

# KANSAS REGISTER

State of Kansas

**JACK H. BRIER**  
Secretary of State

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October 17, 1985

Pages 1309-1340

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State of Kansas

**DEPARTMENT OF HEALTH  
AND ENVIRONMENT  
STATEWIDE HEALTH  
COORDINATING COUNCIL**

**NOTICE OF HEARING**

The Statewide Health Coordinating Council has scheduled a public hearing on preliminary findings on the credentialing application of dietitians. The hearing is scheduled for 10 a.m., Monday, October 21, at the Kansas Department of Health and Environment, Conference Room, Building 321, Forbes Field, Topeka.

Copies of preliminary findings are available from the Department of Health and Environment, Office of Health and Environmental Planning, Building 321, Forbes Field, Topeka 66620, (913) 862-9360, ext. 532. Persons wishing to present oral testimony at the hearing should contact the Office of Health and Environmental Planning prior to October 21. Written copies of oral testimony should be provided at the hearing. Written comments must be received no later than October 18.

**BARBARA J. SABOL**  
Secretary of Health  
and Environment

Doc. No. 003602

State of Kansas

**STATE HISTORICAL SOCIETY  
HISTORIC SITES BOARD OF REVIEW  
NOTICE OF HEARING**

The grants review committee of the Kansas Historic Sites Board of Review will conduct a hearing at 10 a.m. Friday, November 8, in the second floor auditorium of the Center for Historical Research, 120 W. 10th, Topeka, to receive public comments on the applications filed with the Historic Preservation Department for FY 1986 federal Historic Preservation Fund survey and planning grants. Comments may be presented to the board orally or in writing.

The following organizations, entities, institutions, etc., have submitted preapplications to the Historic Preservation Department and are eligible to file applications:

City of Dodge City  
City of Hutchinson  
City of Leavenworth  
City of Overland Park  
City of Wichita  
Fort Larned Historical Society, Larned  
Lawrence Preservation Alliance, Lawrence  
Mo-Kan Regional Council, St. Joseph,  
Missouri  
Northwest Kansas Planning and Development  
Commission, Hill City  
Olathe Historical Society, Olathe  
Oswego Historical Society, Oswego  
University of Kansas (Museum of  
Anthropology), Lawrence  
Wichita State University (Department of  
Anthropology), Wichita  
Woodson Restoration, Inc., Yates Center

**JOSEPH W. SNELL**  
Executive Director

Doc. No. 003610

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**PUBLISHED BY  
JACK H. BRIER**  
Secretary of State  
State Capitol  
Topeka, KS 66612-1594



PHONE: 913/296-3489

State of Kansas  
**DEPARTMENT OF ADMINISTRATION**  
**DIVISION OF ARCHITECTURAL SERVICES**

**NOTICE OF COMMENCEMENT  
 OF NEGOTIATIONS  
 FOR TECHNICAL SERVICES**

Notice is hereby given of the commencement of negotiations for technical services to provide consultation and bidding documents for a complete energy management system for all or part of the Wichita State University campus consisting of approximately 2.0 million square feet in 50 buildings.

Said firm must specialize in software packages for energy management systems and not sell hardware for such systems.

Any questions or expressions of interest should be directed in writing to Warren Corman, Director of Facilities, Board of Regents, Suite 609 Capitol Tower, 400 S.W. 8th, Topeka 66603, (913) 296-3421, prior to November 1, 1985.

JOHN B. HIPPI, AIA  
 Director, Division of  
 Architectural Services

Doc. No. 003609

State of Kansas  
**DEPARTMENT OF ADMINISTRATION**  
**GRANT APPLICATIONS IN REVIEW**

Below are applications which have been submitted to the Kansas Review Process. For those requiring review, comments should be sent to the Kansas Single Point of Contact, Judy Krueger, Intergovernmental Liaison, State Office Building, 122A-South, Topeka 66612, (913) 296-3919. Comment period is approximately 30 days.

**KS851003-001-13600FR**—Bill B. Campbell, East Central Kansas Economic Opportunity Corporation, P.O. Box 200, Ottawa 66067, (913) 242-5481, applied for \$7,040 from the U.S. Department of Health and Human Services for technical and training assistance for Franklin County, Kansas, 1985-1986.

**KS851007-001-11300WY**—LaVert A. Murray, City of Kansas City, Kansas, 701 N. 7th, Kansas City 66101, (913) 573-5730, applied for \$1,250,000 from the U.S. Department of Commerce for central industrial district redevelopment project (CID).

**KS851008-001-66432KS**—Larry Knoche, Kansas Department of Health and Environment, Office of Environmental Geology, Building 740, Forbes Field, Topeka 66620, (913) 862-9360, applied for \$400,400 from the Environmental Protection Agency for FY 1986 funding for the underground injection control program.

**Announcements**

Sixteen agencies in Kansas will be requested to submit Head Start non-competing applications for FY 1986 funding totaling \$6,569,856. Comments on any of

these applications are due 30 days after the application due date. The agency, county funding level, application due dates, and Health and Human Services grant numbers are:

Shawnee County Community Assistance, Shawnee, \$665,873, 8/1/85, 07CH7028.

SEK-CAP, Inc., Crawford, \$1,016,817, 9/1/85, 07CH6340.

Child Care Association of Arkansas City, Cowley, \$61,848, 10/1/85, 07CH0298.

MIDKAP, Inc. Head Start, Butler, \$157,948, 12/1/85, 07CH6399.

N.E. Kansas Community Action Program, Brown, \$378,314, 1/1/86, 07CH6173.

East Central Kansas Economic, Franklin, \$428,043, 1/1/86, 07CH6321.

Child Care Association of Wichita, Sedgwick, \$1,327,913, 2/1/86, 07CH0051.

Kansas Children's Service League, Sedgwick, \$343,964, 2/1/86, 07CH0074.

Economic Opportunity Foundation, Wyandotte, \$1,377,819, 3/1/86, 07CH0694.

N.W. Kansas Education Services Center, Thomas, \$58,822, 4/1/86, 07CH0280.

Geary County USD 475, Geary, \$118,609, 4/1/86, 07CH6261.

Head Start Shawnee Mission, Johnson, \$105,837, 4/1/86, 07CH6273.

USD 443, Ford, \$124,476, 4/1/86, 07CH6282.

USD 233, Johnson, \$177,008, 5/1/86, 07CH6160.

Opportunity Pre-School, Riley, \$136,054, 5/1/86, 07CH6183.

Hutchinson Board of Education, Reno, \$89,517, 5/1/86, 07CH6242.

**Awards**

The Office of Human Development Services of the U.S. Department of Health and Human Services announced the following awards: \$60,544 to the Child Care Association of Wichita-Sedgwick County for Head Start expansion; \$14,663 to the Kansas Department of Social and Rehabilitation Services for a state child abuse and neglect program; \$81,564 to the Kansas Department of Health and Environment for a refugee health assessment project; \$2,850 to the Kansas Department of Health and Environment for western Kansas migrant health project; \$2,850 to the Kansas City-Wyandotte County Health Department for a migrant health program; and \$10,000 to the Washington County Horizons Health Services, Inc., for a rural health initiative program.

MARVIN A. HARDER  
 Secretary of Administration

Doc. No. 003613

State of Kansas  
**SOCIAL AND REHABILITATION SERVICES  
 INDEPENDENT LIVING  
 CONSUMER ADVISORY COMMITTEE**

**NOTICE OF MEETING**

The Independent Living Consumer Advisory Committee will meet at 10 a.m. Friday, October 25, at the Topeka State Hospital, Biddle Building, 3rd floor conference room, 2700 W. 6th.

JOAN B. WATSON  
 Commissioner  
 Rehabilitation Services

Doc. No. 003607

State of Kansas  
**DEPARTMENT OF ADMINISTRATION  
 DIVISION OF PURCHASES**

**NOTICE TO BIDDERS**

Sealed bids for items hereinafter listed will be received by the Director of Purchases, State Office Building, Topeka, until 2 p.m., CST or DST, whichever is in effect on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

**MONDAY, OCTOBER 28, 1985**

#26791

Department of Social and Rehabilitation Services, Topeka—SERVICE OF PROCESS AND INVESTIGATION SERVICES

#26798

Department of Social and Rehabilitation Services, Topeka—LICENSED SECURITY GUARD SERVICE, Wichita

#26801

Department of Economic Development, Topeka and Department of Revenue, Topeka—JANITORIAL SERVICE

#63510

Department of Human Resources, Topeka—PRINTER

#63511

Department of Transportation, Topeka—FILE FOLDERS

#63512

Department of Social and Rehabilitation Services, Topeka—WHEELCHAIRS, Hays

#63513

Kansas State Industrial Reformatory, Hutchinson—CONCRETE BLOCKS

#63514

Kansas Fish and Game Commission, Pratt—TRACTOR

#63515

Department of Transportation, Norton—LUBRICATING OIL

#63527

Adjutant General's Department, Topeka—FURNISH AND INSTALL HEATING AND AIR CONDITIONING SYSTEM, Olathe

#63555

Legislative Research Department, Topeka—XEROX UPGRADE

**TUESDAY, OCTOBER 29, 1985**

#A-5286

Parsons State Hospital and Training Center, Parsons—PAINT REMOVAL FROM SWIMMING POOL BUILDING

#A-5371

Wichita State University, Wichita—REPLACE OVERHEAD SPRAY DISTRIBUTION LINES, CERAMIC COOLING TOWER UNITS, CENTRAL ENERGY PLANT

#26797

Wichita State University, Wichita—SMALL ANIMAL FEED

#63521

Wichita State University, Wichita—STEAM SUPPLY AND CONDENSATE RETURN PIPING SYSTEM

#63522

Kansas State University, Manhattan—SOYBEAN MEAL

#63523

University of Kansas Medical Center, Kansas City—UPGRADE OF MICROCOMPUTER

#63524

Department of Transportation, Topeka—AB-3 AGGREGATE, Holton

#63525

Department of Transportation, Chanute—SEALANT, CRACK, HOT APPLIED, Iola

#63526

Kansas State Industrial Reformatory, Hutchinson—TOBACCO

#63528

Kansas State University, Manhattan—REFRIGERATORS

#63529

Department of Transportation, Salina—REPAIRS TO PORTABLE ASPHALT TANK

#63530

Wichita State University, Wichita—AUDIO SYSTEM

**WEDNESDAY, OCTOBER 30, 1985**

#A-5301

Winfield State Hospital and Training Center, Winfield—REPAIR AND UPGRADE FIRE ALARM SYSTEM, PINECREST BUILDING (SRS OFFICE FACILITY)

#A-5377

Wichita State University, Wichita—OVERHAUL THREE CHILLERS, CENTRAL PLANT

#A-5379

Wichita State University, Wichita—PROVIDE SKYLIGHT SILL FLASHINGS, McKNIGHT ART CENTER FACILITY

#26782

Statewide—COFFEE AND TEA

#26788

Statewide—GLOVES, PACKS AND TRAYS (CLASS 06)

#26804

University of Kansas, Lawrence—ELEVATOR MAINTENANCE

#63167-A

Kansas State University, Manhattan—ELEVATOR REPAIR

#63533

Kansas Correctional Industries, Lansing—HALON FIRE PROTECTION SYSTEM

#63534

University of Kansas Medical Center, Kansas City  
and Kansas State University, Manhattan—SHRUBS  
AND TREES

#63535

Department of Transportation, Chanute—ROCK  
CUTTER TEETH

#63544

Department of Human Resources, Topeka—DISK  
DRIVE AND CONTROLLER

**THURSDAY, OCTOBER 31, 1985**

#A-5005

Winfield State Hospital and Training Center,  
Winfield—PAVING OF ACCESS ROAD AND  
PARKING LOT

#A-5378

Wichita State University, Wichita—TUCKPOINT  
AND WATERPROOF EXTERIOR WALLS, FISKE  
HALL

#26780

Statewide—VHF-FM RADIO EQUIPMENT

#26793

University of Kansas Medical Center, Kansas  
City—PAINTING SUPPLIES

#63549

Department of Human Resources, Topeka—  
PRINTERS

#63550

Legislative Division of Post Audit, Topeka—PLAIN  
PAPER COPIER

#63553

Kansas Fish and Game Commission, Pratt—ALL-  
TERRAIN VEHICLES, various locations

#63554

Various agencies—SEDANS, various locations

#63563

State Reception and Diagnostic Center, Topeka—  
42 PASSENGER BUS

#63564

Various agencies—PICKUPS AND TRUCKS, various  
locations

#63565

Various agencies—VANS, various locations

**FRIDAY, NOVEMBER 1, 1985**

#26784

Statewide—DECEMBER (1985) MEAT PRODUCTS

#26785

Statewide—SPICES AND MISCELLANEOUS  
GROCERIES

#26786

Statewide—FROZEN FOODS

#62993-B

Department of Transportation, Topeka—INERTIAL  
MODULES

#63205-A

Pittsburg State University, Pittsburg—ELEVATOR  
REPAIR

#63545

Kansas Fish and Game Commission, Pratt—  
FURNISH AND INSTALL SIDING, Neosho State  
Fishing Lake

#63552

Kansas Correctional Industries, Lansing—  
HARDWOOD LUMBER

#63556

Kansas Correctional Industries, Lansing—STEEL  
SHEETS

#63562

University of Kansas Medical Center, Kansas  
City—MODIFIED SUPER VAN

#63566

University of Kansas, Lawrence—LOUNGE  
FURNITURE

#63567

Larned State Hospital, Larned—MISCELLANEOUS  
GROCERIES

#63568

Department of Transportation, various  
locations—LUMINAIRES

#63569

University of Kansas, Lawrence—  
REFRIGERATOR-FREEZERS

#63570

University of Kansas, Lawrence—TABLES AND  
CHAIRS

#63571

Department of Health and Environment,  
Topeka—MICROSCOPE SYSTEM

#63572

Department of Transportation, Topeka—  
HYDRAULIC TESTING APPARATUS

#63573

Kansas State University, Manhattan—LAB  
CENTRIFUGE

#63574

University of Kansas, Lawrence—HPLC SYSTEM

#63575

Kansas State University, Manhattan—VACUUM  
APPARATUS

#63576

Emporia State University, Emporia—MICROFILM  
CAMERA

#63580

Department of Human Resources, Topeka—  
MICROFILM READER PRINTER

#63581

Department of Administration, Division of  
Information Systems and Communications,  
Topeka—COPIES OF IBM SOFTWARE

#63592

Kansas State University, Manhattan—  
MULTIPLEXERS

**WEDNESDAY, NOVEMBER 6, 1985**

#26778

University of Kansas Medical Center, Kansas  
City—NITROUS OXIDE (MEDICAL GAS PURITY)

**MONDAY, NOVEMBER 18, 1985**

#26799

Osawatomie State Hospital, Osawatomie—LEASE  
OF FARM LAND, Miami County

#26800

Osawatomie State Hospital, Osawatomie—LEASE  
OF FARM LAND, Miami County

NICHOLAS B. ROACH  
Director of Purchases

Doc. No. 003612

## State of Kansas

## ATTORNEY GENERAL

## Opinion No. 85-135

**Taxation—Property Subject to Taxation—Valuation Based on Agricultural Income or Productivity. Representative Gayle Mollenkamp, 118th District, Russell Springs and Representative Robin Leach, 46th District, Linwood, October 2, 1985.**

Pursuant to Article 11, Section 12 of the Constitution of the State of Kansas, agricultural land may be valued upon the basis of the agricultural income or productivity of such land. The provisions of L. 1985, ch. 314, § 1 are intended to give effect to this constitutional grant of authority, and will be operative regardless of whether the proposed amendment to Article 11, § 1 of the Kansas Constitution found in L. 1985, ch. 364 is approved by the voters in the 1986 general election. Cited herein: K.S.A. 79-1439; L. 1985, chapters 314, 364; Kan. Const., Art. 11, § 1, 12. JSS

ROBERT T. STEPHAN  
Attorney General

Doc. No. 003603

## State of Kansas

## SECRETARY OF STATE

## NOTICE OF FORFEITURE

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of the state of Kansas and the authority of the following foreign corporations to do business in the state of Kansas were forfeited September 16, 1985, for failure to file an annual report and pay the annual franchise tax, as required by the Kansas General Corporation Code.

