

KANSAS REGISTER

State of Kansas

BILL GRAVES
Secretary of State

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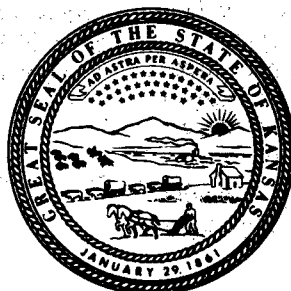
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State of Kansas

University of Kansas

Notice to Bidders

Sealed bids for the item listed below will be received by the University of Kansas Purchasing Office, Lawrence, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 864-3416 for additional information.

Monday, April 9, 1990

RFQ # 90 0992

Peptide synthesizer

Gene Puckett, L.C.P.M.
Director of Purchasing

Doc. No. 008992

State of Kansas

Department of Human Resources

Notice of Hearing
on Proposed
Administrative Regulations

A public hearing will be conducted at 10:30 a.m. Monday, April 30, in the third floor conference room, 401 Topeka Blvd., Topeka, to consider the adoption of proposed changes in an existing rule and regulation of the Department of Human Resources, Division of Employment.

This 30-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to the hearing to the Secretary of Human Resources, 401 Topeka Blvd., Topeka 66603. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

The regulation is proposed for adoption on a permanent basis. A summary of the proposed regulation and its economic impact follows:

K.A.R. 50-2-21. Computation of Employer Contribution Rates. Amendments to this regulation clarify and publicize the method used in rounding off employer contribution rates.

The proposed amendment will place no new or additional costs upon the employers, general public, the Department of Human Resources or any other agency.

Copies of the regulation and its economic impact statement may be obtained from the Department of Human Resources, Division of Administration and Legal Services, 427 Topeka Blvd., Topeka 66603, (913) 296-4902.

Ray Siehndel
Secretary of Human Resources

Doc. No. 008991

State of Kansas

University of Kansas

Notice to Bidders

Sealed bids for the items listed below will be received by the University of Kansas Purchasing Office, Lawrence, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 864-3416 for additional information.

Monday, April 9, 1990

RFQ 90 1007

High pressure liquid chromatograph

Gene Puckett, L.C.P.M.
Director of Purchasing

Doc. No. 009011

State of Kansas

State Historical Society

Request for Proposals

The State of Kansas Sports Hall of Fame is presently located in the basement of the Douglas County Historical Society Building in Lawrence. It is the intent of the Board of Trustees of the Hall of Fame to investigate other possibilities for a permanent home.

Fifty-six of Kansas' greatest athletes are honored in the Hall. Five were inducted this winter: Jack Hartman, Lynette Woodard, Veryl Switzer, Tom Watson and Walt Shublom. The Hall of Fame consists of plaques, trophies, mementoes, awards, photographs and biographical material. Presently these are displayed in three permanent display units and seven portable display cases. It is the hope of the board that eventually audio-video presentations could enhance the Hall. Other improvements can certainly be made.

The board is seeking a community that will accept, house, maintain and promote the Hall of Fame. A minimum of 3000 square feet would be required. Ample parking should be available, and the location should be in an area of high visibility. The Hall of Fame should be administered by a full or part-time director. Critical to the operation of the Sports Hall of Fame will be the ability of a local community to provide additional financial support. The board has limited funds available for operation of the Hall, but hopes to generate additional monies in the future.

The board will receive recommendations and inquiries from interested cities until June 1, after which time a decision will be made as to the permanent home. Proposals should be addressed to Chairman Max Falkenstien, State of Kansas Sports Hall of Fame, 1047 Massachusetts, Lawrence 66044, (913) 841-4109.

Ramon Powers
Executive Director

Doc. No. 009019

State of Kansas

Board of Agriculture

Request for Comments on Proposed Special Local Need Registration

Notice is hereby given that pursuant to 7 U.S.C. 136v, Sandoz Crop Protection Corporation has filed an application for a special local need registration for Banvel herbicide. The purpose of the proposed special need registration is to allow treatment for pre-harvest control or suppression of annual broadleaf weeds in wheat. The special local need registration application is based upon the alleged need for a product that offers superior protection from damaging weed population during the pre-harvest crop stage.

Information submitted by the applicant is on file with the Kansas State Board of Agriculture.

Written comments, data, or other evidence in support of or in opposition to the proposed special local need registration may be submitted before April 30 to Gary E. Boutz, Plant Health Division, Kansas State Board of Agriculture, 109 S.W. 9th, Topeka 66612.

Gary E. Boutz, Administrator
Pesticide Registration Section
Plant Health Division

Doc. No. 009014

State of Kansas

Department of Human Resources

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Monday, April 30, in the third floor conference room, 401 Topeka Blvd., Topeka, to consider the adoption of proposed changes in an existing rule and regulation of the Department of Human Resources, Division of Industrial Safety and Health.

