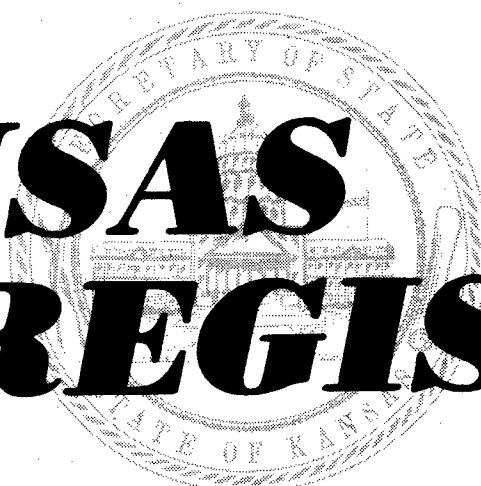


KANSAS REGISTER



State of Kansas

**BILL GRAVES
Secretary of State**

Vol. 6, No. 11

March 12, 1987

Pages 329-360

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State of Kansas

SECRETARY OF STATE

EXECUTIVE APPOINTMENTS

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office.

Complete listings of state agencies, boards and commissions are included in the Kansas Directory. County officials are listed in the Directory of County Officers. Both directories are published by the Secretary of State's office and are available free of charge.

The following appointments were filed February 20 through March 6:

Office of the Governor

E. Kaye Abbott, 3501 Randolph, Topeka 66611. Communications Constituent Aide to the Governor. Effective March 3, 1987.

Governor's Commission on Interstate Cooperation

Sue Bauman, 540 N.E. Edgewood Drive, Topeka 66617. Effective January 31, 1987. Term expires February 1, 1988. Succeeds John L. Myers.

Susan Peterson, 1301 Harrison, Topeka 66612. Effective January 31, 1987. Term expires February 1, 1988. Succeeds Thomas R. Docking.

Secretary of Human Resources

Dennis R. Taylor, 2335 Mayfair Place, Topeka 66611. Effective March 9, 1987. Subject to Senate confirmation. Serves at the pleasure of the Governor. Succeeds Shelby Smith, Acting Secretary.

Land Survey Advisory Committee

Murry L. Rhodes, Wyandotte County Land Surveyor, 701 Ann, Kansas City 66101. Effective February 23, 1987. Term expires July 8, 1989. Reappointed by the Secretary of State.

Elmo Tustin, P.O. Box 1387, Great Bend 67530. Effective February 23, 1987. Term expires July 8, 1989. Reappointed by the Secretary of State.

Law Enforcement Training Commission

Jimmy D. Grenz, 1810 E. Fair St., Garden City 67846. Effective March 6, 1987. Term expires July 1, 1988. Succeeds Tom D. Barrett.

Paul S. Kalmar, 544 W. Ave. B, Kingman 67068. Effective March 6, 1987. Term expires July 1, 1988. Succeeds Mark V. Spray.

Pooled Money Investment Board

Clayton C. McMurray, 3501 Lincolnshire, Topeka 66614. Effective March 6, 1987. Subject to Senate confirmation. Serves at the pleasure of the Governor. Reappointment.

District Judge, 11th Judicial District, Pos. 1

Nelson Edward Toburen, 902 Village Drive, Pittsburg 66762. Effective February 26, 1987. Term expires January 9, 1989. Succeeds Donald L. Allegrucci.

Chautauqua County Sheriff

Dan Payne, Route 2, Box 41B, Elk City 67344. Effective March 3, 1987. Term expires when a successor is elected and qualifies according to law. Succeeds Alex Collins, resigned.

BILL GRAVES
Secretary of State

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Phone: (913) 296-3489

State of Kansas

ATTORNEY GENERAL**Opinion No. 87-38**

Constitution of the State of Kansas—Miscellaneous—State Owned and Operated Lotteries. Representative Vincent K. Snowbarger, 26th District, Olathe, February 25, 1987.

The constitutional provision permitting a state owned and operated lottery would allow the state to advance and market any game or combination of games as long as there is consideration, chance and a prize involved in each game. Cited Herein: Kan. Const., Art. 5, § 3C; L. 1986, ch. 414. BLB

Opinion No. 87-39

Cities and Municipalities—Planning and Zoning; Establishment of City Districts and Zones—Zones or Districts; Amendments or Changes in Zoning. Richard S. Wetzler, Leawood City Attorney, Prairie Village, February 27, 1987.

The city of Leawood approved a rezoning application in October, 1986, but failed to provide 20 "dear days" between the date of publication and the day of the hearing as is required by K.S.A. 12-708. A property owner appealed the change in zoning pursuant to K.S.A. 12-712, challenging its reasonableness based on both insufficient notice and substantive grounds.

In our judgment, the planning commission of the city of Leawood may hear a second application to rezone the same property, notwithstanding the fact that the application is substantially identical to the original zoning action appealed to and currently pending in district court. The planning commission may, on the other hand, refuse to hear the second application while the district court appeal is pending, but should consider any possible liability under 42 U.S.C. § 1983 before taking such action. Cited herein: K.S.A. 12-708, 12-712; 42 U.S.C. § 1983. TRH

Opinion No. 87-40

Cities and Municipalities—Planning and Zoning; City Planning and Subdivision Regulations—City Planning Commission; Membership. Michael P. Howe, Lenexa City Staff Attorney, Lenexa, February 27, 1987.

When a city annexes property in which a nonresident planning commissioner resides, that member's position becomes vacant. While the commission may continue to transact business so long as a quorum is present, the vacancy created by the annexation must be filled in accordance with local law and without unnecessary delay. Cited herein: K.S.A. 12-701; 12-702; 12-703. JLM

ROBERT T. STEPHAN
Attorney General

Doc. No. 005130

State of Kansas

STATE CORPORATION COMMISSION**NOTICE OF HEARING**

The State Corporation Commission has issued an order which penalized the Kal Oil Operation for failure to renew its operator or contractor license as required by K.S.A. 55-155 and K.A.R. 82-3-120.

Pursuant to K.S.A. 55-164, the matter is set for hearing at 11 a.m. Tuesday, March 24, in the hearing room of the Conservation Division, 300 Colorado Derby Building, 202 W. 1st, Wichita 67202.

JAMES E. BROWNE
Assistant General Counsel

Doc. No. 005128

State of Kansas

KANSAS WATER AUTHORITY**NOTICE OF MEETINGS**

The Kansas Water Authority will be meeting on March 23 and 24 in Topeka. Committee meetings are scheduled on Monday, March 23, as follows:

9-10 a.m.—Fish, Wildlife and Recreation, Kansas Water Office conference room, third floor, 109 S.W. 9th

10 a.m.-noon—Quality Committee, Kansas Water Office conference room, third floor, 109 S.W. 9th

10 a.m.-noon—Federal and State Affairs Committee, State Conservation Commission conference room, third floor, 109 S.W. 9th

1-3 p.m.—Management Committee, Kansas Water Office conference room, third floor, 109 S.W. 9th

1-3 p.m.—Conservation Committee, State Conservation Commission conference room, third floor, 109 S.W. 9th

3-5 p.m.—Research Committee, Kansas Water Office conference room, third floor, 109 S.W. 9th

3-5 p.m.—Basin Planning Committee, State Conservation Commission conference room, third floor, 109 S.W. 9th

The full authority will convene at 8:30 a.m. Tuesday, March 24, in the KP&L Gas Service Company conference room, first floor, 818 Kansas Ave., Topeka.

Copies of the agenda may be obtained by contacting Dotty Kester, Kansas Water Office, Suite 200, 109 S.W. 9th, Topeka 66612-1215, (913) 296-3185.

H. PHILIP MARTIN
Chairman

Doc. No. 005134

State of Kansas

LEGISLATURE

LEGISLATIVE BILLS INTRODUCED

The following lists the numbers and titles of bills and resolutions recently introduced in the Kansas Legislature.

Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N State Capitol, Topeka 66612, (913) 296-4096. There is a limit of 25 copies of any one item.

Bills introduced February 26—March 4:

House Bills

HB 2542, by Committee on Taxation: An act relating to income taxation; concerning the determination of Kansas taxable income of a corporation; amending K.S.A. 79-32,138 and 79-32,141 and repealing the existing sections.

HB 2543, by Committee on Taxation: An act enacting the income tax equity and simplification act of 1987; amending the Kansas income tax act; concerning the filing requirements, determination of income, standard and itemized deductions, personal exemptions and liability of an individual thereunder; amending K.S.A. 79-3220, 79-32,110, 79-32,111a, 79-32,119, 79-32,120 and 79-32,121 and K.S.A. 1986 Supp. 79-32,117 and repealing the existing sections.

HB 2544, by Committee on Federal and State Affairs: An act concerning partition fences; amending K.S.A. 29-309 and repealing the existing section.

HB 2545, by Committee on Taxation: An act relating to sales taxation; concerning the exemption of sales of used farm machinery and equipment; amending K.S.A. 12-190 and K.S.A. 1986 Supp. 79-3606 and repealing the existing sections.

HB 2546, by Committee on Federal and State Affairs: An act relating to the secretary of corrections; amending K.S.A. 75-5203 and repealing the existing section.

HB 2547, by Committee on Federal and State Affairs: An act enacting the Kansas emergency planning and community right-to-know act; concerning hazardous chemicals and adopting certain requirements relating thereto; providing certain penalties for failure to comply therewith.

HB 2548, by Committee on Appropriations: An act concerning the state board of technical professions; relating to fees for biennial renewal of licenses; amending K.S.A. 74-7009 and repealing the existing section.

HB 2549, by Committee on Appropriations: An act relating to the board of accountancy; concerning the regulation and review of the practice of public accountancy; authorizing a positive enforcement program; authorizing certain fees fixed by rules and regulations; prescribing limitations therefor; providing for registration of professional corporations; amending K.S.A. 1-202, 1-301, 1-306, 1-315 and 1-316 and repealing the existing sections.

HB 2550, by Committee on Appropriations: An act concerning the Kansas public employees retirement system; relating to insured death and disability benefits; amending K.S.A. 1986 Supp. 74-4927 and repealing the existing section.

HB 2551, by Committee on Taxation: An act relating to property taxation; concerning the submission of certificates of value for assessment-sales ratio study purposes; amending K.S.A. 58-2223a, 58-2223b, 58-2223d and 58-2223e and repealing the existing sections.

Senate Bills

SB 350, by Committee on Federal and State Affairs: An act concerning notaries public; amending K.S.A. 53-101 and 53-105 and K.S.A. 1986 Supp. 53-509 and repealing the existing sections.

SB 351, by Committee on Federal and State Affairs: An act concerning the Kansas age discrimination in employment act; extending coverage thereof; amending K.S.A. 44-1112, 44-1113 and 44-1118 and repealing the existing sections.

SB 352, by Committee on Federal and State Affairs: An act concerning alcoholic beverages; relating to qualifications for certain licenses for the manufacture or sale thereof; amending K.S.A. 41-311, 41-2703 and 41-2713 and repealing the existing sections.

SB 353, by Committee on Federal and State Affairs: An act concerning the division of alcoholic beverage control of the department of revenue; relating to the director, the board of review and employees thereof; amending K.S.A. 41-203 and 41-204 and repealing the existing sections; also repealing K.S.A. 41-206.

SB 354, by Committee on Federal and State Affairs: An act concerning alcoholic beverages; relating to certain license fees; amending K.S.A. 41-310 and 41-2622 and repealing the existing sections.

SB 355, by Committee on Federal and State Affairs: An act concerning cereal malt beverages; relating to licensure of retailers; amending K.S.A. 41-2702 and repealing the existing section.

SB 356, by Committee on Federal and State Affairs: An act concerning alcoholic beverages; relating to certain limitations on retail sales thereof; amending K.S.A. 41-308, 41-712, 41-717, 41-2704 and 41-2706 and repealing the existing sections.

SB 357, by Committee on Federal and State Affairs: An act concerning alcoholic beverages; relating to penalties for certain illegal acts by minors with respect thereto; amending K.S.A. 41-727 and 41-2721 and repealing the existing sections.

SB 358, by Committee on Ways and Means: An act concerning state educational institutions under the control and supervision of the state board of regents; relating to higher education faculty relations; prescribing certain powers, duties, functions and procedures; providing for certain rights; memorandums of understanding; declaring certain acts to be prohibited practices; imposing certain fees; amending K.S.A. 75-4322 and repealing the existing section.

SB 359, by Committee on Ways and Means: An act concerning public warehouse storage of grain; relating to surety bonds of licensees; amending K.S.A. 34-229 and repealing the existing section.

SB 360, by Committee on Federal and State Affairs: An act concerning alcoholic beverages; providing for licensing of certain servers of alcoholic beverages.

SB 361, by Committee on Federal and State Affairs: An act concerning alcoholic beverages; relating to the alcoholic content thereof and distribution at wholesale; amending K.S.A. 41-102, 41-103, 41-304, 41-305, 41-306, 41-307, 41-310, 41-311, 41-317, 41-401, 41-402, 41-410, 41-501, 41-506, 41-601, 41-701, 41-702, 41-703, 41-709, 41-901, 41-1101, 41-2701, 41-2703, 41-2705, 41-2707, 79-3817, 79-3818, 79-3819, 79-3821, 79-3822, 79-3823, 79-3826, 79-3827, 79-3830, 79-3831, 79-3832 and 79-3833 and K.S.A. 1986 Supp. 79-3606 and 79-41a01; also repealing K.S.A. 41-409, 41-2713 through 41-2718, 41-2723, 41-2724, 79-3824 and 79-3825.

Resolutions

HCR 5019, by Representative Buntin: A concurrent resolution ratifying a proposed amendment of the Constitution of the United States relative to the compensation of members of the United States Congress and when any increases therein shall take effect.

HCR 5020, by Committee on Education (by request): A proposition to revise article 6 of

the constitution of the state of Kansas by amending sections 2, 3 and 7 thereof, relating to education; making provision for a state board of community colleges.

HR 6036, by Representative Roenbaugh: A resolution congratulating and commending the Church of the Holy Nativity of Kinsley, Kansas, on the celebration of its 100th anniversary.

HR 6037, by Committee on Agriculture and Small Business: A resolution commending Dr. Don Good for his years of service as the Head of the Department of Animal Science and Industry at Kansas State University.

SR 1827, by Senator Hayden: A resolution congratulating and commending Heather McFarlane of Tribune, Kansas, on being the grand prize winner of the first statewide "Kansas Clicks Committee Safety Belt Poster Campaign."

SR 1828, by Senator Allen: A resolution commending Dr. Don Good for his years of service as the Head of the Department of Animal Science and Industry at Kansas State University.

State of Kansas

STATE CONSERVATION COMMISSION

NOTICE OF HEARING

ON PROPOSED

ADMINISTRATIVE REGULATIONS

Five public hearings will be conducted to receive comments on proposed revisions of the administrative regulations of the State Conservation Commission.

Hearings will be held at 10:15 a.m. in conjunction with the State Conservation Commission area workshops on the following dates and locations:

March 31—American Legion Hall, Oberlin

April 1—4-H Building, Scott City

April 2—Sun Dome Best Western Motel,
Hutchinson

April 14—Pottorf Hall, CICO Park, Manhattan

April 15—Chicken Annie's Original, Pittsburg

All interested parties may submit written comments prior to the hearing to the executive director, State Conservation Commission, 109 S.W. 9th, Room 300, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally or in writing, in regard to adoption of the proposed regulations.

