### Volume 44 Issue 8 - February 20, 2025

#### Rates

#### **Pooled Money Investment Board**

Notice of Investment Rates February 17 – February 23, 2025

### Notices

Kansas Guardianship Program Notice of Meeting

Kansas Housing Resources Corporation Notice of 2024 Annual Performance Report on the Kansas Consolidated Plan

#### Kansas State Board of Regents

Notice of Funding Availability for Kansas Nursing Programs

#### Kansas Department of Health and Environment

Notice of Proposed Kansas Air Quality Construction Permit for Monarch Cement Company

Notice of Proposed Kansas/Federal Water Pollution Control Permits and Applications

#### Kansas Department of Health and Environment – Division of Health Care Finance

Notice of Amendment to the Kansas Medicaid State Plan for Carceral Youth Targeted Case Management Services

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

### Kansas State Board of Regents Universities

Notice to Bidders for University Purchase

#### Vermillion Watershed District No. 70

Notice to Bidders for Rehabilitation Project in Marshall County

#### **Amber Wave**

Notice to Bidders for Rail Yard Expansion Project in Phillipsburg, Kansas

#### **Kansas Department of Transportation**

Notice to Contractors for March Letting Information

Request for Comments on Amendment to the Statewide Transportation Improvement Program

#### Salina Emmanuel Foursquare Church

Request for Bids for Design and Installation of Comprehensive Security System

### Bonds

Washburn University of Topeka Board of Regents Notice of Intent to Issue Revenue Bonds

### Executive Branch

Kansas Secretary of State Notice of Business Forfeiture for January 2025

Office of the Governor State of Disaster Emergency Proclamation

### Legislative Branch

Legislative Administrative Services Legislative Bills and Resolutions Introduced February 10 – February 14, 2025

### Volume 44 Issue 8 - February 20, 2025

### New State Laws

#### Kansas Legislature

**Senate Bill 63,** concerning children and minors; relating to healthcare of minors; enacting the help not harm act; prohibiting healthcare providers from treating a child whose gender identity is inconsistent with the child's sex; authorizing a civil cause of action against healthcare providers for providing such treatments; restricting use of state funds to promote gender transitioning; prohibiting professional liability insurance from covering damages for healthcare providers that provide gender transition treatment to children; requiring professional discipline against a healthcare provider who performs such treatments; adding violation of the act to the definition of unprofessional conduct for physicians.

#### Governor's Veto Message for Senate Bill 63

Legislature's Certificate Overriding Governor's Veto of Senate Bill 63

### Regulations

Index to administrative regulations

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).

Term	Rate
1-89 days	4.33%
3 months	4.28%
6 months	4.25%
12 months	4.29%
18 months	4.28%
2 years	4.25%

#### Effective 2-17-25 through 2-23-25

Joel Oliver Executive Director Chief Investment Officer Pooled Money Investment Board

Volume 44 - Issue 8 - February 20, 2025

**Table of Contents** 

**State of Kansas** 

## Kansas Guardianship Program

### Notice of Meeting

The Kansas Guardianship Program will conduct its governing board meeting from 1:00 p.m. to 4:00 p.m. Friday, February 21, 2025, via Zoom. Please contact Nancy Mayberry at 785-587-8555 for more information.

Nancy Mayberry Interim Executive Director Kansas Guardianship Program

Volume 44 - Issue 8 - February 20, 2025

State of Kansas

## **Kansas Housing Resources Corporation**

#### Notice of 2024 Annual Performance Report on the Kansas Consolidated Plan

The Kansas Housing Resources Corporation will publish a preliminary draft of the Annual Performance Report on the Kansas Consolidated Plan for community and housing development for program year 2024. The Annual Performance Report on the 2024 Kansas Consolidated Plan will be available for public review and comment March 10 through March 25, 2025. The Annual Performance Report will be available online at http://www. kshousingcorp.org beginning March 10, 2025. Limited hard copies of the Annual Performance Report are available through the Kansas Housing Resources Corporation, 200 SW 6th Ave., Topeka, KS 66603; phone 785-217-2001; fax 785-232-8073; email info@kshousingcorp.org.

> Ryan Vincent Executive Director Kansas Housing Resources Corporation

Volume 44 - Issue 8 - February 20, 2025

#### **State of Kansas**

## **Board of Regents**

### Notice of Funding Availability

The Kansas Board of Regents is seeking applications from accredited Kansas nursing programs, with a Request for Proposals available February 13, 2025. This funding supports nursing faculty and nursing laboratory supplies with the goal of improving program quality and student success. Applications are due March 14, 2025. The term of the grant period is from July 1, 2025 through June 30, 2026. Information and application materials are available at https://www.kansasregents.org/workforce\_development/the\_kansas\_nursing\_initiative.

Vera Brown, PhD Director Career Technical Education Board of Regents

Doc. No. 052860

**State of Kansas** 

### **Department of Health and Environment**

#### **Notice Concerning Proposed Kansas Air Quality Construction Permit**

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality construction permit. Monarch Cement Company has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300. Emissions of particulate matter (PM), particulate matter with less than or equal to 10 microns in aerodynamic diameter (PM<sub>10</sub>), particulate matter with less than or equal to 2.5 microns in aerodynamic diameter (PM<sub>2.5</sub>) were evaluated during the permit review process.

Monarch Cement Company, 449 1200th St., Humbolt, Allen County, KS 66748, owns and operates Portland Cement Production Company located at 449 1200th St., Humbolt, Allen County, KS 66748, at which be to change the permitted hours of operation limits for two screening systems, a portable screening system and a Portland Limestone Cement (PLC) screening system.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review from the date of publication during normal business hours at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Southeast District Office, 308 W. 14th St., Chanute, KS 66720. To obtain or review the proposed permit and supporting documentation, contact Donald Dyster, Jr. at the central office of the KDHE at 785-291-3271, or Ryan Jack at the Southeast District Office at 620-431-2390. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at https://www.kdhe.ks.gov/413/Public-Notices.

Please direct written comments or questions regarding the proposed permit to Donald Dyster Jr., KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, March 24, 2025.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Donald Dyster Jr., KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, March 24, 2025, in order for the Secretary of Health and Environment to consider the request.

The preceding notice refers to the air permit for Monarch Cement Company located at 449 1200th St., Humbolt, Allen County, KS 66748. If you want more information or you have other questions, please contact the KDHE Non-Discrimination coordinator and call 785-296-5156 or send an email to: KDHE.NonDiscrimination@ks.gov. [El aviso anterior se refiere al permiso de aire para Monarch Cement Company Monarch Cement Company ubicado en 449 1200th St., Humbolt, Allen County, KS 66748. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación de KDHE y llame al 785-296-5156 o envíe un correo electrónico a: KDHE.NonDiscrimination@ks.gov.]

Janet Stanek Secretary Department of Health and Environment

Volume 44 - Issue 8 - February 20, 2025

#### **Table of Contents**

#### **State of Kansas**

### **Department of Health and Environment**

#### Notice of Proposed 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-25-044/050

#### **Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Blue Sky Farms, LLC dba Twin Circle Dairy 1989 O Rd. Lewis, KS 67552	NE/4 of Section 08 & SE/4 of Section 19 & All of Section 18 T25S, R17W Edwards County	Lower Arkansas River Basin
Kansas Permit No. A-ARED-D001 Federal Permit No. KS0300006		

The proposed action is to modify and reissue an existing NPDES permit for a facility for 25,000 head (35,000 animal units) of mature dairy cattle and 200 head (100 animal units) of cattle weighing less than 700 pounds for a facility total of 35,100 animal units. This permit is being modified to reconfigure the previously proposed waste management system and add an anaerobic digester to the facility. There is no change in the permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

#### **Table of Contents**

#### Name and Address of Applicant

Buessing Holsteins, LLC Brent Buessing 2130 E Rd. Baileyville, KS 66404 **Legal Description** SW/4 of Section 23 T02S, R11E Nemaha County **Receiving Water** Missouri River Basin

Kansas Permit No. A-MONM-M029

The proposed action is to modify and reissue the existing state/NPDES permit for a facility for a proposed maximum capacity of 150 head (150 animal units) of cattle weighing more than 700 pounds, 150 head (75 animal units) of cattle weighing less than 700 pounds, and 320 head (448 animal units) of mature dairy cows for a total of 620 head (673 animal units). This represents an increase in the permitted animal units from the previous permit. This permit is also being modified to reflect recent changes to the animal waste management system such as robot milkers, alley scrapers, freestalls, and an additional concrete pit.

Name and Address of Applicant	Legal Description	Receiving Water
Calvert Swine, LLC	SW/4 of Section 19	Upper Republican River Basin
9605 Road E8	T02S, R21W	
Almena, KS 67622	Norton County	

Kansas Permit No. A-URNT-H008 Federal Permit No. KS0100421

The proposed action is to modify and reissue an existing state/NPDES permit for an expanding facility for 6,800 head (2,720 animal units) of swine weighing greater than 55 pounds each, and 10,000 head (1,000 animal units) of swine weighing less than 55 pounds each; for a facility total of 3,720 animal units. This permit is being modified to incorporate the addition of a borrow pit that was converted to a retention control structure. There is no change in the 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
Eastside Dairy II, LLC	S/2 of Section 04 &
9620 E. Road 8	NE/4 of Section 09
Johnson, KS 67855	T28S, R39W
	Stanton County

**Receiving Water** Cimarron River Basin

Kansas Permit No. A-CIST-D003 Federal Permit No. KS0097501

The proposed action is to modify and reissue the existing NPDES permit for a facility for a proposed maximum capacity of 6,000 head (8,400 animal units) of mature dairy cows, 4,800 head (4,800 animal units) of dairy heifers weighing greater than 700 pounds, and 1,200 head (600 animal units) of dairy calves weighing 700 pounds or less. This represents an increase in the permitted animal units from the previous permit. This permit is also being modified to add open lot pens to the west and a freshwater pond to the south of the existing facility.