**Cancelled September 16, 1985 for failure to file the February 28, 1985 annual report:**

## Domestic for Profit

ABM Services, Inc., Overland Park, KS.  
Adamtech, Inc., Goodland, KS.  
Audio West, Inc., Overland Park, KS.  
Big Morning Press, Inc., Lawrence, KS.  
Blue Hills Bicycles, Inc., Overland Park, KS.  
Brazos Valley Restaurants, Inc., Wichita, KS.  
BTS, Inc., Lenexa, KS.  
Business Telecommunications Services, Inc., Lenexa, KS.  
Calf Saver, Inc., Hill City, KS.  
Cal Johnson Oil Lease Management, Inc., Fredonia, KS.  
Capital Ministries, Inc., Wichita, KS.  
Certified Tank Fiberglassing and Maintenance, Inc., Humboldt, KS.  
Chartier Truck Equipment Company, Inc., Mission Woods, KS.  
David B. Mercer, Inc., Cedar Point, KS.  
D & E Services, Inc., Lenexa, KS.

Double E Company, Inc., Hoyt, KS.  
Douglas & Associates, Inc., Lenexa, KS.  
Easy Street, Inc., Wichita, KS.  
Energy Efficient Builders, Inc., Garnett, KS.  
Esbon Grain Company, Inc., Esbon, KS.  
F & F Farms, Inc., Colby, KS.  
Figures Unlimited, Inc., Coffeyville, KS.  
Freer-Madison, Inc., Fort Scott, KS.  
The Gaslight Boutique of Manhattan, Inc., Manhattan, KS.  
GWC, Inc., Shawnee, KS.  
Hammerschmidt Specialties, Inc., Lawrence, KS.  
Harper Oil Field Service, Inc., Harper, KS.  
Harrison, Inc., Kansas City, KS.  
Hitec Computer Center, Inc., Wichita, KS.  
Ilus Industries, Inc., Prairie Village, KS.  
Inco Marketing, Inc., Leawood, KS.  
Inco Petroleum Corporation, Shawnee Mission, KS.  
Inco Resources Inc., Leawood, KS.  
J.E.M. Construction, Inc. (A Close Corporation), Kansas City, KS.  
Johnson Enterprises, Inc., Lake Quivira, KS.  
Kalivoda Agency, Inc., Concordia, KS.  
Kaw Valley Tunneling, Inc., Lake Quivira, KS.  
Kenny Chapman Glass Company, Inc., Wichita, KS.  
McGinnis Enterprises Inc., Rantoul, KS.  
Mega Exploration Corp., Topeka, KS.  
Meis, Inc., Ness City, KS.  
Mid Management Corp., Shawnee Mission, KS.  
Midwest Energy & Equipment, Inc., Salina, KS.  
Moore Apiaries, Inc., Mankato, KS.  
Murphree Western, Inc., Lawrence, KS.  
Nemer Petroleum, Inc., Wichita, KS.  
Pal-Bac, Inc., Wichita, KS.  
Pioneer Electronics, Inc., Long Beach, CA.  
Quivira Land, Ltd., Overland Park, KS.  
Recreational Entertainment Corporation, Olathe, KS.  
Response Air, Inc., Overland Park, KS.  
Robert L. Boos, Inc., Denton, KS.  
Scarf's Automotive and Parts, Inc., Junction City, KS.  
Schiffner Farms, Inc., Colby, KS.  
Sheffield Place, Inc., Wichita, KS.  
Shoe Stop, Inc., Hutchinson, KS.  
Solid Waste Disposal, Inc., Leavenworth, KS.  
Thunderhead Development, Inc., Colby, KS.  
Tokan, Oil, Inc., Ottawa, KS.  
Trans National Corporation, Dodge City, KS.  
Triangle Petroleum Company, Inc., Coffeyville, KS.  
Tri-State Insurance Agency, Inc., Colby, KS.  
Twister Game Rooms, Inc., Topeka, KS.  
Vanderbilt's No. 3, Inc., Wamego, KS.  
Vico Production Company, Coffeyville, KS.  
Village Travel Agency, Inc., Shawnee Mission, KS.  
W.O.V., Inc., Wichita, KS.

## Foreign for Profit

Affholder, Inc., Chesterfield, MO.  
Aifam Enterprises, Inc., Reno, NV.  
Albert E. Haas, Inc., Mission, KS.  
Aresco, Inc., Dallas, TX.  
Batten, Barton, Durstine & Osborn, Inc., New York, NY.  
Bi-State Development Company, Kansas City, KS.

Blue Hills Bike and Hike, Inc., Kansas City, MO.  
 Cheyenne Exploration, Inc., Wichita, KS.  
 Curtain Country Missouri, Inc., Jefferson City, MO.  
 Eads-Chappell Tires, Inc., Springfield, MO.  
 Elaine Powers Figure Salons, Inc., Milwaukee, WI.  
 Harland Bartholomew & Associates, Inc.,  
 Memphis, TN.  
 The Hejny Corporation, Stratton, NE.  
 John F. Beasley Construction Company, Dallas, TX.  
 Kansas City Medical Group, Inc., Kansas City, MO.  
 McCartney Engineering, Inc., Lakewood, CO.  
 Metal Sales Manufacturing Corporation,  
 Louisville, KY.  
 Nara Corporation, Mesquite, TX.  
 National Liquidators, Inc., St. Peters, MO.  
 Paul Erickson, Inc., Kansas City, MO.  
 Phoenix-Hudson Corporation, Overland Park, KS.  
 Powers Energy Corporation, Denver, CO.  
 Robison Energy, Inc., Houston, TX.  
 Samco Chemical Corp., Des Moines, IA.  
 Sidles Distributing Co., Inc., Omaha, NE.  
 Tara K., Inc., Inverness, FL.  
 Tourette Syndrome Association, Inc., Bayside, NY.  
 Unionville Exploration, Inc., Houston, TX.

Cancelled September 16, 1985 for failure to file the  
 August 31, 1984 annual report:

Cooperative Marketing Act  
 Effingham Cooperative Association, Effingham, KS.

Cancelled September 16, 1985 for failure to file the  
 annual report due after June 15, 1985 extension:

#### Domestic for Profit

American Intermodal International, Inc.,  
 Kansas City, KS.  
 Crossroads, Inc., Hutchinson, KS.  
 Future Foods, Inc., Merriam, KS.  
 Gas Energies and Transmission Corporation,  
 Hutchinson, KS.  
 L. & E., Inc., Inman, KS.  
 Love & Legends, Ltd., Wichita, KS.  
 Metcon Corporation, Salina, KS.  
 Royalty Foods, Inc., Hays, KS.  
 Ry-Ni, Inc., Hutchinson, KS.  
 Sidd, Inc., Hiawatha, KS.  
 Trico, Inc., Douglass, KS.

#### Domestic Limited Partnership

Holiday Air International, Ltd., Lincoln, KS.  
 Penson Properties 12, Topeka, KS.

#### Foreign Limited Partnership

Kansas City SMSA Limited Partnership, Topeka, KS.  
 Villa De Romo Limited Partnership,  
 Minneapolis, MN.

Cancelled September 16, 1985 for failure to correct  
 and return an annual report:

#### Domestic for Profit

Ambe Corp., Sublette, KS.  
 American Plumbing Services, Inc., Olathe, KS.  
 ARB Enterprises, Inc., Fort Scott, KS.

Boger Brothers Oil Incorporated, Hoisington, KS.  
 B S Sales, Inc., Shawnee, KS.  
 Consultive Sales & Marketing, Inc.,  
 Overland Park, KS.  
 Farmers Grain and Livestock Corp., Des Moines, IA.  
 First Mortgage Service Corporation, Pittsburg, KS.  
 Greater Wichita Insurance, Inc., Wichita, KS.  
 Handy Candy Company, Wichita, KS.  
 Heads West, Inc., Overland Park, KS.  
 Hutchinson Electric, Inc., Arkansas City, KS.  
 Kansas All-Star Football Camp, Inc., Wichita, KS.  
 K-M Supply Company, Inc., Kansas City, KS.  
 Landmark Drilling Corporation, Wichita, KS.  
 Laws End Corporation, Wichita, KS.  
 Leonard and Smith Salvage and Discount Sales, Inc.,  
 Abilene, KS.  
 L & L Investments, Inc., Hutchinson, KS.  
 Midway-America, Inc., Wichita, KS.  
 Positech, Inc., Kansas City, KS.  
 Precision Truck & Diesel, Inc., Emporia, KS.  
 Rose Garden Restaurant & Club, Inc., Wichita, KS.  
 The Russell Publishing Co., Inc., Russell, KS.  
 Simtek, Inc., Shawnee Mission, KS.  
 Speakman N.F.L. Inc., Olathe, KS.  
 Stephen C. Yager Investments, Inc., Wichita, KS.  
 Stow-A-Way, Inc., Hesston, KS.  
 Tuition Funds, Incorporated, El Dorado, KS.  
 United States Contractors, Inc., Westwood, KS.  
 Weigand Securities, Inc., Wichita, KS.  
 Westhoff, Inc., Great Bend, KS.  
 Wiatt Farms, Inc., Lakin, KS.  
 Wyandotte West Communications, Inc.,  
 Kansas City, KS.

#### Foreign for Profit

American Colloid Company, Skokie, IL.  
 American Fracmaster, Inc., Oklahoma City, OK.  
 Carbotherm, Ltd., Commerce City, CO.  
 Chipman Chemicals, Inc., Southfield, MI.  
 Citicorp Homeowners, Inc., Wilmington, DE.  
 Curry X-Ray, Incorporated, Milo, MO.  
 Everfast, Inc., Wilmington, DE.  
 Financial Software Corporation, St. Charles, MO.  
 Great Bend Ford Tractor, Inc., Great Bend, KS.  
 Linmar Energy Corporation, Denver, CO.  
 Mid-Continent Leasing, Inc., Kansas City, MO.  
 Rector Well Equipment Company, Inc.,  
 Mansfield, TX.  
 Triexcellence Inc., Santa Ana, CA.

#### Domestic Limited Partnership

Gallery East Apartments, Ltd., Shawnee Mission, KS.

#### Foreign Limited Partnership

Bordley Drilling Fund L.P., Denver, CO.  
 Bush City Drilling Fund L.P., Denver, CO.  
 Mid-Continent 1979 Drilling Program, New York, NY.

#### Domestic Not for Profit

Chelsea Coalition Company, Kansas City, KS.  
 First Baptist Church of Lawrence, Kansas,  
 Lawrence, KS.  
 Friends of Lee Richardson Zoo, Inc., Garden City, KS.

(continued)

Galilee Missionary Baptist Church, Incorporated,  
Kansas City, KS.  
Northern Flint Hills Audubon Society, Inc.,  
Manhattan, KS.  
Northridge Plaza Association, Hays, KS.  
Sigma Alpha Epsilon Fraternal Association,  
Mission, KS.

**Domestic Not for Profit  
with Solicitation Certificate**

Babson's Midwest Memorial Foundation, Inc.,  
Eureka, KS.  
Finney County United Way, Inc., Garden City, KS.  
High Plains Villages, Inc., Garden City, KS.

**Foreign Not for Profit**

Presbyterian/St. Luke's Medical Center, Denver, CO.

**Cancelled September 16, 1985 for failure to submit a  
certificate of good standing with the annual report:**

**Foreign for Profit**

Center Plains Industries, Inc., Amarillo, TX.  
Hobbs-Bannerman Corporation, Santa Springs, CA.  
Mobil Auto Club Inc., N. Suburban, IL.  
Packaging Service Corporation of Kentucky,  
Louisville, KY.

Record Title Agency, Inc., Reno, NV.  
Solar Satellite Communication, Inc., Denver, CO.  
Tennis Closets, Inc., Overland Park, KS.  
Terrano Corporation, Lincoln, NE.

**Cancelled September 16, 1985 for failure to designate  
a new resident agent within 60 days of resignation  
of previous resident agent:**

**Domestic for Profit**

First City Corporation, Shawnee Mission, KS. ,  
Todd J. Earnshaw Construction, Inc.,  
Overland Park, KS.

**Foreign for Profit**

Beston Electronics, Inc., Shawnee, KS.  
Kentex Petroleum, Incorporated, Tustin, CA.

**Foreign Limited Partnership**

APC Operating Partnership, Minneapolis, MN.

**Cancelled 9/16/85 for failure to redeem insufficient  
fund check:**

**Domestic for Profit**

The Landsco Corporation, Salina, KS.

