR CARRIERS OF PERSONS AND PROPERTY

82-4-1. Definitions. The following terms used in connection with the regulations of the state corporation

commission governing motor carriers shall be defined as follows:

- (a) “Affiliate” means a person or company controlling, controlled by, or under common control or ownership with another person or company.
- (b) “Air mile” means nautical mile.
- (c) “Authorized agent” and “authorized representative” mean any authorized special agent or employee of the commission, any member of the Kansas highway patrol, or any law enforcement officer in the state certified in the inspection of motor carriers and authorized in accordance with the requirements of the Kansas motor carrier safety program.
- (d) “Certificate” means a document evidencing a certificate of convenience and necessity or a certificate of public service issued to an intrastate common carrier to operate motor vehicles as a common carrier.
- (e) “Chameleon carrier” means a motor carrier continuing its motor carrier operation under a new USDOT or motor carrier identification (MCID) number for the purpose of avoiding a fine, penalty, federal out-of-service order, or commission order that was issued against the previously used USDOT or MCID number.
- (f) “Commission” means Kansas corporation commission.
- (g) “Director” means director of the transportation division of the commission.
- (h) “Distance” means distance measured in air miles.
 - (1) Distances shall be computed from the corporate limits of incorporated communities and from the post office of unincorporated communities.
 - (2) If there is no post office in the unincorporated community, the distance shall be computed from the center of the business district.
- (i) “Docketing” means entering a proposal in the organization files and then giving notice of the proposal to other carrier members of the organization and shipper subscribers.
- (j) “Entire direct case” shall include, for the purpose of this article of the commission’s regulations, all testimony, exhibits, and other documentation offered.
- (k) “Express carrier” means a common carrier who carries packages or parcels, the maximum weight of which does not exceed 350 pounds for each package or parcel.
- (l) “FHWA” means federal highway administration.
- (m) “FMCSA” means federal motor carrier safety administration.
- (n) “General increase” and “general decrease” mean a common motor carrier rate increase or decrease proposed as a general adjustment of substantially all the rates published in a tariff.
- (o) “Groundwater well drilling rig” means any vehicle, machine, tractor, trailer, semi-trailer, or specialized mobile equipment propelled or drawn by mechanical power and used on highways to transport groundwater well field operating equipment, including any groundwater well drilling and pump service rig equipped to access groundwater.
- (p) “Hazardous materials regulations” and “HMR” mean the federal hazardous material regulations as adopted in K.A.R. 82-4-20.

(continued)

(q) "Industry average carrier cost information" means the average intrastate cost of the carriers who participate in an organization tariff and who have authority from the commission to transport the commodities indicated in the organization tariff.

(r) "Joint line rate" means a rate, charge, or allowance established by two or more common motor carriers of property or passengers that is applicable over the carriers' lines and for which the transportation can be provided by these carriers.

(s) "License" means the document or registration receipt evidencing the registration of an interstate common motor carrier or interstate exempt motor carrier to operate motor vehicles in the state of Kansas in interstate commerce.

(t) "Medical waiver" means "medical variance" as defined in 49 C.F.R. 390.5, which is adopted by reference in K.A.R. 82-4-3f.

(u) "Moving violation" means the commission or omission of an act by a person operating a motor vehicle that could result in injury or property damage and that is also a violation of a statute, ordinance, or regulation of this state or any other jurisdiction, including those convictions defined as Kansas moving violations in K.A.R. 92-52-9.

(v) "Notice" means advance notification to shipper subscribers through an organization's docket service.

(w) "Organization" means a legal entity that administers an agreement approved under K.A.R. 82-4-69.

(x) "Out-of-service" and "OOS," when used to describe a driver, a commercial motor vehicle, or a motor carrier operation, mean that the driver, commercial motor vehicle, or motor carrier has ceased to operate or move pursuant to the statutes and regulations of the state of Kansas, the federal motor carrier safety administration regulations, or the "North American standard out-of-service criteria," including the appendix, published by the commercial vehicle safety alliance. The "North American standard out-of-service criteria," revised on April 1, 2023, is hereby adopted by reference with the following exceptions:

(1) The policy statements on pages 3, 17, 18, 73, 77, and 81 shall be deleted.

(2) The section titled "drivers operating in the state of Alaska (395.1(h))" on page 12 shall be deleted.

(3) All inspection bulletins shall be deleted.

(4) All sections applying to those operating in Canada and Mexico, including those on pages 13, 14, 15, 16, 76 and 78, shall be deleted.

(5) All references to "operational policy 15 inspection and regulatory guidance" shall be deleted.