Name and Address of Applicant	Legal Description	<b>Receiving Water</b>
Rodney Burdiek	SE/4 of Section 01	Kansas River Basin
641 Y Rd.	T05S, R14E	
Wetmore, KS 66550	Nemaha County	

© Kansas Secretary of State 2025

**Table of Contents** 

Kansas Permit No. A-KSNM-B010

The proposed action is to issue a new state permit for a facility for 999 head (999 animal units) of beef cattle weighing more than 700 pounds. The facility will consist of 3 buildings and a waste management system consisting of solid manure storage bins in each building. This facility has an approved Waste Management Plan on file with KDHE.

#### Name and Address of Applicant Legal Description

Roth Farms – Home Place Ron Roth 1924 Valleyview Rd. Green, KS 67447 W/2 of Section 34 T07S, R04E Clay County

### **Receiving Water**

Lower Republican River Basin

Kansas Permit No. A-LRCY-S031

The proposed action is to reissue an existing state permit for an existing facility for 1,438 head (575.2 animal units) of swine weighing more than 55 pounds, 630 head (63 animal units) of swine weighing 55 pounds or less, and 150 head (150 animal units) of cattle weighing more than 700 pounds, for a total of 788.2 animal units of swine and 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.

#### Name and Address of Applicant

Seaboard Foods, LLC – Dunn #127 01990 Blvd. W Richfield, KS 67953 SE/4 of Section 06 T32S, R40W Morton County

Legal Description

**Receiving Water** 

**Cimarron River Basin** 

Kansas Permit No. A-CIMT-H008 Federal Permit No. KS0097683

The proposed action is to reissue an existing NPDES permit for an existing facility for 10,800 head (1,080 animal units) of swine weighing 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 Nutrient Management Plan on file with KDHE.

#### Public Notice No. KS-AG-R-25-004

Per Kansas Statutes Annotated 65-171d, the following registration has been received for a proposed facility.

#### Name and Address of Registrant Legal Description

Merrill Yost Cattle Pens Merrill Yost 1901 N. Halstead Rd. Halstead, KS 67056 NE/4 of Section 10 T23S, R02W

#### County

Harvey

#### Public Notice No. KS-Q-24-025/029

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g), and Federal Surface Water Criteria.

#### **Table of Contents**

#### Name and Address of Applicant

Riley, City of PO Box 314 Riley, KS 66531 **Receiving Stream** Kansas River via Wildcat Creek **Type of Discharge** Treated Domestic

Permit No. M-KS62-OO02 Federal Permit No. KS0093301

Legal Description: SW1/4, SW1/4, Section 2, Township 9S, Range 5E, Riley County

Location: 39.29347, -96.84715

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing facility. The existing facility is a three-cell wastewater stabilization lagoon system with a minimum of 120 days detention time. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The detention time at the design flow is 106 days. This permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, ammonia, and E. coli. The permit contains monitoring for pH. This NPDES discharging lagoon wastewater treatment facility has been reviewed for eligibility for the MDV for ammonia and has been determined to be eligible. Eligibility was determined through analysis of the facility's highest attainable criteria (HAC) for ammonia and an Economic Eligibility Determination (EED) that assessed the impact of the cost of a new mechanical facility to the community's rate payers. The ammonia effluent limit was determined on January 31, 2025 by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports resulting in an ammonia limit of 4.2 mg/L for this facility. However, due to anti-backsliding, the previous permit ammonia limit of 3.5 will be applied.

#### Name and Address of Applicant

## Receiving Stream

Butler County Commission 121 S. Gordy, Suite 200 El Dorado, KS 67042

Permit No. M-WA23-OO01 Federal Permit No. KS0082180 Walnut River via Hickory Creek via North Branch of Hickory Creek

#### Type of Discharge

Treated Domestic

Legal Description: N<sup>1</sup>/<sub>2</sub>, SW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>, Section 33, Township 27S, Range 8E, Butler County

Location: 37.65362, -96.53200

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing facility. The existing facility is a three-cell wastewater stabilization lagoon system with a minimum of 120 days detention time. The facility receives domestic wastewater from residential and commercial areas. The detention time at the design flow is 123 days. The rated flow for 120 days detention time is 0.0115 MGD. This permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and E. coli. The permit contains monitoring for pH, and Ammonia.

#### Name and Address of Applicant

Sunset Stone Company 507 E. 8th St. Alma, KS 66401 Kansas River via Unnamed Tributary

**Receiving Stream** 

**Type of Discharge** Process Wastewater

**Table of Contents** 

Type of Discharge

**Process Wastewater** 

Permit No. I-KS74-PO03 Federal Permit No. KS0200030

Legal Description: S<sup>1</sup>/<sub>2</sub> of Section 13, Township 10S, Range 10E, Wabaunsee County

Location: 39.17809, -96.24805

The proposed action consists of issuing the NPDES permit for this facility for the first time, since it is a new facility. This is a dimensional stone facility that strip mines slab rock that is snapped into size and loaded onto a truck. The rock is not washed. Outfalls 001A, 002A, 003A and 004A consists of stormwater runoff, which is treated by grass filter strips before leaving the site. In compliance with Kansas and federal law, KDHE has approved an antidegradation review for this new facility for increased concentrations and mass of some pollutants to the receiving stream. The water quality of the receiving stream will not be lowered below the quality necessary to support existing designated uses.

#### Name and Address of Applicant Receiving Stream

AAR Component Services 411 North Rd. Wellington, KS 67152

Permit No. P-AR92-OO05 Federal Permit No. KSP000087

Legal Description: S<sup>1</sup>/<sub>2</sub> of Section 13, Township 10S, Range 10E, Wabaunsee County

Location: 39.17809, -96.24805

The proposed action consists of reissuing the above referenced Pretreatment permit. The primary change to the permit is the addition of Outfall 007 and 008, due to a plant expansion. This facility also has a new owner. This facility was formally known as Triumph Accessory Services. This facility repairs and overhauls various commercial and military aircraft components and parts. Outfall 001 consists of boom wash water from an operation located in the North building. Outfall 002 consists of heat exchanger water. Outfall 003 consists of wastes from the plasma spray operation. Outfall 004 consists of wastes from the conversion coating operation, where magnesium parts are dipped in chromic acid, to provide corrosion resistance. Outfalls 005, 007 and 008 consists of non-destructive inspection water and Outfall 006 consists of wastes from a parts washer. Since wastes from these outfalls are either hauled off-site or treated by an on-site evaporator, not all Outfalls discharge to the city sanitary sever. This permit contains generic language to protect water quality.

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 comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before March 22, 2025, will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-25-044/050, KS-AG-R-25-004, KS-Q-24-025/029) 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.

#### Volume 44 - Issue 8 - February 20, 2025

**Table of Contents** 

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

#### State of Kansas

## Department of Health and Environment Division of Health Care Finance

#### **Public Notice**

The Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) is amending the Kansas Medicaid State Plan. Kansas is implementing the required coverage of Targeted Case Management (TCM) to incarcerated youth as described in section 5121 of the Consolidated Appropriations Act, 2023 (CAA, 2023). Carceral Youth TCM Reimbursement Rate Methodology is included.

The proposed effective date for the State Plan Amendment (SPA) is February 21, 2025.

Fee-For- Service Only	Estimated Federal Financial Participation
FFY 2025	\$361,708
FFY 2026	\$535,327

To request a copy of the proposed SPA, to submit a comment, or to review comments, please contact William C. Stelzner by email at william.stelzner@ks.gov, or by mail at:

William C. Stelzner Kansas Department of Health and Environment Division of Health Care Finance 900 SW Jackson, Room 900N Topeka, KS 66612

The last day for public comment is March 24, 2025.

Draft copies of the proposed SPA may also be found at a Local Health Department (LHD).

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

Doc. No. 052887

#### 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.

03/04/2025	EVT0010154	On-call Painting, Plaster, and Drywall – Statewide
03/18/2025	EVT0010145	Psychology Services – Sexual Predator Treatment Program – Larned State Hospital
03/20/2025	EVT0010147	Cones: Collapsible, Fixed, and Foldable – KDOT
03/21/2025	EVT0010112	Statewide – Temporary Staffing Services (includes IT Staffing Services)
03/24/2025	EVT0009938	Unarmed Security Guard Services – State of Kansas
03/25/2025	EVT0010149	Appliances and Other Home Furnishings – Larned State Hospital
03/26/2025	EVT0010153	Autism Waiver Assessments – KDADS

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

03/11/2025 A-015200 Kansas State University – Salina Technology Center Library Remodel Phase 2

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. 052886

Volume 44 - Issue 8 - February 20, 2025

#### 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: purch@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/ BidDocuments.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.

> Jim Hughes Director of Purchasing Pittsburg State University

Doc. No. 052485

**Table of Contents** 

#### (Published in the Kansas Register February 20, 2025.)

### Vermillion Watershed District No. 70

#### **Notice to Bidders**

Sealed bids, in single copy, will be received until 11:00 a.m. (Central Time) March 13, 2025, at the Rural Water District Marshall County #3 office, 707 Main St., Beattie, KS 66406, and at that time publicly opened. Bids are for the construction of improvements to Site 7-31B as outlined in the project plans. Site 7-31B is located in Section 31, Township 1 South, Range 9 East, Marshall County, Kansas.

The proposed work includes but is not limited to the following main bid items:

- Excavation: 2,390 CY
- Earthfill: 2,360 CY
- · 18" PVC: 165 LF
- Canopy Inlet Housing
- Rip Rap: 340 TN
- Seeding

All bids must be accompanied by bid bond, certified check, cashier's check, money order, or cash in an amount not less than five percent (5%) of the amount bid.

The successful bidder will be required to execute a formal contract and furnish performance and payment bonds in amounts of 100% each of the total amount of the contract. Corporations executing the bonds as sureties must be among those appearing on the US Treasury Department's list of approved sureties.

All work shall be completed within 60 calendar days after the date of the Notice to Proceed. A penalty of \$500 per workday will be charged against the contractor for each workday required to complete this contract in excess of the 60 calendar days given to complete the contract. Notice to Proceed shall be issued at the contractor's request, however it shall be issued no later than October 1, 2025 (late start date).