JACK H. BRIER  
Secretary of State  
JOHN R. WINE, JR.  
Legal Counsel

Doc. No. 003589

(Published in the KANSAS REGISTER, October 17, 1985.)

**NOTICE OF BOND SALE  
CITY OF GREAT BEND, KANSAS  
\$708,511.97  
GENERAL OBLIGATION BONDS  
SERIES 1985B**

The City of Great Bend, Kansas, will receive sealed bids at the office of the City Clerk, City Hall, 1209 Williams, Great Bend, Kansas, until 7:30 p.m., C.D.S.T., Monday, October 21, 1985, for the purchase of \$708,511.97 par value general obligation bonds of the city, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series 1985B Bonds initially issued will be dated as of November 1, 1985, and shall mature on September 1 in each of the years and in the amounts set forth below. Such bonds shall consist of fully registered certificated bonds, each in the denomination of \$5,000 or integral multiples thereof (except one bond in the denomination of \$3,511.97) not exceeding the principal amount of bonds maturing in each year. Interest will be payable semiannually, commencing March 1, 1986, and each September 1 and March 1 thereafter. The principal of, and premium, if any, on the bonds shall be payable in lawful money of the United States of America, at the principal office of the Treasurer of the State of Kansas (the paying agent and bond registrar), to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds shall be payable in lawful money of the United States of America, by check or draft of the paying agent to the registered owners appearing on the books maintained by the bond registrar as of the preceding February 15 and August 15 (the record dates). The fees of the bond registrar for registration and transfer of the bonds shall be paid by the city.

The bonds will mature serially in accordance with the following schedule:

Principal Amount	Maturity Date
\$28,511.97	September 1, 1986
35,000.00	September 1, 1987
35,000.00	September 1, 1988
40,000.00	September 1, 1989
40,000.00	September 1, 1990
50,000.00	September 1, 1991
50,000.00	September 1, 1992
55,000.00	September 1, 1993
60,000.00	September 1, 1994
65,000.00	September 1, 1995
40,000.00	September 1, 1996
45,000.00	September 1, 1997
50,000.00	September 1, 1998
55,000.00	September 1, 1999
60,000.00	September 1, 2000

The bonds maturing prior to September 1, 1998, shall become due without option of prior payment. At the option of the city, bonds maturing September 1, 1998 through September 1, 2000, inclusive, may be called for redemption and payment prior to maturity



on September 1, 1997, or on any interest payment date thereafter in inverse order of maturity (and by lot in multiples of \$5,000 principal amount within a single maturity), at the principal amount thereof, without premium, plus accrued interest thereon to redemption date.

Proposals will be received on the bonds bearing such rate or rates of interest, not exceeding eight different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth or one-twentieth of 1 percent. The difference between the highest and lowest interest rates specified in any bid shall not exceed 2 percent. No interest rate shall exceed the maximum interest rate allowed by Kansas law, said rate being 2 percent above the bond buyer's 20 bond index, published in Credit Markets on Monday, October 14, 1985, and no bid of less than par and accrued interest will be considered. Bids for less than the entire issue of bonds will not be considered.

Bids shall be submitted on the official bid form furnished by the city, and shall be addressed to the city at City Hall, 1209 Williams, Great Bend, KS 67530, Attention: City Clerk, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct, and the city will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to 2 percent of the total amount of the bid, and shall be payable to City of Great Bend, Kansas. In the event a bidder whose bid is accepted shall fail to carry out his contract of purchase, said deposit shall be retained by the city as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

The bonds, duly printed, executed and registered, will be furnished and paid for by the city, and the bonds will be sold subject to the unqualified approving opinion of Nichols and Wolfe Chartered, Topeka, Kansas, Bond Counsel, whose opinion will be paid for by the city.

The number, denomination of bonds and names of the initial registered owners shall be submitted in writing by the successful bidder to the bond registrar not later than November 22, 1985.

The purchaser will be furnished with a complete transcript of proceedings evidencing authorization and issuance of the bonds, and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity. Payment for the bonds shall be made in immediately available funds. Delivery of the bonds will be made to the successful bidder on or before December 3, 1985, at any bank in the state of Kansas or Kansas City, Missouri, at the expense of the city. Delivery elsewhere will be made at the expense of the purchaser.

The bonds will constitute general obligations of the city, payable as to both principal and interest from the collection of special assessments which have been levied on benefited property, but if not so paid, then said principal and interest will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable, tangible property within the territorial limits of the city. The Series 1985B Bonds are being issued for the purpose of retiring certain temporary notes of the city in the amount of \$734,600.

The sealed bids for the bonds shall be opened publicly and only at the time and place specified in this notice. The city reserves the right to reject any and all of the bids, and to waive any irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the city, and the net interest cost will be determined by deducting any amount of any premium paid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities.

Assessed valuation figures of the city of Great Bend, Kansas, for the year 1984, are as follows:

Equalized assessed valuation of taxable, tangible property .....	\$54,906,998
Assessed tangible valuation of motor vehicles .....	11,289,458
Equalized tangible valuation for computation of bonded indebtedness limitations .....	\$66,196,456

CUSIP identification numbers will be printed on the bonds. All expenses incurred in connection with the printing of CUSIP numbers on the bonds and the expenses of the CUSIP Service Bureau for the assignment of said numbers shall be paid for by the city.

The total general obligation bonded indebtedness of the city of Great Bend, Kansas, at the date hereof, including this proposed issue of bonds in the amount of \$708,511.97, is \$6,348,511.97. The city of Great Bend, Kansas, has temporary notes outstanding in the total amount of \$877,279, of which \$734,600 will be redeemed and paid from the proceeds of this proposed issue of bonds.

Additional copies of this notice of bond sale or further information may be received from George K. Baum & Company, 1004 Baltimore Ave., Kansas City, MO 64105, the city's financial advisor.

Dated October 7, 1985.

CITY OF GREAT BEND, KANSAS  
By HOWARD W. LINDBERG  
City Clerk

Doc. No. 003604

## State of Kansas

## LEGISLATURE

## INTERIM AGENDA

Notice is hereby given to interested parties that the following committee meetings have been scheduled during the period of October 21 through November 1, 1985.

Date	Room	Time	Committee	Agenda
Oct. 21 Oct. 22	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review of regulations by the Department of Health and Environment, SRS, and the Real Estate Commission. Committee discussion on Insurance Department statutes and regulations. Review of the social work regulations of the Board of Behavioral Sciences.
Oct. 22	123-S	9:00 a.m.	Legislative Post Audit	Legislative matters.
Oct. 23 Oct. 24	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Local Government	23rd: Committee discussion of Proposal No. 45—Annexation. 24th: Committee discussion of Proposal No. 46—Group Home Zoning and Handicapped Accessibility.
Oct. 23 Oct. 24	527-S 527-S	10:00 a.m. 9:00 a.m.	Legislative Educational Planning Committee	23rd: a.m.—Community college and AVTS matters. p.m.—Committee discussion of final report. 24th: Hearings on AVTS scholarship program; off-campus courses; data collection; and other matters.
Oct. 24 Oct. 25	123-S 123-S	10:00 a.m. 9:00 a.m.	Special Committee on Ways and Means	Agenda not available.
Oct. 24 Oct. 25	514-S 514-S	10:00 a.m. 9:00 a.m.	Special Committee on Energy	24th and 25th: Presentations on Proposal No. 23—Protection of Groundwater in Kansas. 25th: Presentation on Proposal No. 24—Arkansas River Compact Dispute.
Oct. 25	519-S	9:00 a.m.	Special Committee on Federal and State Affairs	Proposal No. 64—Transient Merchants Licensing Act; Proposal No. 28—Farm Wineries; Proposal No. 32—Small Cities Development Block Grant Fund—Final Report.
Oct. 28 Oct. 29	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Agriculture and Livestock	Proposal No. 2—Grain Dealer Licensure and Regulation.
Oct. 30 Oct. 31	527-S 527-S	1:30 p.m. 9:00 a.m.	Legislative Budget Committee	Agenda not available.
Oct. 31 Nov. 1	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Judiciary	Agenda not available.
Nov. 1	526-S	10:00 a.m.	Special Committee on Transportation	Agenda not available.
Nov. 1	527-S	9:00 a.m.	Legislative Coordinating Council	Legislative matters.

The following change has been made to the Special Committee on Assessment and Taxation:  
**Proposal No. 8—Severance Tax on Hydrogen and Intrastate Natural Gas**

Study the desirability and feasibility of applying the severance tax to the extraction of hydrogen from the ground and of explicitly authorizing a pass-through of severance taxes by producers of intrastate natural gas.

WILLIAM R. BACHMAN  
 Director of Legislative  
 Administrative Services

Doc. No. 003608

State of Kansas

**OFFICE OF JUDICIAL ADMINISTRATION  
 SUPREME COURT DOCKET**

(Note: Dates and times of arguments are subject to change.)

Monday, October 21, 1985  
 9:30 a.m.

Case No.		Attorneys	Originating County
57,790	State of Kansas, appellant,  v. Steven M. Cole, appellee.	Robert T. Stephan, Attorney General, Geary N. Gorup, Assistant District Attorney	Sedgwick
57,811	State of Kansas, appellant,  v. Kerry L. Burns and Randall J. Wedekind, appellees.	Robert T. Stephan, Attorney General, Geary N. Gorup, Assistant District Attorney	Sedgwick
57,533	State of Kansas, appellee,  v. Christopher A. Haines, appellant.	Jillian T. Waesche, Maurice E. Borhies	Sedgwick
57,732	State of Kansas, appellee,  v. Louis Keeler, Jr., appellant.	Robert T. Stephan, Attorney General, Geary N. Gorup, Assistant District Attorney	Sedgwick
Consolidated with 57,789	State of Kansas, appellant,  v. Louis Keeler, Jr., appellee.	S. A. (Tim) Scimeca Robert T. Stephan, Attorney General, Geary N. Gorup, Assistant District Attorney  Roger L. Falk  Robert T. Stephan, Attorney General, Geary N. Gorup, Assistant District Attorney	Sedgwick
		Roger L. Falk	

(continued)

1:30 p.m.

57,580	State of Kansas, appellee,	Robert T. Stephan, Attorney General, Geary N. Gorup, Assistant District Attorney	Sedgwick
	v. Jacqueline L. Osbey, appellant.		
57,683	State of Kansas, appellant,	Janet S. Helsel, Blaise R. Plummer	
	v. Robert Fowler, appellee.	Robert T. Stephan, Attorney General, Geary N. Gorup, Assistant District Attorney	Sedgwick
Consolidated with 57,737	State of Kansas, appellant,	Eric A. Stahl	
	v. Kermit Edwards, Jr., appellee.	Robert T. Stephan, Attorney General, Geary N. Gorup, Assistant District Attorney	Sedgwick
57,816	State of Kansas, appellee,	Richard L. Hilton	
	v. Charles S. Self, appellant.	Robert T. Stephan, Attorney General, Geary N. Gorup, Assistant District Attorney	Sedgwick
57,665	The Bank of Whitewater, appellee,	Robert L. Falk	
	v. Decker Investments, Inc., <i>et al.</i> , appellants, and Bank of Mid America, a Kansas Corporation, appellee,	Richard Foote, Jack Focht, Orlin L. Wagner, Wilbur D. Geeding	Sedgwick
	v. Compass Developments, Inc., appellant.	Charles S. Fisher, Jr.	

Tuesday, October 22, 1985

9:30 a.m.

Case No.		Attorneys	Originating County
57,907	State of Kansas, appellee,	Robert T. Stephan, Attorney General, Richard G. Guinn, Assistant District Attorney	Johnson
	v. Earl A. Garnett, appellant.		
57,511	State of Kansas, appellee,	John Ivan	
	v. Mark A. Goode, appellant.	Robert T. Stephan, Attorney General, Stephen P. Tatum, Assistant District Attorney	Johnson
57,587	State of Kansas, appellee,	Michael W. Laster	
	v. Aaron R. Ward, appellant.	Robert T. Stephan, Attorney General, Michael Buser, Assistant District Attorney	Johnson
57,998	Eleanor E. Hawes, appellant,	Gunnard Nelson	
	v. Kansas Farm Bureau and Kansas Farm Life Insurance Company, Inc., appellees.	Gerald W. Scott	Sedgwick
		Darrell L. Warta	

1:30 p.m.

58,122	State of Kansas, appellee,	Robert T. Stephan, Attorney General, Nick Tomasic, District Attorney	Wyandotte
	v.		
58,123	Micah Murphy, appellant. State of Kansas, appellee,	Howard Washburn Robert T. Stephan, Attorney General, Nick Tomasic, District Attorney	Wyandotte
	v.		
58,124	Micah Murphy, appellant. State of Kansas, appellee,	Howard Washburn Robert T. Stephen, Attorney General, Nick Tomasic, District Attorney	Wyandotte
	v.		
56,935	Micah Murphy, appellant. State of Kansas, appellee,	Howard Washburn Robert T. Stephan, Attorney General, Morgan Metcalf, County Attorney	Butler
	v.		
57,992	Jack L. Pursley, appellant. In the matter of the appeal of K-Mart Corporation from an order of the Director of Taxation.	Charles A. O'Hara Nancy E. Freund, Cleo G. Murphy	Original
	v.		
57,947	Professional Lens Plan, Inc., appellant, Polaris Leasing Corporation, Impact Systems, et al., appellees.	Benjamin J. Neill John C. Fay Sam Brownback, Donn J. Everett, Frederick K. Starrett, Gary Comens	Riley

Consolidated

Wednesday, October 23, 1985  
9:30 a.m.

Case No.		Attorneys	Originating County
57,526	State of Kansas, appellee,	Robert T. Stephan, Attorney General, Sally Davis Pokorny, County Attorney	Montgomery
	v.		
57,792	Jimmy A. Haskins, appellant. State of Kansas, appellant,	Robert C. Claus Robert T. Stephan, Attorney General, Sally Davis Pokorny, County Attorney	Montgomery
	v.		
57,756	Raymond E. Caldwell, Jr., appellee. State of Kansas, appellee,	Richard L. Hines Robert T. Stephan, Attorney General, Mickey W. Mosier, County Attorney	Saline
	v.		
57,612	Benjamin L. Johnson, appellant. Jayne Werner, appellant, Vernon Kliewer, M.D., and Prairie View, Inc., Roger Werner, appellees.	George R. Robertson Karen Black Charles E. Hill, Clarence L. King, Jr. Patrik W. Neustrom	Saline

(continued)

1:30 p.m.