This 30-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to the hearing to the Secretary of Human Resources, 401 Topeka Blvd., Topeka 66603. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

The regulation is proposed for adoption on a permanent basis. The proposed regulation and its economic impact follows:

49-49-1. (a) Inspection fees: (1) Power boilers and high pressure, high temperature water boilers:

Table with 3 columns: Description, Fee 1, Fee 2. Rows include Mini-boilers, Boilers of 50 sq. ft. of heating surface or less, Boilers over 50 sq. ft. of heating surface and less than 4,000 sq. ft. of heating surface.

Table with 3 columns: Description, Fee 1, Fee 2. Rows include Boilers of 4,000 sq. ft. of heating surface or more and less than 10,000 sq. ft. of heating surface, Boilers of 10,000 sq. ft. of heating surface or more.

(2) Heating boilers:

Table with 3 columns: Description, Fee 1, Fee 2. Rows include Heating boilers without a manhole, Heating boilers with a manhole, Hot water supply boilers.

(3) External inspections: (Power Boilers)

Table with 3 columns: Description, Fee 1, Fee 2. Rows include Boilers of 50 sq. ft. of heating surface or less, Boilers over 50 sq. ft. of heating surface.

(4) Hydrostatic tests. When it is necessary to make a special trip to witness the application of a hydrostatic test, an additional fee based on the scale of fees applicable to a certificate of inspection of the boiler shall be charged.

(5) All other inspections, including shop inspections, shop reviews, special inspections and inspections of secondhand or used boilers, when made by the chief or deputy inspector shall be charged a fee of \$250.00 per day, plus all expenses, including travel and hotel expense. Any inspection that requires less than 1/2 day to complete shall be charged not less than \$125.00.

(b) Certificate Fee. The certificate fee shall be \$17.00 \$22.00.

The proposed regulation amendment will require owners or operators of certain specific power boilers, high pressure high temperature water boilers and heating boilers that require inspection by the chief boiler inspector to pay a higher inspection fee. The proposed amendment would also require owners or operators of all boilers to pay an increased annual certification fee.

It is estimated that the number of boilers affected by the increase in inspection fees for fiscal year 1991 will be 1,500, and the number of boilers affected by the increase in certification fees for fiscal year 1991 will be 11,000. The owners or operators of boilers whose renewal of certification is due in fiscal year 1991 or whose boilers will require inspection in fiscal year 1991 by the chief boiler inspector will be immediately affected by the increase in fees. It is anticipated that such fees, as a cost of doing business, will eventually be passed on to the consumer. It is further expected that there will be no increase in the costs to the department to collect the new fees, and the Division of Industrial Health and Safety will benefit by increased funds to conduct the duties and responsibilities required by law.

Copies of the regulation and its economic impact statement may be obtained from the Department of Human Resources, Division of Administration and Legal Services, 427 Topeka Blvd., Topeka 66603, (913) 296-4902.

Ray Siehndel
Secretary of Human Resources

Doc. No. 008990

**State of Kansas
Department of Administration
Employee Award Board**

Notice of Meeting

The Employee Award Board will meet at 1 p.m. Friday, March 30, in the Division of Personnel Services, Room 951-S, Landon State Office Building, 900 S.W. Jackson, Topeka.

Ben Barrett
Chairperson

Doc. No. 009003

**State of Kansas
Department of Health
and Environment**

**Notice Concerning Kansas
Water Pollution Control Permit**

In accordance with state regulations 28-16-57 through 28-16-63 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, a tentative permit has been prepared for discharges to the waters of the United States and the state of Kansas for the applicant described below. The tentative determinations for permit content are based on preliminary limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Name and Address of Applicant	Waterway	Receiving Water
Globe Engineering Company, Inc. P.O. Box 12407 Wichita, KS 67277 Sedgwick County, Kansas	Arkansas River via storm sewer, Arkansas River Basin	Non-contact cooling water
Kansas Permit No. I-AR94-P031		Fed. Permit No. 0086703

Description of Facility: This facility is engaged in aircraft sheet metal parts manufacturing. Non-contact cooling water is discharged to the storm sewer. The cooling water source is groundwater that was found to be contaminated with volatile organic chemicals. This is a new permit. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to April 27 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-90-20) and the name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Division of Environment offices from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Stanley C. Grant
Secretary of Health
and Environment

Doc. No. 009015

**State of Kansas
Department of Health
and Environment**

**Notice of Hearing Concerning Kansas
Water Pollution Control Permit**

In accordance with state regulations 28-16-57 through 63 and 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, a tentative permit has been prepared for water pollution abatement facilities for the feedlot described below.