Following the hearing, all written and oral comments will be considered by the executive director of the State Conservation Commission as the basis for making changes to these proposed regulations. The regulations will then be submitted to the State Conservation Commission for consideration.

Copies of the proposed amendments and fiscal impact statement may be obtained at the address above or by calling (913) 296-3600.

A summary of the proposed amendments to the regulations follows:

K.A.R. 11-1-1 to 11-1-5. Revoke.

K.A.R. 11-1-6 to 11-1-8. Implement the Water Resources Cost-Share Program.

K.A.R. 11-2-1 to 11-2-3. Revoke.

K.A.R. 11-2-4 to 11-4-6. Implement the High Priority Cost-Share Program.

KENNETH F. KERN
Executive Director

Doc. No. 005126

State of Kansas
DEPARTMENT OF TRANSPORTATION
NOTICE TO CONSULTING ENGINEERS

The Kansas Department of Transportation is seeking a qualified engineering firm for plan production for the following project:

Leavenworth—32-52 K-3098-01—drainage study to alleviate a local drainage problem in Linwood from the west city limits to Stranger Creek along K-32.

Firms expressing interest in these projects must respond in writing and complete the Consulting Engineers Qualification Questionnaire (if not already prequalified) by March 19.

It is the policy of the K.D.O.T. to use the following criteria as the basis for selection of engineering consultant firms:

1. Size and professional qualification of firm.
2. Experience of staff.
3. Location of firm with respect to proposed project.
4. Work load of firm.
5. Firm's performance.

HORACE B. EDWARDS
 Secretary of Transportation

Doc. No. 005117

State of Kansas
DEPARTMENT OF TRANSPORTATION
NOTICE TO CONTRACTORS

Sealed proposals for the construction of road and bridge work in the following Kansas county will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.S.T. April 19, 1987, and then publicly opened:

DISTRICT ONE—Northeast

Wyandotte—670-105 K-2888-03—I-670 over 7th Street and connection to I-70, grading, surfacing and bridges. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone regardless of race, age, religion, color, sex, handicap or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required

form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the project may be examined at the office of the respective county clerk or at the K.D.O.T. district office responsible for the work.

HORACE B. EDWARDS
 Secretary of Transportation

Doc. No. 005123

State of Kansas
BOARD OF AGRICULTURE

**REQUEST FOR COMMENT ON PROPOSED
 SPECIAL LOCAL NEED REGISTRATION**

Pursuant to 7 U.S.C. 136v, E. I. du Pont de Nemours and Company, Inc. has filed an application for a special local need registration for the pesticide, du Pont Extrazine 4L herbicide. The purpose of the special local need registration is to allow the use of this pesticide on an additional crop not presently listed on the federally registered label.

At present, this pesticide is federally registered (EPA Registration No. 352-489) to be applied to field corn for control of annual grasses and broad-leaved weeds. This special local need registration, if granted, will allow the use of this pesticide for controlling annual grasses and broad-leaved weeds in sorghum. Extrazine 4L is a combination of Cyanazine (Bladex) and Atrazine.

Information submitted by the registrant is on file with the Kansas State Board of Agriculture. Anyone wishing to present written comments, data or other evidence in support of or in opposition to the proposed special local need registration may do so on or before April 15.

Written comments, data or other evidence should be submitted to Jon I. Flint, Pesticide Use Law Administrator, Plant Health Division, Kansas State Board of Agriculture, 109 S.W. 9th, Topeka 66612-1280.

JON I. FLINT, Administrator
 Plant Health Division

Doc. No. 005127

State of Kansas

FISH AND GAME COMMISSION**NOTICE OF MEETING**

The Kansas Fish and Game Commission will meet at 7 p.m. Wednesday, March 25, in rooms B and C of the Convention Center at the Howard Johnson Motor Lodge, 3839 S.W. Topeka Blvd., Topeka.

The agenda includes a public hearing on K.A.R. 23-7-7; a report on the progress of commission-sponsored legislation and legislation supported by the commission; a brief summary of the Cheyenne Bottoms feasibility study; discussion of the Milford Conservation Education Center; discussion of the policy on agency dwellings; and any other business which may come before the commission.

Interested parties may request additional information from Kansas Fish and Game Commission headquarters in Pratt.

JOE FOWLER
Chairman

Doc. No. 005129

(Published in the KANSAS REGISTER, March 12, 1987.)

**NOTICE OF BOND SALE
CITY OF WEIR, KANSAS
\$157,500**

**GENERAL OBLIGATION BONDS
SERIES 1987-A (STREETS)**

The city of Weir, Kansas will receive sealed bids at the office of the city clerk, City Hall, S. Washington St., Weir, until 7 p.m. C.S.T. on March 24, 1987, for the purchase of \$157,500 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.

Details of the Bonds

The bonds will be dated March 1, 1987, 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 (except one bond in the principal amount of \$7,500) or integral multiples thereof not exceeding the principal amount of bonds maturing in each year. Interest will be payable semiannually on September 1 and March 1 of each year until their respective maturities beginning September 1, 1988. 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 15th day of the month next preceding each interest payment date. 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 (September 1)
\$17,500	1988
20,000	1989
15,000	1990
15,000	1991
15,000	1992
15,000	1993
15,000	1994
15,000	1995
15,000	1996
15,000	1997

Interest Rates

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 1/8 or 1/20 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 20 bond index published in Credit Markets on the Monday next preceding the sale of the bonds, 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.

Bid Form and Good Faith Deposit

Bids shall be submitted on the official bid form furnished by the city and shall be addressed to the city at City Hall, S. Washington St., Weir, KS 66781, 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 the order of the treasurer of the city of Weir, 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.

Legal Opinion

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

The Internal Revenue Code of 1986

The Internal Revenue Code of 1986 was signed into law by the President of the United States on October 22, 1986. The provisions of the code regarding obligations of state and local units of government are generally effective for obligations, such as the bonds, issued

after August 31, 1986. Certain of these provisions impose requirements on the city which must be met subsequent to the issuance of the bonds by the city and, as a result, the city will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The city's failure to comply with such requirements could adversely effect the tax-exempt status of the bonds. Purchasers of the bonds should be aware that should the bonds lose their status as tax-exempt obligations as a result of the city's failure to comply with such requirements, the bonds are neither callable nor will the rate of interest on the bonds be adjusted to reflect such circumstances.

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted net book income of certain corporations for taxable years beginning after December 31, 1986, and includes, through 1989, in the calculation of alternative minimum taxable income one-half of the excess of a corporation's adjusted net book income over its alternative minimum taxable income (determined without regard to this adjustment and prior to reduction for certain net operating losses). After 1989, the use of "book income" will be replaced by "adjusted current earnings," with certain other adjustments. Furthermore, Section 59A of the code, as added by the Superfund Amendments and Reauthorization Act of 1986, provides for a new environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax. The environmental tax, which is effective for taxable years beginning after December 31, 1986, may subject certain bondowners to additional taxation for interest earned on the bonds.

The code also requires property and casualty insurance companies, for taxable years beginning on or after January 1, 1987, to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on obligations acquired after August 7, 1986.

With the exception of certain "qualified tax-exempt obligations," the code provides that banks and thrift institutions may not deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations such as the bonds if such interest cost is incurred in taxable years ending after December 31, 1986, with respect to obligations acquired after August 7, 1986. In accordance with the requirements of Section 265 of the code, the city intends to designate the bonds as "qualified tax-exempt obligations."

Identification of Initial Owners

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 April 16, 1987.

Delivery

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 April 30, 1987 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.

Purpose

The bonds will constitute general obligations of the city payable as to both principal and interest from ad valorem taxes levied without limitation as to rate or amount upon all the taxable, tangible property within the territorial limits of the city. The bonds are being issued by the city to permanently finance and retire certain temporary notes issued by the city to finance certain street repair and improvement projects of the city.

Award

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.

CUSIP Numbers

It is anticipated that CUSIP identification numbers will be printed on the bonds, but neither the failure to print such number or assign a number to any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for 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.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city (including motor vehicle valuation and motor vehicle dealers' inventory valuation) for the year 1986 is \$574,710.08. The total general obligation bonded indebtedness of the city, at the date hereof, including this proposed issue of bonds, is \$323,500. The city has a temporary note outstanding in the total amount of \$150,000, which will be redeemed and paid from the proceeds of this proposed issue of bonds and from other funds available to the city.

Additional copies of this notice of bond sale or further information may be received from the city.

Dated March 9th, 1987.

CITY OF WEIR, KANSAS
Ann Gowans, City Clerk

Doc. No. 005133

State of Kansas

DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES

NOTICE TO BIDDERS

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 Jackson, Room 102, Topeka, until 2 p.m. C.S.T. on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

MONDAY, MARCH 23, 1987

- #68448
Kansas Technical Institute—PLOTTER
- #68450
University of Kansas Medical Center—FLOW CYTOMETRY APPLICATION SOFTWARE
- #68454
Kansas State University—VEHICLES
- #68455
Department of Transportation—INSTALLATION OF TANKS AND PUMPS, various locations
- #68459
Kansas Highway Patrol—TRAINING AND EMERGENCY EQUIPMENT
- #68460
Department of Transportation—MRA AGGREGATE, various locations
- #68461
Department of Transportation—PLANT MIX BITUMINOUS MIXTURE, Wichita
- #68462
Department of Transportation—AB-SPECIAL, Rice County
- #68492
Kansas State University—NURSERY SUPPLIES, Fort Hays Experiment Station
- #68493
Kansas State University—GRAIN
- #68516
Department of Social and Rehabilitation Services—ELECTRIC WHEELCHAIR, Wichita
- #68522
Kansas Insurance Department—ACTUARIAL SERVICES

TUESDAY, MARCH 24, 1987

- #A-5396
Emporia State University—CORRIDOR FLOOR REPLACEMENT, BEACH MUSIC HALL
- #A-5604
University of Kansas—PROVIDE EXTERIOR STAIR HANDRAIL IMPROVEMENTS
- #27355
Winfield State Hospital and Training Center—PEST CONTROL SERVICE
- #27602
Department of Human Resources—JANITORIAL SERVICE, Wichita
- #27603
Kansas Correctional Industries—CHAMBRAY SKIRTING FABRIC
- #68463
Department of Transportation—INSECTICIDES AND HERBICIDES, Salina

#68466

Department of Social and Rehabilitation Services—ELECTRIC WHEELCHAIRS, Kansas City and Wichita

#68468

Kansas State University—SURFACE METAL RACEWAY

#68469

Department of Health and Environment—PLOTTER/DIGITIZER/PRINTER/TERMINAL

#68472

University of Kansas Medical Center—SURGICAL TRAY AND CONTENTS

#68474

Kansas State University—TRUCK

#68475

Adjutant General's Department—FURNISH ALL LABOR AND MATERIALS TO CONSTRUCT ROOMS, Building 682, Forbes Field

WEDNESDAY, MARCH 25, 1987

- #A-5596
Osawatomie State Hospital—REPLACE AIR CONDITIONER UNITS "B" AND "E" BUILDINGS, Adair Complex
- #27561-Rebid
Kansas Fish and Game Commission—HYDRAULIC EXCAVATOR, Tuttle Creek Wildlife Area
- #27596
Statewide—WATER SOFTENER SALT
- #68467
Larned State Hospital—OPTICAL EQUIPMENT
- #68473
Department of Social and Rehabilitation Services—HANDICAPPED VAN MODIFICATIONS, Wichita
- #68479
Department of Human Resources—CONTINUOUS MAILERS
- #68480
Department of Revenue—CONTINUOUS FORMS
- #68481
Department of Human Resources—CONTINUOUS FORMS
- #68484
Department of Social and Rehabilitation Services—HANDICAPPED VAN MODIFICATIONS, Wichita
- #68485
Kansas State University—VEHICLES

THURSDAY, MARCH 26, 1987

- #26469
Department of Social and Rehabilitation Services—JANITORIAL SERVICE
- #27050
University of Kansas and other state agencies—BIOCHEMICALS AND DIAGNOSTICS
- #27338
Department of Transportation—VEHICLES TO TRANSPORT THE ELDERLY AND HANDICAPPED
- #27601
Department of Social and Rehabilitation Services—PHARMACEUTICALS/SOCIAL AND REHABILITATION SERVICES
- #68477
University of Kansas—LAB INCUBATORS
- #68478
Kansas Highway Patrol—BREATH ANALYSIS KITS

#68482

Department of Human Resources—CONTINUOUS
FILE FOLDER FORMS

#68490

Kansas State University—GC/MASS
SPECTROMETER

#68491

Department of Human Resources—CONTINUOUS
MAILERS—K-BEN 78

#68494

Pittsburg State University—CARPET AND
WALLCOVERING

#68495

Wichita State University—VEHICLES

#68496

Department of Social and Rehabilitation
Services—ELECTRIC WHEELCHAIR, Garden City

#68503

Department of Revenue—MICROFILM READER-
PRINTER

#68504

Kansas State University—USED PRINTING
EQUIPMENT

#68505

Department of Transportation—AGGREGATE FOR
BASE CONSTRUCTION AB-3, Riley County

#68506

Department of Administration, Division of
Printing—ENVELOPES (K-BEN)**FRIDAY, MARCH 27, 1987**

#27597

Kansas Fish and Game Commission—FURNISH
AND INSTALL FENCING

#68512

Kansas Correctional Industries—PAINT DRIER

#68513

Department of Transportation—LUMINAIRES,
various locations

#68514

Department of Transportation—AB-SPECIAL
AGGREGATE, Arkansas City

#68515

Department of Transportation—PHOTOGRAPHIC
SUPPLIES

#68518

Adjutant General's Department—REMOVAL OF 3
FUEL TANKS

#68519

University of Kansas—OCR LABELS

TUESDAY, MARCH 31, 1987

#A-5411

University of Kansas Medical Center—ANIMAL
RESEARCH LABORATORY, College of Health
Sciences and Hospital**MONDAY, APRIL 13, 1987**

#27598

Kansas Fish and Game Commission—LEASE OF
LAND, Great Bend**TUESDAY, APRIL 14, 1987**

#27040

Kansas Fish and Game Commission—LEASE OF
LAND, Perry Wildlife Area**NICHOLAS B. ROACH**
Director of Purchases

Doc. No. 005132

State of Kansas

BOARD OF NURSING**PERMANENT ADMINISTRATIVE
REGULATIONS**
(Effective May 1, 1987)**Article 2.—REQUIREMENTS FOR
ACCREDITED NURSING PROGRAMS****60-2-101. Requirements.** (a) Accreditation and ap-
proval.(1) Each educational institution shall be approved
by the appropriate state agency.(2) Each hospital and agency providing facilities for
clinical experience shall be licensed or approved by
the appropriate groups.

(b) Administration and organization.