58,068	State of Kansas, appellee,	Robert T. Stephan, Attorney General, James E. Flory, District Attorney	Douglas
	v.		
	Devin T. Galloway, appellant.	John C. Chappell	
57,184	Leroy McDermott, appellee,	Ira Dennis Hawver	Douglas
	v.		
	Kansas Public Service Company, a Corporation, <i>et al.</i> , appellants.	Glenn McCann, Olin Petefish, Justice B. King	
57,630	Robert R. Kimberlin, <i>et al.</i> , appellants,	John E. Stumbo	Shawnee
	v.		
	City of Topeka, Kansas, <i>et al.</i> , appellees.	Edwin P. Carpenter	

Thursday, October 24, 1985

9:30 a.m.

Case No.		Attorneys	Originating County
57,200	State of Kansas, appellee,	Robert T. Stephan, Attorney General, Nanette L. Kemmerly-Weber, County Attorney	Allen
	v.		
	Wayne Leon Morris, appellant.	Sheryl A. Russell	
57,704	State of Kansas, appellant,	Robert T. Stephan, Attorney General, Timothy Madden, Assistant Attorney General	Allen
	v.		
	Eldon E. Kee, Jr., appellee.	Glenn Casebeer, Curt T. Schneider	
57,404	Eldon E. Kee, Jr., appellant,	Curt T. Schneider	Allen
	v.		
	Douglas Price, County Attorney, and Ron Moore, Sheriff, appellees.	Robert T. Stephan, Attorney General, Frank Diehl, Assistant Attorney General	
57,647	State of Kansas, appellee,	Robert T. Stephan, Attorney General, Frank Diehl, Assistant Attorney General	Allen
	v.		
	Eldon E. Kee, Jr., appellant.	Glenn E. Casebeer	
58,141	Frank James Lee, Sr., <i>et al.</i> , appellants,	Timothy A. Short	Bourbon
	v.		
	City of Fort Scott, appellee.	Zackery E. Reynolds	
56,535	Herbert R. Karner, <i>et al.</i> , appellants,	Philip Eugene Porter, Dennis J. Keenan	Ellsworth
	v.		
	Jim Willis, <i>et al.</i> , appellees.	Ron Svaty	On Petition for Review

Consolidated

1:30 p.m.

58,292	John and Marjorie Cogswell, <i>et al.</i> , appellants,  v. Sherman County, Kansas, appellee.	Daniel H. Israel, John M. Cogswell, Jeffrey A. Mason  Perry Warren, County Attorney	Sherman
57,933	Roger C. Kinney, <i>et al.</i> , appellants,  v. State of Kansas and Kansas Fish and Game Commission, appellees.	Phyllis F. Wendler  John W. Campbell, Assistant Attorney General	Finney
57,500	State of Kansas, appellee,  v. Jackie Paul Lofton, Jr., appellant.	Robert T. Stephan, Attorney General, Craig Kershner, County Attorney, Tom R. Smith, Special Prosecutor  Linda L. Eckelman	Lane

Friday, October 25, 1985  
9:30 a.m.

Case No.		Attorneys	Originating County
58,352	State of Kansas, appellant,  v. Debra Jo Lambert, appellee.	Robert T. Stephan, Attorney General, Kenneth R. Smith, Assistant District Attorney	Shawnee
58,291	State of Kansas, appellant,  v. Jill Brueninger, appellee.	John C. Humpage Robert T. Stephan, Attorney General, Arthur R. Weiss, Assistant District Attorney	Shawnee
57,671	Rozena Jackson, a/k/a Joann Taylor, appellant,  v. American Best Freight System, Inc., <i>et al.</i> , appellees.	John C. Humpage Charles S. Scott, Sr.  James E. Switzer	Shawnee
Bar Docket No. 04843	In the matter of David H. Heilman.	Order to Show Cause	
58,143	In the matter of Douglas A. Price, Respondent.	Arno Windscheffel	Original
58,515	In the matter of Douglas A. Price, Respondent.	Douglas A. Price, <i>Pro Se</i> Arno Windscheffel  Douglas A. Price, <i>Pro Se</i>	Original

LEWIS C. CARTER  
Clerk of the Appellate Courts

Doc. No. 003600

## State of Kansas

## STATE CORPORATION COMMISSION

NOTICE OF  
MOTOR CARRIER HEARINGS

Applications set for hearing are to be heard at 9:30 a.m. before the State Corporation Commission, State Office Building, 4th Floor, Topeka, unless otherwise noticed.

This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 4th Floor, State Office Building, Topeka 66612, (913) 296-3808 or 296-2110.

Your attention is invited to Kansas Administrative Regulations (K.A.R.) 82-1-228, "Rules of Practice and Procedure Before the Commission."

Applications set for November 7, 1985

*Application for Abandonment of Certificate of Convenience and Necessity:*

Michael R. Johnson, dba ) Docket No. 84,027 M  
Johnson Tow Service )  
P.O. Box 196 )  
Bonner Springs, KS 66012 ) MC ID No. 121953  
Applicant's Attorney: None

\*\*\*\*\*

*Application for Extension of Certificate of Convenience and Necessity:*

Middlewest Freightways, ) Docket No. 85,243 M  
Inc. )  
6810 Prescott Ave. )  
St. Louis, MO 63147 ) MC ID No. 117545

Applicant's Attorney: Alex Lewandowski, 6th Floor  
Midland Building, 1221 Baltimore Ave., Kansas  
City, MO 64105-1961

*General commodities (except classes A and B explosives, household goods and commodities in bulk),*  
Between all points and places in Kansas.

\*\*\*\*\*

*Application for Extension of Certificate of Convenience and Necessity:*

M.T.S., Inc., dba ) Docket No. 130,228 M  
Midwest Tow Service )  
350 N. James )  
Kansas City, KS 66118 ) MC ID No. 103959

Applicant's Attorney: Alex Lewandowski, 6th Floor  
Midland Building, 1221 Baltimore Ave., Kansas  
City, MO 64105-1961

*Wrecked, disabled, repossessed and replacement motor vehicles and trailers,*

To, from and between all points and places in the state of Kansas.

*Application for Certificate of Convenience and Necessity:*

Cliff's Body Shop, Inc. ) Docket No. 147,917 M  
Highway 156 )  
Ellsworth, KS 67439 )

Applicant's Attorney: Ron Svaty, 126 N. Douglas, P.O.  
Box 83, Ellsworth, KS 67439

*Wrecked, disabled, repossessed and replacement motor vehicles and trailers,*

Between points in an area bounded on the east by U.S. Highway 81, on the south by U.S. Highway 56, on the west by U.S. Highway 281, and on the north by Kansas Highway 18.

\*\*\*\*\*

*Application for Certificate of Convenience and Necessity:*

Gary L. Jackson, dba ) Docket No. 147,924 M  
Jackson's 66 Service )  
10801 Kaw Drive )  
Edwardsville, KS 66111 )

Applicant's Attorney: None

*Wrecked, disabled, repossessed and replacement motor vehicles and trailers,*

Between all points and places in Wyandotte, Leavenworth and Johnson counties, Kansas.

\*\*\*\*\*

*Application for Certificate of Convenience and Necessity:*

Lloyd W. Modlin and ) Docket No. 147,921 M  
Hyals Franch, dba )  
Tri-State Truck Repair )  
Box 21 )  
Bunker Hill, KS 67626 )

Applicant's Attorney: None

*Wrecked, disabled, repossessed and replacement motor vehicles and trailers,*

Between all points and places in Russell County, Kansas.

Also,

Between all points and places in Russell County, Kansas, on the one hand, and all points and places in the state of Kansas, on the other.

\*\*\*\*\*

Applications set for November 12, 1985

*Application for Certificate of Convenience and Necessity:*

Sterling Drilling Company ) Docket No. 147,920 M  
6th and Cleveland )  
Sterling, KS 67579 )

Applicant's Attorney: W. Boyd Evans, 600 One  
Twenty Building, 120 S. Market, Wichita, KS 67202

*Oilfield equipment, machinery and materials,  
pipeline materials, equipment and supplies,*



Between all points and places in McPherson, Barton, Russell, Pratt, Barber, Kiowa, Gray, Kingman, Scott, Gove, Graham, Rice, Ellsworth, Edwards, Reno, Pawnee, Stafford, Greenwood, Ellis, Rooks, Harper, Saline, Lane, Trego, Ness and Rush counties, Kansas.

Also,

Between all points and places in the aforementioned counties, on the one hand, and all points and places in the state of Kansas, on the other hand.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

Randy R. Ranker, dba ) Docket No. 147,922 M  
Randy's Body Shop )  
and Restoration )  
156 Hwy. and )  
Kunkle Drive )  
Ellsworth, KS 67439 )

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

*Wrecked, disabled, replacement, repossessed and antique, classic and special interest vehicles; boats and recreational vehicles,*

Between points and places in Russell, Barton, Lincoln, Ellsworth, Lyon, Saline and McPherson counties, Kansas.

Also,

Between the above named counties, on the one hand, and points and places in the state of Kansas, on the other hand.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

Curtis D. Whitaker ) Docket No. 147,069 M  
Route 2 )  
Humboldt, KS 66748 )

Applicant's Attorney: None

*Grain, hay, feed, salt, heavy equipment and machinery, oilfield equipment, materials and supplies, iron and steel, building materials and scrap metal,*

Between all points and places in Kansas.

*Cattle,*

Between all points and places in Allen, Woodson, Wilson, Neosho, Bourbon, Coffey and Lyon counties, Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

Whitfield Sand and ) Docket No. 147,916 M  
Concrete, Inc. )  
Route 4, 10th and )  
Ridgeway )  
Pratt, KS 67124 )

Applicant's Attorney: John Jandera, 641 Harrison, Topeka, KS 66603

*Grain, dry fertilizer, dry fertilizer ingredients, dry anhydrite, dry gypsum and salt,*

Between the Kansas counties of Greeley, Wichita, Scott, Lane, Ness, Rush, Barton, Rice, McPherson, Marion, Chase, Lyon, Greenwood, Butler, Harvey, Reno, Stafford, Pawnee, Hodgeman, Finney, Kearney, Hamilton, Stanton, Grant, Haskell, Gray, Ford, Edwards, Kiowa, Pratt, Kingman, Sedgwick, Elk, Chautauqua, Cowley, Sumner, Harper, Barber, Comanche, Clark, Meade, Seward, Stevens and Morton.

Also,

Between above Kansas counties, on the one hand, and on the other, points in Kansas.

\*\*\*\*\*

**Application for Extension of Certificate of Convenience and Necessity:**

Robert Reifschneider, dba ) Docket No. 135,850 M  
Robert Reifschneider )  
Trucking )  
410 Peace, Box 127 )  
LaCrosse, KS 67548 )

Applicant's Attorney: William Barker, 3401 S.W. Harrison, Topeka, KS 66611

*Livestock and grain,*

Between points in Rooks, Trego, Lane, Finney, Scott, Gray, Ford, Hodgeman, Russell, Ellsworth, Stafford, Saline and Lyon counties, Kansas, on the one hand, and on the other, all points and places in Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

Buddy Dean Hopper, dba ) Docket No. 147,928 M  
B & T Service Center )  
Route 1, I-70 & K-232 )  
Wilson, KS 67490 )

Applicant's Attorney: None

*Wrecked, disabled, repossessed and replacement motor vehicles and trailers,*

Between all points and places in Ellsworth, Ellis, Russell, Saline and Lincoln counties, Kansas.

\*\*\*\*\*

**Applications set for November 14, 1985**

**Application for Transfer of Certificate of Convenience and Necessity:**

William Rupp and ) Docket No. 136,345 M  
Francis Rupp, dba )  
Rupp Water Hauling )  
1300 E. 19th )  
Hays, KS 67601 ) MC ID No. 116843

(continued)

TO:

Ellis County Drilling Co., Inc.  
P.O. Box 1063  
Wichita, KS 67201

Applicant's Attorney: William Barker, 3401 S.W.  
Harrison, Topeka, KS 66611

*Crude oil used in and for production, processing,  
treating, salvage, construction and for lease road  
purposes and salt water,*

Between all points in Rooks, Ellis, Rush and Trego  
counties, Kansas.

*Fresh water,*

Between all points in Cheyenne, Rawlins, Decatur,  
Norton, Phillips, Smith, Sherman, Thomas, Sheridan,  
Graham, Rooks, Osborne, Wallace, Logan, Gove,  
Trego, Ellis, Russell, Greeley, Wichita, Scott, Lane,  
Ness, Rush and Barton counties, Kansas.

\*\*\*\*\*

**Application for Extension and Consolidation of  
Certificates of Convenience and Necessity:**

Ellis County Drilling ) Docket No. 123,676 M  
Co., Inc. ) MC ID No. 117396  
P.O. Box 1063 ) Docket No. 136,345 M  
Wichita, KS 67201 ) MC ID No. 116843

Applicant's Attorney: William Barker, 3401 S.W.  
Harrison, Topeka, KS 66611

*Fresh water,*

Between points in Cheyenne, Rawlins, Decatur,  
Norton, Phillips, Smith, Sherman, Thomas, Wallace,  
Logan, Greeley, Wichita and Scott counties, Kansas.

*Crude oil used in and for production, processing,  
treating, salvage, construction and for lease road  
purposes, fresh water and salt water,*

Between points in Sheridan, Graham, Rooks, Os-  
borne, Gove, Trego, Ellis, Russell, Lane, Ness, Rush,  
Barton, Pratt, Kingman, Sedgwick, Comanche, Barber,  
Harper, Sumner, Cowley, Stafford and Butler coun-  
ties, Kansas.

\*\*\*\*\*

**Application for Transfer of Certificate of  
Convenience and Necessity:**

John H. Banks, dba ) Docket No. 146,319 M  
Banks Construction )  
Company )  
524 Oil Hill Road )  
El Dorado, KS 67042 ) MC ID No. 119143

TO:

Banks Construction Company, Inc.  
524 Oil Hill Road  
Box 995  
El Dorado, KS 67042

Applicant's Attorney: Bob Storey, Shadow Wood Of-  
fice Park, 5863 S.W. 29th, Topeka, KS 66614-2461

*Commodities in bulk, except flour and crude oil,*

Between all points and places in the state of Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience  
and Necessity:**

Carter Transport Company ) Docket No. 147,923 M  
120 W. Mill )  
Liberty, MO 64068 )

Applicant's Attorney: Tom Kretsinger, 20 E. Franklin,  
Liberty, MO 64068

*Petroleum products,*

Between points in Atchison, Douglas, Franklin,  
Jackson, Johnson, Leavenworth, Osage and Shawnee  
counties.