Questions about the project can be addressed to the office of the project engineer, CES Group Inc., 605 Broadway, Marysville, KS 66508; phone 785-562-5148; email aholthaus@cesgroup.biz.

Copies of the plans and specifications may be purchased from the project engineer at a charge of \$50 per set to cover postage and production costs, due and payable upon contractor's receipt of the plan documents. Bids will not be accepted if payment in full is not made by the time of bid opening. Electronic copies are available for no charge through the project engineers office plan room at http://www.cesgroup.biz/plan-room/. Three (3) sets of plans and specifications for each site will be provided to the successful bidder upon execution of the construction contract at no additional charge.

Tony Duever Vermillion Watershed District No. 70

**Table of Contents** 

#### (Published in the Kansas Register February 20, 2025.)

### **Amber Wave**

#### **Notice to Bidders**

Summit Sustainable Ingredients, LLC (D/B/A Amber Wave) of Ames, Iowa is currently seeking bidders for a rail yard expansion project at their facility in Phillipsburg, Kansas. Interested bidders shall contact Jacob Ferrell with ASM Engineering Consultants at jferrell@asm4.com to request a bid package for the upcoming project. Bid packages will be transmitted via file share site within 1-2 business days of request.

The project consists of the following major items:

- Approximately 7000 track feet of new rail construction
- Five turnouts
- Drainage improvements
- All necessary civil/earthwork construction to build suitable railbed per the construction documents.

This project is a recipient of the KDOT RSIP Grant, and a single contract shall be awarded with Amber Wave for the construction. Amber Wave reserves the right to reject any or all bids purely at their discretion. Bids are due electronically to Steve Adams at sadams@amberwaveusa.com by 3:00 p.m. (Central Time) Friday, March 21, 2025.

Caleb Veurink Director of Finance Amber Wave

Volume 44 - Issue 8 - February 20, 2025

#### State of Kansas

## **Department of Transportation**

#### **Notice to Contractors**

Electronic copies of the letting proposals and plans are available on the Kansas Department of Transportation (KDOT) website at https://kdotapp.ksdot.org/Proposal/Proposal.aspx. The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the "Bid Holders List," or to be included on the "Non-Bid Holders List" as a subcontractor/supplier. KDOT's approval is required to bid as a prime contractor, KDOT needs to be notified of the intent to bid no later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject your bid. The Secretary reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2015 edition of the Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction.

KDOT will only accept electronic internet proposals using the Bid Express website at https://bidx.com/ks/ main until 1:00 p.m. (Central Time) on letting day. The KDOT bid letting will be conducted remotely by audio broadcast only at 3:00 p.m. (Central Time) on letting day. For the conference call information see https://www. ksdot.org/bureaus/burconsmain/lettinginfo.asp. KDOT has tested the process, but in the event of an unforeseen issue, KDOT will provide updates.

Each bidder shall certify that such person, firm, association, or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This certification shall be in the form of a required contract provision provided by the state to each prospective bidder. Failure to complete the required contract provision and certify the completeness of the preceding statement when electronically signing the proposal will make the bid nonresponsive and not eligible for award consideration.

#### Projects for the March 19, 2025 Letting

#### **District One – Northeast**

**Johnson:** 46 TE-0512-01 – Sunflower Road, from 103rd Street to 91st Street in De Soto, pedestrian and bicycle paths, 1.5 miles. (Federal Funds)

Johnson: 35-46 KA-7190-02 – I-35, from 95th Street to the I-635/I-35 junction, guard fence, 7.0 miles. (State Funds)

Johnson: 435-46 KA-7188-01 – I-435, bridge #304 on Nall Avenue located 1.02 miles east of US-169, bridge repair. (State Funds)

**Leavenworth:** 52 C-5242-01 – RS 381, from 0.1 miles south of 189th Street to 0.2 miles north of 187th Street, grading and surfacing, 0.6 miles. (Federal Funds)

**Leavenworth:** 52 C-5119-01 – RS 381, from 1.10 miles north of Parallel Road to 0.05 miles north of Mitchell Road, grading and surfacing, 1.1 miles. (Federal Funds)

**Osage:** 75-70 KA-6756-01 – US-75, bridge #087 over BNSF Railroad/K-276 located 3.5 miles north of the Coffey County line; and bridge #090 over the Marais Des Cygnes River located 6.54 miles north of the Coffey County line, bridge deck. (Federal Funds)

**Pottawatomie:** 75 C-5243-01 – RS 538, from Kanon Ridge Lane to Elizas Road, grading and surfacing, 0.7 miles. (Federal Funds)

Volume 44 - Issue 8 - February 20, 2025

**Wyandotte:** 70-105 KA-7550-01 – I-70, beginning 0.1 miles west of 7th Street east to the Kansas/Missouri state line, pavement patching, 2.2 miles. (State Funds)

**Wyandotte:** 70-105 KA-7548-01 – I-70, beginning east of east approach of bridge #211 and #212 over ramps to eastbound I-70/I-435, then east to 0.28 miles west of 78th Street, pavement patching, 2.6 miles. (State Funds)

Wyandotte: 670-105 KA-7549-01 – I-670, beginning at the I-670/I-70 junction east to the Kansas/Missouri state line, pavement patching, 1.6 miles. (State Funds)

#### **District Two – North Central**

**Dickinson:** 21 C-5282-01 – Bridge, over Turkey Creek on 1100 Avenue located 2.6 miles east of K-15, bridge replacement, 0.1 miles. (Federal Funds)

McPherson: 81-59 KA-3946-01 – US-81A, bridge #087 over Bull Creek located 1.33 miles north of K-61, bridge replacement. (Federal Funds)

**Ottawa:** 18-72 KA-6971-01 – K-18, bridge #016 over Antelope Creek located 4.16 miles east of K-106, bridge repair. (Federal Funds)

#### **District Three – Northwest**

**Smith:** 204-92 KA-5988-01 – K-204, from the west city limits to US-281 in Smith Center, grading and surfacing, 0.6 miles. (Federal Funds)

#### **District Five – South Central**

**Kiowa:** 183-49 KA-5763-01 – US-183, bridge #014 over East Fork Rattlesnake Creek located 11.87 miles north of the Comanche county line, bridge replacement. (State Funds)

Pratt: 76 C-5264-01 - Paved roads, east of US-281, pavement marking, 71.0 miles. (Federal Funds)

**Rice:** 56-80 KA-5733-01 – US-56, bridge #001 over Spring Creek Drainage located 6.85 miles east of the Barton County line, bridge replacement. (Federal Funds)

**Rush:** 183-83 KA-5735-01 – US-183, bridge #003 over Walnut Creek Drainage located 0.05 miles north of Cherry Street in Rush Center, bridge replacement. (Federal Funds)

**Sedgwick:** 54-87 KA-6749-01 – US-54, bridge #143 over the BNSF Railroad located 0.25 miles east of Topeka Street; and bridge #317 over the BNSF and KO Railroad located 0.25 miles east of Topeka Street, bridge repair. (Federal Funds)

#### **District Six – Southwest**

**Statewide:** 106 KA-7277-01 – US-50, US-400, US-56 and K-23 in Gray, Ford, Finney and Meade counties, signing. (State Funds)

Calvin Reed Secretary Department of Transportation

Volume 44 - Issue 8 - February 20, 2025

#### State of Kansas

## **Department of Transportation**

#### **Request for Comments**

The Kansas Department of Transportation (KDOT) requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 25-28. The comprehensive list of project(s) being amended to the STIP may be viewed online at https://www.ksdot.gov/about/publications-and-reports/state-transportationimprovement-program-stip. The project list includes projects for counties, cities, and projects on the State Highway System. In addition to the project list is Administrative Modification #3 for narrative updates in the STIP.

The amendment of the STIP requires a public comment period of 14 days. To make comment on this STIP amendment, contact KDOT's Division of Program and Project Management, 2nd Floor Tower, 700 SW Harrison, Topeka, KS 66603-3754; phone 785-296-3254.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Office of Public Affairs at 785-296-3585 (Voice/Hearing Impaired–711).

The comment period regarding the STIP amendment for these projects will conclude March 6, 2025.

Calvin Reed Secretary Department of Transportation

Doc. No. 052882

**Table of Contents** 

## (Published in the Kansas Register February 20, 2025.) Salina Emmanuel Foursquare Church

#### **Request for Bids**

Sealed bids for the design and Installation of comprehensive security system (cameras, intrusion, alarms, controlled access, etc.) will be accepted by Salina Emmanuel Foursquare Church until 5:00 p.m. March 8, 2025, at 1325 E. Cloud St., Salina, KS 67401, at which time they will be publicly opened and read aloud at the same address. Copies of Instructions to Bidders and project specifications can be accessed by inquiring at austin@ efcsalina.com. You can also contact the Salina Emmanuel Foursquare Church at 785-819-5882 or by email at austin@efcsalina.com. This action is being taken on behalf of Salina Emmanuel Foursquare Church. Estimated project value exceeds \$50,000 but not to exceed \$100,000.

Austin Hardin Director of Safety and Security Salina Emmanuel Foursquare Church

**Table of Contents** 

### (Published in the Kansas Register February 20, 2025) Washburn University of Topeka Board of Regents

#### Notice of Intent to Issue Revenue Bonds

Notice is hereby given to all persons interested that the Board of Regents (the "Board") of Washburn University of Topeka, Shawnee County, Kansas (the "University") has on February 6, 2025, duly adopted a resolution by which it has determined an intent to issue revenue bonds (the "Bonds") under the authority of K.S.A. 76-6al3 *et seq.*, as amended in one or more series in the principal amount necessary to refund previously issued and outstanding revenue bonds of the University, plus associated financing costs; provided that the aggregate principal amount of the Bonds shall not exceed \$16,500,000; and the net present value savings associated with the issuance of the Bonds shall not be less than 3.00% of the principal amount of the refunded bonds.

Unless an action to contest the legality of the proposed Bonds shall be filed in a court of law within 30 days from February 20, 2025, being the date of publication of this notice in the Kansas Register, the right to contest the legality of any Bond issued in compliance with the proceedings taken by the Board prior to the date of such publication and the right to contest the validity of such proceedings shall cease to exist and no court shall thereafter have authority in inquire into such matters.