(1) The school of nursing or the institution of which
it is a part shall be a legally constituted body. The
controlling body shall be responsible for general pol-
icy and shall provide for the financial support of the
educational unit.(2) Authority and responsibility for administering
the program shall be vested in the director of the
educational unit.(c) Faculty for schools of professional nursing;
qualifications.(1) Each nurse faculty member shall be licensed to
practice professional nursing in Kansas.(2) Each faculty member shall have academic prepa-
ration and experience as set forth herein.(A) There shall be a director who is a licensed
professional nurse and whose responsibility is the
development and implementation of the educational
program. The director shall have had successful expe-
rience in administration or teaching, and shall have a
masters degree with appropriate academic prepara-
tion.(B) Each nurse faculty member who is assigned the
responsibility of a course shall hold a masters degree,
preferably in the clinical area being taught.(C) Each faculty member shall have earned at least
a baccalaureate degree.(D) Each nurse faculty member with a continuing
appointment in nursing programs shall possess a mas-
ters degree, preferably in nursing.(d) Faculty for schools of practical nursing; quali-
fications.(1) Each nurse faculty member shall be licensed to
practice professional nursing in Kansas.(2) Each faculty member shall have academic prepa-
ration, experience, and personal qualifications as set
forth herein.(A) There shall be a director who is a licensed
professional nurse and whose responsibility is the
development and implementation of the educational
program. The director shall have had successful expe-
rience in administration or teaching and shall have a
masters degree.(B) Each instructor shall have a baccalaureate de-
gree.

(e) Curriculum.

(continued)

(1) Curriculum for schools of professional nursing shall provide for preparation in the following areas:

(A) General education. The faculty shall provide for appropriate content from the biological, physical and social sciences.

(B) Nursing. The faculty shall determine the approach and content for learning experiences. Content shall include the concepts of wellness and illness in all stages of the life cycle. Clinical instruction shall be an integral part of the course and under the direction of the instructor. Learning opportunities in clinical nursing shall provide for experience in depth and scope to fulfill objectives of each course.

(C) The curriculum shall be structured in such a way that the students are not required to spend more than 32 hours per week in scheduled theoretical and clinical instruction:

(2) Curriculum for schools of practical nursing shall provide for preparation in the following areas:

(A) Instruction and clinical experience in the care of adults, and children, including family relationships and child growth and development. Community health concepts should be integrated throughout the curriculum.

(B) Each student shall receive no less than 550 hours of theoretical instruction and 550 hours of clinical instruction.

(C) The curriculum shall be structured in such a way that the students are not required to spend more than 32 hours per week in scheduled theoretical and clinical instruction.

(f) Clinical resources.

(1) All clinical facilities shall be approved by the board and appropriate contractual agreements shall be reviewed annually with affiliating and co-operating agencies.

(2) A maximum of a 1:10 faculty student ratio shall be maintained.

(3) Clinical areas used for student learning experiences shall be staffed by a nursing service independent of student assignments.

(g) Students.

(1) Admission. Each School shall have a clearly defined written policy for admission.

(2) Credit for previous study. Each school shall have a clearly defined written policy regarding credit for previous study, transfer of credits and readmission of students. The policy shall conform to the policies of the institution.

(3) Promotion and graduation policies shall be in writing.

(h) Evaluation. A written plan for continuing program evaluation shall be developed and implemented. (Authorized by and implementing K.S.A. 65-1119; effective Jan. 1, 1966; amended Jan. 1, 1968; amended Jan. 1, 1972; amended Jan. 1, 1973; amended, E-74-29, July 1, 1974; modified L. 1975, ch. 302, § 2; modified, L. 1975, ch. 396, § 1, May 1, 1975; amended May 1, 1987.)

Article 3.—REQUIREMENTS FOR LICENSURE AND STANDARDS OF PRACTICE

60-3-101. Licensure. (a) Licensure by examina-

tion. No later than 30 days prior to examination, each applicant for licensure by examination shall file with the board a completed application and the fee established by K.A.R. 60-4-101. The application shall be filed on a form adopted by the board.

(b) Licensure by endorsement.

(1) Each applicant for licensure by endorsement shall file with the board a completed application and the fee established by K.A.R. 60-4-101. The application shall be filed on a form adopted by the board.

(2) Verification of a current Kansas license shall be provided to other state boards on request and upon payment of a fee.

(c) Information regarding examinations.

(1) The examination for licensure shall be given at least twice a year.

(2) Each candidate shall present a validated admission card in order to be admitted to the examination center.

(3) Any applicant cheating or attempting to cheat during the examination shall be deemed not to have passed the examination.

(4) If the answer sheets are lost or destroyed through circumstances beyond the control of the board, the candidate shall be required to retake the test or tests lost or destroyed in order to meet requirements for licensure, except that there shall be no examination fee charged to the applicant.

(5) Individual examination scores will be released to the school from which the examinee graduated.

(d) Application for retest in professional nursing.

(1) Any applicant who fails to make a passing score on the NCLEX examination shall be retested at the scheduled examination within one year from the date of the initial examination and shall pay an additional examination fee as established by K.A.R. 60-4-101.

(2) Any applicant who, upon retesting, fails to pass the examination shall pay the required examination fee, and shall retake the entire NCLEX examination.

(e) Application for retest in practical nursing.

(1) Any applicant who fails to make a passing score on the NCLEX examination shall be retested at the scheduled examination within one year from the date of the initial examination and shall pay an additional examination fee as established by K.A.R. 60-4-101.

(2) Any applicant who, upon retesting, fails to pass the examination shall pay the required examination fee and shall retake the entire NCLEX examination. (Authorized by K.S.A. 65-1129, implementing K.S.A. 65-1115, 65-1116; effective Jan. 1, 1966; amended Jan. 1, 1972; amended, E-74-29, July 1, 1974; modified, L. 1975, ch. 302, § 3, May 1, 1975; amended May 1, 1980; amended May 1, 1987.)

60-3-105. Reinstatement of lapsed license. (a) Any applicant whose license has lapsed may reinstate the license within five years of the expiration date of the license by submitting satisfactory proof that within the preceding two-year period, the applicant has met the continuing education requirement of thirty hours.

(b) Each applicant whose license has lapsed for more than five years shall show evidence of satisfactory completion of a refresher course approved by the board in addition to completing the continuing edu-

ation requirement. (Authorized by and implementing K.S.A. 65-1117; effective Feb. 15, 1977; amended May 1, 1987.)

Article 9.—CONTINUING EDUCATION FOR NURSES

60-9-102. Requirements. (a) Each licensee renewing a license shall submit satisfactory proof that the licensee has met the minimum continuing education requirements as established by the board.

(b) Each licensee shall submit written proof to the board of successful completion of the 30 hours of approved continuing education. Written proof shall be in the form of certificates, transcripts, or similar documents. This proof shall be submitted in the same envelope with the application for license renewal.

(c) Continuing education programs shall be recorded in hourly segments.

(d) Continuing education requirements for individuals newly licensed by examination shall be waived for the first renewal of the license.

(e) Continuing education requirements for individuals residing in foreign countries shall be determined on an individual basis. (Authorized by and implementing K.S.A. 65-1117; effective Feb. 15, 1977; amended, E-79-8, March 16, 1978; amended May 1, 1979; amended May 1, 1987.)

Article 11.—ADVANCED REGISTERED NURSE PRACTITIONERS

60-11-110. Renewal of certification. (a) Advanced registered nurse practitioner certifications shall be renewed on the same biennial cycle as the registered nurse licensure renewal.

(b) Each application for renewal shall be submitted on a form prescribed by the board, together with the biennial renewal fee of \$15.00.

(c) Documentation of 30 hours of approved continuing education earned during the preceding two years and related to the area of advanced practice shall accompany the application. These hours of continuing education shall also be applicable to the renewal of the registered nurse license.

(d) Failure to renew the certification as an advanced registered nurse practitioner within the current renewal period shall result in a lapsed certificate. (Authorized by and implementing K.S.A. 65-1132; effective April 28, 1983; L. 1983; amended May 1, 1987.)

Article 13.—FEES. REGISTERED NURSE ANESTHETIST

60-13-101. Payment of fees. Payment of fees for registered nurse anesthetists shall be as follows:

(a) Initial application for authorization—registered nurse anesthetist	\$75.00
(b) Biennial renewal of authorization as registered nurse anesthetist	40.00
(c) Application for reinstatement of lapsed authorization—registered nurse anesthetist	40.00
(d) Application for temporary authorization to practice as a registered nurse anesthetist	35.00
(e) Certified copy of authorization to practice as a registered nurse anesthetist	20.00

(Authorized by and implementing L. 1986, ch. 183, Sec. 4; effective T-87-38, Nov. 19, 1986; effective May 1, 1987.)

DR. LOIS RICH SCIBETTA
Executive Administrator

Doc. No. 005038

State of Kansas

BOARD OF TAX APPEALS

PERMANENT ADMINISTRATIVE REGULATIONS
(Effective May 1, 1987)

Article 2.—PROCEEDINGS BEFORE BOARD

94-2-4. Filing procedure and time limits. (a) Any party filing any action with the board shall file an original and five copies of the application or appeal with the secretary of the board, except when waived by the board. Documents so filed shall be deemed to have been filed when actually received by the secretary and the action shall be deemed commenced on that date, provided the documents are otherwise in the form prescribed by these rules or by statute.

(b) In computing any period of time prescribed by statute or these rules for any appeal or application in which the method of computation is not otherwise specifically provided, the day of the act, event or default from which the designated time period begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, Sunday or legal holiday, in which event the last day shall fall on the first business day following the Saturday, Sunday or legal holiday. A legal holiday shall be those days designated in K.A.R. 1-9-2.

(c) When by these rules, or notice given by the board, an act is required to be completed within a specified time, the board, for good cause shown, may extend the time for completing the act, or it may permit the act to be commenced subsequent to the time limit, where the failure to act within the time limit was the result of excusable neglect. (Authorized by K.S.A. 74-2437 and implementing K.S.A. 12-110a; 19-431; K.S.A. 79-213, L. 1986, Ch. 370; K.S.A. 79-1103; 79-1105a; 79-1409; 79-1413a; K.S.A. 1985 Supp. 79-1478; 79-1481; K.S.A. 79-1609; K.S.A. 1985 Supp. 79-1702; K.S.A. 79-1964a; 79-1964b; K.S.A. 1985 Supp. 79-2005; K.S.A. 79-2938; 79-2939; 79-2941; 79-2951; 79-5013; 79-5016; K.S.A. 1985 Supp. 79-5033; effective May 1, 1981; amended May 1, 1987.)

94-2-10. Hearing procedure. (a) Any party may appear before the board at any hearing before the board and be heard in person or the party may appear and be represented by an attorney who is regularly admitted to practice in the courts of this state. Any party may be represented by out-of-state counsel if the rules of the Kansas Supreme Court relative to the admission of foreign attorneys have been complied with. An elected or appointed officer of a county, city or other taxing district may appear on behalf of the

(continued)

county, city or taxing district, except where a statute or the board prohibits such appearance by an elected or appointed officer and requires the county, city or other taxing district to be represented by an attorney regularly admitted to practice in the courts of this state. This exception shall not prohibit an elected or appointed officer of a county, city or other taxing district from testifying on behalf of the county, city or other taxing district.

All pre-trial hearings shall be conducted by one or more members of the board. Any rulings made by a board member at any pre-trial conference shall be subject to approval and ratification by the remainder of the board.

In the event of any severe backlog in the board's docket of cases awaiting hearing, the board may take evidence in any matter before it by means of a hearing panel consisting of one or more members of the board. Any decision in such matters shall be made on the record developed and by the vote of at least three members of the board.

On the date and at the place and time stated in the notice of hearing, the chairperson or the member delegated to preside over the hearing, hereinafter referred to as "presiding member," shall have the docket called. The chairperson or presiding member may make a statement as to the scope and purpose of the hearing at the opening of the hearing.

Thereupon, all parties who are to testify, except attorneys duly admitted to practice, shall be sworn by the reporter, the secretary of the board or by the board.

(b) The rules of evidence of the civil procedure code of this state, and particularly Article 4 of Chapter 60, K.S.A., may be followed by the board in its proceedings. However, the board may modify the rules of evidence when, in the board's opinion, it will be in the public interest to do so and will aid in ascertaining the facts. In all cases the rules of civil procedure shall not be used in a highly technical manner and all parties shall remain aware that proceedings before the board are administrative proceedings and not proceedings before a district court of this state.

When objection is made to the admissibility of any evidence before the board or as to the validity of any proceeding before the board, the chairperson or presiding member may rule upon the objection immediately or the evidence or procedure may be admitted or permitted subject to a subsequent ruling by the board. The chairperson or presiding member may exclude inadmissible evidence on his or her own motion and may order the presentation of cumulative evidence to be discontinued.

At hearings upon appeals or applications, the applicant or the appellant shall open and close. At hearings initiated by the board, the staff attorney for the board shall open and close or the board may order some noticed and appearing party to present evidence. Witnesses for each party shall be examined in the order determined by that party, orally and under oath. All opposing parties shall be entitled to cross examination. To facilitate the orderly and expeditious conduct of hearings, the chairperson or presiding member may appoint one of the board's staff attorneys to assist

procedurally any individual taxpayer not represented by counsel. Such assistance shall not extend to assisting the taxpayer in presenting their case or advising the taxpayer as to the substantive nature of their case; but shall be confined to procedural assistance.

(c) All proceedings shall be recorded by a court reporter retained by the board for that purpose or other recording device, unless waived by the parties. Any such record shall be the only record of any proceeding before the board, other than the contents of the board's files, evidence admitted by the board and matters administratively noticed by the board. Transcripts of any proceedings before the board may be obtained upon request to the board and upon advancing the costs.

(d) The use of recording, photographic or television devices during any proceedings before the board are authorized, pursuant to the provisions of K.S.A. 75-4318(e). To insure orderly proceedings in hearings before the board and in order to minimize the detrimental effects on the testimony of witnesses, cameras, photographic lights and recording devices shall be permitted during the sworn testimony of witnesses only as long as the use of such devices is not disruptive to the witnesses and the proceedings.

(e) The board, in all hearings before it, may take administrative notice of its own public records and those of any state or local government or of the federal government, as well as those universally accepted facts properly cognizable by administrative notice.

(f) The board may require the submission of briefs and proposed findings of facts and conclusions of law at the conclusion of any hearing and any party desiring to submit the same may do so in all cases. The time for filing of such documents and any reply briefs shall be fixed by the board at the conclusion of the hearing. The original and five copies of these documents shall be filed with the secretary of the board and copies shall be served on all interested parties. Proof of service shall be filed as required in these rules. (Authorized by K.S.A. 74-2436; 74-2437; 74-2437a; 74-2437b; 75-4318 and implementing K.S.A. 12-110a; 19-431; K.S.A. 79-213; L. 1986, Ch. 370; K.S.A. 79-1103; 79-1105a; 79-1409; 79-1413a; K.S.A. 1985 Supp. 79-1478; 79-1481; K.S.A. 79-1609; K.S.A. 1985 Supp. 79-1702; K.S.A. 79-1964a; 79-1964b; K.S.A. 1985 Supp. 79-2005; K.S.A. 79-2938; 79-2939; 79-2941; 79-2951; 79-5013; 79-5016; K.S.A. 1985 Supp. 79-5033; effective May 1, 1981; amended May 1, 1987.)

Article 3.—ECONOMIC DEVELOPMENT REVENUE BONDS

94-3-2. Filing, fees and form. All applications and notices required to be filed pursuant to the act shall be governed by the following:

(a) Filing procedures.

(1) The informational statement, together with the fees required in K.A.R. 94-3-2(b)(1), shall be deemed filed and the requisite seven-day filing period shall commence upon the date they are received in the office of the board. All communications, documents, information and inquiries shall be addressed or delivered to the office of the secretary, board of tax appeals.

(2) One informational statement shall be filed for each proposed issuance.