\*\*\*\*\*

**Application for Certificate of Convenience  
and Necessity:**

Jimco Charters, Inc. ) Docket No. 147,919 M  
1601 N. Brown )  
Abilene, KS 67410 )

Applicant's Attorney: Larry Gregg, 3401 S.W.  
Harrison, Topeka, KS 66611

*Passengers and their baggage, in charter  
and special operations,*

Between points in Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience  
and Necessity:**

Carnaco Transport, Inc. ) Docket No. 147,584 M  
5045 Wilshire Blvd. )  
Los Angeles, CA 90036 ) MC ID No. 110929

Applicant's Attorney: John Jandera, 641 Harrison,  
Topeka, KS 66603

*General commodities (except classes A and B  
explosives, household goods as defined by  
the Commission and commodities in bulk),*

Between points in Leavenworth, Wyandotte, John-  
son, Douglas, Shawnee and Sedgwick counties, Kan-  
sas.

Also,

Between the above counties, on the one hand, and  
on the other, points and places in Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience  
and Necessity:**

Arnold P. Kratky, dba ) Docket No. 147,927 M  
Kratky Service and )  
Repair )  
Box 554 )  
25th St. and Kansas )  
Highway 232 )  
Wilson, KS 67490 )

Applicant's Attorney: Clyde Christey, Southwest  
Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS  
66614

*Wrecked, disabled, repossessed and replacement  
motor vehicles and trailers and recreational vehicles,*

Between points and places in Russell, Lincoln, Ottawa, Barton, Ellsworth, Saline, Rice and McPherson counties.

Also, Between points and places in the above described territory, on the one hand, and points and places in the state of Kansas, on the other hand.

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Applications set for November 19, 1985

**Application for Extension and Consolidation of Certificate of Convenience and Necessity:**

Maverick Oilfield Services ) Docket No. 142,467 M  
Inc., dba )  
Maverick Water )  
Trucking Services )  
P.O. Box 197 )  
Great Bend, KS 67530 ) MC ID No. F19933

Applicant's Attorney: John Jandera, 641 Harrison, Topeka, KS 66603

*Crude oil, used in and for production, processing, treating, salvage, construction and for lease road purposes, salt water and fresh water.*

Between points in the Kansas counties of Edwards, Rush, Pawnee, Barton, Stafford, Ellsworth, Rice, Russell, Pratt, Hodgeman, Ellis, Trego and Ness.

\*\*\*\*\*

**Application for Extension of Certificate of Convenience and Necessity:**

Vaughn Holton and ) Docket No. 147,073 M  
Russell Holton, dba )  
Holton Brothers Oil )  
Field Construction )  
Rural Route, Box 497 )  
Canton, KS 67427 )

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

*Crude oil used in and for production, processing, treating, salvage, construction and for lease road purposes, in bulk, fresh water and salt water.*

Between points and places in Saline County, Kansas.

Also,

Between points and places in Saline County, on the one hand, and points and places in McPherson and Marion counties, Kansas, on the other hand.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

Leonard L. Mumma, dba ) Docket No. 147,925 M  
Mumma Motor Co. )  
518 S. Main )  
Pratt, KS 67124 )

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

*Wrecked, disabled, repossessed and replacement motor vehicles and trailers.*

Between points and places in Edwards, Stafford, Reno, Kiowa, Pratt, Kingman, Sedgwick, Comanche, Barber and Harper counties, Kansas.

Also,

Between the above described territory, on the one hand, and points and places in the state of Kansas, on the other hand.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

T & J Corporation, dba ) Docket No. 147,926 M  
Bill's Oilfield Service )  
P.O. Box 749 )  
Perryton, TX 79070 )

Applicant's Attorney: Larry Gregg, 3401 S.W. Harrison, Topeka, KS 66611

*Fresh water and salt water.*

Between points in Hamilton, Kearny, Finney, Hodgeman, Stanton, Grant, Haskell, Gray, Ford, Morton, Stevens, Seward, Meade and Clark counties, Kansas.

\*\*\*\*\*

**Application for Extension of Certificate of Convenience and Necessity:**

Martin Trucking, Inc. ) Docket No. 113,621 M  
P.O. Box M )  
Hugoton, KS 67951 ) MC ID No. 118128

Applicant's Attorney: Charles Briscoe, Suite 304, Capitol Tower, 400 W. 8th, Topeka, KS 66603

*Dry fertilizer, building materials and supplies.*

Between points and places in Barber, Pratt, Stafford, Barton, Comanche, Kiowa, Edwards, Pawnee, Rush, Clark, Ford, Hodgeman, Ness, Meade, Gray, Finney, Lane, Seward, Haskell, Scott, Stevens, Grant, Kearny, Wichita, Morton, Stanton, Hamilton and Greeley counties, Kansas, on the one hand, and the state of Kansas, on the other hand.

\*\*\*\*\*

**WILLIAM E. GREEN**  
Administrator  
Transportation Division

Doc. No. 003614

## State of Kansas

## DEPARTMENT OF CORRECTIONS

NOTICE OF HEARING  
ON PROPOSED  
ADMINISTRATIVE REGULATIONS

A public hearing will be conducted from 10 a.m. to 11 a.m. Friday, November 15, in the conference room of the Kansas Department of Corrections, 5th Floor, Jayhawk Tower, 700 Jackson, Topeka, to consider the adoption of proposed permanent regulations of the Kansas Department of Corrections.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Secretary of Corrections, attention Charles E. Simmons, Chief Legal Counsel, 5th Floor, Jayhawk Tower, 700 Jackson, Topeka 66603. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally, in regard to the adoption of the proposed regulations. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentation to five minutes.

Following the hearing all written and oral comments submitted by interested parties will be considered by the Secretary of Corrections as the basis for making changes to these proposed regulations.

Summaries of the regulations follow. Copies of the regulations and the fiscal impact statement may be obtained by writing to the address above.

The following is a brief summary of the proposed permanent regulations:

**44-6-136:** This regulation is amended to provide a procedure for computing time lost while on conditional release status.

**44-7-107:** This regulation is amended to make changes in how volunteers are screened.

**44-9-104:** This regulation is amended to establish different categories of parole supervision.

**44-11-125:** This regulation is amended to provide a time period to compute chargebacks.

**44-12-306:** This regulation is amended to extend this disciplinary violation to include an inmate threatening or intimidating another inmate.

**44-12-601:** This regulation is amended to make changes in how mail to and from inmates is processed and revises certain rules on inmate mail.

**44-13-303:** This regulation is amended to change the procedure for hearing class IV disciplinary cases.

**44-13-401:** This regulation is amended to provide that disciplinary reports received while in segregation will be heard on the same basis as other reports.

**44-13-403:** This regulation is amended to provide clarification on use of counsel or counsel substitute in disciplinary hearings.

**44-13-406:** This regulation is amended to provide a basis for computing disciplinary sentences on a concurrent or consecutive basis.

**44-13-407:** This regulation is amended to change the procedure for hearing class IV disciplinary cases.

**44-13-408:** This regulation is amended to clarify the

use of counsel or counsel substitute in disciplinary hearings.

**44-13-503:** This regulation is amended to change the process for recording the final hearing in disciplinary cases.

**44-13-504:** This regulation is amended to change the procedure for hearing class IV disciplinary cases.

**44-13-603:** This is a new regulation intended to establish a procedure for serving a disciplinary sentence after absence from an institution.

**44-13-305a:** This regulation is amended to clarify the process for an inmate to secure the inmate's property prior to being segregated.

**44-13-308:** This regulation is amended to clarify the process for bringing a disciplinary violation on an inmate in segregation.

RICHARD A. MILLS

Secretary of Corrections

Doc. No. 003605

## State of Kansas

## CRIME VICTIMS REPARATIONS BOARD

NOTICE OF HEARING  
ON PROPOSED  
ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 10 a.m. Friday, November 1, in Suite 400, 112 W. 6th (Old Columbian Building), Topeka, to consider the adoption of proposed regulations intended to amend the permanent regulations of the Crime Victims Reparations Board pertaining to the administration of the Protection from Abuse Fund.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Crime Victims Reparations Board, 112 W. 6th, Topeka 66603. All interested parties will be given a reasonable opportunity at the hearing to express their views, orally, in regard to the adoption of the proposed regulations. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentation to five minutes.

Following the hearing, all written and oral comments submitted by interested parties will be considered by the Crime Victims Reparations Board as the basis for making changes to the proposed regulations.

Copies of the regulations and the fiscal impact statement may be obtained by writing Don Stumbaugh, Director, Crime Victims Reparations Board, 112 W. 6th, Suite 400, Topeka 66603.

A summary of proposed regulations follows:

**K.A.R. 20-6-1:** This regulation is being amended to use statutory terms and definitions, e.g. "domestic abuse."

**K.A.R. 20-6-1(a):** This regulation is being amended to change the term "Advocacy" to "Assistance."

**K.A.R. 20-6-1(a)(2):** This regulation is being amended to eliminate the date and the word "existing."

**K.A.R. 20-6-1(p):** This regulation is being amended to reword "experiencing" to "experienced."

**K.A.R. 20-7-1, 20-7-2, 20-7-3, 20-7-4:** These regulations are revoked.

**K.A.R. 20-8-1(a):** This regulation is being amended to change the term "corporation" to "organization" and amends the requirement of providing both IRS and Kansas registration of such organization.

**K.A.R. 20-8-2(a):** This regulation is being amended to eliminate the words "who has completed a psychiatric residency."

**K.A.R. 20-8-3:** This regulation is being amended to delete the word "existing" and to change the word "violence" to "abuse."

**K.A.R. 20-8-3(g):** This regulation is being amended to delete the requirement of casualty insurance.

**K.A.R. 20-8-4:** This regulation is being amended to change the word "violence" to "abuse" and rewords the qualifications of members of the "advisory board."

**K.A.R. 20-9-1 through 20-9-6:** These regulations are revoked.

**K.A.R. 20-10-1(a):** This regulation is revoked.

**K.A.R. 20-10-1(b):** This regulation is being amended to delete the wording "For all subsequent years" and amends the application deadline from 90 days to 60 days prior to the beginning of each grant year.

**K.A.R. 20-10-2:** This regulation is being amended to clarify what shall be deemed a complete application.

**K.A.R. 20-11-1:** This regulation is being amended to use the statutory terms of abuse and to eliminate the criteria "experience in providing services" for the purpose of evaluating grant proposals.

**K.A.R. 20-11-2:** Amendment to this regulation is a simple rewording relating to notification of decision.

**K.A.R. 20-11-3, 20-11-4:** These regulations are revoked.

**K.A.R. 20-12-1, 20-12-2:** These regulations are revoked.

**K.A.R. 20-13-1:** This regulation is revoked.

**K.A.R. 20-13-2:** Amendment to this regulation eliminates the wording "in lieu of a fourth quarterly report" and imposes the requirement that each grantee agency shall submit an annual report in addition to quarterly reports.

**K.A.R. 20-13-3:** This new regulation is former K.A.R. 20-9-5 and is reworded to clarify the 50 percent limitation on requests and expenditure of funds by grantee agency.

**K.A.R. 20-14-1:** This regulation is revoked.

**DON STUMBAUGH**  
Director

Doc. No. 003615

State of Kansas

## BOARD OF MORTUARY ARTS

### NOTICE OF HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 1 p.m. Friday, November 22, in the conference room of the Kansas State Board of Mortuary Arts, 214 W. 6th, Suite 203, Topeka, at which time all interested persons will have an opportunity to be heard regarding the adoption of seven amended regulations. These permanent regulations will become effective May 1, 1986.

All interested persons may attend the hearing and will be given an opportunity to express comments either orally or in writing, or both. If it is not possible to be present, persons may submit written comments to the Kansas State Board of Mortuary Arts, 214 W. 6th, Suite 203, Topeka 66603, at or before the hearing. Prior notice to this office by anyone wishing to speak at the hearing would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

A summary of the proposed amendments is as follows:

**63-1-1:** Amends agency name.

**63-1-3:** Deletes a "C" average.

**63-1-8:** Amends agency name and adds the board's right of counsel.

**63-1-12:** Amends agency name.

**63-2-15:** Amends agency name.

**63-3-20:** Amends agency and adds the requirement of a written complaint.

**63-4-1:** Amends agency name.

Copies of these regulations and fiscal impact statements may be obtained by writing Douglas "Mack" Smith, Executive Secretary, Kansas State Board of Mortuary Arts, at the address above.

**DOUGLAS "MACK" SMITH**  
Executive Secretary

Doc. No. 003611

State of Kansas

## SOCIAL AND REHABILITATION SERVICES

### NOTICE OF HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

The Department of Social and Rehabilitation Services will meet at 9 a.m. Tuesday, November 5, in the Staff Development Training Center, 2700 W. 6th, Topeka.

The scheduled agenda includes:

—Final suggestions concerning 1986 legislative proposals.

—Other items, as appropriate.

—Public hearing concerning certain administrative

(continued)

regulations to become effective on a temporary basis and permanent regulations to become effective May 1, 1986. A summary of the proposed regulations is set forth below.

An asterisk (\*) indicates that the material has previously been adopted, amended or revoked by the Secretary on a temporary basis.

### I. Temporary Regulations

#### A. Medicaid/Medikan Program—Client Eligibility

1. **30-6-107. Property exemption.** This regulation is being amended to delete the provision which enables a person to receive assistance not to exceed nine months due to the ownership of excess real property for non-SSI or excess real and personal property for SSI when a bona fide and documented effort is being made to dispose of the property.

2. **30-6-108. Real property.** This regulation is being amended to revise the home exemption provision for persons entering institutional living situations so that:

- (a) The home becomes other real property six months after the month of entrance; and
- (b) Adopt the 12-month temporary absence provision specified for SSI.