After the expiration of said 30 days, no one shall have any right to commence an action contesting the validity of the Bonds or the provisions of such proceedings and all such Bonds shall be conclusively presumed to be legal, and no court thereafter shall have authority to inquire into such matters.

Dated February 6, 2025

Marc Fried Secretary Board of Regents of Washburn University of Topeka, Shawnee County, Kansas

Volume 44 - Issue 8 - February 20, 2025

#### State of Kansas

### **Secretary of State**

#### **Notice of Forfeiture**

In accordance with Kansas statutes, the following business entities organized under the laws of Kansas and the foreign business entities authorized to do business in Kansas were forfeited during the month of January 2025 for failure to timely file a biennial information report and pay the information report fee.

**Please Note:** The following list represents business entities forfeited in January. Any business entity listed may have filed for reinstatement and be considered in good standing. To check the status of a business entity, go to the Kansas Business Center's Business Entity Search Station at https://www.kansas.gov/bess/flow/main?execution=e2s4 (select Business Entity Database) or contact the Business Services Division at 785-296-4564.

#### **Domestic Business Entities**

Gail Spangler Productions, LLC, Overland Park, KS Plaza Pointe Owners Association, Inc., Kansas City, MO The Kapital, LLC, Kansas City, MO

#### **Foreign Business Entities**

Black Lark Apartments, LLC, Kansas City, MO Homa Holdings, LP, Kansas City MO KWK Architects, LLC, St. Louis, MO Pitt 1902 Broadway, LLC, Kansas City, MO Woodlark Apartments, LLC, Kansas City, MO

> Scott Schwab Secretary of State

Doc. No. 052876

#### State of Kansas

### Office of the Governor

#### State of Disaster Emergency Proclamation

By virtue of the authority vested in me by the Kansas Emergency Management Act, Chapter 48, Article 9, of the Kansas Statutes Annotated, to meet the inherent dangers of disasters to which the State and its citizens have been exposed, and upon advice of the State Adjutant General as the Director of the Division of Emergency Management, I hereby proclaim a State of Disaster Emergency as follows:

#### NATURE OF THE DISASTER

Winter weather is forecast to impact the state of Kansas and a large portion of the nation. Delivery of commodities, propane, fuel, power restoration and life saving measures may be impacted.

#### DATE THAT DISASTER AFFECTED THE AREA

February 9, 2025 and continuing

#### AREA AFFECTED BY THE DISASTER

105 Kansas Counties

I hereby proclaim, direct and order the Adjutant General of the State of Kansas to activate the disaster response and recovery portions of the Kansas Response Plan and to utilize all available resources of the state to cope with the disaster as necessary. The Adjutant General shall coordinate local and inter-jurisdictional disaster plans applicable to the political subdivisions of areas affected by this Proclamation.

Any or all of the powers conferred upon the Governor by the Kansas Emergency Management Act may be delegated to the Adjutant General as deemed appropriate during this period of proclaimed State of Disaster Emergency. This may be delegated by written orders, or oral orders subsequently reduced to writing with reference to this Proclamation.

I hereby suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the order or rules and regulations of any state agency which implements such statute, if strict compliance with the provisions of such statutes, order or rule and regulation would prevent, hinder, or delay in any way necessary action in coping with the disaster as set forth in KSA 48-925(c)(1).

This Proclamation shall be filed promptly with the Division of Emergency Management, the Office of the Secretary of State and each city clerk or county clerk, as appropriate, in the area to which this Proclamation applies. Further dissemination of this Proclamation shall occur by means calculated to bring its contents to the attention of the general public.

**PROCLAIMED** on the 9th day of February, 2025, and **MEMORILIZED** under the Great Seal of the State this 10th day of February 2025.

Laura Kelly Governor

Doc. No. 052878

Volume 44 - Issue 8 - February 20, 2025

#### **State of Kansas**

### **Legislative Administrative Services**

#### Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced February 10 – February 14 during the 2025 session of the Kansas Legislature. Full text of bills, bill tracking, and other information may be accessed at http://www.kslegislature.org/li/.

#### **House Bills**

**HB 2372**, AN ACT concerning state memorials; relating to the fallen firefighters memorial; designating the existing fallen firefighters memorial within the Kansas firefighters museum in Wichita as the official fallen firefighters memorial of the state of Kansas; creating the Kansas fallen firefighters memorial council; abolishing the existing Kansas firefighters memorial advisory committee and transferring such committee's powers, duties, functions, records and other property to the newly created council; requiring expenditures from the Kansas fallen firefighters memorial fund for the purposes of constructing, updating and repairing the memorial and allowing expenditures to be made for other purposes related to memorializing and honoring Kansas firefighters; amending K.S.A. 75-36,102 and repealing the existing section; also repealing K.S.A. 75-36,103, by Committee on Federal and State Affairs.

**HB 2373**, AN ACT concerning immigration; relating to state and local public benefits and eligibility thereof; prohibiting aliens who are unlawfully present in the United States from receiving any state or local public benefit in accordance with applicable federal law; requiring individuals 18 years of age and older who apply for any state or local public benefit to provide proof of being lawfully present; prohibiting the state or any county or local agency from providing any public benefit to any alien without first verifying that the alien is lawfully present by use of the existing systematic alien verification for entitlements program; requiring state and local agencies administering public benefits to cooperate with the United States department of homeland security in achieving verification of an alien's lawful presence; relating to release prior to criminal trial; requiring any person charged with a crime who is not a citizen or national of the United States to undergo verification of such person's immigration status; creating a rebuttable presumption that a person determined to be an alien who is unlawfully present is at risk of flight; amending K.S.A. 22-2802 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2374**, AN ACT relating to healthcare professions; creating a specialty practice student loan program; establishing the specialty medical loan repayment fund; allowing for transfers from the psychiatry medical loan repayment fund and the OBGYN medical loan repayment fund to the specialty medical loan repayment fund; abolishing the psychiatry medical loan repayment fund and the OBGYN medical loan repayment fund and the OBGYN medical loan repayment fund and the OBGYN medical loan repayment fund; abolishing the psychiatry medical loan repayment fund and the OBGYN medical loan repayment fund; amending K.S.A. 76-384 and K.S.A. 2024 Supp. 76-381, 76-382 and 76-385 and repealing the existing sections, by Committee on Appropriations.

**HB 2375**, AN ACT concerning health and healthcare; relating to health insurance coverage; expanding medical assistance eligibility; enacting the healthcare access for working Kansans (HAWK) act; directing the department of health and environment to study certain medicaid expansion topics; adding meeting days to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight to monitor implementation of expanded medical assistance eligibility; amending K.S.A. 39-7,160 and 40-3213 and repealing the existing sections, by Committee on Appropriations.

**HB 2376**, AN ACT concerning alcoholic liquor; amending the Kansas liquor control act, the Kansas club and drinking establishment act and the Kansas cereal malt beverage act; transferring the licensure of off-premise cereal malt beverage retailers from cities and counties to the

#### Volume 44 - Issue 8 - February 20, 2025

alcoholic beverage control division of the department of revenue; allowing local licensure by cities or counties; amending K.S.A. 41-304, 41-2601, 41-2701, 41-2702, 41-2705, 41-2706, 41-2707, 41-2708, 41-2722, 41-2726 and 41-2730 and K.S.A. 2024 Supp. 41-102, 41-104, 41-2703 and 41-2704 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2377**, AN ACT concerning sales and compensating use tax; relating to countywide retailers' sales tax; providing that countywide retailers' sales tax is apportioned based on total assessed valuations of property taxes rather than property taxes levied; amending K.S.A. 2024 Supp. 12-192 and repealing the existing section, by Committee on Taxation.

**HB 2378**, AN ACT establishing removal of squatters act; requiring an owner or agent of a dwelling unit to provide a detailed affidavit regarding a person identified as a squatter; providing criminal penalties for an owner or agent knowingly providing a false affidavit; establishing duties of the county sheriff; establishing a civil cause of action against an owner or agent for wrongful removal, by Committee on Federal and State Affairs.

**HB 2379**, AN ACT concerning firearms; relating to the Kansas bureau of investigation; enacting the Kansas voluntary do-not-sell firearms list act; requiring the Kansas bureau of investigation to establish the Kansas voluntary do-not-sell firearms list; permitting a person to submit a request form to a healthcare provider to add such person to the list; establishing a civil fine of not to exceed \$500 or up to five hours of community service for violations of such act, by Committee on Federal and State Affairs.

**HB 2380**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and system thereunder; providing for a postretirement cost-of-living adjustment for certain retirants who are 85 years of age or older, by Committee on Taxation.

**HB 2381**, AN ACT concerning the office of the attorney general; establishing the safe and secure firearm detection program; providing for certain entities to use firearm detection software; establishing the safe and secure firearm detection fund; transferring funds from the state general fund to support the program, by Committee on Appropriations.

**HB 2382**, AN ACT concerning the state board of education; increasing compensation of members of the board; establishing a daily rate of compensation that corresponds to the daily rate of compensation for services rendered by members of the legislature while in session; amending K.S.A. 72-253 and repealing the existing section, by Committee on Appropriations.

**HB 2383**, AN ACT concerning child care; relating to the department of administration, the Kansas children's cabinet and the department of health and environment; establishing a pilot program to provide health services to child care providers; making telehealth consultation services available to eligible child care providers; providing up to \$100 per month in reimbursements for prescription medication costs to child care providers accepted into the health services program; prohibiting cities, counties or other political subdivisions from regulating licensed child care providers more strictly than state law; requiring the department of health and environment to provide a list of licensed child care providers to any city, county or other political subdivision upon request; providing any licensed in-home or group-home child care providers that receive a lower tier of reimbursement under the child and adult care food program to be matched with the top tier of funding that is otherwise made available to other providers under the program; developing and providing free orientation and training programs and training materials to child care providers and licensees; allowing orientation and training to count as continuing education hours; requiring the department and the Kansas children's cabinet to develop a training reimbursement program; amending K.S.A. 65-508 and repealing the existing section, by Committee on Appropriations.