(6) All references to 49 C.F.R. Part 393 shall be followed by the phrase "as adopted by K.A.R. 82-4-3i."

(7) All references to 49 C.F.R. Part 395 shall be followed by the phrase "as adopted by K.A.R. 82-4-3a."

(8) All references to 49 C.F.R. Part 396 shall be followed by the phrase "as adopted by K.A.R. 82-4-3j."

(9) All sections labeled "reserved" shall be deleted.

(y) "Ownership" means an equity holding in a business entity of at least five percent.

(z) "Permit" means the document evidencing authority of a motor carrier to operate motor vehicles as a private carrier.

(aa) "PHMSA" means pipeline and hazardous materials safety administration of the United States department of transportation.

(bb) "Public motor carrier" shall have the same meaning as "For-hire motor carrier," as defined in 49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f.

(cc) "Single line rate" means a rate, charge, or allowance established by a single common motor carrier of property or passengers that is applicable only over its line and for which the transportation can be provided by that carrier.

(dd) "Tariff publication" means the rates, charges, classification, ratings, or policies published by, for, or on behalf of common motor carriers of household goods, property, or passengers.

(ee) "Transportation" means the movement of household goods, property, or passengers, or any combination of these, and the loading, unloading, or storage incidental to this movement.

(ff) "USDOT" means the United States department of transportation. (Authorized by and implementing K.S.A. 2023 Supp. 66-1,112, K.S.A. 2023 Supp. 66-1,112g, K.S.A. 66-1,129; effective Jan. 1, 1971; modified, L. 1981, Ch. 424, May 1, 1981; amended, T-83-45, Dec. 8, 1982; amended May 1, 1983; amended May 1, 1984; amended April 30, 1990; amended Sept. 16, 1991; amended July 6, 1992; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 30, 1995; amended Jan. 4, 1999; amended July 28, 2000; amended Nov. 14, 2011; amended Sept. 20, 2013; amended May 6, 2016; amended July 26, 2019; amended Feb. 10, 2023; amended, T-82-12-29-23, Dec. 29, 2023; amended April 26, 2024.)

82-4-3j. Inspection, repair, and maintenance. (a) With the following exceptions, 49 C.F.R. Part 396 including appendix A, as in effect on October 1, 2022, is hereby adopted by reference:

(1) In 49 C.F.R. 396.1 (c), the phrase "49 CFR 390.5" shall be deleted and replaced with "49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f." In paragraph (d), the phrase "49 CFR 390.38(b)" shall be deleted and replaced with "49 C.F.R. 390.38(b) as adopted by K.A.R. 82-4-3f."

(2) In 49 C.F.R. 396.3(a)(1), the phrase "part 393 of this subchapter" shall be deleted and replaced by "49 C.F.R. Part 393, as adopted by K.A.R. 82-4-3i."

(3) The following revisions shall be made to 49 C.F.R. 396.9:

(A) In paragraph (a), the phrase "Every special agent of the FMCSA (as defined in appendix B to this subchapter)" shall be deleted and replaced by "Any authorized representative of the commission, and any member of the Kansas highway patrol or any other law enforcement officer in the state who is certified in the inspection of motor carriers based on the motor carrier safety assistance program standards."

(B) In paragraph (b), the sentence after "Prescribed inspection report" shall be deleted and replaced by the following sentence: "Motor vehicle inspections conducted by authorized personnel as described in paragraph (a) shall be made on forms approved by the Kansas highway patrol."

(C) In paragraph (c)(1), the term "'Out of Service Vehicle' sticker" shall mean a form approved by the Kansas highway patrol.

(D) In paragraph (c)(2) “Driver Vehicle Examination Report” means a “motor vehicle inspection conducted by authorized personnel on forms approved by the Kansas highway patrol.”

(E) In paragraph (d)(3)(ii), the phrase “issuing agency” shall be deleted and replaced by “the state’s lead Motor Carrier Safety Assistance Program agency.”

(4) In paragraph (h) of 49 C.F.R. 396.17, the phrase “penalty provisions of 49 U.S.C. 521(b)” shall be deleted and replaced by “civil penalties provided by K.S.A. 66-1,142b, K.S.A. 66-1,142c, and other applicable penalties.”

(5) The following revision shall be made to 49 C.F.R. 396.19: In paragraph (a)(1), the phrase “part 393” shall be deleted and replaced with “49 C.F.R. Part 393 as adopted by K.A.R. 82-4-3i.”

(6) In paragraphs (b)(2) and (3) of 49 C.F.R. 396.21, the word “Federal” shall be deleted.

(7) In appendix A to part 396, each reference to a portion of 49 C.F.R. Part 393 shall mean that section as adopted by K.A.R. 82-4-3i.