(3) If the informational statement is not complete as originally filed, the chairperson will, within five days following the receipt of the incomplete filing, issue a letter specifically setting forth the deficiency which must be remedied to complete the filing. Upon receipt of the required information, the requisite seven-day filing period shall commence.

(4) If the chairperson finds, following a review of the informational statement, that all information and documents required to be filed are complete and, based upon the proposed date of issuance of the bonds, that the statement has been filed in a timely manner, the chairperson will render to the appropriate government officials and bond counsel an order or a letter indicating that finding.

(5) The following disclaimer shall appear in bold face type upon the second page of each preliminary offering document:

THE CHAIRPERSON HAS NOT REVIEWED ANY INFORMATION OR DOCUMENT FILED PURSUANT TO THIS INFORMATIONAL FILING FOR THE ADEQUACY OR ACCURACY OF THE DISCLOSURE THEREIN. THIS INFORMATIONAL FILING DOES NOT CONSTITUTE A RECOMMENDATION OR AN ENDORSEMENT BY THE CHAIRPERSON.

Evidence that this disclaimer appears in bold face type upon the second page of each preliminary offering document must be filed contemporaneously with the certificate of issuance required by K.S.A. 12-1744c.

(6) The chairperson may publish for distribution to interested persons a monthly list of all informational filings received during the preceding month.

(b) Fees.

(1) Each informational statement shall be accompanied by a filing fee of \$125.00. All fees shall accompany the application and shall be payable by check or money order to the board of tax appeals. Cash remittance shall not be acceptable. If the chairperson receives notice of refusal of payment of the check or money order presented in payment of these fees, the application shall be deemed to be incomplete and not timely filed as required by the act.

(2) Copies of documents filed and recorded in the office of the board shall be available upon request. Postage and copy fees shall be payable in advance, and in conformity with K.S.A. 45-204, as amended.

(c) Forms. The informational statement shall be on forms prescribed or approved by the chairperson. (Authorized by K.S.A. 1985 Supp. 12-1744b; implementing K.S.A. 1985 Supp. 12-1744a; effective May 1, 1983; amended, T-85-38; Dec. 19, 1984; amended May 1, 1985; amended May 1, 1987.)

FRED L. WEAVER
Chairman

Doc. No. 005122

State of Kansas

KANSAS WATER OFFICE

PERMANENT ADMINISTRATIVE
REGULATIONS
(Effective May 1, 1987)

Article 5.—STATE WATER
PLAN STORAGE

98-5-2. Applications. (a) Each application to enter into a water purchase contract shall be made in writing on forms prescribed by the director and shall be signed by the person making the application or the person's chief officer or designated representative. The application shall be filed with the director.

(b) Each application shall include the following:

- (1) The name and address of the applicant;
- (2) the reservoir from which the applicant proposes to withdraw water;
- (3) the peak daily rate at which the applicant proposes to withdraw water and the total annual quantity to be withdrawn;
- (4) the uses proposed to be made of waters withdrawn; and
- (5) the estimated date of first withdrawal of water.

(c) With each application or at any time before negotiations for a water purchase contract, the applicant shall file the following items with the director unless the requirement is waived by the director:

- (1) The location and legal description of all works, ditches, conduits and watercourses proposed to be constructed or used for the transportation of waters to and including the point of redirection;
- (2) the engineering report or other evidence to support the need for the annual quantity of water requested throughout the term of the contract;
- (3) any other information which the director may specify;
- (4) any special requirement applicable to the applicant;
- (5) a list of alternative sources of water available to the applicant; and
- (6) whether the applicant has adopted and implemented a water conservation plan.

(d) In each application or at a time before use of the water as specified by the director, the applicant shall file the following items with the director unless the requirement is waived by the director:

- (1) An engineering report and specifications for metering water;
- (2) proof of any easement that is granted by the federal government for rights-of-way across, in, and upon federal government land which is required for intake, transmission of water and necessary appurtenances;

(3) engineering plans and specifications for any pump, siphon, conduit, canal, or any other device planned to be used to withdraw water from the reservoir; and

(4) engineering plans and specifications for any pump, siphon, conduit, canal, or other device planned

(continued)

to be used to divert water released from the reservoir to a watercourse.

(e) Upon receipt of an application in the office of the director, a stamp showing the date and time of receipt shall be placed on the application form.

(f) The director or a designated representative shall review the application for compliance with statutory and regulatory requirements and for completeness.

(g) An application that is complete and that complies with statutory and regulatory requirements shall be assigned an application number. Application numbers shall be assigned in chronological order according to the date and time of receipt of the application.

(h) An application that is not complete or that does not comply with statutory or regulatory requirements shall have the stamp showing the date and time of receipt cancelled by drawing an X or other suitable mark across the stamp.

(i) Within 30 days after receipt of the application, the director or a designated representative shall notify the applicant that:

(1) The application is accepted and assigned an application number;

(2) the application is incomplete and additional information or evidence is required before a number will be assigned; or

(3) the application does not comply with statutory or regulatory requirements and the reason why the application does not comply.

(j) When an application is accepted in writing by the director, notice of the acceptance shall be provided to other applicants for withdrawal of water from the same reservoir at each applicant's last known address. The notice shall specify the name of the applicant whose application has just been accepted and the annual quantity of water included in the request.

(k) If a water purchase contract has not been executed by the 10th anniversary of the acceptance of an application, and if the applicant has not requested an extension of time for the application, the application shall be subject to cancellation by the director.

(l) Before cancellation of an application, the director shall notify the applicant in writing at the applicant's last known address that the application shall be cancelled 30 days after date of the notice unless the applicant submits a written request for an extension of time for the application. The notice shall be sent by restricted mail. The application shall be cancelled by the director if a written request to extend the application is not received within 30 days from date of the notice.

(m) On or before the 10th anniversary of the application, the applicant may request, in writing, that the application be extended for a period of up to three years. The director shall grant the extension unless the application is found to be incomplete or not in compliance with statutory or regulatory requirements.

(n) Any part of the application, except the reservoir from which the applicant proposes to withdraw water, may be amended at any time. The applicant shall file a new application to change the reservoir from which the applicant proposes to withdraw water. The new

application shall be assigned a date and application number as provided in subsection (g) of this regulation. (Authorized by K.S.A. 82a-1319; implementing K.S.A. 82a-1310a, as amended by L. 1986, ch. 396, § 8, K.S.A. 82a-1311a, as amended by L. 1986, ch. 396, § 9; effective May 1, 1979; amended May 1, 1980; amended May 1, 1981; amended May 1, 1984; amended May 1, 1987.)

98-5-3. Contract negotiation procedures. (a) Any person with an application on file with the director may request to negotiate a water purchase contract by filing a written request with the director or a designated representative.

(b) The director shall review the request and shall notify the applicant in writing within 30 days as to whether the information on file is sufficient to request the authority to authorize negotiations for a water purchase contract.

(c) The director may require any applicant to provide information in addition to that included in the application required in K.A.R. 98-5-2(b) and (c). Such information shall be for the purpose of determining:

(1) The actual annual quantity of water needed;

(2) whether the proposed sale of water supply is in the public interest; and

(3) whether the benefits to the state from approval of the contract are greater than the benefits to the state from rejection of the contract.

(d) When sufficient information is available to determine whether the proposed sale is in the interest of the people of the state of Kansas and will advance the purposes set forth in K.S.A. 82a-901 *et seq.*, and amendments thereto, the director shall notify the authority that a request to enter into negotiations for a written contract has been received.

(e) The director shall provide the authority with the information collected or developed to show that the proposed sale is in the interest of the people of the state of Kansas and that it will advance the purposes set forth in K.S.A. 82a-901 *et seq.*, and amendments thereto.

(f) The authority shall consider the request to begin negotiations for a written contract and make a finding that:

(1) The proposed sale is in the public interest and it will advance the purposes set forth in K.S.A. 82a-901 *et seq.*; or

(2) the proposed sale is not in the public interest and it will not advance the purposes set forth in K.S.A. 82a-901 *et seq.*

(g) If the authority finds that the proposed sale is not in the public interest or that it will not advance the purposes set forth in K.S.A. 82a-901 *et seq.*, the authority shall do one of the following:

(1) Reject the request to begin negotiations and advise the applicant of the reasons; or

(2) request the applicant or the director to provide additional information which would permit the authority to find that the proposed sale is in the public interest and that it will advance the purposes set forth in K.S.A. 82a-901 *et seq.*

(h) When the authority finds that the proposed sale

is in the public interest and that it will advance the purposes set forth in K.S.A. 82a-901 *et seq.*, the authority shall authorize the director to negotiate with the applicant for the purposes of entering into a written contract for sale of water supply.

(i) After negotiations for a water purchase contract have been authorized by the authority and when the proposed sale is not for surplus waters, the director or a designated representative shall notify all other persons with pending applications for water from the same reservoir that negotiations for a water purchase contract have been authorized by the authority. The notice shall include the name of the applicant with whom negotiations are underway, the person's application date and number, and the annual quantity requested.

(j) Each person who has an application on file with the director for water supply from the reservoir from which water is proposed to be sold shall choose:

(1) Not to request to negotiate for a written contract, or

(2) to file a written request with the director to enter into negotiations for a written contract as provided in subsection (a) within 20 days following notification by the director.

(k) Within 30 days after negotiations are authorized by the authority, a draft water purchase contract shall be sent by the director or a designated representative to the applicants with whom the negotiations are authorized.

(l) When contract details and explanations of contract requirements have been completed, the director shall send a proposed final contract to the applicant.

(m) After receipt of the proposed final contract, the applicant shall, within 10 days:

(1) Indicate acceptance of the contract by signing and returning it to the director or by other communication to the director;

(2) return the contract to the director with written comments;

(3) request a meeting with the director to discuss the contract; or

(4) request an extension of time for consideration of the contract.

(n) If the person and the director cannot agree on terms or language in the contract, the negotiations may be terminated by the director.

(o) Within 10 days after the applicant and the director both agree to a contract, the contract shall be submitted to the authority for consideration at a regular meeting of the authority or at a special meeting, if deemed necessary by the chairperson and director.

(p) Before approving any contract, the authority shall find that:

(1) The sale of water by written contract is in the interest of the people of the state of Kansas;

(2) the state has filed or will file, prior to initiation of water use under the contract, a water reservation right for storage of water in the reservoir designated in the contract;

(3) the state, if necessary, has signed an agreement with an agency or department of the United States of

America for water supply storage in the named reservoir;

(4) the person has filed an application to negotiate the purchase of water from the named reservoir at an average daily rate equal to or greater than specified in the contract;

(5) the total of the water quantity being negotiated and the quantities of water in executed water purchase contracts for the same reservoir do not exceed the yield capability from the conservation storage water supply capacity of the reservoir through a drought having a two percent chance of occurrence in any one year; and

(6) the annual withdrawal and use of the quantity of water contracted by the applicant will advance the purposes set forth in K.S.A. 82a-901 *et seq.*

(q) If the authority finds that the proposed sale of water is not in the interest of the people of the state of Kansas or that the proposed sale will not advance the purposes set forth in K.S.A. 82a-901 *et seq.*, the authority shall reject the contract and either:

(1) Terminate the contract negotiations; or

(2) return the contract to the applicant and director with recommendations for contract changes.

(r) When the authority approves the contract, the director shall transmit copies to the house of representatives and the senate and to the secretary of state, as provided by statute in K.S.A. 82a-1307, and amendments thereto.

(s) The application shall be terminated when a regular contract is signed by the applicant, the director, and the chairperson, or their designated representatives, and if the contract is not disapproved by the legislature. If the contracted quantity of water is less than the quantity stated in the application, the applicant shall not retain the application number for the remaining quantity. A new application shall be filed for additional water.

(t) Upon expiration of the period for legislative review and if the legislature has not disapproved the contract, the person shall file a copy of the water purchase contract with the chief engineer.

(u) The director may waive any regulatory requirements in order to sell surplus waters. (Authorized by K.S.A. 82a-1319; implementing K.S.A. 82a-1305, 82a-1306, 82a-1307, 82a-1308a, 82a-1311a as amended by L. 1986, ch. 396, K.S.A. 82a-1312; effective May 1, 1979; amended May 1, 1980; amended, E-82-7, April 10, 1981; amended May 1, 1981; amended May 1, 1984; amended May 1, 1987.)

98-5-5. Rate charged for water. (a) The director shall fix the rate to be charged for water as provided in K.S.A. 82a-1308a, as amended. The rate shall be fixed on or before July 15 of each calendar year and shall take effect on January 1 of the following year.

(b) The rate fixed shall include amounts to cover the components required in K.S.A. 82a-1308a, as amended.

(c) The amount necessary, pursuant to K.S.A. 82a-1308a, subsection (a)(1), as amended, to repay the amortized capital costs, shall be determined by using the formula

(continued)

$$A = \frac{P1 - R}{T1}$$

where:

(1) "A" equals the amount necessary to repay the amortized capital costs;

(2) "P1" equals the cumulative actual and projected amount of monies to be paid by the state for principal and interest on those reservoirs which contain conservation water supply capacity during the period from calendar year 1974 through the calendar year when the last payment for principal and interest is scheduled to be made;

(3) "R" equals the cumulative amount of revenues designated for deposit, in the state general fund from calendar year 1974 through the preceding calendar year for repayment of amortized capital costs; and

(4) "T1" equals the total projected minimum annual quantity of water obligated or anticipated water use under contract, whichever is larger, expressed in 1,000 gallon units, during the period from the current calendar year through the calendar year when the last payment for principal and interest is scheduled to be made.

(d) The amount, pursuant to K.S.A. 82a-1308a, subsection (a)(2), as amended, as interest on the net amount of monies advanced from the state general fund for payment of amortized capital costs shall be determined by using the formula

$$B = \frac{(P2-R) I}{T2}$$

where:

(1) "B" equals the amount as interest on the net amount of monies advanced from the state general fund for payment of the amortized capital costs;

(2) "P2" equals the cumulative actual payments for principal and interest during the period beginning with calendar year 1974 and ending with the year preceding the current calendar year;

(3) "R" equals the cumulative amount of revenues designated for deposit in the state general fund during the same period for repayment of amortized capital costs;

(4) "T2" equals the sum, expressed in 1,000 gallon units, of the totals from each individual contract in effect during the preceding calendar year of either the minimum annual quantity of water obligated or the actual quantity of water used during the preceding calendar year, whichever quantity is greater; and

(5) "I" equals the average interest rate calculated for earnings during the preceding calendar year on investments of state funds by the pooled money investment board.

(e) The amount necessary, pursuant to K.S.A. 82a-1308a, subsection (a)(3), as amended, to reimburse the state for the cost of administration and enforcement of the act shall be determined by using the formula

$$C = \frac{E}{T2}$$

where:

(1) "C" equals the amount necessary to reimburse the state for the actual costs of administration and enforcement of the act;

(2) "E" equals the total actual costs of Kansas water office and division of water resources of the state board of agriculture for administration and enforcement during the preceding calendar year; and

(3) "T2" equals the sum, expressed in 1,000 gallon units, of the totals from each individual contract in effect during the preceding calendar year of either the minimum annual quantity of water obligated or the actual quantity of water used during the preceding calendar year, whichever quantity is greater.