The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards and regulations of the state of Kansas and the EPA. The permit requires control of any existing or potential discharges to achieve the goal of "no discharge" whenever possible. The permit, upon issuance, will constitute a state water pollution control and national pollutant discharge elimination system permit.

Name and Address of Applicant	Legal Description	Receiving Water
Pratt Feeders, Inc. P.O. Box 945 Pratt, KS 67124	W 1/2 Section 8, Township 27S, Range 13W, Pratt County, Kansas	Lower Arkansas River Basin

Federal Permit No. KS-0036674 Kansas Permit No. A-ARPR-C001
The feedlot has capacity for approximately 34,000 cattle with expansion planned for an additional 4,500 cattle and a contributing drainage area of approximately 306.5 acres. This is an expansion of an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 125 acre-feet.

Compliance Schedule: None, existing controls adequate.

A public hearing will be conducted at 7:30 p.m. Tuesday, May 8, in Carpenter Auditorium, Pratt Community College, Pratt, in response to significant interest expressed by the public regarding modifications of the existing permit (per public notice No. KS-AG-90-2/14 issued on January 31, 1990).

Stanley C. Grant
Secretary of Health
and Environment

Doc. No. 009016

**State of Kansas
State Conservation Commission**

Notice to Contractors

Sealed bids for the construction of a 19,000 cubic yard detention dam, Site D-68 in Jackson County, will be received by the Delaware Watershed Joint District No. 10 at the district office, 125 W. 4th, Holton 66436, until 7 p.m. on April 24 and then opened. A copy of the invitation for bids and the plans and specifications can be obtained from the district office, (913) 364-4309.

Kenneth F. Kern
Executive Director

Doc. No. 009010

**State of Kansas
Department of Health
and Environment**

**Notice of Intent to Issue a
Hazardous Waste Trial Burn Permit**

The Kansas Department of Health and Environment is providing public notice that a draft hazardous waste trial burn permit has been prepared for Aptus in Coffeyville. If issued, this permit will allow Aptus to conduct a shake-down and trial burn with hazardous waste in the incinerator at the Coffeyville facility. Provided the trial burn is successful, a final operating permit for storage and incineration of hazardous waste may be issued to Aptus at a later date. A separate public notice and comment period will be established, and a second public hearing will be conducted at the time a draft operating permit is prepared.

KDHE has received final authorization from the U.S. Environmental Protection Agency to implement the state's own hazardous waste management program in lieu of the EPA program. The authorization provides KDHE with the authority to implement all portions of the Resource Conservation and Recovery Act (RCRA), except for those portions covered by the Hazardous and Solid Waste Amendments of 1984 (HSWA). EPA has retained authority for the HSWA portions of RCRA. The trial burn permit will not allow Aptus to operate as a hazardous waste storage or incineration facility—it will only allow Aptus to conduct a shakedown and trial burn. Therefore, the trial burn permit does not contain any HSWA provisions. The HSWA provisions will be addressed at a later date in a joint KDHE/EPA permit action at the time an operating permit is to be drafted.

Section 7004(b) of the Resource Conservation and Recovery Act and 40 CFR 124.10 require that the public be given at least 45 days to comment on each draft hazardous waste facility permit. The comment period will begin March 29 and end May 12.

A public hearing will be conducted in conjunction with the public comment period at 7 p.m. Tuesday, May 8, at the Coffeyville Community College Auditorium, Coffeyville. Anyone interested in commenting on the permit application or the draft permit must do so within the public comment period or at the public hearing.

The administrative record, including the trial burn permit application, the draft trial burn permit and all relevant correspondence, will be available for public examination at the following locations:

Coffeyville Public Library
311 W. 10th
Coffeyville 67337
Librarian: Karyl L. Buffington
(316) 251-1370

Kansas Department of Health and Environment
Southeast District Office
1500 W. 7th
P.O. Box 888
Chanute 66720
Contact: Bill Towery
(316) 431-2390

Kansas Department of Health and Environment
Central Office
Forbes Field, Building 740
Topeka 66620
Contact: John Paul Goetz
(913) 296-1607

U.S. Environmental Protection Agency
Region VII Office
726 Minnesota Ave.
Kansas City, KS 66101
Contact: Lyndell Harrington
(913) 551-7657

Written comments on the application or draft trial burn permit should be submitted to John Paul Goetz, P.E., Chief, Hazardous Waste Section, Bureau of Air and Waste Management, Kansas Department of Health and Environment, Forbes Field, Building 740, Topeka 66620.

The Secretary of Health and Environment will make a final decision whether to issue the trial burn permit to Aptus at the end of the public comment period. In making this decision, the secretary will consider all written comments received during the public comment period, all verbal comments received at the public hearing, the requirements of all state and federal hazardous waste rules and regulations, and KDHE hazardous waste permitting policies.