(8) All sections marked “reserved” shall be deleted.

(b) As used in this regulation, each reference to a portion of 49 C.F.R. Part 396 shall mean that portion as adopted by reference in this regulation.

(c) Whenever the federal regulations adopted in this regulation refer to portions of the federal regulations or other operating standards that are not already adopted by reference in article 4 of the commission’s regulations, the references shall not be applicable to this regulation unless otherwise specifically adopted. (Authorized by and implementing K.S.A. 66-1,112, K.S.A. 66-1,112g, and K.S.A. 66-1,129; effective, T-82-12-29-04, Dec. 29, 2004; effective April 29, 2005; amended Oct. 2, 2009; amended Sept. 20, 2013; amended May 6, 2016; amended July 26, 2019; amended Feb. 10, 2023; amended, T-82-12-29-23, Dec. 29, 2023; amended April 26, 2024.)

82-4-30a. Applications for interstate registration.

(a)(1) For the purposes of this regulation, “base state” shall have one of the following meanings:

(A) The meaning assigned to “base-state” in 49 U.S.C. 14504a(a)(2), as adopted in paragraph (a)(2) of this regulation; or

(B) If an entity does not have a principal place of business, office, or operating facility in any participating state, the participating state chosen by the entity that is nearest to the location of the entity’s principal place of business or any participating state within the entity’s FMCSA region.

(2) 49 U.S.C. 14504a, as in effect on December 27, 2022, is hereby adopted by reference, except for the following portions:

(A) In 49 U.S.C. 14504a(a), the following:

(i) The phrase “and section 14506 (except as provided in paragraph (5))”;

(ii) 49 U.S.C. 14504a(a)(3);

(iii) 49 U.S.C. 14504a(a)(5)(B); and

(iv) 49 U.S.C. 14504a(a)(7);

(B) 49 U.S.C. 14504a(c) and (d);

(C) in 49 U.S.C. 14504a(f), 49 U.S.C. 14504a(f)(1)(B) through (E); and

(D) 49 U.S.C. 14504a(g) through (j).

(3) Each interstate motor carrier designating Kansas as the carrier’s base state and operating in interstate commerce over the highways of Kansas under authority issued by the relevant federal agency shall file the uniform application for registration issued by the relevant federal agency. The carrier shall file this application for registration with the transportation division of the state corporation commission.

(b) Each interstate motor carrier designating Kansas as the carrier’s base state shall pay a fee to the state corporation commission through the national registration system. This fee shall be in accordance with the fee schedule in 49 C.F.R. Part 367, as in effect on October 1, 2022 and as amended by 88 fed. reg. 40723-40724 (2023), which is hereby adopted by reference except for all sections marked “reserved.”

(c) An interstate regulated motor carrier shall not operate in interstate commerce over the highways of Kansas unless the carrier is registered in the carrier’s base state as defined in paragraph (a)(1). (Authorized by K.S.A. 2023 Supp. 66-1,112; implementing K.S.A. 66-1,108b, K.S.A. 2023 Supp. 66-1,116, and K.S.A. 66-1,139; modified, L. 1981, ch. 424, May 1, 1981; amended Oct. 3, 1994; amended Jan. 4, 1999; amended July 14, 2000; amended Jan. 31, 2003; amended, T-82-10-8-07, Oct. 8, 2007; amended, T-82-12-10-07, Dec. 10, 2007; amended July 18, 2008; amended, T-82-5-12-10, May 12, 2010; amended Oct. 8, 2010; amended July 26, 2019; amended, T-82-10-27-20, Oct. 27, 2020; amended Feb. 19, 2021; amended, T-82-10-18-22, Oct. 18, 2022; amended Feb. 10, 2023; amended, T-82-12-29-23, Dec. 29, 2023; amended April 26, 2024.)

Lynn M. Retz
Executive Director
Kansas Corporation Commission

Doc. No. 052041

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended, and revoked administrative regulations with a future effective date and the *Kansas Register* issue in which the regulation can be found. A complete listing and the complete text of all currently effective regulations required to be published in the *Kansas Administrative Regulations* can be found at https://www.sos.ks.gov/publications/pubs_kar.aspx.