**HB 2384**, AN ACT concerning the disposition of certain state real property; authorizing the state historical society to convey certain real property located in Johnson county to the Shawnee Tribe; imposing certain

#### Volume 44 - Issue 8 - February 20, 2025

conditions; prescribing costs of conveyance; requiring a report every two years for a 10-year period by the Shawnee Tribe to the joint committee on state-tribal relations regarding the rehabilitation of the property and consultation with other tribes, by Committee on Federal and State Affairs.

**HB 2385**, AN ACT concerning taxation; relating to income tax; authorizing cities and counties to propose an earnings tax for ballot question and to levy such tax upon nonresidents of the city or county if approved by the electors of a city or county; requiring resubmission of the question, if approved, to the electors every 10 years thereafter; allowing certain credits and exemptions against such tax; providing for the deduction by public and private employers of such tax from employee earnings; providing for revenue to be pledged for certain purposes; amending K.S.A. 12-140 and K.S.A. 2024 Supp. 19-101a and repealing the existing sections, by Committee on Taxation.

**HB 2386**, AN ACT concerning the state children's health insurance program; relating to eligibility; updating income requirements therefor; amending K.S.A. 38-2001 and repealing the existing section, by Committee on Appropriations.

#### **House Resolutions**

**HR 6007**, A RESOLUTION recognizing the Kansas National Guard Best Warriors and Airmen of the Year, by Representatives Croft, Amyx, Barrett, Bergquist, Blex, Bloom, Bohi, Borjon, Brantley, Bryce, Buehler, Chauncey, Collins, Curtis, Ellis, Esau, Essex, Francis, Goetz, Hill, Hoffman, Huebert, Humphries, King, Long, McDonald, Melton, Minnix, Pickert, Poskin, Proctor, Rahjes, Resman, Roeser, Ruiz, Schlingensiepen, Schmoe, Schreiber, Simmons, Smith, Smith, Steele, Stiens, Thompson, Turk, Ward, Weigel, White, Wikle and Wolf.

**HR 6008**, A RESOLUTION supporting the Kansas Air National Guard's 190th Air Refueling Wing on being a recipient finalist for a KC-46A Pegasus mission and accompanying aircraft, by Representatives Turk, Amyx, Anderson, Awerkamp, Ballard, Barrett, Bergquist, Blex, Bloom, Bohi, Borjon, Brantley, Bryce, Buehler, Butler, Carpenter, Chauncey, Collins, Corbet, Croft, Curtis, Delperdang, Droge, Ellis, Esau, Essex, Estes, Featherston, Francis, Gardner, Goddard, Goetz, Hawkins, Helgerson, Helwig, Hill, Hoffman, Howe, Howell, Howerton, Hoye, Huebert, Humphries, James, Johnson, Kessler, King, Lewis, Long, Martinez, McDonald, McNorton, Melton, Miller, Minnix, Moser, Neelly, Neighbor, Penn, Pickert, Poskin, Proctor, Rahjes, Reavis, Resman, Rhiley, Roeser, Roth, Ruiz, Sanders, Sawyer Clayton, Schmoe, Schreiber, Schwertfeger, Seiwert, Simmons, Smith, Smith, Stiens, Stogsdill, Sutton, Sweely, Tarwater, Thompson, Turner, VanHouden, Ward, Wasinger, Waymaster, Weigel, White, Wilborn, Williams, Williams, Woodard and Xu.

#### Senate Bills

**SB 254**, AN ACT concerning immigration; relating to state and local public benefits and eligibility thereof; prohibiting aliens who are unlawfully present in the United States from receiving any state or local public benefit in accordance with applicable federal law; requiring individuals 18 years of age and older who apply for any state or local public benefit to provide proof of being lawfully present; prohibiting the state or any county or local agency from providing any public benefit to any alien without first verifying that the alien is lawfully present by use of the existing systematic alien verification for entitlements program; requiring state and local agencies administering public benefits to cooperate with the United States department of homeland security in achieving verification of an alien's lawful presence; relating to release prior to criminal trial; requiring any person charged with a crime who is not a citizen or national of the United States to undergo verification of such person's immigration status; creating a rebuttable presumption that a person determined to be an alien who is unlawfully present is at risk of flight; amending K.S.A. 22-2802 and repealing the existing section, by Committee on Federal and State Affairs.

SB 255, AN ACT concerning crimes, punishment and criminal procedure; enacting the second look act; relating

#### Volume 44 - Issue 8 - February 20, 2025

to sentencing; authorizing certain inmates in the custody of the secretary of corrections to petition the court that originally sentenced such inmate for a resentencing hearing, by Committee on Federal and State Affairs.

**SB 256**, AN ACT concerning state employees; enacting the back to work act; requiring all full-time employees to perform such employees' duties in the assigned office, facility or field location of such employees; providing for certain exceptions by agency heads; requiring certain reports regarding such exceptions, by Committee on Ways and Means.

**SB 257**, AN ACT concerning health and healthcare; relating to health insurance coverage; expanding medical assistance eligibility; enacting the healthcare access for working Kansans (HAWK) act; directing the department of health and environment to study certain medicaid expansion topics; adding meeting days to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight to monitor implementation of expanded medical assistance eligibility; amending K.S.A. 39-7,160 and 40-3213 and repealing the existing sections, by Committee on Ways and Means.

**SB 258**, AN ACT concerning elections; relating to the election crime of false representation of an election official; requiring specific intent of the offender as an element of such criminal offense; amending K.S.A. 25-2438 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 259**, AN ACT concerning taxation; relating to income tax; providing that future tax rate decreases be contingent on exceeding revenue estimates; amending K.S.A. 2024 Supp. 79-32,110 and repealing the existing section, by Committee on Assessment and Taxation.

**SB 260**, AN ACT concerning parimutuel wagering; relating to the Kansas parimutuel racing act; modifying the qualifications for an organization license; redefining horesemen's associations and horsemen's nonprofit organizations; changing the distribution of certain tax revenues; amending K.S.A. 74-8826, 74-8829 and 74-8838 and K.S.A. 2024 Supp. 74-8802 and 74-8814 and repealing the existing sections, by Committee on Ways and Means.

**SB 261**, AN ACT concerning alcoholic beverages; relating to eligibility for certain licenses under the Kansas liquor control act and the club and drinking establishment act; authorizing the director of alcoholic beverage control to issue certain licenses to persons with certain felony convictions when such conviction occurred more than 10 years prior to application for a license and a determination of sufficient rehabilitation is made; amending K.S.A. 41-2623 and K.S.A. 2024 Supp. 41-311 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 262**, AN ACT concerning eminent domain; eliminating the power of the legislature to take private property for economic development; narrowing the definition of public use; requiring a good faith offer of compensation to a property owner prior to filing an eminent domain action; providing that if the good faith offer is greater than the appraiser's award, the greater amount may be subject to appeal only by the property owner; amending K.S.A. 26-501a, 26-501b, 26-502 and 26-507 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 263**, AN ACT concerning schools; relating to crisis drills; establishing standards and requirements for active shooter drills conducted by public and accredited nonpublic elementary and secondary schools; amending K.S.A. 31-133 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 264**, AN ACT concerning public assistance; relating to the secretary for children and families; removing noncooperation with child support from disqualifications for child care subsidies; amending K.S.A. 2024 Supp. 39-709 and repealing the existing section, by Committee on Ways and Means.

**SB 265**, AN ACT concerning days of commemoration; designating November 14 of each year as Ruby Bridges walk to school day in the state of Kansas, by Committee on Federal and State Affairs.

#### Volume 44 - Issue 8 - February 20, 2025

**Table of Contents** 

**SB 266**, AN ACT concerning energy; relating to electric transmission development; requiring legislative approval prior to the construction of high-impact electric transmission lines; amending K.S.A. 66-1,177 and 66-1,178 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 267**, AN ACT concerning sales taxation; relating to definitions and exemptions; modifying the definition of alcoholic beverages; providing exemptions for certain services purchased on behalf of a provider in the provision of communication services and certain purchases by the Kansas fairgrounds foundation; amending K.S.A. 2024 Supp. 79-3602 and 79-3606 and repealing the existing sections, by Committee on Assessment and Taxation.

**SB 268**, AN ACT concerning income taxation; relating to Kansas adjusted gross income; clarifying modifications for certain business interest expenses and federal net operating loss carrybacks; providing a technical change to a statutory cross reference for recaptured moneys related to adoption savings accounts; amending K.S.A. 2024 Supp. 38-2504 and 79-32,117 and repealing the existing sections, by Committee on Assessment and Taxation.

**SB 269**, AN ACT concerning taxation; relating to the state board of tax appeals; prohibiting a filing fee when a previous appeal remains pending before the board; amending K.S.A. 74-2438a and repealing the existing section, by Committee on Assessment and Taxation.

**SB 270**, AN ACT concerning education; relating to the Kansas educator registered apprenticeship grant program; authorizing grants awarded under such program to be made twice per year and at the time that tuition and fees are due; amending K.S.A. 2024 Supp. 74-50,234 and repealing the existing section, by Committee on Ways and Means.

#### Senate Concurrent Resolutions

**SCR 1612**, A PROPOSITION to amend article 11 of the constitution of the state of Kansas by adding a new section thereto; concerning the power of the legislature to contract public debt and pledges to the payment thereof the full faith, credit and taxing power of the state, by Committee on Ways and Means.

#### Doc. No. 052889

© Kansas Secretary of State 2025

Volume 44 - Issue 8 - February 20, 2025

#### 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

(Editor's Note: The following bill was vetoed by the Governor February 11, 2025. The veto was overridden by the Legislature February 18, 2025. The Governor's veto message and the Legislature's certificate concerning the override are published immediately following the bill.)

#### (Published in the Kansas Register February 20, 2025.)

### Senate Bill No. 63

AN ACT concerning children and minors; relating to healthcare of minors; enacting the help not harm act; prohibiting healthcare providers from treating a child whose gender identity is inconsistent with the child's sex; authorizing a civil cause of action against healthcare providers for providing such treatments; restricting use of state funds to promote gender transitioning; prohibiting professional liability insurance from covering damages for healthcare providers that provide gender transition treatment to children; requiring professional discipline against a healthcare provider who performs such treatments; adding violation of the act to the definition of unprofessional conduct for physicians; amending K.S.A. 65-2837 and repealing the existing section.