When the secretary makes a final permit decision, notice will be sent to the applicant, to all who submitted written comments, to all who commented at the public hearing and to anyone who requested notice of the final decision. If a permit is issued and none of the comments received request a substantive change in the draft permit, the permit will become effective immediately. If any of the comments received request a substantive change in the trial burn permit, the draft permit will become effective 30 days after service of notice of the permit decision, or at a later date if a review is requested under 40 CFR 124.19.

Stanley C. Grant
Secretary of Health
and Environment

Doc. No. 008998

**State of Kansas
State Corporation Commission**

Notice of Hearing

The State Corporation Commission will conduct a hearing, pursuant to K.S.A. 55-162, at which time State Energy and Investment, Inc. is directed to show cause as to why the commission should not cause it to plug the following wells:

- Hobbsiefkin No. 2-7 well, located in the NE SE SW of Section 03, Township 35 South, Range 03 West, Sumner County
- Hobbsiefkin No. 2-2 well, located in the SW SW of Section 03, Township 35 South, Range 03 West, Sumner County

The hearing will be conducted at 10 a.m. Thursday, April 19, at the Conservation Division hearing room, 300 Colorado Derby Building, 202 W. 1st, Wichita.

Further information can be obtained by contacting Shirla R. McQueen, Assistant General Counsel, State Corporation Commission, 202 W. 1st, Wichita 67202, (316) 263-3238.

Judith McConnell
Executive Director

Doc. No. 009001

**State of Kansas
Department of Administration
Division of Architectural Services**

**Notice of Commencement
of Negotiations
for Architectural Services**

Notice is hereby given of the commencement of negotiations for "on-call" asbestos consultant services for Fort Hays State University, Hays. Services may include the identification and location of asbestos, laboratory testing and confirmation, cost estimates of removal procedures, preparation of plans and specifications for competitive bidding of removal or encapsulization, construction administration, and air monitoring and testing during removal or encapsulization work. Projects will vary in size and be assigned by the university.

Any questions or expressions of interest should be directed to Gerald R. Carter, AIA, Director of Planning and Design, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before April 13. An SF 255 form should be submitted with letters of interest.

Edward A. Martin, AIA
Director, Division of
Architectural Services

Doc. No. 009005

**State of Kansas
State Corporation Commission**

Notice of Hearing

The State Corporation Commission will conduct a hearing, pursuant to K.S.A. 55-162, at which time H-30, Inc. is directed to show cause as to why the commission should not cause it to plug the following well:

- Liggett No. W-1 well, located in the NW NW of Section 16, Township 26 South, Range 08 East, Butler County

The hearing will be conducted at 10 a.m. Thursday, April 19, at the Conservation Division hearing room, 300 Colorado Derby Building, 202 W. 1st, Wichita.

Further information can be obtained by contacting Shirla R. McQueen, Assistant General Counsel, State Corporation Commission, 202 W. 1st, Wichita 67202, (316) 263-3238.

Judith McConnell
Executive Director

Doc. No. 009002

**State of Kansas
Department of Administration
Division of Architectural Services**

**Notice of Commencement
of Negotiations
for Technical Services**

Notice is hereby given of the commencement of negotiations for the services of a professional library consultant for Kansas State University, Manhattan.

The consultant will be expected to assess both the current and the future needs of the library as they relate to the physical plant, the academic programs, the collection rate and the library budget. The physical plant portion of the study will also analyze the existing mechanical systems and the existing structure for load carrying capability.

Any questions or expressions of interest should be directed to Gerald R. Carter, AIA, Director of Planning and Design, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before April 13. Specific questions concerning details of the campus, the library or this study may be directed to Dr. James Coffman, Provost, (913) 532-6224, or Dr. Brice Hobrock, Dean of Libraries at Kansas State University, (913) 532-7404.

Edward A. Martin, AIA
Director, Division of
Architectural Services

Doc. No. 008997

State of Kansas

Northwest Kansas Groundwater
Management District No. 4

Notice of Meeting

The Northwest Kansas Groundwater Management District No. 4 will meet at 10 a.m. Thursday, April 5, in the district office, 1175 S. Range, Colby. General administrative matters and other business will be discussed.

Wayne A. Bossert
Manager

Doc. No. 009004.

State of Kansas

Social and Rehabilitation Services

Notice of Hearing
on Proposed
Administrative Regulations

A public hearing will be conducted at 8 a.m. Monday, April 30, in the SRS board room, sixth floor, Docking State Office Building, 915 Harrison, Topeka, to consider the adoption of proposed changes in existing rules and regulations on a temporary basis.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Social and Rehabilitation Services, Room 603-N, Docking State Office Building, 915 Harrison, Topeka 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

The temporary regulations are proposed for adoption and are scheduled to become effective May 1, 1990. A summary of proposed regulations and their economic impact follows.