AGENCY 7: SECRETARY OF STATE					
Reg. No.	Action	Register			
7-47-1	Amended (T)	V. 43, Issue 11	26-52-7	New (T)	V. 43, Issue 9
			26-52-8	New (T)	V. 43, Issue 9
			26-52-9	New (T)	V. 43, Issue 9
			26-52-10	New (T)	V. 43, Issue 9
			26-52-11	New (T)	V. 43, Issue 9
			26-52-12	New (T)	V. 43, Issue 9
			26-52-13	New (T)	V. 43, Issue 9
			26-52-14	New (T)	V. 43, Issue 9
			26-52-15	New (T)	V. 43, Issue 9
			26-52-16	New (T)	V. 43, Issue 9
			26-52-17	New (T)	V. 43, Issue 9
			26-52-18	New (T)	V. 43, Issue 9
			26-52-19	New (T)	V. 43, Issue 9
			26-52-20	New (T)	V. 43, Issue 9
AGENCY 26: DEPARTMENT FOR AGING AND DISABILITY SERVICE					
Reg. No.	Action	Register			
26-52-1	New (T)	V. 43, Issue 9			
26-52-2	New (T)	V. 43, Issue 9			
26-52-3	New (T)	V. 43, Issue 9			
26-52-4	New (T)	V. 43, Issue 9			
26-52-5	New (T)	V. 43, Issue 9			
26-52-6	New (T)	V. 43, Issue 9			

26-52-21	New (T)	V. 43, Issue 9
26-52-22	New (T)	V. 43, Issue 9
26-52-23	New (T)	V. 43, Issue 9
26-52-24	New (T)	V. 43, Issue 9
26-52-25	New (T)	V. 43, Issue 9
26-52-26	New (T)	V. 43, Issue 9
26-52-27	New (T)	V. 43, Issue 9
26-52-28	New (T)	V. 43, Issue 9
26-52-29	New (T)	V. 43, Issue 9
26-52-30	New (T)	V. 43, Issue 9
26-52-31	New (T)	V. 43, Issue 9
26-52-32	New (T)	V. 43, Issue 9

AGENCY 82: CORPORATION COMMISSION

Reg. No.	Action	Register
82-4-1	Amended (T)	V. 43, Issue 2
82-4-3j	Amended (T)	V. 43, Issue 2
82-4-30a	Amended (T)	V. 43, Issue 2

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-9b-1	New	V. 43, Issue 14
88-9b-2	New	V. 43, Issue 14
88-9b-3	New	V. 43, Issue 14
88-9b-4	New	V. 43, Issue 14
88-9b-5	New	V. 43, Issue 14
88-9b-6	New	V. 43, Issue 14
88-13-7	Revoked	V. 43, Issue 14
88-13-8	Revoked	V. 43, Issue 14
88-14-1	Revoked	V. 43, Issue 14
88-14-2	Revoked	V. 43, Issue 14
88-14-3	Revoked	V. 43, Issue 14
88-14-4	Revoked	V. 43, Issue 14
88-18-1	Revoked	V. 43, Issue 14
88-18-2	Revoked	V. 43, Issue 14
88-18-3	Revoked	V. 43, Issue 14
88-18-4	Revoked	V. 43, Issue 14
88-18-5	Revoked	V. 43, Issue 14
88-18-6	Revoked	V. 43, Issue 14
88-18-7	Revoked	V. 43, Issue 14
88-18-8	Revoked	V. 43, Issue 14
88-20-2	Revoked	V. 43, Issue 14
88-20-6	Revoked	V. 43, Issue 14
88-20-7	Revoked	V. 43, Issue 14
88-21-5	Revoked	V. 43, Issue 14
88-21-6	Revoked	V. 43, Issue 14
88-21-7	Revoked	V. 43, Issue 14
88-22-5	Revoked	V. 43, Issue 14
88-27-1	Revoked	V. 43, Issue 14
88-27-2	Revoked	V. 43, Issue 14

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-22-1a	Amended	V. 43, Issue 13
91-22-1b	New	V. 43, Issue 13
91-22-2	Amended	V. 43, Issue 13
91-22-5a	Amended	V. 43, Issue 13
91-22-9	Amended	V. 43, Issue 13
91-22-22	Amended	V. 43, Issue 13
91-22-25	Amended	V. 43, Issue 13

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 *Kansas Register*. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 *Kansas Register*. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*. A list of regulations filed from 2018 through 2019, can be found in the Vol. 38, No. 52, December 26, 2019 *Kansas Register*. A list of regulations filed from 2020 through 2021, can be found in the Vol. 40, No. 52, December 30, 2021 *Kansas Register*. A list of regulations filed from 2022 through 2023 can be found in the Vol. 42, No. 52, December 28, 2023 *Kansas Register*.