#### B. Medicaid/Medikan Program—Adult Care Homes

1. **30-10-29. Reimbursement for 24-hour nursing care.** The Secretary is promulgating a new regulation concerning reimbursement for 24-hour nursing care. The text of the proposed regulation is set forth below:

**30-10-29. Reimbursement for 24-hour nursing care.** Adult care homes participating in the medic-aid/medikan program shall be reimbursed for providing 24-hour nursing care subject to the following limitations: (a) Adult care homes who are currently providing 24-hour nursing care, whose costs are included in such home's rate but whose costs exceed the health care cost center limitation or the total cost center limitation shall be entitled to the lesser of:

- (1) The actual costs of providing the 24-hour nursing care;
- (2) the statewide hourly average for an LPN or an RN; or
- (3) the amount by which the facility's actual costs exceed the health care cost center limitations.

(b) Adult care homes who are currently providing 24-hour nursing care, whose costs are included in such home's rate and who do not exceed the health care cost center limitations or the total cost center limitation shall not be entitled to any further reimbursement under this regulation.

(c) Adult care homes who are providing 24-hour nursing care but who do not have these costs included in the home's rate shall be reimbursed for one LPN or RN per 60 beds at a rate that shall not exceed the statewide LPN or RN average hourly wage.

(d) Adult care homes shall be limited to 16 hours of reimbursement per 60 beds per day.

(e) Reimbursement for skilled nursing facilities shall be restricted to the provision of 24-hour nurs-

ing care provided in the facilities' intermediate care certified beds.

(f) Twenty-four hour nursing care reimbursement shall be provided in addition to an adult care home's current medicaid/medikan rate.

### II. Permanent Regulations

#### A. Public Assistance Program

1. **30-4-36. Redetermination of eligibility process.** This regulation is being amended to require that a redetermination be conducted at least annually for all cases.

2. **30-4-39. Responsibilities of applicants and recipients.** This regulation is being amended to extend the client responsibility to report changes in circumstances from five working days to 10 calendar days.

3. **30-4-41. Assistance planning.** This regulation is being amended to reflect a technical change.

4. **30-4-53. Financial eligibility.** This regulation is being amended to reflect technical changes.

5. **30-4-56. Assignment or transfer of property.** This regulation is being amended to:

(a) Grant adequate consideration if the compensation received is equal to or greater than 75 percent of the market value for the property; and

(b) Change the way in which the period of ineligibility is calculated. Under this change, the uncompensated value of the property transferred will be divided by the allowable transfer amount of \$500.00 to determine the number of months of ineligibility. The period of ineligibility will commence with the month in which the property was transferred for applicants and no later than the second month following the month of transfer for recipients giving timely and adequate notice.

6. **30-4-57. Job search requirements.** This regulation is being amended to replace the five attempts per month provision with a requirement that the client sign an affidavit to seek and accept available employment.

7. **30-4-62. Community work experience program requirements.** This regulation is being amended to clarify that the reference to the federal minimum wage in the exemption for ADC and ADC-UP persons who are employed 80 hours or more per month is applicable only to those persons whose employment is subject to the federal minimum wage.

8. **30-4-78. Eligibility factors specific to the APW program.** This regulation is being amended to delete the requirement that there be apparent eligibility for ADC in the month in which the child is expected to be born.

9. **30-4-85a. Eligibility factors specific to the EA program.** This regulation is being amended to limit emergency assistance to disasters and delete the provisions for evictions and potential evictions.

10. **30-4-90. Eligibility factors specific to the GA-unrestricted (GAU) program.** This regulation is being amended to:

(a) Permit the acceptance of a vocational rehabilitation counselor's statement as the basis for establishing a person's incapacity;

(b) Change the GAU vulnerable group of persons who are age 51 or over to persons who are age 55 and older; and

(c) Delete the GAU vulnerable group of women who are pregnant and not eligible for APW.

**11. 30-4-96. Eligibility factors specific to the burial assistance (BA) program.** This regulation is being amended to reflect technical changes.

**12. 30-4-100. Payment standards for budgetary requirements in the ADC, ADC-FC, APW, GA and GA-FC programs.** This regulation is being amended to:

(a) Reflect that the \$7.00 increase for each person in the assistance plan set forth in K.A.R. 30-4-101 is not subject to being further reduced by 20% for the purpose of budgeting TGA and GAU cases; \*

(b) Extend the ADC and APW budgeting of the basic standard and 100 percent of the shelter standard to all persons in the plan who are living in a specialized living arrangement, commercial board and room, or commercial room only living arrangement;

(c) Extend the GAU budgeting of the basic and shelter standards to persons who are living in specialized living arrangements, commercial board and room, and commercial room only living arrangements;

(d) Expand the GAU provision of budgeting 100 percent of the total budgetary requirements to:

(1) Persons who are participating in an agency approved work-related activity; and

(2) persons residing in a specialized living arrangement; and

(e) Exclude persons from the GAU pro rata budgeting concept who are living in specialized living, commercial board and room, and commercial room only living arrangements.

**13. 30-4-101. Standards for persons in own or other family home.** This regulation is being amended to:

(a) Change the title of this regulation to "Standards for persons in own home, other family home, specialized living, commercial board and room, or commercial room-only living arrangements."; and

(b) Increase the basic standard from \$6.00 to \$7.00 per person for the purpose of being an energy supplement.\*

**14. 30-4-102. Standards for persons in room, board, specialized living or care.** This regulation is being amended to:

(a) Change the title of this regulation to "Standards for children in foster care."; and

(b) Delete reference to the standards for board and room, room only and specialized living arrangements; and

(c) Reflect a 15 percent increase in the foster family care standards.\*

**15. 30-4-106. General rules for consideration of resources.** This regulation is being amended to:

(a) Expand the provision concerning the availability of a resource to recognize that a resource shall be considered temporarily unavailable when there is a legal impediment that precludes the disposal of the resource and the applicant or recipient is pur-

suing reasonable steps to overcome such impediment; and

(b) Delete reference to proceeds from a contract for the sale of property in K.A.R. 30-4-106(k).

**16. 30-4-107. Property exemption.** This regulation is being amended to reduce the nine month period of time to a six month period of time that a person can receive assistance due to excess real property when a bona fide and documented effort is being made to dispose of the property.

**17. 30-4-108. Real property.** This regulation is being amended to delete the real property exemption pertaining to any contract from the sale of property.

**18. 30-4-109. Personal property.** This regulation is being amended to reflect that a contract from the sale of property is classified as other personal property.

**19. 30-4-111. Applicable income.** This regulation is being amended to allow insurance payments on equipment, vehicles, or other property as income-producing cost for self-employed persons as long as such payments are directly related to the business.

**20. 30-4-112. Income exempt from consideration as income and as a cash asset.** This regulation is being amended to:

(a) Exempt reimbursements received by applicants or recipients for out-of-pocket expenses in the month received or the following month;

(b) Delete the reimbursement provision contained in K.A.R. 30-4-112(q); and

(c) Restrict the exemption of VISTA income to those situations where the Director of Action determines that the value of such income, adjusted to reflect the number of hours such volunteers are serving, is less than the federal minimum wage.

**21. 30-4-113. Income exempt as applicable income.** This regulation is being amended to limit the exemption for irregular, occasional, or unpredictable monetary gifts to \$30.00 per person for any calendar quarter.

**22. 30-4-120. Special allowances and requirements for applicants and recipients of ADC, ADC-FC, APW, GAU and GA-FC.** This regulation is being amended to:

(a) Delete the special home repair allowances; and

(b) Restrict the job search allowance to those persons who are participating in an agency approved job club or related activity.

**23. 30-4-122a. Special allowances for EA.** This regulation is being amended to:

(a) Remove the provision related to shelter allowances for evictions and potential evictions; and

(b) Change the emergency clothing provision to provide for the replacement of clothing on an as needed basis, not to exceed \$150.00 per person.

**24. 30-4-130. Types of payments.** This regulation is being amended to:

(a) Not require a protective payment in cases where the needs of the caretaker relative have been removed for failure to avail himself or herself of a potential resource;

(b) Extend the review period for money mismanagement cases from quarterly to annually; and

(continued)

(c) Require that money mismanagement cases be discontinued after a period of two years.

25. 30-4-140. **Payments.** This regulation is being amended to reflect technical amendments.

**B. Medicaid/Medikan Program—Provider Participation, Scope of Services, Reimbursement**

1. 30-5-58. **Definitions.** This regulation is being amended to:

(a) Incorporate the definitions formerly contained in K.A.R. 30-5-91, **Definitions for pharmacy services**;

(b) Delete the definitions of "emergency admission," "obstetrical admission," and "psychiatric day treatment program";

(c) Add definitions of "ambulance," "disproportionate number of low income patients with special needs," "emergency care," "health maintenance organization," "home and community based services," "ineligible provider" and "special hospital";

(d) Clarify the definitions of "lock-in," "medical necessity," "medical necessity in psychiatric situations," "physician extender," "primary care network" and "psychiatric partial hospitalization program"; and

(e) Change the definition of "acquisition cost."

2. 30-5-59. **Provider participation in the medic-aid/medikan program.** This regulation is being amended to:

(a) Clarify the title;

(b) Clarify circumstances in which a provider may not bill medicaid/medikan recipients;

(c) Make technical changes; and

(d) Require that when a change of ownership occurs, a new provider must apply to participate in the program and enter into a provider agreement.

3. 30-5-60. **Termination of a provider from the medicaid (medical assistance) program.** This regulation is being amended to reflect technical changes.

4. 30-5-62. **Reinstatement of a provider previously terminated from the medicaid (medical assistance) program.** This regulation is being amended to reflect technical changes.

5. 30-5-63. **Medical necessity.** This regulation is being amended to reflect a technical change.

6. 30-5-64. **Prior authorization.** This regulation is being amended to:

(a) Delete when retroactive eligibility is established, prior authorization shall be "considered," and replace it with "waived";

(b) Replace when authorization is "approved, payment shall be made," and add that if "medical necessity is documented, payment shall be made";

(c) Discontinue the requirements to have a signed authorization accompanying all claims, and the prior authorization number being placed on the claim form; and

(d) Add emergency services as exceptions to prior authorization.

7. 30-5-65. **Denial of medical claims.** This regulation is being amended to:

(a) Clarify the title; and

(b) Add two exceptions to the filing date limitations.

8. 30-5-67. **Disallowance of claims for services generated by providers ineligible for participation in the medicaid (medical assistance) program.** This regulation is being amended to reflect technical changes.

9. 30-5-68. **Fees for consultants to the medicaid (medical assistance) program.** This regulation is being amended to reflect technical changes.

10. 30-5-70. **Recipient eligibility for the payment of specific medical expenses.** This regulation is being amended to:

(a) Clarify the title;

(b) Make technical changes;

(c) Delete portions of the regulation contained in K.A.R. 30-5-64 and 30-5-65; and

(d) Clarify that payment for community mental health center services and alcohol/drug abuse services shall be limited to those provided within Kansas.

11. 30-5-71. **Co-pay requirements.** This regulation is being amended to reflect technical changes.

12. 30-5-73. **Medical control of services.** This regulation is being amended to:

(a) Clarify the title; and

(b) Make technical changes.

13. 30-5-74. **Social and rehabilitation services approval of treatment programs.** This regulation is being revoked.

14. 30-5-81. **Scope of hospital services.** This regulation is being amended to:

(a) Delete the limitation on reimbursement for elective inpatient admissions from 12:00 a.m., Thursday, through 11:59 p.m., Saturday;

(b) Delete the requirement that after therapeutic home visits, a patient must return to the hospital for at least eight hours prior to discharge;

(c) Add the provision that orders shall be related specifically to the present diagnosis of the recipient, and that EPSDT participants are covered up to 45 days for substance abuse treatment;

(d) Reduce the number of days from 30 to 25 for substance abuse treatment services for non-EPSDT participants; and

(e) Clarify that extended lengths of stay for psychiatric services may also be certified through utilization review.

15. 30-5-81b. **The basis of reimbursement for hospital services.** This regulation is being amended to:

(a) Add a premium to the reimbursement rate for inpatient general hospitals;\*

(b) Add an additional 1 percent to the per diem rate for hospitals determined to have a disproportionate number of low income patients with special needs; and

(c) Add that radiology is also exempt (with laboratory) from reasonable costs or customary charges in an outpatient setting.

16. 30-5-81q. **Per diem rate calculations.** This regulation is being amended to reflect a technical change.

17. 30-5-81r. **Per diem rate limitations.** This regulation is being amended to reflect technical changes.

18. 30-5-81s. **Modification of per diem rates and day**



maximums for medicaid/medikan program. This regulation is being amended to clarify that the review committee in considering cost increases based upon declines in patient days shall only consider program days and fixed costs in making such determinations.

**19. 30-5-81t. Cost limitations on change of ownership.** This regulation is being amended to:

- (a) Require 60 days prior notification to the agency when a hospital changes ownership;
- (b) Require that a new provider agreement be submitted to the agency when there is a hospital change of ownership; and
- (c) Require that new ownership of a hospital also requires new certification by the department of health and environment.

**20. 30-5-84. Scope of alternate services to inpatient care.** This regulation is being amended to:

- (a) Clarify that these are home and community based services; and
- (b) Clarify the types of services available.

**21. 30-5-84a. Reimbursement for alternate services to inpatient care.** This regulation is being amended to:

- (a) Clarify that this regulation covers home and community based services; and
- (b) Delete the requirement that reimbursement shall be made at a negotiated rate.

**22. 30-5-86. Scope of services by community mental health centers.** This regulation is being amended for technical changes and clarity.

**23. 30-5-86a. Reimbursement for community mental health centers.** This regulation is being amended to clarify the base rate reimbursement methodology. Portions of this regulation have been moved to K.A.R. 30-5-86b, 30-5-86c, 30-5-86d, and 30-5-86e. Additionally, this regulation is being amended to:

- (a) Delete reference to K.A.R. 30-10-1a, 30-10-15a and 30-10-18;
- (b) Add that the base year shall be as established by the secretary;
- (c) Add that the base rate shall be calculated by dividing allowable base year costs by the total rendered units of service; and
- (d) Add that bad debt expenses, donations and contributions, substance abuse program costs and legal expenses in actions against the agency when rulings are made against the agency are nonallowable costs.