The phrase "Federal Mandate" following an item indicates that the change is required by federal policy. Optional changes in regulations related to federal programs are subject to approval by the U.S. Department of Health and Human Services.

Article 4.—PUBLIC ASSISTANCE PROGRAM

30-4-101. Standards for persons in own home, other family home, specialized living, commercial board and room, or commercial room-only living arrangements. This regulation is being amended to readopt the basic standards in the ADC and GA programs which were in effect on April 1, 1990. These standards reflect a \$9 per person reduction in the ADC program which went into effect January 1, 1990, due to budget shortfalls and a reinstatement of the General Assistance standards, which also went into effect January 1, 1990, based on SB 413 and did not reflect a \$9 per person reduction. This regulation is being promulgated to continue both programs

at their current levels while an appropriations bill for the agency is being finalized.

Economic Impact: It is estimated that continuation of reduced standards in the ADC program will result in a decrease in expenditures of \$1,437,282 (\$635,566 state general funds) for the remainder of fiscal year 1990. If these reductions are carried forward into fiscal year 1991, they will result in a decrease in yearly expenditures of \$8,293,500 (\$3,566,205 state general funds).

Continuation of the standards in the GA program will result in an increase in expenditures of approximately \$1,999,597 (all state general funds) for the remainder of fiscal year 1990. If these standards are carried forward into fiscal year 1991, they will result in an increase in yearly expenditures of \$13,278,004 (all state general funds) based on retaining the current program.

This results in a total increase in state general fund expenditures of \$1,364,031 for the remainder of fiscal year 1990 and a total yearly increase in expenditures of \$9,711,799.

Article 6.—MEDICAL ASSISTANCE PROGRAM—
CLIENTS' ELIGIBILITY FOR PARTICIPATION

30-6-35. Application process. This regulation is being amended to increase the application processing time for approving or denying a medical assistance disability application from 60 days to 90 days. (Federal Mandate.)

Economic Impact: None.

30-6-108. Real property. This regulation is being amended for SSI to allow income-producing real property which is used in an applicant's or recipient's trade or business to be totally exempt without regard to value. As a result, the previous exemption for income-producing real property which required that the equity value not exceed \$6,000 and that it produce a net annual return of at least 6 percent of equity is now restricted to non-business property. (Federal Mandate.)

Economic Impact: Estimated increased expenditures of \$18,960 (\$8,532 state general funds).

30-6-109. Personal property. This regulation is being amended for SSI to allow income-producing personal property, other than cash assets, which is used in an applicant's or recipient's trade or business to be totally exempt without regard to value. As a result, the previous exemption for income-producing personal property which required that the equity value, in combination with the equity value of income-producing real property, not exceed \$6,000 and that it produce a net annual return of at least 6 percent of equity is now restricted to non-business property. (Federal Mandate.)

Economic Impact: See the economic impact statement for K.A.R. 30-6-108.

Copies of the regulations and their economic impact statements may be obtained from the Office of Policy, Room 606-N, Docking State Office Building, Topeka 66612, (913) 296-3969.

Winston Barton
Secretary of Social and
Rehabilitation Services

Doc. No. 009017.

State of Kansas

Office of Judicial Administration
Supreme Court Docket

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

Monday, April 9, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
62,810	State of Kansas, Appellant, v. William T. Butterworth, Appellee.	Robert T. Stephan, Attorney General Debra S. Byrd, Assistant District Attorney Jessica R. Kunen, Chief Appellate Defender	Sedgwick
63,600	State of Kansas, Appellee, v. Michael F. Osby, Appellant.	Robert T. Stephan, Attorney General Debra S. Byrd, Assistant District Attorney Kiehl Rathbun	Sedgwick
63,404	State of Kansas, Appellee, v. James A. Lemaster, Appellant.	Robert T. Stephan, Attorney General Debra S. Byrd, Assistant District Attorney Jessica R. Kunen, Chief Appellate Defender	Sedgwick On Petition for Review
63,635	State of Kansas, Appellant, v. Max A. Grier, Appellee.	Robert T. Stephan, Attorney General Debra S. Byrd, Assistant District Attorney Keith E. Martin	Sedgwick
1:30 p.m.			
63,119	State of Kansas, Appellant, v. Cedric H. Vann, David L. Harris, Jerome Amos, Appellees.	Robert T. Stephan, Attorney General Debra S. Byrd, Assistant District Attorney Jessica R. Kunen, Chief Appellate Defender Tim Scimeca G. Edmond Hayes	Sedgwick
62,878	State of Kansas, Appellant, v. Tim L. Avery, Appellee.	Robert T. Stephan, Attorney General Debra S. Byrd, Assistant District Attorney Jessica R. Kunen, Chief Appellate Defender	Sedgwick
62,449 62,478 (Consolidated)	State of Kansas, Appellee, v. Richard M. Rios and William S. Johnson, Appellants.	Robert T. Stephan, Attorney General Debra S. Byrd, Assistant District Attorney Leslie F. Hulnick Jessica R. Kunen, Chief Appellate Defender	Sedgwick