Reg. No.	Action	Register
111-4-3771	New	V. 43, Issue 5
111-4-3772	New	V. 43, Issue 11
111-4-3773	New	V. 43, Issue 12
111-4-3774	New	V. 43, Issue 14
111-9-233	New	V. 43, Issue 5
111-9-234	New	V. 43, Issue 12
111-18-5	Amended	V. 43, Issue 12
111-19-169	New	V. 43, Issue 5
111-19-170	New	V. 43, Issue 12
111-19-171	New	V. 43, Issue 12
111-19-172	New	V. 43, Issue 12
111-19-173	New	V. 43, Issue 12
111-19-174	New	V. 43, Issue 14
111-19-175	New	V. 43, Issue 14
111-19-176	New	V. 43, Issue 14
111-20-1	New	V. 43, Issue 5
111-20-2	New	V. 43, Issue 5
111-20-3	New	V. 43, Issue 5
111-20-4	New	V. 43, Issue 5
111-20-5	New	V. 43, Issue 5
111-20-6	New	V. 43, Issue 5
111-20-7	New	V. 43, Issue 5
111-20-8	New	V. 43, Issue 5
111-20-9	New	V. 43, Issue 5
111-20-10	New	V. 43, Issue 5
111-20-11	New	V. 43, Issue 5
111-20-12	New	V. 43, Issue 5
111-20-13	New	V. 43, Issue 5

111-20-14	New	V. 43, Issue 5
111-20-15	New	V. 43, Issue 5
111-20-16	New	V. 43, Issue 5
111-20-17	New	V. 43, Issue 5
111-20-18	New	V. 43, Issue 5
111-20-19	New	V. 43, Issue 5
111-20-20	New	V. 43, Issue 5
111-20-21	New	V. 43, Issue 5
111-20-22	New	V. 43, Issue 5
111-20-23	New	V. 43, Issue 5
111-21-1	New	V. 43, Issue 11
111-21-2	New	V. 43, Issue 11
111-21-3	New	V. 43, Issue 11
111-21-4	New	V. 43, Issue 11
111-21-5	New	V. 43, Issue 11
111-21-6	New	V. 43, Issue 11
111-21-7	New	V. 43, Issue 11
111-21-8	New	V. 43, Issue 11
111-21-9	New	V. 43, Issue 11
111-21-10	New	V. 43, Issue 11
111-501-113	Amended	V. 43, Issue 11
111-501-155	Amended	V. 43, Issue 11

AGENCY 112 RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-201-1	New (T)	V. 42, Issue 44
112-201-2	New (T)	V. 42, Issue 44
112-201-3	New (T)	V. 42, Issue 44
112-201-4	New (T)	V. 42, Issue 44
112-201-5	New (T)	V. 42, Issue 44
112-201-6	New (T)	V. 42, Issue 44
112-201-7	New (T)	V. 42, Issue 44
112-201-8	New (T)	V. 42, Issue 44
112-201-9	New (T)	V. 42, Issue 44
112-201-10	New (T)	V. 42, Issue 44
112-201-11	New (T)	V. 42, Issue 44
112-201-12	New (T)	V. 42, Issue 44
112-201-13	New (T)	V. 42, Issue 44
112-201-14	New (T)	V. 42, Issue 44
112-201-15	New (T)	V. 42, Issue 44
112-201-16	New (T)	V. 42, Issue 44
112-201-17	New (T)	V. 42, Issue 44
112-201-18	New (T)	V. 42, Issue 44
112-201-19	New (T)	V. 42, Issue 44
112-201-20	New (T)	V. 42, Issue 44
112-201-21	New (T)	V. 42, Issue 44
112-201-22	New (T)	V. 42, Issue 44
112-201-23	New (T)	V. 42, Issue 44
112-202-1	New (T)	V. 42, Issue 44
112-202-2	New (T)	V. 42, Issue 44
112-203-1	New (T)	V. 42, Issue 44
112-203-2	New (T)	V. 42, Issue 44
112-203-3	New (T)	V. 42, Issue 44
112-203-4	New (T)	V. 42, Issue 44
112-203-5	New (T)	V. 42, Issue 44
112-203-6	New (T)	V. 42, Issue 44
112-203-7	New (T)	V. 42, Issue 44
112-203-8	New (T)	V. 42, Issue 44
112-204-1	New (T)	V. 42, Issue 44
112-204-2	New (T)	V. 42, Issue 44
112-204-3	New (T)	V. 42, Issue 44
112-204-4	New (T)	V. 42, Issue 44
112-204-5	New (T)	V. 42, Issue 44
112-204-6	New (T)	V. 42, Issue 44
112-204-7	New (T)	V. 42, Issue 44

Kansas Register
Secretary of State
1st Floor, Memorial Hall
120 SW 10th Ave.
Topeka, KS 66612-1594