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

New Section 1. (a) The provisions of sections 1 through 6, and amendments thereto, shall be known and may be cited as the help not harm act.

- (b) As used in this act:
- (1) "Child" means an individual less than 18 years of age.
- (2) "Female" means an individual who is a member of the female sex.
- (3) "Gender" means the psychological, behavioral, social and cultural aspects of being male or female.

(4) "Gender dysphoria" is the diagnosis of gender dysphoria in the fifth edition of the diagnostic and statistical manual of mental disorders.

(5) "Healthcare provider" means an individual who is licensed, certified or otherwise authorized by the laws of this state to administer healthcare services in the ordinary course of the practice of such individual's profession.

- (6) "Male" means an individual who is a member of the male sex.
- (7) "Perceived sex" is an individual's internal sense of such individual's sex.
- (8) "Perceived gender" is an individual's internal sense of such individual's gender.

#### Volume 44 - Issue 8 - February 20, 2025

(9) "Sex" means the biological indication of male and female in the context of reproductive potential or capacity, including sex chromosomes, naturally occurring sex hormones, gonads and nonambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen or subjective experience of gender.

(10) "Social transitioning" means acts other than medical or surgical interventions that are undertaken for the purpose of presenting as a member of the opposite sex, including the changing of an individual's preferred pronouns or manner of dress.

New Sec. 2. (a) A recipient of state funds shall not use such funds to provide or subsidize medication or surgery as provided in section 3, and amendments thereto, as a treatment for a child's perception of gender or sex that is inconsistent with such child's sex.

(b) An individual or entity that receives state funds to pay for or subsidize the treatment of children for psychological conditions, including gender dysphoria, shall not prescribe, dispense or administer medication or perform surgery as provided in section 3, and amendments thereto, or provide a referral to another healthcare provider for such medication or surgery for a child whose perceived gender or perceived sex is inconsistent with such child's sex.

(c) The Kansas program of medical assistance and its managed care organizations shall not reimburse or provide coverage for medication or surgery as provided in section 3, and amendments thereto, as a treatment for a child whose perceived gender or perceived sex is inconsistent with such child's sex.

(d) Except to the extent required by the first amendment to the United States constitution, a state property, facility or building shall not be used to promote or advocate the use of social transitioning, medication or surgery as provided in section 3, and amendments thereto, as a treatment for a child whose perceived gender or perceived sex is inconsistent with such child's sex.

(e) A state property, facility or building shall not be used to prescribe, dispense or administer medication or perform surgery as provided in section 3, and amendments thereto, as a treatment for a child whose perceived gender or perceived sex is inconsistent with such child's sex.

(f) A state employee whose official duties include the care of children shall not, while engaged in those official duties, promote the use of social transitioning or provide or promote medication or surgery as provided in section 3, and amendments thereto, as a treatment for a child whose perceived gender or perceived sex is inconsistent with such child's sex.

New Sec. 3. (a) Except as provided in subsection (c) or (d), a healthcare provider shall not knowingly perform the following surgical procedures or prescribe, dispense or administer the following medications to a female child for the purpose of treatment for distress arising from such female child's perception that such child's gender or sex is not female:

(1) Surgical procedures, including, but not limited to, a vaginectomy, hysterectomy, oophorectomy, ovariectomy, reconstruction of the urethra, metoidioplasty, phalloplasty, scrotoplasty, implantation of erection or testicular protheses, subcutaneous mastectomy, voice surgery, liposuction, lipofilling or pectoral implants;

(2) supraphysiologic doses of testosterone or other androgens; or

(3) puberty blockers such as GnRH agonists or other synthetic drugs that suppress the production of estrogen and progesterone to delay or suppress pubertal development in female children.

(b) Except as provided in subsection (c) or (d), a healthcare provider shall not knowingly perform the following

#### Volume 44 - Issue 8 - February 20, 2025

surgical procedures or prescribe, dispense or administer the following medications to a male child for the purpose of treatment for distress arising from such male child's perception that such child's gender or sex is not male:

(1) Surgical procedures, including, but not limited to, a penectomy, orchiectomy, vaginoplasty, clitoroplasty, vulvoplasty, augmentation mammoplasty, facial feminization surgery, liposuction, lipofilling, voice surgery, thyroid cartilage reduction or gluteal augmentation;

(2) supraphysiologic doses of estrogen; or

(3) puberty blockers such as GnRH agonists or other synthetic drugs that suppress the production of testosterone or delay or suppress pubertal development in male children.

(c) The treatments prohibited by subsections (a) and (b) shall not apply to treatment provided for other purposes, including:

(1) Treatment for individuals born with a medically verifiable disorder of sex development, including:

(A) An individual born with external biological sex characteristics that are irresolvably ambiguous, including an individual born with 46 XX chromosomes with virilization, 46 XY chromosomes with under virilization or having both ovarian and testicular tissue; or

(B) an individual whom a physician has otherwise diagnosed with a disorder of sexual development that the physician has determined through genetic or biochemical testing that such individual does not have normal sex chromosome structure, sex steroid hormone production or sex steroid hormone action for a male or female; and

(2) treatment of any infection, injury, disease or disorder that has been caused or exacerbated by the performance of a procedure listed in subsections (a) or (b).

(d) If a healthcare provider has initiated a course of treatment for a child that includes prescribing, administering or dispensing of a drug prohibited by subsection (a)(2), (a)(3), (b)(2) or (b)(3) prior to the effective date of this act, the healthcare provider may continue such course of treatment if the healthcare provider:

(1) Develops a plan to systematically reduce the child's use of such drug;

(2) determines and documents in the child's medical record that immediately terminating the child's use of such drug would cause harm to the child; and

(3) such course of treatment shall not extend beyond December 31, 2025.

New Sec. 4. (a) If a healthcare provider violates the provisions of section 3, and amendments thereto:

(1) The healthcare provider has engaged in unprofessional conduct and, notwithstanding any provision of law to the contrary, the license of such healthcare provider shall be revoked by the appropriate licensing entity or disciplinary review board with competent jurisdiction in this state.

(b) A healthcare provider who provides treatment to a child in violation of section 3(a) or (b), and amendments thereto, shall be held strictly liable to such child if the treatment or effects of such treatment results in any physical, psychological, emotional or physiological harms to such child in the next 10 years from the date that the individual turns 18 years of age. A prevailing plaintiff may recover actual and punitive damages, injunctive relief, the cost of the suit and reasonable attorney fees.

(c) The parents of a child who has experienced violation of section 3(a) or (b), and amendments thereto, shall

#### Volume 44 - Issue 8 - February 20, 2025

have a private cause of action against a healthcare provider for actual and punitive damages, injunctive relief, the cost of the suit and reasonable attorney fees.

(d) (1) An individual who was provided treatment as a child in violation of section 3(a) or (b), and amendments thereto, shall have a private cause of action against the healthcare provider who provided such treatment for actual damages, punitive damages, injunctive relief, the cost of the suit and reasonable attorney fees.

(2) An action against a healthcare provider pursuant to this subsection shall be filed within 10 years from the date that the individual turns 18 years of age.

New Sec. 5. A professional liability insurance policy issued to a healthcare provider shall not include coverage for damages assessed against the healthcare provider who provides treatment to a child in violation of section 3(a) or (b), and amendments thereto.

New Sec. 6. If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 7. K.S.A. 65-2837 is hereby amended to read as follows: 65-2837. As used in K.S.A. 65-2836, and amendments thereto, and in this section:

(a) "Professional incompetency" means:

(1) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board.

(2) Repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board.

(3) A pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice the healing arts.

(b) "Unprofessional conduct" means:

(1) Solicitation of professional patronage through the use of fraudulent or false advertisements, or profiting by the acts of those representing themselves to be agents of the licensee.

(2) Representing to a patient that a manifestly incurable disease, condition or injury can be permanently cured.

(3) Assisting in the care or treatment of a patient without the consent of the patient, the attending physician or the patient's legal representatives.

(4) The use of any letters, words or terms as an affix, on stationery, in advertisements or otherwise indicating that such person is entitled to practice a branch of the healing arts for which such person is not licensed.

(5) Performing, procuring or aiding and abetting in the performance or procurement of a criminal abortion.

(6) Willful betrayal of confidential information.

(7) Advertising professional superiority or the performance of professional services in a superior manner.

(8) Advertising to guarantee any professional service or to perform any operation painlessly.

© Kansas Secretary of State 2025

#### Volume 44 - Issue 8 - February 20, 2025

(9) Participating in any action as a staff member of a medical care facility that is designed to exclude or that results in the exclusion of any person licensed to practice medicine and surgery from the medical staff of a nonprofit medical care facility licensed in this state because of the branch of the healing arts practiced by such person or without just cause.

(10) Failure to effectuate the declaration of a qualified patient as provided in K.S.A. 65-28,107(a), and amendments thereto.

(11) Prescribing, ordering, dispensing, administering, selling, supplying or giving any amphetamines or sympathomimetic amines, except as authorized by K.S.A. 65-2837a, and amendments thereto.

(12) Conduct likely to deceive, defraud or harm the public.

(13) Making a false or misleading statement regarding the licensee's skill or the efficacy or value of the drug, treatment or remedy prescribed by the licensee or at the licensee's direction in the treatment of any disease or other condition of the body or mind.

(14) Aiding or abetting the practice of the healing arts by an unlicensed, incompetent or impaired person.

(15) Allowing another person or organization to use the licensee's license to practice the healing arts.

(16) Commission of any act of sexual abuse, misconduct or other improper sexual contact that exploits the licensee-patient relationship with a patient or a person responsible for <u>health care</u> healthcare decisions concerning such patient.

(17) The use of any false, fraudulent or deceptive statement in any document connected with the practice of the healing arts including the intentional falsifying or fraudulent altering of a patient or medical care facility record.

(18) Obtaining any fee by fraud, deceit or misrepresentation.