(continued)

Tuesday, April 10, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
63,655	Richard K. Savina, Appellant, v. Sterling Drug, Inc., <i>et al.</i> , Appellees.	Richard D. Cordry Darrell L. Warta Donald Patterson Steve R. Fabert Hal D. Meltzer	Sedgwick
63,700	In the Matter of the Marriage of Donald Eugene Sommers and Tepin Sommers.	Gary Ellis Gregory K. Barker	Geary On Petition for Review
63,619	State of Kansas, Appellee, v. Darrell Stallings, Appellant.	Robert T. Stephan, Attorney General Nick A. Tomasic, District Attorney Jessica R. Kunen, Chief Appellate Defender	Wyandotte
63,648	State of Kansas, Appellee, v. Louis Cotton, aka Osei Cotton, Appellant.	Robert T. Stephan, Attorney General Nick A. Tomasic, District Attorney Jessica R. Kunen, Chief Appellate Defender	Wyandotte

1:30 p.m.

63,230	Everett Lee Glenn, Appellant, v. Dale Fleming v. Aetna Casualty & Surety Company v. Randall Weller, Appellees.	Jerry R. Palmer Lee Turner Donald A. McKinney Darrell Warta	Finney On Petition for Review
63,867	State of Kansas, Appellee, v. William Larry Fletcher, Appellant.	Robert T. Stephan, Attorney General Richard G. Guinn, Assistant District Attorney Jessica R. Kunen, Chief Appellate Defender	Johnson
63,958 63,959 63,960 (Consolidated)	City of Overland Park, Kansas, Appellant, v. William E. Rousch, Michael C. Kaplan, Brad E. Gibson, Appellees.	Stephen D. Maxwell David Gilman Jerold A. Bressel	Johnson

Wednesday, April 11, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,350	State of Kansas, <i>ex rel.</i> , Robert T. Stephan, Attorney General, Petitioner, v. The Kansas Racing Commission, <i>et al.</i> , Respondents.	Robert T. Stephan, Attorney General John W. Campbell, Deputy Attorney General Daniel P. Kolditz, Assistant Attorney General Janet Chubb Robert E. Keeshan R. Scott Beeler	Original

63,882	State of Kansas, Appellee, v. Mark A. Stingley.	Robert T. Stephan, Attorney General Gene Olander, District Attorney	Shawnee
63,986	State of Kansas, Appellant, v. Diana Sue Weis, Appellee.	Jessica R. Kunen, Chief Appellate Defender	Saline
64,038	State of Kansas, Appellant, v. Robert S. Lawrence, Appellee.	Robert T. Stephan, Attorney General Ty Kaufman, County Attorney	McPherson
64,080	Maynard L. Patterson, Appellant, v. Richard W. Brouhard, Appellee.	1:30 p.m. Judy A. Pope	Shawnee
63,840	City of Overland Park, Kansas, Appellant, v. Edward Corbin, Appellee.	Craig Blumreich Stephen D. Maxwell, Assistant City Attorney David Jancich	Johnson

Thursday, April 12, 1990
9:30 a.m.

Case No.	Case Name	Attorneys	County
63,073	Wichita Sheet Metal Supply, Inc., Appellant, v. Dahlstrom and Ferrell Construction Company, <i>et al.</i> , Appellees.	William M. Kehr Jeffrey B. Rosen	Leavenworth
(Consolidated with) 63,389	Air Moving Equipment, Inc., Appellant, v. The United States Fidelity and Guaranty Company, Appellee.	Edward Stephens Bruce W. Beye	Leavenworth
63,196	State of Kansas, Appellee, v. Jimmy Jack Searles, Appellant.	Robert T. Stephan, Attorney General John Bork, Assistant Attorney General James Craig, County Attorney	Labette
63,611	State of Kansas, Appellee, v. Terry Alires, Appellant.	Jessica R. Kunen Robert T. Stephan, Attorney General Linda S. Trigg, County Attorney	Seward
63,436	Brenda Humes, Appellees, Cross- Appellant, v. Dale L. Clinton, M.D., <i>et al.</i> , Appellants.	Jessica R. Kunen, Chief Appellate Defender Shelley Hickman Clark John W. McClelland Thomas E. Wright Ronald D. Heck	Douglas

On Petition for Review

On Petition for Review

(continued)

1:30 p.m.

62,680 Shirley Germann, Appellant,
v.
Bonnie Blatchford, et al., Appellees.

W. Irving Shaw
Richard O. Skoog
James Nordstrom

Coffey
On Petition for Review

Friday, April 13, 1990
9:30 a.m.