(f) The amount necessary, pursuant to K.S.A. 82a-1308a, subsection (a)(4), as amended, to repay the operation, maintenance and repair costs associated with the state's conservation water supply capacity shall be determined by using the formula

$$D = \frac{O}{T2}$$

where:

(1) "D" equals the amount necessary to repay the operation, maintenance and repair costs associated with the state's conservation water supply capacity;

(2) "O" equals the actual amount paid for operation, maintenance and repair costs during the preceding calendar year; and

(3) "T2" equals the sum, expressed in 1,000 gallon units, of the total from each individual contract in effect during the preceding calendar year of either the minimum annual quantity of water obligated or the actual quantity of water used during the preceding calendar year, whichever quantity is greater.

(g) The amount for depreciation reserve shall be the amount specified in K.S.A. 82a-1308a, subsection (a)(5), as amended.

(h) The rate fixed by the director shall be approved by the Kansas water authority on or before July 15 of each calendar year. Approval shall be obtained either at a regular or special meeting of the authority. The meeting may be conducted in person, by conference call, by telephone poll of the voting members of the authority, or by mail ballot of the voting members of the authority.

(i) Affirmative votes by a simple majority of the voting members shall be sufficient to approve the rate fixed by the director.

(j) The rate fixed for each calendar year shall apply to all water use under contracts negotiated after March 17, 1983.

(k) For any contract negotiated before March 17, 1983, the rate in effect on the date established by the contract for review and adjustment of the rate charged for water shall become the new rate to be charged for all water which must be paid for under terms of the contract up to a maximum rate not to exceed 10 cents per 1,000 gallons. The new rate shall remain in effect until the next succeeding date established by the contract for review of the rate charged for water. (Authorized by K.S.A. 82a-1319; implementing K.S.A. 82a-1306, K.S.A. 82a-1308a, as amended by L. 1986, ch. 396, §§ 5 and 7; effective May 1, 1984; amended May 1, 1987.)

98-5-6. Rate charged for surplus water. (a) No charges shall be made for surplus water when such

water is for streamflow maintenance or reservoir pool management. The rate to be charged for surplus waters used for maintenance of the public health shall be at the rate set under K.S.A. 82a-1308a. The rate to be charged in all other contracts for the sale of waters which are found by the authority, pursuant to K.S.A. 82a-1305, as amended, to be surplus waters shall be double the rate set for water in accordance with K.S.A. 82a-1308a, as amended. The purchaser shall be obligated to pay for a minimum of 80 percent of the quantity in the contract.

(b) The rate charged for surplus waters under this section shall change on January 1 of each calendar year as the rate set in accordance with K.S.A. 82a-1308a, as amended, becomes effective. (Authorized by K.S.A. 82a-1319; implementing K.S.A. 82a-1305; effective, T-84-29, October 19, 1983; effective May 1, 1984; amended May 1, 1987.)

98-5-7. Contract provisions. (a) Each contract for sale of water supply shall conform to the standard formats adopted by the director and approved by the authority. Whenever the director determines, during the contract negotiation process, that any article or portion of any article in the standard contract format is not needed or is not applicable, the director may delete the article or portion thereof from the standard contract.

(b) Any special requirement not covered in the standard contract format may be added as an additional article in the contract.

(c) The minimum annual charge for water required in each contract shall be the sum of the following two components:

(1) Fifty percent of the total annual amount of water contracted for that year multiplied by the rate established in accordance with K.A.R. 98-5-5; and

(2) fifty percent of the total annual amount of water contracted for that year, multiplied by the rate per annum as interest equal to the average rate of interest earned during the preceding calendar year on the investment of state monies by the pooled money investment board, multiplied by the net amount of monies advanced from state funds for the costs incurred and associated with providing that 50 percent of the total annual amount of water contracted for purchase.

(d) The director shall determine the net amount of monies advanced from state funds for the costs incurred and associated with providing water for purchase. The net amount of monies advanced shall be determined by:

(1) Adding the following components:

(A) The cumulative amount of monies paid to the federal government for repayment of capital costs during the period beginning with calendar year 1974 and ending with the year preceding the current calendar year; and

(B) the cumulative amount of monies paid to the federal government for repayment of operation, maintenance and replacement costs during the period beginning with calendar year 1974 and ending with the year preceding the current calendar year; and

(C) the cumulative estimated and actual costs associated with administration and enforcement; and

(2) subtracting the cumulative amount of revenues deposited in the state general fund for repayment of capital costs or for unspecified purposes from the sum calculated under paragraph (d)(1); and

(3) Dividing the resultant amount calculated in (1) and (2) by the total annual yield, expressed in thousands of gallons per year, from the state's conservation storage water supply capacity. (Authorized by K.S.A. 82a-1319; implementing K.S.A. 82a-1305, K.S.A. 82a-1306; effective May 1, 1984; amended May 1, 1987.)

JOSEPH F. HARKINS
Director

Doc. No. 005121

State of Kansas

BEHAVIORAL SCIENCES REGULATORY BOARD

PERMANENT ADMINISTRATIVE REGULATIONS

(Effective May 1, 1987)

Article 1.—CERTIFICATION OF PSYCHOLOGISTS

102-1-1. Definitions. (a) A "student, intern or resident" means:

(1) A person who is actively enrolled in, or a graduate of, a program as defined by K.A.R. 102-1-12;

(2) a person who is preparing for the profession under supervision;

(3) a person who is in a training institution or facility recognized by the board;

(4) a person to whom a fee is not paid directly; and

(5) a person who is designated by a title which clearly indicates the person's training status.

(b) A "year of supervised experience" means a minimum of 1,800 supervised clock hours pursuant to K.A.R. 102-1-5. The 1,800 hours shall not commence until all requirements for the doctoral degree have been completed.

(c) "Full-time employment" means at least 2,000 hours during a 12-month period.

(d) In the case of academic employment, "year" means the period normally associated with full-time employment at the employing institution.

(e) "Part-time employment experience credit" means supervised work experience of at least six consecutive months which shall be credited on a prorated basis.

(f) A "client or patient" means a person who is a direct recipient of psychological services. Such services may be either therapeutic or diagnostic in nature.

(g) A "therapeutic relationship" means a relationship between a psychologist and client or patient which is initiated by mutual consent or pursuant to law. The assessment of a client, or expert consultation regarding a client, by a psychologist for a third party,

(continued)

for purposes of diagnosis and assessment alone shall not be considered a therapeutic relationship.

(h) "Active therapeutic treatment" means the use of psychotherapy or other psychological remedial measures that are applied to persons individually or in groups with the intent of assisting the person or persons in modifying attitudes and behavior which are intellectually, physically, socially, or emotionally maladaptive.

(i) "Termination of a therapeutic relationship or active therapeutic treatment" means termination by either the mutual consent of both parties, the completion of treatment, dismissal of the psychologist or the transfer of the client to another professional for active treatment with belief that continuation of treatment will occur.

(j) "Psychological assessment" means the use, in any manner, of established psychological tests, procedures, and techniques with the intent of diagnosing adjustment, functional, mental, vocational, or emotional problems or establishing treatment methods for persons having such problems.

(k) A "psychologist supervisor," for training purposes or supervision of unlicensed assistants, means an individual licensed, certified, licenseable, or certifiable at the doctoral level in that person's state to engage in the practice of psychology, and who has or had, in full or in part, legal, administrative or professional authority over and responsibility for the professional functioning of the applicant.

(l) "Consultant" means an individual who provides professional guidance, information, or advice, but who has no legal, administrative, or professional authority over or responsibility for the professional functioning of the applicant.

(m) A "non-resident psychologist" means a psychologist duly licensed by another state which has licensing standards which guarantee substantial equivalence to those in the state of Kansas or with which the board has entered into a reciprocity agreement.

(n) A "pre-doctoral internship or residency" means an organized program of supervised practice of psychology which:

(1) Consists of at least one year of full-time or two consecutive years of half-time training;

(2) accepts as interns or residents only applicants enrolled in a doctoral program as defined in K.A.R. 102-1-12;

(3) is directed by an individual who is certified, licensed, licenseable or certifiable at the doctoral level to engage in the practice of psychology;

(4) provides training and close supervision in a wide range of professional activity. That professional activity shall include diagnosis, remediation techniques, inter-disciplinary relationships, consultation and experience with a population of clients or patients presenting a diverse set of problems and backgrounds;

(5) is taken after completion of graduate courses and practica in the area of emphasis or after completion of university pre-internship training requirements;

(6) provides the intern or resident with a minimum

of one hour of supervision for every 10 hours of training experience;

(7) provides supervision by certified, licensed, licenseable or certifiable psychologists at least 75 percent of that supervised time;

(8) stands as a distinct and organized program clearly recognizable within an institution or agency, as well as in pertinent public, official documents issued by the institution or agency, as a training program for psychologists;

(9) identifies interns or residents as being in training and not as staff;

(10) has an identifiable licensed, certified, licenseable, or certifiable psychology training staff; and

(11) is an integrated, conceptually-organized entity, not an after-the-fact tabulation of experience.

(o) "Continuing education" means programs or activities which are designed to enhance the psychologist's level of knowledge, skill, and ability to practice psychology. Such programs shall have content clearly related to enhancement of psychology practice, values and knowledge. Continuing education credits shall not be used as a substitute for basic professional education preparation as defined in K.A.R. 102-1-12.

(p) "Unlicensed assistant" means a person employed by a licensed psychologist to assist in providing psychological services under the licensed psychologist's direct supervision. (Authorized by K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; implementing K.S.A. 74-5302, as amended by L. 1986, Ch. 299, Sec. 14, K.S.A. 74-5310, as amended by L. 1986, Ch. 299, and Sec. 15, K.S.A. 74-5314, K.S.A. 74-5316, as amended by L. 1986, Ch. 299, Sec. 18, K.S.A. 74-5344, as amended by L. 1986, Ch. 299, Sec. 40; K.S.A. 74-5345, and K.S.A. 74,7507, as amended by L. 1986, Ch. 299, Sec. 42; effective May 1, 1982; amended May 1, 1984; amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987.)

102-1-3. Applications. (a) An applicant shall not be given a tentative judgment on the applicant's eligibility for licensure until all credentials are received and procedures are completed.

(b) An application may, for lack of qualifications, be held in active status for a period not to exceed one year. Beyond one year, the application shall expire, and a new application and fee shall be required of each reapplying applicant.

(c) Transcripts from outside the United States. All applicants who are graduates of colleges and universities from outside the United States shall submit their official transcripts, an officially translated English copy of those transcripts, supporting documents, and where necessary, the doctoral dissertation. The transcript shall be translated by a source or in a manner that is acceptable to the board. (Authorized by K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; implementing K.S.A. 74-5314, and K.S.A. 74-5317 as amended by L. 1986, Ch. 299, Sec. 19; effective May 1, 1982; amended May 1, 1984; amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; effective May 1, 1987.)

102-1-4. Examinations. (a) Each applicant for licensure by the board shall take an examination. The pass criterion score shall be 75 percent correct or the national mean of all first-time doctoral candidates, whichever is lower. Each applicant shall be notified of the results in writing.

(b) The standard examination shall be a written examination. A written examination may be waived and an oral examination procedure substituted when:

(1) A license has been revoked or suspended and re-licensure is requested; or

(2) an applicant is unable to take the written examination because one or more physical handicaps preclude completion of the written examination, or may severely affect the applicant's performance.

(c) For oral examinations, the board may contract collectively or individually with a panel of licensed psychologists to conduct the oral examination and make recommendations to the board, based on the performance evaluation of the applicant.

(d) Oral examinations shall include assessment of:

(1) Effectiveness and clarity of expression;

(2) knowledge and skills in the area in which the applicant is otherwise qualified to offer psychological services;

(3) knowledge and awareness of ethical issues and problems in the professional area of emphasis and for psychologists in general; and

(4) knowledge of general psychology.

(e) All oral examinations shall be recorded verbatim.

(f) The pass/fail decision shall be based on a review of the recommendation of the oral examining panel and review of the verbatim recordings, when necessary.

(g) Any applicant, other than an applicant for reinstatement of a revoked or suspended license, may be exempt from taking the written examination if:

(1) The applicant successfully passed the written portion of an examination taken in another state at a level equal to or greater than the criterion pass score; or

(2) the applicant:

(A) has been continuously licensed or certified at the doctoral level since implementation of, or under the grandfathering provision of, the certification or licensure law in the applicant's state;

(B) has been employed as a psychologist full-time at least for five years; and

(C) has never taken the examination. (Authorized by K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; implementing K.S.A. 74-5310, as amended by L. 1986, Ch. 299, Sec. 15; K.S.A. 74-5311, and K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; effective May 1, 1982; amended May 1, 1984; amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; effective May 1, 1987.)

102-1-5. Professional endorsements and supervision. (a) Endorsements. As a part of the application process, each applicant shall submit the names of four persons who are licensed, certified, licensable, or certifiable at the doctoral level, in that person's state,

to engage in the practice of psychology and who can attest to the applicant's previous supervised experience, previous and current professional work, and compliance with the ethical standards. The applicant shall submit the name of at least one psychologist who is able to attest to the applicant's post-doctoral experience. The board may request the submission of names of additional references. The attesting persons shall use forms supplied by the board. Members of the board shall not serve as endorsers unless they supervise the applicant.

(b) Supervision and professional experience requirements.

(1) Only professional practice in an organized public or private setting, institution or organization which provided the applicant an opportunity for contact with other disciplines, and an opportunity to utilize a variety of theories and to work with a broad range of populations and techniques shall be recognized by the board as supervised professional experience. Pre-doctoral internships or residencies, assistantships, associateships, personal therapy, or involvement in practicums shall not constitute "professional experience."

(2) Each applicant shall have been directly supervised by and under the guidance of a person who is licensed, certified, licensable, or certifiable at the doctoral level in that person's state to engage in the practice of psychology and who has had two years of experience beyond the supervisor's certification or licensure date or eligibility date in the emphasis area for which the supervision was given.

(3) Each applicant's supervised experience in psychology shall have been consistent with the applicant's educational background and with the area of emphasis in which the applicant intends to offer services to the public. At least half of the applicant's supervised experience shall have been relevant to the applicant's emphasis area.

(4) The supervisor shall have provided a minimum of one hour of individual supervision for every 40 hours of professional experience of the applicant. In the applied emphasis areas of clinical, counseling, school, and industrial/organizational psychology, one hour of supervision shall have been provided for every 20 hours of direct patient or client contact provided by the applicant.

(5) The supervisor shall be available to the applicant at the points of decision-making regarding diagnosis and treatment of clients or patients. The supervisor's relationship with the applicant shall be clearly differentiated from that of consultant.

(6) The supervisor shall not have a familial relationship with the applicant.

(7) The supervisor shall not be under a supervisory agreement with the board. This provision may be waived by the board upon application for review by the proposed supervisor.

(c) The supervisor shall submit information which will enable the board to evaluate the extent and quality of the candidate's supervised practice and to assign credit for that practice.

(d) (1) The supervised practice time during which

(continued)

the applicant has received an unsatisfactory rating from the supervisor shall not be credited toward the required supervised practice hours as required by K.S.A. 74-5310.

(2) Professional experience gained before the completion of all academic requirements for the doctoral degree shall not fulfill requirements for licensure as prescribed in K.S.A. 74-5310.

(3) Professional experiences which are part of the required preparation for the doctoral degree shall be applicable only to the "doctoral degree requirements" and shall not be simultaneously offered to satisfy the "experience" requirement.