(19) Directly or indirectly giving or receiving any fee, commission, rebate or other compensation for professional services not actually and personally rendered, other than through the legal functioning of lawful professional partnerships, corporations, limited liability companies or associations.

(20) Failure to transfer patient records to another licensee when requested to do so by the subject patient or by such patient's legally designated representative.

(21) Performing unnecessary tests, examinations or services that have no legitimate medical purpose.

(22) Charging an excessive fee for services rendered.

(23) Prescribing, dispensing, administering or distributing a prescription drug or substance, including a controlled substance, in an improper or inappropriate manner, or for other than a valid medical purpose, or not in the course of the licensee's professional practice.

(24) Repeated failure to practice healing arts with that level of care, skill and treatment that is recognized by a reasonably prudent similar practitioner as being acceptable under similar conditions and circumstances.

(25) Failure to keep written medical records that accurately describe the services rendered to the patient, including patient histories, pertinent findings, examination results and test results.

(26) Delegating professional responsibilities to a person when the licensee knows or has reason to know that such person is not qualified by training, experience or licensure to perform them.

(27) Using experimental forms of therapy without proper informed patient consent, without conforming to

#### Volume 44 - Issue 8 - February 20, 2025

generally accepted criteria or standard protocols, without keeping detailed legible records or without having periodic analysis of the study and results reviewed by a committee or peers.

(28) Prescribing, dispensing, administering or distributing an anabolic steroid or human growth hormone for other than a valid medical purpose. Bodybuilding, muscle enhancement or increasing muscle bulk or strength through the use of an anabolic steroid or human growth hormone by a person who is in good health is not a valid medical purpose.

(29) Referring a patient to a health care healthcare entity for services if the licensee has a significant investment interest in the health care healthcare entity, unless the licensee informs the patient in writing of such significant investment interest and that the patient may obtain such services elsewhere.

(30) Failing to properly supervise, direct or delegate acts that constitute the healing arts to persons who perform professional services pursuant to such licensee's direction, supervision, order, referral, delegation or practice protocols.

(31) Violating K.S.A. 65-6703, and amendments thereto.

(32) Violating the help not harm act, sections 1 through 6, and amendments thereto.

(33) Charging, billing or otherwise soliciting payment from any patient, patient's representative or insurer for anatomic pathology services, if such services are not personally rendered by the licensee or under such licensee's direct supervision. As used in this subsection, "anatomic pathology services" means the gross or microscopic examination of histologic processing of human organ tissue or the examination of human cells from fluids, aspirates, washings, brushings or smears, including blood banking services, and subcellular or molecular pathology services, performed by or under the supervision of a person licensed to practice medicine and surgery or a clinical laboratory. Nothing in this subsection shall be construed to prohibit billing for anatomic pathology services by:

(A) A hospital;

(B) a clinical laboratory when samples are transferred between clinical laboratories for the provision of anatomic pathology services; or

(C) a physician providing services to a patient pursuant to a medical retainer agreement in compliance with K.S.A. 65-4978, and amendments thereto, when the bill to the patient for such services:

(i) Identifies the laboratory or physician that performed the services;

(ii) discloses in writing to the patient the actual amount charged by the physician or laboratory that performed the service; and

(iii) is consistent with rules and regulations adopted by the board for appropriate billing standards applicable to such services when furnished under these agreements.

(33)(34) Engaging in conduct that violates patient trust and exploits the licensee-patient relationship for personal gain.

(34)(35) Obstructing a board investigation including, but not limited to, engaging in one or more of the following acts:

(A) Falsifying or concealing a material fact;

(B) knowingly making or causing to be made any false or misleading statement or writing; or

#### Volume 44 - Issue 8 - February 20, 2025

(C) other acts or conduct likely to deceive or defraud the board.

(c) "False advertisement" means any advertisement that is false, misleading or deceptive in a material respect. In determining whether any advertisement is misleading, there shall be taken into account not only representations made or suggested by statement, word, design, device, sound or any combination thereof, but also the extent to which the advertisement fails to reveal facts material in the light of such representations made.

(d) "Advertisement" means all representations disseminated in any manner or by any means for the purpose of inducing, or that are likely to induce, directly or indirectly, the purchase of professional services.

(e) "Licensee" for purposes of this section and K.S.A. 65-2836, and amendments thereto, means all persons issued a license, permit or special permit pursuant to article 28 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

(f) "License" for purposes of this section and K.S.A. 65-2836, and amendments thereto, means any license, permit or special permit granted under article 28 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

(g) "Health care Healthcare entity" means any corporation, firm, partnership or other business entity that provides services for diagnosis or treatment of human health conditions and that is owned separately from a referring licensee's principle practice.

(h) "Significant investment interest" means ownership of at least 10% of the value of the firm, partnership or other business entity that owns or leases the <u>health care</u> healthcare entity, or ownership of at least 10% of the shares of stock of the corporation that owns or leases the <u>health care</u> healthcare entity.

Sec. 8. K.S.A. 65-2837 is hereby repealed.

Sec. 9. This act shall take effect and be in force from and after its publication in the Kansas register.

Volume 44 - Issue 8 - February 20, 2025

**Table of Contents** 

#### State of Kansas

### Office of the Governor

#### Message from the Governor Regarding Senate Bill No. 63

Right now, the Legislature should be focused on ways to help Kansans cope with rising prices. That is the most important issue for Kansans. That is where my focus is.

Infringing on parental rights is not appropriate, nor is it a Kansas value. As I've said before, it is not the job of politicians to stand between a parent and a child who needs medical care of any kind. This legislation will also drive families, businesses, and health care workers out of our state, stifling our economy and exacerbating our workforce shortage issue.

It is disappointing that the Legislature continues to push for government interference in Kansans' private medical decisions instead of focusing on issues that improve all Kansans' lives.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto Senate Bill 63.

Dated February 11, 2025.

Laura Kelly Governor

Volume 44 - Issue 8 - February 20, 2025

#### **State of Kansas**

### **Kansas Legislature**

#### CERTIFICATE

In accordance with K.S.A. 45-08, it is certified that, **Senate Bill 63**, was not approved by the Governor on February 11, 2025; was returned with her objections and approved on February 18, 2025 by two-thirds of the members elected to the Senate notwithstanding the objections of the governor; was reconsidered by the House of Representatives and was approved on February 18, 2025, by two-thirds of the members elected to the House, notwithstanding the objections, the bill did pass and shall become law.

This certificate is made this 18<sup>th</sup> day of February, 2025 by the Chief Clerk and Speaker of the House of Representatives and the President and Secretary of the Senate.

Daniel R. Hawkins Speaker of the House of Representatives

Susan W. Kannarr Chief Clerk of the House of Representatives

> Ty Masterson President of the Senate

Table of Contents

Corey Carnahan Secretary of the Senate

Doc. No. 052893

© Kansas Secretary of State 2025

## **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 http://www.sos.ks.gov/publications/pubs\_kar.aspx.

#### Agency 9: DEPARTMENT OF AGRICULTURE - DIVISION OF ANIMAL HEALTH

Reg. No.	Action	Register
9-15-2	Amended	Vol. 44, Issue 6
9-15-4	Amended	Vol. 44, Issue 6

#### Agency 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-5-2	Amended	Vol. 44, Issue 6

#### 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 November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 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 2016 through 2017, can be found in the Vol. 38, No. 52, December 28, 2017 Kansas Register. A list of regulations filed from 2018 through 2019, can be found in the Vol. 40, No. 52, December 30, 2021 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 2020 through 2021, can be found in the Vol. 40, No. 52, December 30, 2021 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 2020 through 2021, can be found in the Vol. 40, No. 52, December 30, 2021 Kansas Register. A list of regulations filed from 2020 through 2023, can be found in the Vol. 42, No. 52, December 30, 2021 Kansas Register. A list of regulations filed from 2020 through 2023, can be found in the Vol. 42, No. 52, December 28, 2023 Kansas Re

Reg. No.	Action	Register
111-2-331	New	Vol. 43, Issue 46
111-4-3547	Amended	Vol. 43, Issue 31
111-4-3771	New	Vol. 43, Issue 5
111-4-3772	New	Vol. 43, Issue 11
111-4-3773	New	Vol. 43, Issue 12
111-4-3774	New	Vol. 43, Issue 14
111-4-3775	New	Vol. 43, Issue 29
111-4-3776	New	Vol. 43, Issue 29
111-4-3777	New	Vol. 43, Issue 29
111-4-3778	New	Vol. 43, Issue 29
111-4-3779	New	Vol. 43, Issue 29
111-4-3780	New	Vol. 43, Issue 29
111-4-3781	New	Vol. 43, Issue 29
111-4-3782	New	Vol. 43, Issue 29

111-4-3783	New	Vol. 43, Issue 29
111-4-3784	New	Vol. 43, Issue 30
111-4-3785	New	Vol. 43, Issue 30
111-4-3786	New	Vol. 43, Issue 30
111-4-3787	New	Vol. 43, Issue 30
111-4-3788	New	Vol. 43, Issue 30
111-4-3789	New	Vol. 43, Issue 30
111-4-3790	New	Vol. 43, Issue 31
111-4-3791	New	Vol. 43, Issue 31
111-4-3792	New	Vol. 43, Issue 31
111-4-3793	New	Vol. 43, Issue 31
111-4-3794	New	Vol. 43, Issue 36
111-4-3795	New	Vol. 43, Issue 36
111-4-3796	New	Vol. 43, Issue 36
111-4-3797	New	Vol. 43, Issue 36
111-4-3798	New	Vol. 43, Issue 36
111-4-3799	New	Vol. 43, Issue 36
111-4-3800	New	Vol. 43, Issue 36
111-4-3801	New	Vol. 43, Issue 36
111-4-3802	New	Vol. 43, Issue 36
111-4-3803	New	Vol. 43, Issue 36
111-4-3804	New	Vol. 43, Issue 36
111-4-3805	New	Vol. 43, Issue 36
111-4-3806	New	Vol. 43, Issue 36
111-4-3807	New	Vol. 43, Issue 36
111-4-3808	New	Vol. 43, Issue 45
111-4-3809	New	Vol. 43, Issue 45
111-4-3810	New	Vol. 43, Issue 45
111-4-3811	New	Vol. 43, Issue 46
111-4-3812	New	Vol. 43, Issue 46
111-4-3813	New	Vol. 43, Issue 46
111-4-3814	New	Vol. 43, Issue 46
111-4-3815	New	Vol. 43, Issue 46
111-4-3816	New	Vol. 43, Issue 46
111-4-3817	New	Vol. 43, Issue 46
111-4-3818	New	Vol. 43, Issue 46
111-4-3819	New	Vol. 44, Issue 3
111-4-3820	New	Vol. 44, Issue 3
111-4-3821	New	Vol. 44, Issue 7
111-5-23	Amended	Vol. 43, Issue 46
111-5-24	Amended	Vol. 43, Issue 46
111-5-28	Amended	Vol. 43, Issue 46
111-5-30	Amended	Vol. 43, Issue 46
111-5-181	Amended	Vol. 44, Issue 3
111-5-182	Amended	Vol. 44, Issue 3
111-5-184	Amended	Vol. 44, Issue 3
111-5-185	Revoked	Vol. 44, Issue 3
111-9-233	New	Vol. 44, Issue 5 Vol. 43, Issue 5
111-9-234	New	Vol. 43, Issue 3 Vol. 43, Issue 14
111-9-235		Vol. 43, Issue 14 Vol. 43, Issue 45
111-2-200	New	voi. 40, ISSUE 40