Case No.	Case Name	Attorneys	
64,252	John Arche and Nicole Arche, Plaintiffs, v. United States of America, Department of the Army, Defendant.	Walter P. Robertson Gerald T. Elliott Lynn R. Johnson Benjamin L. Burgess, Jr.	Certified Question
63,765	State of Kansas, ex rel., Robert T. Stephan, Attorney General, Petitioner, v. Franklin Dee Williams, Respondent.	Robert T. Stephan, Attorney General Steve A. Schwarm Daniel P. Kolditz Franklin Dee Williams, pro se	Original

Lewis C. Carter
Clerk of the Appellate Courts

Doc. No. 008993

State of Kansas
Office of the Governor
Executive Order No. 90-122
Establishing the Governor's Council
on Work Force Training

WHEREAS, the Constitution of the State of Kansas vests supreme executive power in the Governor; and

WHEREAS, the availability of a well-educated, skilled work force is crucial for Kansas' economic development in the 1990s and beyond; and

WHEREAS, one of the most important incentives the state can offer companies to affect their location or expansion decisions is a trained work force to meet their current needs and a training system that is responsive to needs for work force training and retraining; and

WHEREAS, Kansas Inc., in cooperation with the Institute for Public Policy and Business Research at the University of Kansas, has prepared a report assessing the strengths and weaknesses of the Kansas work force training system and identifying policy options to ensure that the training and retraining needs of business will be met in the next decade and beyond; and

WHEREAS, the Governor seeks to establish a mechanism for addressing the Kansas Inc. study and for improving the coordination, collaboration and integration of human resource and economic development programs;

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby create the Governor's Council on Work Force Training.

The Governor's Council on Work Force Training shall be charged with the following tasks:

1. To foster greater coordination between and among

agencies responsible for administration of economic development programs and agencies responsible for administration of human development programs;

2. To improve the coordination of employment and job training programs offered by secondary schools, area vocational-technical schools, community colleges and other colleges and universities with programs promoting economic development strategies for business attraction, business retention/expansion, and business creation; and

3. To advise the Governor concerning the development of a work force training system that will meet the changing needs of the State of Kansas.

The Governor's Council on Work Force Training shall consist of the following:

1. President, Kansas Inc.
2. Secretary of Commerce
3. Secretary of Human Resources
4. Secretary of Social and Rehabilitation Services
5. Commissioner of Education (subject to the approval of the State Board of Education)
6. Chief of Staff to the Governor.

The Council shall make its first report to the Governor on or before September 1, 1990. The Council shall thereafter make an annual report to the Governor on or before September 1st of each year.

This document shall be filed with the Secretary of State as Executive Order No. 90-122 and shall be effective immediately.

Dated March 23, 1990.

Mike Hayden
Governor
Attest: Bill Graves
Secretary of State

Doc. No. 009018

State of Kansas

Coffey County

Notice to Contractors

Sealed bids on the 1990 New Strawn Fire Station for Coffey County Fire District No. 1, to be located in New Strawn, will be received by the Coffey County Commissioners in their chambers until 2 p.m. local time on April 9. Plans may be secured from Ossman & Associates, Architects, 921 Topeka Blvd., Topeka 66612, (913) 233-6406, upon deposit of \$50.

Board of Commissioners
Coffey County, Kansas

Doc. No. 008987

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 S.W. Jackson, Room 102, Topeka, until 2 p.m. C.D.T. on the date indicated and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, April 9, 1990

83248

Department of Transportation—Furnish all labor and materials to construct gasoline pump island canopy, various locations

Tuesday, April 10, 1990

83258

Kansas State Industrial Reformatory—Furnish all labor and materials to install boiler tubes

83262

Department of Transportation—Metal working machines, various locations

83263

Department of Wildlife and Parks and Department of Health and Environment—Trucks, Reading and Topeka

83271

El Dorado Honor Camp—Canned goods

Wednesday, April 11, 1990

A-6188

Rainbow Mental Health Facility—Replace roofing on C-3 Cottage, corridor and roof over classroom

A-6208

Youth Center at Beloit—HVAC Improvements—classrooms building, Building #82500-00004

A-6209

Youth Center at Beloit—Site lighting improvements

A-6209 (a)

Youth Center at Beloit—Prairie Vista Cottage toilet renovation—main tunnel repair

83291

Department of Transportation—Air compressors, various locations

Thursday, April 12, 1990

A-6134 (a)

Department of Administration—KPL Power Plant asbestos abatement (Phase II), 7th and Van Buren streets

83274

Kansas State University—Semi-boneless beef rounds (160)