(e) Professional experience required of the applicant between the time the applicant fulfilled all of the requirements for the applicant's terminal degree and the time of the actual conferral of the degree may be credited towards the experience requirements for licensing, if the date of completion of all degree requirements is verified in writing by a responsible academic or administrative official, and if other requirements necessary for professional experience are met. (Authorized by K.S.A. 74-5314; implementing K.S.A. 74-5314 and K.S.A. 74-5317, as amended by L. 1986, Ch. 299, Sec. 19; effective May 1, 1982; amended May 1, 1984; amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; effective May 1, 1987.)

102-1-6. Licensure action by the board. (a) Each applicant shall be licensed when the applicant has met all qualifications for licensure.

(b) Licensure of an applicant shall require a majority vote of the board.

(c) Any member of the board who has a conflict of interest shall disqualify himself or herself from voting. This disqualification shall not affect the existence of a quorum.

(d) Licensure action by the board shall be reported in the board minutes with a listing of the relevant sections of the law under which the candidate qualified. If the board denies an application, the reasons for the denial shall be reported.

(e) Each denied applicant shall be informed in writing of the reasons for the applicant's denial and of the applicant's right to a hearing. Action of the board shall be considered completed when the notification has been received by the applicant. Any applicant may request a hearing or reconsideration of the application by submitting a written statement, detailing the basis for the request, with the executive secretary within 30 days of receipt of the notification. The applicant may submit additional material in the request for reconsideration. If a request for a hearing or reconsideration is not made within the 30 day period, the application shall expire. (Authorized by K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; implementing K.S.A. 74-5310, as amended by L. 1986, Ch. 299, Sec. 15; effective May 1, 1982; amended May 1, 1984; effective May 1, 1987.)

102-1-7. Licenses. (a) Those who meet standards for licensure, as provided by the laws of the state of Kansas, shall receive a license appropriate for display

and a wallet-size card with the same information as on the license.

(b) An area of emphasis in psychology shall not be listed on licenses issued by the board.

(c) In the case of a revocation of license, the licensee shall be informed of the board's action by certified mail, and the licensee shall return the license and wallet-size card to the board within 30 days. (Authorized by K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; implementing K.S.A. 74-5310, as amended by L. 1986, Ch. 299, Sec. 15, 74-5322, as amended by L. 1986, Ch. 299, Sec. 24, 74-5333, as amended by L. 1986, Ch. 299, Sec. 34; effective May 1, 1982; amended May 1, 1984; amended May 1, 1987.)

102-1-8. Renewal. (a) Licensed psychologists shall renew their licensure pursuant to K.S.A. 74-5319 by submitting a renewal form to the executive secretary, together with the renewal fee required by K.S.A. 74-5318.

(b) At the time of the renewal, each licensed psychologist shall submit evidence of satisfactory completion of 100 continuing education hours as defined in 102-1-15. (Authorized by and implementing K.S.A. 74-5314, K.S.A. 74-5318, as amended by L. 1986 Ch. 299, Sec. 20, and K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; effective May 1, 1982; amended May 1, 1984; amended May 1, 1986; amended May 1, 1987.)

102-1-10. Unprofessional conduct. (a) If the board finds a licensed psychologist guilty of unprofessional conduct, the board may revoke or suspend the psychologist's license.

(b) The following acts shall be evidence of unprofessional conduct:

(1) Knowingly engaging in fraudulent or misleading advertising;

(2) practicing psychology in an incompetent manner;

(3) misrepresenting professional competency by offering to perform services that are clearly unwarranted on the basis of education, training, or experience;

(4) performing professional services that are inconsistent with the licensee's emphasis area or areas recognized by the board based on a review of training, education, or experience;

(5) being convicted of a crime resulting from or relating to the licensee's professional practice of psychology;

(6) reporting distorted, erroneous, or misleading psychological information;

(7) taking credit for work not personally performed;

(8) providing psychological services while using alcoholic beverages or drugs in an abusive manner;

(9) failing to obtain written, informed consent from a client or patient, or the client's or patient's legal representative or representatives, before electronically recording sessions with the client or patient, or before releasing information to a third party concerning the client or patient, except as required by law;

(10) making sexual advances or engaging in sexual activities with clients, patients, or students of that psychologist;

(11) failing to provide clients or patients with a description of what the client or patient may expect in the way of tests, consultation, reports, fees, billing, therapeutic regimen, or schedule;

(12) failing to provide clients or patients with a description of possible effects of proposed treatment when there are clear and established risks to the client or patient;

(13) failing to inform the client or patient of any financial interests that might accrue to the licensed psychologist for referral to any other service or for the use of any tests, books, or apparatus;

(14) refusing to cooperate in a timely manner with the board's investigation of complaints lodged against an applicant or a psychologist licensed by the board. Persons taking longer than 30 days to provide requested information shall have the burden of demonstrating that they have acted in a timely manner;

(15) impersonating another person holding a license issued by this board;

(16) knowingly allowing another person to use one's license;

(17) failing to notify the board of having a license, certificate, permit or registration, granted by this or any other state for the practice of psychology or school psychology, that has been limited, restricted, suspended or revoked, or of having been subject to other disciplinary action by a licensing or certifying authority or professional association or of having employment terminated or suspended for some form of misfeasance, malfeasance, or nonfeasance.

(18) failing to inform the client or patient that the client or patient is entitled to the same services from a public agency if the licensed psychologist is employed by that public agency and also offers services privately;

(19) exercising undue influence on the client, patient, or student, including the promotion of the sales of services, goods, appliances, or drugs, in such manner as to exploit the patient, client or student for the financial gain or personal gratification of the practitioner or of a third party;

(20) directly or indirectly offering, giving, soliciting, receiving, or agreeing to receive any fee or other consideration to or from a third party for the referral of a client or patient or in connection with the performance of professional services;

(21) permitting any person to share in the fees for professional services, other than a partner, employee, an associate in a professional firm, or a consultant authorized to practice the same profession;

(22) making claims of professional superiority which cannot be substantiated by the licensed psychologist;

(23) abandoning or neglecting a client or patient under and in need of immediate professional care, without making reasonable arrangements for the continuation of that care, or abandoning a group practice, hospital clinic or other health care facility without reasonable notice and under circumstances which seriously impair the delivery of professional care to clients or patients;

(24) failing to maintain a record for each client or

patient which accurately reflects the client or patient contact with the practitioner. Unless otherwise provided by law, each client or patient record shall be retained for at least two years after the date of termination of the contact or contacts;

(25) failing to exercise appropriate supervision over persons with whom the psychologist has a supervisory relationship;

(26) failing to notify the board within a reasonable time that a licensed psychologist practicing or teaching psychology is, in the judgment of the licensed psychologist, practicing or teaching psychology in violation of the laws or regulations regulating psychology;

(27) guaranteeing that satisfaction or a cure will result from the performance of professional services;

(28) continuing or ordering tests, treatment, or use of treatment facilities not warranted by the condition of the client or patient; or

(29) claiming or using any secret or special method of treatment or diagnostic technique which the licensed psychologist refuses to divulge to the board. (Authorized by K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; implementing K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42, and K.S.A. 74-5324, as amended by L. 1986, Ch. 299, Sec. 26; effective May 1, 1982; amended May 1, 1984; amended, T-85-35, Dec. 10, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987.)

102-1-11. Supervision of unlicensed assistants. (a) To utilize unlicensed assistants for psychological services, the licensed psychologist shall:

(1) Provide direct and continuing administrative and professional supervision to the unlicensed assistant;

(2) be vested with administrative control over the functioning of unlicensed assistants to maintain ultimate responsibility for the welfare of every client or patient;

(3) have sufficient contact with all clients or patients in order to plan effective and appropriate service and define procedures. The licensed psychologist shall also be available to the patient or client for emergency consultation and intervention;

(4) provide the unlicensed assistant with only work assignments which are commensurate with the skills of that assistant;

(5) plan all procedures to be used by the unlicensed assistant and inform the assistant of those plans;

(6) provide space for unlicensed assistants in the same physical setting as themselves, unless otherwise approved and authorized by the board;

(7) make all public announcements of fees and services. The licensed psychologist shall be solely responsible for all correspondence with other professionals;

(8) set and collect all fees;

(9) countersign all requests for payments for services performed by the unlicensed assistant. By so doing a psychologist shall be deemed to have established a supervisory relationship pursuant to this section;

(continued)

(10) have not more than three full-time unlicensed assistants in the licensed psychologist's employ, if the licensed psychologist is in independent practice;

(11) establish and maintain a level of supervisory contact sufficient to insure the welfare of clients or patients seen by the unlicensed assistant and provide the board with documentation attesting to that level of supervision for board review and approval;

(12) notify the board within 45 days of those individuals who are serving as unlicensed assistants. This notification shall be on forms approved by the board and shall include the name, the education of, and duties assigned to each unlicensed assistant; and

(13) be responsible for all psychological services performed by the unlicensed assistant, and be solely responsible for interpretation of psychological assessments on all patients or clients; and

(14) not be under a supervisory agreement with the board. This provision may be waived by the board upon application for review by the proposed supervisor.

(b) An ongoing record of supervision shall be maintained which details the type of activities in which the unlicensed assistant is engaged, and the level of competence in each. This record shall be available for review by the board.

(c) Persons receiving supervision while obtaining pre-doctoral or post-doctoral professional experience in an exempt agency are not required to be registered by the supervising licensed psychologist. (Authorized by and implementing K.S.A. 74-5314, and K.S.A. 74-5344, as amended by L. 1986, Ch. 299, Sec. 40; effective May 1, 1982; amended May 1, 1984; effective May 1, 1987.)

102-1-12. Educational requirements. (a) To comply with the requirement that the person has received a doctoral degree pursuant to K.S.A. 74-5310(c), consideration shall be given to whether the doctoral degree program is approved by the American Psychological Association, or whether the program, if not approved, meets the standards for approval of the American Psychological Association as of January 1, 1983. If the program does not meet the above standards, consideration shall be given as to:

(1) Whether the training is in a doctoral program of studies offered by an institution of higher education which is regionally accredited by an accrediting agency that is substantially equivalent to the accrediting agencies which accredit the universities in Kansas;

(2) Whether the program, wherever administratively housed, is clearly identified and specified in pertinent institutional catalogs as having the intent to educate and train psychologists;

(3) Whether the program stands as a recognized coherent organizational entity within the university;

(4) Whether there is clear authority and primary responsibility within the program for the core and emphasis areas of psychology;

(5) Whether the program, wherever administratively housed, is an organized sequence of study which

is planned, by responsible administrators, to provide an integrated educational experience;

(6) Whether there is an identifiable full-time faculty, and a person responsible for the program whether those individuals are licensed, certified, licensable, or certifiable at the doctoral level to engage in the practice of psychology and whether the student's major advisor is a member of the psychology faculty;

(7) Whether the program has an identifiable body of students who are matriculated in the program for a degree, with residency requirements substantially equivalent to the requirements at the state universities in Kansas;

(8) Whether the program includes appropriate practicum, internship, field or laboratory training;

(9) Whether the curriculum encompasses a minimum of three academic years of full-time graduate study, including at least one continuing academic year of full-time residency at the university granting the degree;

(10) Whether the program requires each student to demonstrate competency in a manner indicating a degree of mastery in each of the following substantive content areas. The program shall require a minimum of three or more graduate semester hours or five or more graduate quarter hours in each of the following four core substantive areas:

(A) The biological bases of behavior, including such courses as physiological psychology, comparative psychology, neuropsychology, sensation and perception, and psychopharmacology;

(B) the cognitive-affective bases of behavior, including such courses as learning, thinking, motivation, and emotion;

(C) the social bases of behavior, including such courses as social psychology, group processes, and organizational and systems theory; and

(D) the individual differences, including such courses as personality theory, human development, and abnormal psychology;

(11) Whether the training program requires at least 90 hours of formal graduate study in the psychology program in which the applicant shows on the transcript satisfactory achievement, as demonstrated in a manner indicating a degree of mastery. At least 60 of the hours shall be distributed among the four core areas as set forth in subsection (10) and in the following five areas:

(A) Scientific and professional ethics and standards;

(B) research design and methodology;

(C) statistics;

(D) psychometrics; and

(E) history and systems.

(12) Whether at least 60 semester hours of the course work for the doctoral program are clearly designated on the university transcript as graduate level courses in the program, exclusive of practica, internship and dissertation credits. The number of university extension credits shall not exceed 10 semester hours. The 60 semester hour credits shall be taken during the period in which the applicant is matriculated in the doctoral program;

(13) Whether the course work includes the skill courses appropriate for the applicant's major or area of emphasis. These courses shall constitute at least 30 semester hours of the total 90 semester hours in the graduate program;

(14) Whether the program requires, before internship training, completion of internship prerequisites and requires, for an emphasis area, prior training and course work in that area. When the program has an applied emphasis including clinical psychology, counseling psychology, or school psychology, the training shall also include a set of coordinated practica and internship training exercises which total at least two semesters in the practica setting in addition to the one year of internship. The supervised training in the application of skills related to areas of emphasis shall be performed in an organized setting necessary to qualify for professional experiences as required by K.A.R. 102-1-5;

(15) Whether the program includes principles of professional ethics in regard to the use of assessment and intervention techniques and with regard to the confidentiality of interviews and records. The program shall also include ethical principles such as those pertaining to research with human subjects, and the obligations to the parents of clients or patients and to the institutions;

(16) Whether the program advertises in official documents, including course catalogues and announcements of program standards and descriptions, admission requirements that are in part or in full based on objective, standardized achievement tests and measures which are substantially equivalent to those of the state universities in Kansas;

(17) Whether the program includes ongoing objective review and evaluation of student learning and progress and reports this evaluation in the official transcript;

(18) Whether the program includes an objective, comprehensive examination in general psychology and the area of emphasis in psychology and whether the program requires that the applicant pass both examinations before the awarding of the doctoral degree;

(19) Whether each student is required to initiate, prepare, conduct, and report original research as part of the graduation requirements;

(20) Whether the institution offering the graduate program has equipment and resources available, including suitable scientific and practica facilities, and a library. The equipment, resources, and library shall be adequate for the size of the student body and the scope of the program offered and shall be substantially equivalent to the state universities of Kansas; and

(21) Whether the doctoral program is housed in other than an academic setting.

(b) The board shall prepare and keep up to date a list of approved programs.

(c) A program shall not be approved without the formal action of the board. (Authorized by K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; implementing K.S.A. 74-5310, as amended by L. 1986, Ch. 299, Sec. 15; effective May 1, 1982, amended May

1, 1984, amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; effective May 1, 1987.)

102-1-13. Fees. Psychology licensure fees shall be: (a) Application, 100 dollars; (b) Renewal, 100 dollars; (c) Examination, 120 dollars; (d) Late renewal penalty, one dollar for each 30 days of delay beyond July 1; (e) Temporary, 15 dollars; or (f) Reinstatement, 100 dollars. (Authorized by and implementing K.S.A. 74-5310, as amended by L. 1986, Ch. 299, Sec. 15; K.S.A. 74-5311 and K.S.A. 74-5316, as amended by L. 1986, Ch. 299, Sec. 18, K.S.A. 74-5319, as amended by L. 1986, Ch. 299, Sec. 21, K.S.A. 74-5320, as amended by L. 1986, Ch. 299, Sec. 22, and K.S.A. 74-5339, as amended by L. 1986, Ch. 299, Sec. 38; effective May 1, 1984; amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1987.)