**24. 30-5-86b. Existing provider rates for community mental health centers.** The Secretary is promulgating a new regulation concerning existing provider rates for community mental health centers. The text of the proposed regulation is set forth below:

**30-5-86b. Existing provider rates for community mental health centers.** (a) For an existing provider and those providers resulting from a separation from or a division of an existing provider, the agency shall review the fee schedule retained for cost auditing and supplied annually to the agency by the provider to determine per hour rates. The rates shall be based on the patient-related costs submitted by the provider for its fiscal year ending on or before December 31, 1981, and any subsequent base years thereafter, as established by the

secretary. The rate may be adjusted on or after each July 1 by an inflation factor established by the secretary. The rates shall be limited to the lesser of the computed rate, the highest fee charged to and paid by private patient resources within the catchment area, or the range maximums established by the secretary. Under no circumstances shall a separation or division from an existing provider be considered as the establishment of a new provider, and the existing rate will be continued. A provider shall be reimbursed for recipients living outside their catchment areas at the same rate as recipients located within their catchment areas.

(b) Failure to complete and submit any required cost report or other financial data shall result in that center's new reimbursement rate being reduced to the lowest rate paid to a community mental health center until such time that a cost report is received and reviewed by the division of medical programs.

**25. 30-5-86c. New provider rates for community mental health centers.** The Secretary is promulgating a new regulation concerning new provider rates for community mental health centers. The text of the proposed regulation is set forth below:

**30-5-86c. New provider rates for community mental health centers.** (a) Rates for the first 18 months of a new community mental health center shall be computed from projected costs. The first projection, based on 12-month projected cost data, shall apply to the first six months of operation. The second 12-month projection, based on six months' actual cost data, shall be filed within 60 days after the end of the sixth month. The projected rate shall remain in effect until a rate can be established from a cost report based on historical cost data for the last 12 months of the projection period. Failure to complete and submit the required cost report or other financial data shall result in that center's reimbursement rate being reduced to the lowest rate paid to a community mental health center.

(b) Each new provider shall file a cost report based on historical data for the 12-month period ending on the last day of the 18th month following licensure of the community mental health center. Retroactive adjustment of the payments made during the projection period shall be made at the end of the 18-month period after audit of the historical cost data. Settlement of an overpayment or underpayment shall be at the audited rate computed from the historical cost data reported in accordance with this paragraph, or at the highest fee charged to and paid by private patient resources within the catchment area, or at the range maximums established by the secretary, whichever is less.

(c) Rates for a new provider, subsequent to the projection period, shall be based on the historical cost data reported in accordance with subsection (b), adjusted by an inflation factor established by the secretary, to compute a rate comparable to the rates computed in K.A.R. 30-5-86b for existing providers.

**26. 30-5-86d. Financial recordkeeping for commu-**

(continued)

nity mental health centers. The Secretary is promulgating a new regulation concerning financial record-keeping for community mental health centers. The text of the proposed regulation is set forth below:

**30-5-86d. Financial recordkeeping for community mental health centers.** (a) Records shall be maintained by the provider to document income and expenditures, hours of services provided, allocation methodologies, and fees charged to and paid by private patient resources.

(b) Each provider record used in support of costs, charges and payments for services and supplies shall be subject to inspection and audit by the agency, the United States department of health and human services, and the United States general accounting office. Standardized definitions, accounting, statistics and reporting practices which are widely accepted in community mental health centers and related fields shall be followed.

**27. 30-5-86e. Modification of prospective rates for community mental health centers.** The Secretary is promulgating a new regulation concerning modification of prospective rates for community mental health centers. The text of the proposed regulation is set forth below:

**30-5-86e. Modification of prospective rates for community mental health centers.** (a) Each community mental health center participating in the prospective payment system may request that the rate review committee modify its reimbursement rate if its current medicaid/medikan program unit cost exceeds the unit reimbursement rate by at least 15%.

(b) Each rate modification request shall be in writing, shall set forth sufficient information and documentation to support the request, and shall be received by the division of medical programs prior to April 1 of each year.

(c) The review committee shall submit its recommendations to the commissioner of income maintenance and medical services within 60 days after its receipt of the request.

(d) The commissioner shall have five working days from the receipt of the review committee's recommendations to accept, modify or reject them. The recommendations of the review committee shall become final if the commissioner fails to act within 60 days of the committee's receipt of the request.

(e) The commissioner shall notify the agency or community mental health center of the disposition of its modification request within five working days of the final decision.

(f) Each approved modification shall become effective on and after July 1 of that year.

**28. 30-5-88. Scope of physician services.** This regulation is being amended to reflect a technical change and for clarity.

**29. 30-5-89. Scope of home health services.** This regulation is being amended to add as a service prior authorized medical attendant care for independent living.

**30. 30-5-89a. Reimbursement for home health services.** This regulation is being amended to:

(a) Make technical changes;

(b) Delete that the reimbursement rate shall be negotiated; and

(c) Delete the reimbursement requirement for home health aide services.

**31. 30-5-90. Scope of substance abuse services.** This regulation is being amended to reflect technical changes.

**32. 30-5-90a. Reimbursement for substance abuse services.** This regulation is being revoked as the contents are set forth in K.A.R. 30-5-81a, 30-5-81b, 30-5-81q, 30-5-81r, 30-5-81s and 30-5-81t.

**33. 30-5-91. Definitions for pharmacy services.** This regulation is being revoked since the contents are being incorporated into K.A.R. 30-5-58.

**34. 30-5-92. Scope of pharmacy services.** This regulation is being amended to:

(a) Allow a separate formulary listing for EPSDT participants;

(b) Limit non-EPSDT participants to a separate formulary listing;

(c) Allow the Secretary to limit the number of prescriptions a recipient may receive in a given time period; and

(d) Allow the Secretary to limit selected pharmacy services to a dollar value for a given time period.

**35. 30-5-94. Reimbursement for pharmacy services.** This regulation is being amended to allow the professional fee to be limited to a rate established by the Secretary.

**36. 30-5-100. Scope of dental services.** This regulation is being amended to:

(a) Limit coverage to EPSDT participants and to allow the principle of pain and suffering relief to be the guideline for utilization for other medicaid recipients; and

(b) Make technical changes.

**37. 30-5-101. Scope of chiropractic services.** This regulation is being amended to delete coverage for medicaid recipients.

**38. 30-5-101a. Reimbursement for chiropractic services.** This regulation is being amended to delete reimbursement for medicaid recipients.

**39. 30-5-102. Scope of optometric and optical services.** This regulation is being amended to:

(a) Limit coverage to EPSDT participants; and

(2) Make technical changes.

**40. 30-5-102a. Reimbursement for optometric examinations and optical services.** This regulation is being amended to reflect technical changes.

**41. 30-5-103. Scope of podiatrists services.** This regulation is being amended to:

(a) Limit coverage to the debridement of mycotic toenails once every 60 days; and

(b) Make technical changes.

**42. 30-5-103a. Reimbursement for podiatrists services.** This regulation is being amended to reflect technical changes.

**43. 30-5-104. Scope of psychologists services.** This regulation is being amended to:

- (a) Make technical changes;
- (b) Limit coverage to EPSDT participants; and
- (c) Delete the provision for adult care home visits currently limited to testing and evaluation.

**44. 30-5-105. Scope of services for the hard of hearing.** This regulation is being amended to:

- (a) Make technical changes; and
- (b) Limit coverage to EPSDT participants.

**45. 30-5-105a. Reimbursement for services for the hard of hearing.** This regulation is being amended to reflect technical changes.

**46. 30-5-106. Scope of ambulance services.** This regulation is being amended to reflect technical changes and for clarity.

**47. 30-5-107. Scope of non-ambulance medical transportation services.** This regulation is being amended to reflect technical changes.

**48. 30-5-108. Scope of services for durable medical equipment, medical supplies, orthotics, and prosthetics.** This regulation is being amended to reflect a technical change.

**49. 30-5-108a. Reimbursement for durable medical equipment, medical supplies, orthotics, and prosthetics.** This regulation is being amended to reflect technical changes.

**50. 30-5-110. Scope of psychiatric partial hospitalization programs.** This regulation is being amended to reflect technical changes.

**51. 30-5-110a. Reimbursement for psychiatric partial hospitalization programs.** This regulation is being amended to cross-reference K.A.R. 30-5-86a through 30-5-86e (community mental health center services reimbursement).

**52. 30-5-111. Screening, evaluation and referral services for persons ineligible to participate in the medicaid/medikan program.** This regulation is being amended to reflect a technical change and for clarity.

**53. 30-5-151. Scope of hospital services for adult medikan program recipients.** This regulation is being amended to:

- (a) Make technical changes; and
- (b) Delete the requirement that after therapeutic home visits a patient must return to the hospital for at least eight hours prior to discharge.

**54. 30-5-156. Scope of physician services for adult medikan program recipients.** This regulation is being amended to reflect a technical change.

**55. 30-5-160. Scope of chiropractic services for adult medikan program recipients.** This regulation is being amended to delete coverage of chiropractic services for adult medikan recipients.

**56. 30-5-161. Scope of podiatrist services for adult medikan program recipients.** This regulation is being amended to:

- (a) Make a technical change; and
- (b) Limit coverage to the debridement of mycotic toenails once every 60 days for adult medikan recipients.

**57. 30-5-162. Scope of psychologist services for adult medikan program recipients.** This regulation is being amended to delete coverage of psychological services to adult medikan program recipients.

**58. 30-5-169. Scope of psychiatric partial hospital-**

**ization programs for adult medikan program recipients.** This regulation is being amended to reflect a technical change.

### C. Medicaid/Medikan Program—Client Eligibility

**1. 30-6-39. Responsibilities of applicants and recipients.** This regulation is being amended to extend the client responsibility to report changes in circumstances from five days to 10 calendar days.

**2. 30-6-50. Determined eligibles; general eligibility factors.** This regulation is being amended to reflect a technical change.

**3. 30-6-55. Cooperation.** This regulation is being amended to:

(a) Require that an applicant or recipient for medical assistance provide a social security number as a condition of eligibility; and \*

(b) Require the applicant or recipient to cooperate with the agency in establishing the paternity of a child for whom assistance is claimed, and in obtaining medical support for the applicant or recipient, and for the child for whom assistance is claimed. Failure to cooperate shall render the applicant or recipient ineligible for assistance unless the individual demonstrates good cause for the failure.\*

**4. 30-6-56. Assignment or transfer of property.** This regulation is being amended to:

(a) Restrict the \$500.00 allowable transfer amount to non-SSI and to SSI for persons in independent living arrangements or in the home- and community-based service program;

(b) Increase the allowable transfer amount for SSI for persons in institutional living arrangements from \$500.00 to \$1,500.00;

(c) Grant adequate consideration if the compensation received is equal to or greater than 75% of the market value of the property;

(d) Change the way in which the period of ineligibility is calculated for non-SSI and for SSI for persons in independent living arrangements or in the home- and community-based service program. Under this change, the uncompensated value of the property transferred will be divided by the allowable transfer amount of \$500.00 to determine the number of months of ineligibility. The period of ineligibility will commence with the month in which the property was transferred for applicants and no later than the second month following the month of transfer for recipients giving timely and adequate notice; and

(e) Change the way in which the period of ineligibility is calculated for SSI for persons in institutional living arrangements. Under this change, the uncompensated value of the property transferred will be divided by the allowable transfer amount of \$1,500.00 to determine the number of months of ineligibility. The period of ineligibility will commence with the month in which the property was transferred for applicants and no later than the second month following the month of transfer for recipients giving timely and adequate notice.

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5. **30-6-57. Job search requirements.** This regulation is being amended to replace the five attempts per month provision with a requirement that the client sign an affidavit to seek and accept available employment.

6. **30-6-63. Assignment of rights to medical support or other third party payments.** The Secretary is promulgating a new regulation to require that an applicant or recipient assign to the Secretary any accrued, present, or future rights to medical support or other third party payments the individual may have in his or her own behalf or in behalf of any other person for whom the applicant or recipient is applying for or receiving assistance.\*

7. **30-6-65. Automatic eligibles.** This regulation is being amended to:

(a) Require that in order to continue to be automatically eligible for medical assistance, an applicant or recipient must cooperate in obtaining any medical support for the applicant or recipient and for the child for whom assistance is claimed. Failure to cooperate shall render the applicant or recipient ineligible for medical assistance unless the individual demonstrates good cause for the failure. In addition, the applicant or recipient must assign to the Secretary any accrued, present, or future rights to medical support or other third party payments the individual may have in his or her own behalf or in behalf of any other person for whom the applicant or recipient is applying for or receiving assistance. Such assignment shall automatically become effective upon the date of approval for medical assistance;\*

(b) Provide automatic eligibility for medical assistance to a person who is ineligible for ADC due to the provisions of K.A.R. 30-4-62, 30-4-71, or 30-4-75; and

(c) Provide automatic eligibility to a child born to a mother eligible for and receiving medicaid on the date of the child's birth for a period of one year so long as the child is a member of the mother's household and the mother remains eligible for medicaid.

8. **30-6-73. Deprivation in ADC.** This regulation is being amended to reflect technical changes.

9. **30-6-74. Persons whose needs are to be considered with the needs of the ADC child.** This regulation is being amended to exclude caretaker relatives from participation in the MACrADC program.

10. **30-6-78. Medicaid (title XIX) determined eligibles—eligibility factors specific to aid to pregnant women (APW).** This regulation is being amended to delete the requirement that there be apparent eligibility for ADC in the month in which the child is expected to be born.

11. **30-6-103. Determined eligibles; protected income levels.** This regulation is being amended to:

(a) Increase the protected income level for one person in an independent living arrangement from \$325.00 to \$340.00;

(b) Increase the protected income level for two persons in an independent living arrangement from \$425.00 to \$442.00;

(c) Increase the protected income levels for three and four persons in an independent living arrangement to maintain an upward progression; and

(d) Delete the provision that the protected income level for additional persons shall not be less than \$445.00.\*

12. **30-6-105. Determined eligibles; resources.** This regulation is being amended to reflect a technical change.

13. **30-6-106. General rules for consideration of resources, including real property, personal property, and income.** This regulation is being amended to:

(a) Expand the provision concerning the availability of a resource to recognize that a resource shall be considered temporarily unavailable when there is a legal impediment that precludes the disposal of the resource and the applicant or recipient is pursuing reasonable steps to overcome such impediment;

(b) Delete reference to proceeds from a contract for the sale of property in K.A.R. 30-6-106(k);

(c) Clarify that a husband and wife shall not be considered as living together when one or both enter into a care situation, including a home- and community-based services (HCBS) care arrangement; and

(d) Clarify that when one or both spouses enter a care situation, their income will only be considered available to each other in the month the care arrangement begins.