111-9-236	New	Vol. 43, Issue 45
111-9-237	New	Vol. 43, Issue 45
111-15-1	Amended	Vol. 43, Issue 31
111-15-3	Amended	Vol. 43, Issue 31
111-18-5	Amended	Vol. 43, Issue 12
111-19-169	New	Vol. 43, Issue 5
111-19-170	New	Vol. 43, Issue 12
111-19-171	New	Vol. 43, Issue 12
111-19-172	New	Vol. 43, Issue 12
111-19-173	New	Vol. 43, Issue 12
111-19-174	New	Vol. 43, Issue 14
111-19-175	New	Vol. 43, Issue 14
111-19-176	New	Vol. 43, Issue 14
111-19-177	New	Vol. 43, Issue 29
111-19-178	New	Vol. 43, Issue 29
111-19-179	New	Vol. 43, Issue 29
111-19-180	New	Vol. 43, Issue 29
111-19-181	New	Vol. 43, Issue 30
111-19-182	New	Vol. 43, Issue 30
111-19-183	New	Vol. 43, Issue 30 Vol. 43, Issue 31
		Vol. 43, Issue 31 Vol. 43, Issue 36
111-19-184	New	
111-19-185	New	Vol. 43, Issue 45
111-19-186	New	Vol. 43, Issue 45
111-19-187	New	Vol. 43, Issue 45
111-19-188	New	Vol. 43, Issue 45
111-19-189	Amended	Vol. 43, Issue 47
111-19-190	New	Vol. 43, Issue 45
111-19-191	New	Vol. 43, Issue 45
111-19-192	New	Vol. 43, Issue 46
111-19-193	New	Vol. 43, Issue 47
111-19-194	New	Vol. 43, Issue 47
111-19-195	New	Vol. 43, Issue 47
111-19-196	New	Vol. 44, Issue 3
111-19-197	New	Vol. 44, Issue 3
111-19-198	New	Vol. 44, Issue 3
111-19-199	New	Vol. 44, Issue 3
111-19-200	New	Vol. 44, Issue 7
111-19-201	New	Vol. 44, Issue 7
111-20-1	New	Vol. 43, Issue 5
111-20-2	New	Vol. 43, Issue 5
111-20-3	New	Vol. 43, Issue 5
111-20-4	New	Vol. 43, Issue 5
111-20-5	New	Vol. 43, Issue 5
111-20-6	New	Vol. 43, Issue 5
111-20-7	New	Vol. 43, Issue 5
111-20-8	New	Vol. 43, Issue 5
111-20-9	New	Vol. 43, Issue 5
111-20-10	New	Vol. 43, Issue 5
111-20-11	New	Vol. 43, Issue 5
111-20-12	New	Vol. 43, Issue 5

111-20-13	New	Vol. 43, Issue 5
111-20-14	New	Vol. 43, Issue 5
111-20-15	New	Vol. 43, Issue 5
111-20-16	New	Vol. 43, Issue 5
111-20-17	New	Vol. 43, Issue 5
111-20-18	New	Vol. 43, Issue 5
111-20-19	New	Vol. 43, Issue 5
111-20-20	New	Vol. 43, Issue 5
111-20-21	New	Vol. 43, Issue 5
111-20-22	New	Vol. 43, Issue 5
111-20-23	New	Vol. 43, Issue 5
111-21-1	New	Vol. 43, Issue 11
111-21-2	New	Vol. 43, Issue 11
111-21-3	New	Vol. 43, Issue 11
111-21-4	New	Vol. 43, Issue 11
111-21-5	New	Vol. 43, Issue 11
111-21-6	New	Vol. 43, Issue 11
111-21-7	New	Vol. 43, Issue 11
111-21-8	New	Vol. 43, Issue 11
111-21-9	New	Vol. 43, Issue 11
111-21-10	New	Vol. 43, Issue 11
111-21-11	New	Vol. 43, Issue 45
111-21-12	New	Vol. 43, Issue 45
111-21-13	New	Vol. 43, Issue 45
111-21-14	New	Vol. 43, Issue 45
111-22-1	New	Vol. 43, Issue 36
111-22-2	New	Vol. 43, Issue 36
111-22-3	New	Vol. 43, Issue 36
111-22-4	New	Vol. 43, Issue 36
111-22-5	New	Vol. 43, Issue 36 Vol. 43, Issue 36
111-22-6		Vol. 43, Issue 36
111-22-7	New	Vol. 43, Issue 36 Vol. 43, Issue 36
111-22-8	New	,
111-22-9	New	Vol. 43, Issue 36
	New	Vol. 43, Issue 36
111-22-10	New	Vol. 43, Issue 36
111-22-11	New	Vol. 43, Issue 36
111-22-12	New	Vol. 43, Issue 36
111-22-13	New	Vol. 43, Issue 36
111-23-1	New	Vol. 43, Issue 36
111-23-2	New	Vol. 43, Issue 36
111-23-3	New	Vol. 43, Issue 36
111-23-4	New	Vol. 43, Issue 36
111-23-5	New	Vol. 43, Issue 45
111-23-6	New	Vol. 43, Issue 45
111-23-7	New	Vol. 43, Issue 45
111-23-8	New	Vol. 43, Issue 45
111-23-9	New	Vol. 44, Issue 4
111-23-10	New	Vol. 44, Issue 4
111-23-11	New	Vol. 44, Issue 7
111-23-12	New	Vol. 44, Issue 7

#### 111-23-13 Vol. 44, Issue 7 New 111-301-4 Amended Vol. 43, Issue 45 111-301-5 Amended Vol. 43, Issue 45 111-301-41 Amended Vol. 44, Issue 4 111-301-43 Amended Vol. 44, Issue 4 111-313-1 New Vol. 43, Issue 47 111-313-2 New Vol. 43, Issue 47 111-313-3 New Vol. 43, Issue 47 Vol. 43, Issue 47 111-313-4 New 111-313-5 New Vol. 43, Issue 47 Vol. 43, Issue 47 111-313-6 New 111-501-68 Amended Vol. 43, Issue 45 111-401-35 Amended Vol. 44, Issue 4 Vol. 44, Issue 4 111-501-44 Amended Amended Vol. 43, Issue 11 111-501-113 111-501-120 Amended Vol. 43, Issue 45 111-501-155 Amended Vol. 43, Issue 11 111-501-161 New Vol. 43, Issue 30

#### AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-201-1	New (T)	Vol. 42, Issue 44
112-201-2	New (T)	Vol. 42, Issue 44
112-201-3	New (T)	Vol. 42, Issue 44
112-201-4	New (T)	Vol. 42, Issue 44
112-201-5	New (T)	Vol. 42, Issue 44
112-201-6	New (T)	Vol. 42, Issue 44
112-201-7	New (T)	Vol. 42, Issue 44
112-201-8	New (T)	Vol. 42, Issue 44
112-201-9	New (T)	Vol. 42, Issue 44
112-201-10	New (T)	Vol. 42, Issue 44
112-201-11	New (T)	Vol. 42, Issue 44
112-201-12	New (T)	Vol. 42, Issue 44
112-201-13	New (T)	Vol. 42, Issue 44
112-201-14	New (T)	Vol. 42, Issue 44
112-201-15	New (T)	Vol. 42, Issue 44
112-201-16	New (T)	Vol. 42, Issue 44
112-201-17	New (T)	Vol. 42, Issue 44
112-201-18	New (T)	Vol. 42, Issue 44
112-201-19	New (T)	Vol. 42, Issue 44
112-201-20	New (T)	Vol. 42, Issue 44
112-201-21	New (T)	Vol. 42, Issue 44
112-201-22	New (T)	Vol. 42, Issue 44
112-201-23	New (T)	Vol. 42, Issue 44
112-202-1	New (T)	Vol. 42, Issue 44
112-202-2	New (T)	Vol. 42, Issue 44
112-203-1	New (T)	Vol. 42, Issue 44
112-203-2	New (T)	Vol. 42, Issue 44
112-203-3	New (T)	Vol. 42, Issue 44

112-203-4	New (T)	Vol. 42, Issue 44
112-203-5	New (T)	Vol. 42, Issue 44
112-203-6	New (T)	Vol. 42, Issue 44
112-203-7	New (T)	Vol. 42, Issue 44
112-203-8	New (T)	Vol. 42, Issue 44
112-204-1	New (T)	Vol. 42, Issue 44
112-204-2	New (T)	Vol. 42, Issue 44
112-204-3	New (T)	Vol. 42, Issue 44
112-204-4	New (T)	Vol. 42, Issue 44
112-204-5	New (T)	Vol. 42, Issue 44
112-204-6	New (T)	Vol. 42, Issue 44
112-204-7	New (T)	Vol. 42, Issue 44

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.

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