102-1-14. Psychological group service. Agencies, associations, or other groups providing psychological services shall include the name or names of the licensed psychologist or psychologists providing or supervising the services on psychological reports, insurance forms, or other official documents and advertisements. (Authorized by K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; implementing K.S.A. 74-5302, as amended by L. 1986, Ch. 299, Sec. 14; effective May 1, 1982; amended May 1, 1984; effective May 1, 1987.)

102-1-15. Continuing education. (a) Applicants for renewal of licensure shall have earned 100 continuing education hours in the two years preceding application for renewal. The required number of continuing education hours shall be pro-rated for periods of renewal which are less than the full two years, using the ratio of 25 continuing education hours for each six months since the date of licensure or most recent renewal. Each continuing education category as defined in 102-1-15(c) shall be pro-rated accordingly for those persons whose periods of renewal are less than the full two years. Persons who are licensed within six months of the current expiration period shall be exempt from the continuing education requirement for their first renewal period.

(b) One academic semester credit hour is equivalent to 15 continuing education hours.

(c) Continuing education credits counting toward the required 100 hours shall be distributed over the following categories of activities so that at least three categories are represented, and with a maximum of 50 hours in any one category. The categories shall be:

(1) Activities which are sponsored, accredited or conducted by educational institutions, by professional associations, or by private institutions which are nationally or regionally accredited for training;

(2) activities conducted by agencies and groups which do not meet the requirements of national or regional accreditation, if the content is clearly related to the enhancement of psychology skills and knowledge;

(continued)

(3) presentation of courses, workshops, or other formal training activities, when the content is clearly related to the enhancement of psychology skills and knowledge. Continuing education credit shall be allowed only for the initial presentation. A maximum of 20 continuing education hours shall be allowed for providing supervision. A maximum of 20 hours shall be allowed for receiving supervision;

(4) publications and professional presentations. Fifteen hours may be claimed for each publication or book chapter authored by the applicant and 10 hours may be claimed for each scientific or professional paper presented; and

(5) non-supervised, self-programmed activities. Such activities include the following:

(A) Self-instruction. The maximum number of hours allowed shall be 20 hours;

(B) preparation by the applicant for a specialty board examination. The maximum number of hours allowed shall be 20 hours and shall be allowed only for the applicant's initial preparation for such an examination;

(C) participation in quality care, client or patient diagnosis review conferences, treatment utilization reviews, peer review, case consultation with another licensed psychologist, or other quality assurance committees or activities. The maximum number of hours allowed in this sub-category shall be 10 hours;

(D) participation in professional organizations, if the organization's goals are clearly related to the enhancement of psychology values, skills, and knowledge. Such participation may include holding office or serving on committees of the organization. The maximum continuing education credit allowed shall be 10 hours; and

(E) receiving personal psychotherapy which is provided by a licensed or certified mental health provider. A maximum of 10 continuing education hours shall be allowed for personal therapy.

(d) If continuing education credits are claimed within paragraph (c)(1) of this regulation, at least one-fifth shall have been earned in activities sponsored by an agency or institution other than where the psychologist is employed.

(e) Each licensed psychologist shall be responsible for maintaining personal continuing education records. Forms for the recording of continuing education activities may be provided by the board. Personal records of participation in continuing education activities shall be submitted to the board at a time or times specified by the board but not later than 60 days prior to the date the current license expires.

(f) In determining whether a claimed continuing education activity will be allowed, the licensed psychologist may be required by the board to demonstrate that the content was clearly related to psychology, or to verify that psychologist's participation in any claimed or reported activity. If a psychologist fails to comply with this requirement, the claimed credit may be disallowed by the board.

(g) Applicants who submit continuing education documentation which fails to meet the required 100 hours may request an extension from the board. The

request shall include a plan for completion of the continuing education requirements. An extension, which shall not exceed six months, may be granted by the board.

(h) Contractual agreements with sponsors of continuing education activities may be signed by the board.

(i) Each licensed psychologist shall complete a program on professional ethics consisting of at least three hours of training. This program shall meet the requirements for inclusion in category 1 or, with prior approval of the board, in another category. This requirement shall commence with the 1988-90 renewal period and all subsequent periods. (Authorized by and implementing K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; effective May 1, 1984; amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; effective May 1, 1987.)

102-1-16. Use of computerized psychological tests. (a) To utilize computers in any aspect of psychological testing, the licensed psychologist shall:

(1) conform to the professional standards for testing, as adopted by the American Psychological Association in the Standards for Educational and Psychological Tests, 1985, which is hereby adopted by reference;

(2) specifically consider each of the following issues in testing each client:

(A) whether a particular test is appropriate for a particular client;

(B) whether the computerized version of a test is appropriate for use by a particular client;

(C) the evaluation, validity and reliability of the decision rules underlying interpretive statements and their supporting research;

(D) whether the integration of findings is correct; and

(E) whether the conclusions and recommendations are appropriate.

(3) not use the results of a computerized test in decision-making about clients or make such results part of official client records unless such results are signed by the licensed psychologist utilizing the test;

(4) be involved in a direct, supervisory, or consultative relationship to the client or to those persons using test findings for decision-making regarding the client;

(5) assume the same degree of responsibility for the validity and reliability of interpretive statements and soundness of inferences, judgments, and recommendations based on computer-generated test results as would be assured if the psychologist had personally examined the client; and

(6) make an explicit statement on the report as to whether the psychologist has seen or examined the client in person. (Authorized by and implementing K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; effective T-85-35, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1987.)

Article 2.—LICENSING OF SOCIAL WORKERS

102-2-1a. Definitions. (a) "LBSW" means licensed baccalaureate social worker.

(b) "LMSW" means licensed master social worker.

(c) "LS-SW" means a licensed specialist (name of specialty) social worker.

(d) "Social work practice specialty" means a post-masters degree practice with emphasis upon a specific, identifiable field of practice and methods of helping. The minimum requirements for a license in a specialty shall be two years of post-masters experience under supervision in that practice specialty from one licensed in, or qualified for licensing in, that specialty as established by the board and successful completion of an examination approved by the board for this purpose.

(e) "Licensed specialist clinical social worker" means a person who has a masters or doctoral degree in social work, who meets the requirements for experience and supervision in K.A.R. 102-2-12, and who has passed an examination approved by the board.

(f) "Clinical social work" means a social work practice specialty which has as its goal the maintenance and enhancement of the psychosocial functioning of individuals, families, and groups by increasing the availability of intrapersonal, interpersonal, and societal resources. Psychotherapy is a part of, but not synonymous with, clinical social work.

(g) "Social work supervision" means the actions and process of critically directing, and overseeing the supervisee's total practice in which:

(1) the supervisor is located in close geographic proximity to the site of service so as to be physically available within a reasonable period of time;

(2) the supervisor assumes ultimate responsibility for social work services provided by the supervisee;

(3) the supervisor performs the administrative, educational, and supportive roles of supervision through a continual process. This process shall have as its objective:

(A) the integration of theory and practice, including articulation of rationales for assessment and intervention;

(B) the development and appropriate application of intervention skills and techniques;

(C) the development of self-evaluation skills, enabling a gradual shift from critique by the supervisor to critique by the supervisee and self-assessment of personal growth issues; and

(D) continual acquisition of professional knowledge; and

(4) the supervisor is a licensed social worker or an individual who is eligible for licensing.

(h) "Social work consultation" means a time-limited contractual relationship in which:

(1) the primary function is a problem-solving process related to the enhancement of specific knowledge or skills;

(2) the four objectives of clinical social work supervision as defined in K.A.R. 102-2-1a(g) are lacking;

(3) the consultant has no legal, administrative, or professional authority over or responsibility for the professional functioning of the consultee; and

(4) an educational service is provided to care-givers and direct service to clients is not included. Social

work consultation shall not meet the supervision requirements.

(i) "Private, independent practice of social work" means the provision of social work services by a self-employed person, a member of a partnership, a member of a professional corporation, or a member of a group practice who is not accountable to a social work supervisor.

(j) "Practicum" means a supervised experience wherein a student applies classroom theory to actual practice situations.

(k) "Continuing education" means a formally organized learning experience which has education as its explicit, principal intent, and which is oriented towards the enhancement of social work practice, values, skills and knowledge.

(l) "Prior-approved continuing education" means:

(1) single-program material that has been submitted by a provider to the board, approved by the board, and assigned a continuing education number;

(2) any program offered by a provider with approved-provider status; or

(3) academic social work courses taken for credit or audited.

(m) "Retroactively-approved continuing education" means material submitted for continuing education credit by the licensee after attending the workshop, conference, seminar, or other offering and that is reviewed and subsequently approved by the board.

(n) "Providers of continuing education" means individuals, groups, professional associations, schools, institutions, organizations, or agencies approved by the board to offer continuing education programs on either approved-provider status or single program-provider status.

(1) "Approved-provider status" means that the provider has been approved by the board to provide any continuing education program. Approved-provider status may be granted for a one-year probationary period to new applicants. After completion of the probationary year, approved-providers may reapply for approval biennially.

(2) "Single program-provider status" means that the provider has been granted approval to offer a specific continuing education program.

(o) "Social service designee" means a person who participates in the delivery of social work service who is not licensed under the social work act but who is supervised by a licensed social worker pursuant to K.S.A. 75-5348(a). (Authorized by K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; implementing K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; and K.S.A. 75-5352; effective, T-85-36, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1986; amended May 1, 1987.)

102-2-2a. Application for licensure. (a) Each request for license application forms shall be forwarded to the board's executive secretary and shall indicate the level of licensure desired. The application shall be returned to the board and shall include:

(1) The applicant's academic social work transcript

(continued)

or proof of receipt of degree and completion of a social work program provided directly to the board by the academic institution; and

(2) full payment of the appropriate fee. The fee shall be submitted prior to the deadlines established by the board.

(b) Three written references shall be required to provide proof that the applicant meets the requirements for professional conduct and competence as required under the social worker licensing act. Two of these references shall be from social workers licensed at or above the applicant's level of licensure or eligible for licensure at such a level. The reference shall be familiar with the applicant's work. One of the references shall be from the academic social work supervisor if the applicant is a student or a recent graduate. For all others, one reference shall be from the current or most recent work supervisor. Under extenuating circumstances, references from individuals other than social workers may be accepted.

(c) No applicant shall be given a tentative judgment on the applicant's eligibility for licensure until all credentials are received and procedures are completed unless it is apparent that the applicant does not qualify for licensure on the basis of education pursuant to K.S.A. 75-5310.

(d) An applicant for a license pursuant to K.S.A. 75-5351, and any amendments thereto, may be granted a temporary permit under extenuating circumstances.

(e) Applications shall be held through two examinations. If an applicant has not been licensed after the second examination offering through failure to pass the examination or to be seated for the examination, the application shall expire. Upon such an expiration, the application may be renewed when the applicant submits a new application, fee and all supporting documents.

(f) Any applicant's application may, for lack of qualifications, be suspended for a period not to exceed one year. If the applicant has not met the qualifications by the end of that year, the application shall expire. Upon such expiration, an application may be renewed when the applicant submits a new application, fee, and all supporting documents. (Authorized by K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; implementing K.S.A. 75-5351 and K.S.A. 75-5354, as amended by L. 1986, Ch. 340, Sec. 3; effective, T-85-36, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1986; amended May 1, 1987.)

102-2-3. Fees. (a) Each applicant for a social work license shall pay the application fee as set forth below:

(1) Licensed baccalaureate social worker (LBSW), 70 dollars;

(2) Licensed master social worker (LMSW), 70 dollars; or

(3) Licensed specialist clinical social worker (LSCSW), 70 dollars.

(b) Each licensee applying for renewal of his or her license shall pay the applicable fee as set forth below:

(1) Licensed associate social worker (LASW), 70 dollars;

(2) Licensed baccalaureate social worker (LBSW), 70 dollars;

(3) Licensed master social worker (LMSW), 70 dollars; or

(4) Licensed specialist clinical social worker (LSCSW), 70 dollars.

(c) The fee for a social work examination shall be 70 dollars.

(d) Each licensee applying for renewal of his or her license after the date of its expiration shall pay a penalty fee, which is a separate fee in addition to the renewal fee, as set forth below:

(1) Licensed associate social worker (LASW), 70 dollars;

(2) Licensed baccalaureate social worker (LBSW), 70 dollars;

(3) Licensed master social worker (LMSW), 70 dollars;

(4) Licensed specialist clinical social worker (LSCSW), 70 dollars. (Authorized by and implementing K.S.A. 75-5359, effective May 1, 1982; amended T-86-20, July 1, 1985; amended May 1, 1986; amended, T-87-10, July 1, 1986; amended May 1, 1987.)

102-2-5. Documentation for continuing education.

Any of the following original, signed forms of documentation shall be accepted as proof of completion of a continuing education program: (a) A course grade for an academic credit course;

(b) a signed statement of hours attended for an audited academic course;

(c) a signed statement of attendance from the provider of the institute, symposium, workshop, or seminar;

(d) a copy of the article or book chapter, and verification of publication or written presentation at a professional meeting. These materials shall be submitted to the board for evaluation and certification of the number of hours of credit to be allowed;

(e) a copy of the academic course syllabus and verification that the course was presented;

(f) a letter from the board giving approval for retroactive continuing education credit;

(g) written verification from the university practicum instructor that the licensee provided supervision of undergraduate or graduate students;

(h) a copy of supervisory documents, pursuant to K.A.R. 102-2-12, for supervision of specialty license applicants; or

(i) a copy of the self-directed project. This copy shall be submitted to the board for evaluation and certification of the number of credit hours to be allowed. (Authorized by and implementing K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; effective May 1, 1982; amended, T-85-36, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1987.)

102-2-6. Program approval. A list of accredited undergraduate and graduate social work programs shall be prepared and kept up to date by the board. A program shall not be approved without the formal action of the board. If a school deemed not to have social work education standards acceptable to the board seeks board approval, the school may, at its own expense, undergo an eligibility study approved by the

board which may be submitted as evidence of acceptable standards. Approved programs shall be in substantial compliance with the following standards. (a) The following standards shall apply to both graduate and undergraduate social work education programs approved by the board:

(1) The program shall have a curriculum plan which has been or will be fully implemented during the current academic year.

(2) The program shall have graduated a class of students, or shall graduate a class of students during the current academic year.

(3) The social work program shall have autonomy with respect to an identified budget and an established governance and administrative structure, shall have responsibility for participation in personnel recruitment, retention, promotion and tenure decisions, shall have support staff assigned to the program, and shall have other resources and authority required for the achievement of specified program objectives.

(4) The program shall have a practicum, which is clearly designed as a learning experience based on an explicit curriculum plan.

(5) The program shall have a clear plan for the organization, implementation, and evaluation of the class and field curriculum.

(6) The program shall have social work faculty advisors who are fully knowledgeable about the social work program to advise social work students.

(7) The program's policies and practices shall make explicit the criteria for evaluation of student academic and field performance; and

(8) The program's policies and practices shall include procedures for the termination of student participation in the professional social work degree program and each student shall be informed of these termination procedures.

(b) In addition to the standards of subsection (a) of this regulation, the following standards shall apply to all undergraduate social work education programs approved by the board:

(1) The program shall be part of an education institution that is institutionally accredited to award the baccalaureate degree.

(2) The institution shall indicate on its transcript or other permanent institutional record that a student has completed the undergraduate program in preparation for beginning social work practice. This certification shall be limited to students who have successfully completed the program in its entirety.