14. **30-6-107. Property exemption.** This regulation is being amended to:

(a) Modify the nonexempt resource standards so that they are based not only on the number of persons in the assistance plan but also the number of legally responsible persons in the family group who are not included in the plan;

(b) Increase the allowable nonexempt resource standards from \$1,600.00 to \$1,700.00 for one person and from \$2,400.00 to \$2,550.00 for two or more persons; and

(c) Delete the provisions which enable a person to receive assistance not to exceed nine months due to the ownership of excess real property for non-SSI or excess real and personal property for SSI when a bona fide and documented effort is being made to dispose of the property.\*

15. **30-6-108. Real property.** This regulation is being amended to:

(a) Revise the home provision for persons entering institutional living situations so that:

(1) The home becomes other real property after six months; and

(2) Adopt the 12-month temporary absence provision specified for SSI;\* and

(b) Delete the real property exemption pertaining to any contract from the sale of property.

16. **30-6-109. Personal property.** This regulation is being amended to reflect that a contract from the sale of property is classified as other personal property.

17. **30-6-110. Income.** This regulation is being amended to clarify that intermittent income is to be averaged by dividing it by the proper number of

months to establish a monthly amount and that intermittent income is to be considered beginning with the eligibility base period in which it is received.

**18. 30-6-111. Applicable income.** This regulation is being amended to:

(a) Apply the SSI income disregards for persons in independent living to persons in the home- and community-based services program; and \*

(b) Allow insurance payments on equipment, vehicles, or other property as an income-producing cost for self-employed persons as long as such payments are directly related to the business.

**19. 30-6-112. Income exempt from consideration as income and as a cash asset.** This regulation is being amended to:

(a) Exempt reimbursements received by applicants or recipients for out-of-pocket expenses in the month received or in the following month;

(b) Delete the reimbursement provision contained in K.A.R. 30-6-112(p);

(c) Restrict the exemption of VISTA income to those situations where the Director of Action determines that the value of such income, adjusted to reflect the number of hours such volunteers are serving, is less than the federal minimum wage; and

(d) For SSI, delete the three month time limitation for exempting proceeds from any bona fide and legal loan requiring repayment.

**20. 30-6-113. Income exempt as applicable income.** This regulation is being amended to:

(a) Limit the exemption for irregular, occasional, or unpredictable monetary gifts to \$30.00 per person for any calendar quarter;

(b) Apply the exemption for tax refunds and rebates to both non-SSI and SSI; and

(c) For SSI, exempt child support collected by the agency and paid as a \$50.00 or less child support pass-through.

**21. 30-6-140. Payment amounts.** This regulation is being amended to reflect a technical change.

#### D. Complaints, Appeals and Fair Hearings

**1. 30-7-30. Dismissal of request for fair hearing.** This regulation is being amended to clarify that a request for fair hearing shall be dismissed if:

(a) The appellant fails to request an available pre-appeal administrative review within the time period set forth in the correspondence notifying the appellant of such opportunity; and

(b) The request concerns a decision to refer a matter for criminal prosecution or civil litigation.

**2. 30-7-35. Prehearing discovery.** This regulation is being amended to provide that at the discretion of the hearing officer discovery may be either informal or in accordance with the rules of civil procedure.

**3. 30-7-40. Telephone hearings.** This regulation is being amended to indicate that the hearing officer may conduct the fair hearing by telephone or other electronic means if each participant in the hearing has an opportunity to participate in the entire proceeding while the proceeding is taking place. A party may be granted a face to face hearing if good cause can be

shown that a fair and impartial hearing could not be conducted by telephone or other electronic means.

**4. 30-7-54. Notice to recipients of intended action.** This regulation is being amended to add an additional provision whereby the agency may dispense with timely notice when the agency takes action because of information the recipient furnished in a monthly status report or because the recipient has failed to submit a complete or a timely monthly status report without good cause.

#### E. Medicaid/Medikan Program—Adult Care Homes

**1. 30-10-1a. Adult care home program definitions.** This regulation is being amended to add a definition on swing beds, 24-hour nursing and representative.

**2. 30-10-1b. Adult care home facilities.** This regulation is being amended for clarification.

**3. 30-10-1c. Provider agreement.** This regulation is being amended to show medicaid/medikan instead of medicaid (medical assistance).

**4. 30-10-1e. Bond.** This regulation is being amended to show this applies to medikan only.

**5. 30-10-7. Certification and recertification by physicians.** This regulation is being amended to remove the reference to medical programs.

**6. 30-10-9. Utilization review of adult care homes.** This regulation is being amended to remove the reference to medical programs.

**7. 30-10-11. Personal needs fund.** This regulation is being amended to indicate that receipts shall be signed by the resident, legal guardian, conservator or responsible party for all transactions. This regulation is being further amended to incorporate the material previously adopted by reference on May 1, 1985, except the following:

(a) "The facility must keep these records in accordance with the American Institute of Certified Public Accountant's Generally Accepted Accounting Standards . . . ."

(b) "For patients eligible for Supplemental Security Income or medical assistance, the difference between the ending balance and the applicable benefits eligibility level."

(c) "Upon sale of the facility or other transfer of ownership, the facility must provide the new owner with a written accounting, prepared by a certified public accountant in accordance with the American Institute of Certified Public Accountants, Generally Accepted Auditing Procedures, of all patient funds being transferred, and obtain a written receipt for those funds from the new owner."

(d) "The facility must purchase a surety bond to guarantee the security of patients funds retained in the facility. Facilities of less than 60 beds must purchase a surety bond only when the amount of patient's money it is holding in the facility exceeds \$5,000.00."

**8. 30-10-17. Cost reports.** This regulation is being amended to:

(a) Clarify when the filing of an amended cost report is required.

(b) Provide that cost reports from providers with

(continued)

more than one facility shall be filed on the same date.

(c) Provide that the extended due date of a cost report shall fall on the last day of the month and to allow a second extension when the cause for such a request is beyond the control of the provider. The amendment also provides that the penalty for late filing of a request for an extension of time for filing shall be the same as the penalty for late filing of the cost report.

(d) Clarify when the projection period shall end for providers required to file a projected cost report in accordance with subsections (c), (d) or (e)(2) of K.A.R. 30-10-18.

(e) Clarify that the balance sheet requirement shall apply only to historical cost reports filed by the providers.

**9. 30-10-18. Rates of reimbursement.** This regulation is being amended to:

(a) Clarify the period of time allowed for requesting an administrative review of audit adjustments to their cost report.

(b) State that providers have 30 days from the date of the audit report cover letter to request an administrative review of the audit adjustments that result in an overpayment or underpayment.

**10. 30-10-21. Reserve days.** This regulation is being amended to:

(a) Indicate that reimbursement shall not be made to reserve a bed in a swing bed hospital when an adult care home will be reimbursed for the same day to reserve a bed for the recipient's return from the hospital; and

(b) Reflect technical changes.

**11. 30-10-24. Compensation of owners, spouses, related parties and administrators.** This regulation is being amended to reflect technical changes.

**12. 30-10-26. Interest expense.** This regulation is being amended to state that this does not include interest on real estate mortgages that is covered by the real and personal property fee in accordance with K.A.R. 30-10-25.

#### F. Services for the Blind

**1. 30-12-16. Definitions.** This regulation is being amended to indicate that the term "visual impairment" means a sight condition documented by medical evidence that constitutes a substantial handicap to employment.

**2. 30-12-22. Vocational rehabilitation services.** This regulation is being revoked.

#### G. Licensing of Psychiatric Hospitals and Community Mental Health Centers; Funding of Community Mental Health Centers and Facilities for the Mentally Retarded and Facilities for Handicapped Persons

**1. 30-22-10. Application for state financing.** This regulation is being amended to enable the Secretary to distribute state aid to the centers based on audited eligible income reported for the second preceding fiscal year. The audits used for this purpose shall be those conducted by auditors of the department.\*

#### H. Licensing of Non-Medical Community Based

#### Agencies Providing Services to Handicapped Adults

**1. 30-41-1. Definitions.** This regulation is being amended to specify that independent living programs do not include centers for independent living.

**2. 30-41-6b. Personnel policies.** This regulation is being amended to:

(a) Require staff health documentations every three years;

(b) Specify a staff/client ratio of one-twelfth in the following programs: adult day care, adult life skills training, work activity, vocational evaluation, work adjustment, and group living;

(c) Require at least one staff person be certified in first aid in each facility;

(d) Exclude daily attendance records and staff training records from being maintained in each staff member's personnel file; and

(e) Eliminate the requirement for a staff development plan.

**3. 30-41-6d. Health policies.** This regulation is being amended to:

(a) Require the following of proper technique of asepsis and isolation during illness; and

(b) Require a three-day supply of food to meet the planned menus.

**4. 30-41-6e. Insurance policies.** This regulation is being amended to exclude the word "professional" relative to liability coverage for rendering or failing to render services.

**5. 30-41-6h. Client policies.** This regulation is being amended to indicate that a client shall be involuntarily discharged from a facility only for medical or behavioral reasons, for the welfare of the client or others, or for nonpayment of the rates.

**6. 30-41-7b. Buildings, general.** This regulation is being amended to:

(a) Require the timely submission of an acceptable plan of correction to the state fire marshal for life safety code deficiencies; and

(b) Require programs serving mobility impaired clients to be conducted in an accessible area.

**7. 30-41-7h. Grounds.** This regulation is being amended to require a handicapped parking area at each facility which serves physically handicapped clients.

#### I. Support Enforcement

**1. 30-44-1. Fees for support enforcement and establishment services rendered to persons not receiving aid to families with dependent children.** This regulation is being revoked.\*

#### J. Youth Services

**1. 30-45-1. Adoption—genetic and medical history of parents.** The Secretary is promulgating a new regulation concerning adoption—genetic and medical history of parents.\* The text of the proposed regulation is set forth below:

**30-45-1. Adoption—genetic and medical history of parents.** (a) Each person, other than a stepparent, filing a petition to adopt a minor, shall file with the petition the following information regarding the

genetic and medical history of the child's biological parents on forms prescribed by the secretary:

- (1) A physical description;
- (2) dental history;
- (3) sensory disorders;
- (4) psychological/emotional disorders;
- (5) mental retardation/learning disabilities;
- (6) metabolic/endocrine disorders;
- (7) allergies;
- (8) contagious/infectious diseases;
- (9) digestive disorders;
- (10) respiratory disorders;
- (11) cardiovascular disease;
- (12) hematopoietic disease;
- (13) kidney disease;
- (14) neuromuscular disease;
- (15) substance abuse; or
- (16) cancer.

(b) The date of birth and sex of any of the child's siblings shall be provided, if known.

(c) Additional information as to the age and cause of death of the parents, grandparents, siblings, aunts and uncles of the adoptee shall be furnished, if available.

**2. 30-45-2. Adoption—medical history of child.** The Secretary is promulgating a new regulation concerning adoption—medical history of child.\* The text of the proposed regulation is set forth below:

**30-45-2. Adoption—medical history of child.** The medical history of the child filed with the adoption petition shall include the following information on forms prescribed by the secretary: (a) Facts about the child's birth, including:

- (1) The date, time, place of the birth and the name of the attending physician;
- (2) whether the child was full-term or premature;
- (3) the child's weight and length at birth;
- (4) type of delivery; and
- (5) whether there were any complications during pregnancy or at birth;
  - (b) a history of immunizations and tests;
  - (c) a history of any childhood diseases;
  - (d) a history of any significant illnesses or hospitalizations since birth;
  - (e) a history of any chronic health problems, diseases or disabilities affecting the child; and
  - (f) a record of the child's developmental milestones.

**3. 30-45-3. Adoption—social history.** The Secretary is promulgating a new regulation concerning adoption—social history.\* The text of the proposed regulation is set forth below:

**30-45-3. Adoption—social history.** The following information shall be filed with the petition as the social history of the biological parents on forms prescribed by the secretary: (a) Each parent's employment history;

- (b) each parent's religious background;
- (c) each parent's educational background;
- (d) each parent's ethnic background;
- (e) a description of each parent's personality; and
- (f) a history of each parent's significant life events.

**4. 30-45-4. Adoption—procedures for updating histories.** The Secretary is promulgating a new regulation concerning adoption—procedures for updating histories.\* The text of the proposed regulation is set forth below:

**30-45-4. Adoption—procedures for updating histories.** (a) If genetic or medical information becomes known to the biological parent or parents subsequent to the adoption, such information shall be forwarded to the department of social and rehabilitation services, youth services, 2700 West 6th, Smith-Wilson building, Topeka, Kansas, 66606, to be permanently filed with the child's case record.

(b) The party filing the adoption petition shall provide written notification to the biological parent or parents of their responsibility to notify social and rehabilitation services of any new genetic or medical information which might affect the child.

(c) The party filing the adoption petition shall advise the adoptive family in writing that genetic and medical information is permanently filed with social and rehabilitation services, youth services, 2700 West 6th, Smith-Wilson building, Topeka, Kansas, 66606.

A copy of the proposed regulations and fiscal impact statement may be obtained prior to November 5, 1985 by contacting Mary Slaybaugh, Legal Division, State Department of Social and Rehabilitation Services, 6th Floor, State Office Building, Topeka 66612, (913) 296-3969. Written comments may be submitted prior to such date. Such comments should be forwarded to Dr. Robert Harder, Secretary of Social and Rehabilitation Services, 6th Floor, State Office Building, Topeka 66612.

Interested persons will be given reasonable opportunity at the hearing to present their views and arguments on the adoption of the proposed permanent regulations. Presentations should be in writing whenever possible. Depending on the number of persons wanting to speak, the department may require that each participant limit oral presentation to three minutes.

—Adoption of proposed temporary administrative regulations.

The public is invited to this meeting. Telephone hook-ups are provided at the following locations of Social and Rehabilitation Services offices: Chanute, Emporia, Garden City, Hays, Hiawatha, Hutchinson, Junction City, Kansas City, Lawrence, Olathe, Ottawa, Parsons, Pittsburg, Pratt, Salina, Topeka (Area Office and State Office Building), Wichita and Winfield.

ROBERT C. HARDER  
Secretary of Social  
and Rehabilitation Services

Doc. No. 003606

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