(3) The program shall specify that its primary educational objective is preparation for beginning professional social work practice.

(4) The institution shall identify and describe the program in its catalog, and each reference to accreditation in the catalog shall specify the educational level for which accreditation has been received.

(5) The program shall have a designated director whose educational credentials include either a baccalaureate degree in social work, plus an advanced degree in social work or a master's degree in social work, and shall hold a full-time appointment in the educational institution.

(6) Program faculty members who teach the content on social work methods and coordinate field practicum instruction shall:

(A) hold a master's degree or other advanced degrees in social work;

(B) have had two years or more of professional social work practice experience; and

(C) be qualified for licensure to practice social work in the state of Kansas.

(7) The core full-time faculty shall be responsible for essential program functions including:

(A) regular design, modification, approval, implementation, and evaluation of the program curriculum and educational policies;

(B) systematic and continuous evaluation of program results in view of the specified objectives of the program;

(C) teaching of practice and other social work courses;

(D) field coordination and instruction; and

(E) achievement of program integrity and visibility.

(8) The program director shall have primary responsibility for the coordination and educational leadership of the program, and shall be provided with the time and financial resources needed to fulfill those responsibilities.

(9) The program shall have a minimum of two full-time faculty members whose primary assignment is to the program.

(c) In addition to the standards of subsection (a) of this regulation, the following standards shall apply to all graduate social work education programs approved by the board:

(1) The program shall be an integral part of an educational institution that is institutionally accredited to award the master's degree.

(2) The program shall specify that it prepares graduates (students) for advanced entry into social work practice.

(3) The educational level for which accreditation has been received shall be specified in any program documents referring to accreditation.

(4) The program shall have a full-time dean or director as its chief executive officer.

(5) The graduate program shall offer, as its basic program design, a program design of two full-time academic years of professional education, including a practicum, leading to the master's degree. A minimum of one academic year of the program shall be in full-time status, as defined by the educational institution.

(6) Program faculty members who teach the content on social work methods and who coordinate field practicum instruction shall:

(A) hold a master's degree in social work;

(B) have had post-master's professional social work practice experience; and

(C) be qualified for licensure to practice social work in the state of Kansas.

(7) The program faculty shall have responsibility for matters of curriculum including design, modification, approval, implementation, and systematic, continuous evaluation of the program.

(continued)

(8) The faculty shall be responsible for educational policy in matters of admission, advising, retention, and graduation of students.

(9) The faculty shall be responsible for continuous and systematic guidance of students through the professional educational program.

(d) Upon request of the board, each school shall present documentation to the board that it has satisfactorily met the standards of subsection (a), and subsection (b) or (c). (Authorized by K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; implementing K.S.A. 75-5351; effective May 1, 1982; amended May 1, 1987.)

102-2-7. Unprofessional conduct. (a) Each social worker shall maintain the level of conduct herein or shall be subject to disciplinary action pursuant to K.S.A. 74-7507. The board may refuse to renew, may suspend, or may revoke the license of any social worker whom the board finds guilty of unprofessional conduct, negligence, or wrongful actions.

(b) The following acts shall be evidence of unprofessional conduct:

(1) Making a materially false statement, or failing to disclose a material fact requested in connection with application for licensure;

(2) failing to notify the board of having a license, certificate, permit, or registration granted by this or any other state for the practice of social work that has been limited, restricted, suspended or revoked, or of having been subject to other disciplinary action by a licensing or certifying authority or professional association;

(3) knowingly allowing another person to use one's license;

(4) impersonating another person holding a license issued by this board;

(5) conviction of a crime resulting from or relating to the licensee's professional practice of social work;

(6) furthering the application for social work licensure of another person who is known by that social worker to be unqualified in respect to character, education, or other relevant attributes;

(7) knowingly aiding or abetting a person who is not a licensed social worker in representations of that person as a social worker in this state;

(8) failing to notify the board of a social worker who, in the judgment of the social worker, is practicing or teaching social work in violation of the laws or regulations regulating social work;

(9) refusing upon request, to cooperate in a timely manner with the board's investigation of complaints lodged against any applicant or social worker licensed by the board. Persons taking longer than 30 days to provide requested information shall have the burden of demonstrating excusable neglect;

(10) misrepresenting professional competency by performing, or offering to perform, services clearly inconsistent with training, education, and experience;

(11) practicing inhumane or discriminatory treatment toward any person or group of persons;

(12) engaging in professional activities, including advertising, involving dishonesty, fraud, deceit, or misrepresentation;

(13) failing to advise and explain to each client the joint rights, responsibilities, and duties involved in the social work relationship;

(14) failing to provide each client with a description of what the client may expect in the way of tests, consultation, reports, fees, billing, therapeutic regimen, or schedule;

(15) failing to provide each client with a description of possible effects of proposed treatment when there are clear and established risks to the client;

(16) failing to inform each client of any financial interests that might accrue to the social worker for referral to any other service, or for the use of any tests, books, or apparatus;

(17) failing to inform each client that the client is entitled to the same services from a public agency, if the social worker is employed by that public agency and also offers services privately;

(18) failing to inform each client of the limits of confidentiality, the purposes for which information is obtained, and how it may be used;

(19) revealing a confidence or secret of any client, except:

(A) as required by law; and

(B) after full disclosure of the information to be revealed and the persons to whom the information will be revealed, and after obtaining consent of the client;

(20) using a confidence or secret of any client to the client's disadvantage;

(21) using a confidence or secret of any client for the advantage of the social worker or a third person, without obtaining the client's consent after full disclosure of the purpose;

(22) failing to obtain written, informed consent from each client, or the client's legal representative or representatives, before electronically recording sessions with that client, before permitting a third party observation of their activities, or before releasing information to a third party concerning a client;

(23) when providing any client with access to that client's records, failing to protect the confidences of other persons contained in that record;

(24) failing to exercise due diligence in protecting the confidences and secrets of the client from disclosure by employees, associates, and others whose services are utilized by the social worker;

(25) making sexual advances toward or engaging in physical intimacies or sexual activities with any client, patient or student of that social worker;

(26) providing social work services while using alcoholic beverages or drugs in an abusive manner;

(27) exercising undue influence on any client, patient, or student, including promotion of the sales of services, goods, appliances or drugs in a manner that will exploit the patient, client, or student for the financial gain or personal gratification of the practitioner or of a third party;

(28) directly or indirectly offering, giving, soliciting, receiving, or agreeing to receive any fee or other consideration to or from a third party for the referral of the client or patient or in connection with the performance of professional services;

(29) permitting any person to share in the fees for professional services, other than a partner, employee, an associate in a professional firm, or a consultant authorized to practice social work;

(30) soliciting the clients of colleagues or assuming professional responsibility for clients of another agency or colleague without appropriate communication with that agency or colleague;

(31) making claims of professional superiority which cannot be substantiated by the social worker;

(32) guaranteeing that satisfaction or a cure will result from the performance of professional services;

(33) claiming or using any secret or special method of treatment or techniques which the social worker refuses to divulge to the board;

(34) continuing or ordering tests, treatment, or use of treatment facilities not warranted by the condition of the client;

(35) failing to maintain the confidences shared by colleagues in the course of professional relationships and transactions with those colleagues;

(36) taking credit for work not personally performed whether by giving inaccurate information or failing to give accurate information;

(37) if engaged in research, failing to consider carefully the possible consequences for human beings participating in the research, failing to protect each participant from unwarranted physical and mental harm, failing to ascertain that the consent of the participant is voluntary and informed, and failing to treat information obtained as confidential;

(38) knowingly reporting distorted, erroneous, or misleading information;

(39) when termination or interruption of service of the client is anticipated, failing to notify the client promptly and failing to seek continuation of service in relation to the client's needs and preferences;

(40) abandoning or neglecting a client under and in need of immediate professional care without making reasonable arrangements for continuation of that care, or abandoning an agency, organization, institution, or a group practice without reasonable notice and under circumstances which seriously impair the delivery of professional care to clients;

(41) failing to terminate the social work relationship when it is apparent that the service no longer serves the client's needs;

(42) failing to maintain a record for each client which accurately reflects the client contact with the social worker. Unless otherwise provided by law, all client records shall be retained for at least two years after the date of termination of the contact or contacts;

(43) failing to exercise appropriate supervision over persons who are authorized to practice only under the supervision of a social worker;

(44) practicing social work in an incompetent manner; or

(45) practicing social work after expiration of his or her license. (Authorized by and implementing K.S.A. 75-5356 and K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; effective May 1, 1982; amended, T-85-36, Dec. 19, 1984; amended May 1, 1985;

amended, T-86-39, Dec. 11, 1985; amended May 1, 1986; effective May 1, 1987.)

102-2-8. Supervision. (a) Licensed social workers.

(1) Social workers having less than the specialty social work license shall not engage in private, independent practice.

(2) Any person who provides clinical social work services as a self-employed person, member of a partnership, member of a professional corporation, or a member of a group practice and who is not licensed as a specialist clinical social worker shall be supervised by a licensed specialist clinical social worker.

(3) Social work consultation shall not meet the supervision requirements for the social work service provider.

(4) A minimum of one hour of supervision shall be provided per 40 hours of service delivery.

(5) The supervisor shall not be under a supervisory agreement with the board. This provision may be waived by the board upon application for review by the proposed supervisor.

(b) Non-licensed social work service providers.

(1) Social work consultation shall not meet the supervision requirements for the non-licensed social work service provider.

(2) Social workers utilizing non-licensed individuals in the delivery of social services shall specifically delineate the non-licensed individual's duties and provide a level of supervision which is consistent with the training and ability of the supervisee.

(3) A written agreement shall be developed between the supervisor and the employer of the social service designee, consisting of specific goals/objective, the means to attain the goals, and the manner in which the goals relate to the overall objective for supervision of the social service designee. Documentation of the written agreement shall include:

(A) a copy of the written agreement;

(B) a summary of types of clients and situations dealt with at the supervisory session;

(C) a written explanation of the relationship of the goals and objectives of supervision to the supervisory session; and

(D) the length of time spent in the supervisory session.

(4) A minimum of one hour of supervision shall be provided per 40 hours of service delivery. No less than four hours of supervision per month shall be provided.

(5) The supervisor shall not be under a supervisory agreement with the board. This provision may be waived by the board upon application for review by the proposed supervisor. (Authorized by and implementing K.S.A. 74-7507, as amended by L. 1986, Ch. 299, Sec. 42; effective, T-85-36, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1986; amended May 1, 1987.)

102-2-10. Licenses. (a) Each applicant who meets the standards for licensing shall receive a license appropriate for display.

(b) If a license is revoked, the licensee shall be informed of the board's action by certified mail, and

(continued)

the licensee shall return the license to the board within 30 days.

(c) If a licensee fails to renew the license, the licensee shall be informed in writing that the licensee is required to return the license to the board within 30 days. (Authorized by K.S.A. 74-7507, as amended by L. 1986, ch. 299, sec. 42; implementing K.S.A. 75-5351, 75-5357; effective, T-85-36, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1987.)

102-2-11. Renewal. (a) Each licensed social worker shall renew the license by submitting a renewal form to the executive secretary together with the renewal fee prescribed in K.A.R. 102-2-3.

(b) At or prior to the time of the renewal, each licensed social worker shall submit evidence of satisfactory completion of 60 hours of continuing education as defined in K.A.R. 102-2-4a and 102-2-5.

(c) Each individual who holds a social work license but who fails to renew the license on or before the date of expiration, and who thereafter applies for renewal of the license, shall certify to the board in writing that the individual has not practiced in Kansas as a social worker or held forth as performing the services of a social worker after expiration of the license. If the board has evidence that the individual continued to practice in Kansas as a social worker or that the individual held himself or herself out to the public as a social worker after the expiration date of the license, the individual may be requested to appear before the board. The individual's eligibility for renewal of the license shall be determined by the board. (Authorized by K.S.A. 74-7507, as amended by L. 1986, ch. 299, sec. 42; implementing K.S.A. 75-5358, as amended by L. 1986, ch. 340, sec. 4; and K.S.A. 75-5359; effective, T-85-36, Dec. 19, 1984; effective May 1, 1985; amended, T-86-39, Dec. 11, 1985; amended May 1, 1986; effective May 1, 1987.)

102-2-12. Licensed specialist clinical social work licensure requirement. (a) In order for an applicant to qualify for licensure at the specialist clinical social work level, the following requirements shall be met:

(1) completion of two years or 4,000 hours of post-graduate, supervised, clinical experience. The supervision shall be provided by a licensed specialist clinical social worker, or one eligible for licensure at that level if supervision occurred in a state other than Kansas;

(2) participation in a minimum of a one-hour supervisory session per week or a minimum total of 100 hours in supervisory sessions over the two-year period; and

(3) successful completion of an examination approved by the board for this level of licensure.

(b) Documentation attesting to the applicant's completion of the supervised clinical social work experience shall be submitted to the board at the time of application and shall include a statement by the supervisor that the overall objectives of clinical social work supervision have been met. The documentation shall include:

(1) a supervisory contract which has been developed between the supervisor and the applicant. The

contract shall consist of specific goals/objectives, the means to attain the goals, and a description of the manner in which the goals relate to the overall objectives. Under extenuating circumstances, the board may waive the supervisory contract;

(2) a summary of the types of clients and situations dealt with at the supervisory sessions;

(3) a written explanation of the relationship of the goals and objectives of supervision to the supervisory session; and

(4) the length of time spent in the supervisory sessions over the two-year period.

(c) Out-of-state applicants who received supervision in a state other than Kansas shall also submit documentation from their supervisors attesting to the supervisor's eligibility to provide supervision. An out-of-state supervisor shall be considered eligible to provide supervision if the supervisor has met the requirements contained in K.A.R. 102-2-12(a).

(d) Out-of-state applicants who cannot provide the documentation required by subsection (b) of this regulation shall be supervised in Kansas for a minimum of 10 hours in order for the Kansas supervisor to ensure that requirements have been met.

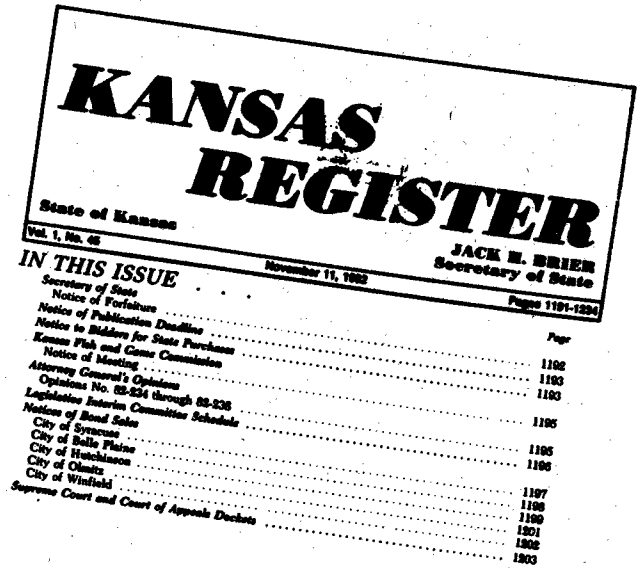
(e) Social work consultation shall not meet the supervision requirements. (Authorized by K.S.A. 74-7507, as amended by L. 1986, ch. 299, sec. 42; implementing K.S.A. 75-5351, and K.S.A. 75-5353, as amended by L. 1986, ch. 340, sec. 2; effective, T-85-36, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1987.)

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