83295

Norton Correctional Facility—Pipe insulating materials

83296

Department of Transportation—Compact utility wagon

83300

Emporia State University—Fuel dispensing system

Friday, April 13, 1990

28225

Department of Education—Licensed security guard services

83314

Kansas Bureau of Investigation—File folders

Tuesday, April 17, 1990

26502

Kansas College of Technology—Food service

83292

Department of Administration, Division of Information Systems and Communications—Disaster recovery facilities

Wednesday, April 18, 1990

83306

Fort Hays State University—Disk caching software

Thursday, April 19, 1990

A-6112 (b)

Department of Corrections—Prototype maximum security facility support buildings, Package Two, El Dorado

83305

Kansas State University—IBM 7171 control unit

Friday, April 20, 1990

A-6361

University of Kansas—Remodeling in Fowler shops and Broadcast Hall

Friday, April 27, 1990

28226

Department of Wildlife and Parks—Agriculture lease, Cedar Bluffs

Friday, May 4, 1990

27068

Department of Wildlife and Parks—Aircraft Insurance

Friday, May 25, 1990

28028

University of Kansas Medical Center—Hospital professional liability insurance

Nicholas B. Roach
Director of Purchases

Doc. No. 009013

**State of Kansas
Social and Rehabilitation Services
Temporary Administrative
Regulations**

Article 4.—PUBLIC ASSISTANCE PROGRAM

30-4-101. Standards for persons in own home, other family home, specialized living, commercial board and room, or commercial room-only living arrangements. A monetary standard addresses the costs of day to day expenses and certain special expenditures. (a) Basic standard in the ADC program. The basic standards in the ADC program shall be those set forth below. The basic standards include \$12.00 per person as an energy supplement.

PERSONS IN PLAN

1	2	3	4
\$125.00	\$203.00	\$274.00	\$335.00

For each additional person, add \$55.00.

(b) Basic standard in the GA program. The basic standards in the GA program shall be those set forth below. The basic standards include \$21.00 per person as an energy supplement.

PERSONS IN PLAN

1	2	3	4
\$134.00	\$221.00	\$301.00	\$371.00

For each additional person, add \$64.00.

(c) Shelter standard. A standard has been established for shelter based on location in the state. The county shelter standards shall be those set forth below.

Standard.	Group I		
	\$92.00		
Allen	Gove	Norton	
Anderson	Graham	Osborne	
Atchison	Grant	Ottawa	
Barber	Greeley	Phillips	
Barton	Greenwood	Pottawatomie	
Bourbon	Hamilton	Pratt	
Brown	Harper	Rawlins	
Chase	Haskell	Republic	
Chautauqua	Hodgeman	Rooks	
Cherokee	Jackson	Rush	
Cheyenne	Jewell	Russell	
Clark	Kearny	Saline	
Clay	Kingman	Scott	
Cloud	Labette	Sheridan	
Coffey	Lane	Smith	
Comanche	Lincoln	Stafford	
Cowley	Linn	Stanton	
Crawford	Logan	Stevens	
Decatur	Lyon	Sumner	
Dickinson	Marion	Thomas	
Doniphan	Marshall	Trego	
Edwards	Meade	Wabaunsee	
Elk	Mitchell	Wallace	
Ellis	Montgomery	Washington	
Ellsworth	Morris	Wichita	

	Finney	Nemaha	Wilson
	Ford	Neosho	Woodson
	Geary	Ness	
Standard.	Group II	Group III	Group IV
	\$97.00	\$109.00	\$135.00
	Franklin	Butler	Douglas
	Gray	Jefferson	Harvey
	Kiowa	Leavenworth	Johnson
	Morton	McPherson	
	Pawnee	Miami	
	Seward	Osage	
	Sherman	Reno	
		Rice	
		Riley	
		Sedgwick	
		Shawnee	
		Wyandotte	

This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709, 1990 SB 413; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-83-17, July 1, 1982; amended May 1, 1983; amended, T-85-19, July 1, 1984; amended May 1, 1985; amended, T-86-19, July 1, 1985; amended, T-86-42, Jan. 1, 1986; amended May 1, 1986; amended, T-87-15, July 1, 1986; amended, T-88-2, Feb. 1, 1987; amended May 1, 1987; amended, T-88-10, May 1, 1987; amended, T-88-14, July 1, 1987; amended May 1, 1988; amended, T-30-7-1-88, July 1, 1988; amended Sept. 26, 1988; amended July 1, 1989; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-4-102. Standards for children in foster care. The standards below shall be used for children in foster care. (a) The cost of care for any child placed in a care facility other than a foster family home shall be as established by the secretary.

(b) The foster care standard shall be used in ADC and GAU only if an approved service plan is on file which documents that the child is temporarily absent from the home because of illness of another member of the household or incarceration of the caretaker.

(c) The residential standard shall be used only if an approved service plan is on file which documents that the child is temporarily absent from the home because of basic education or training, if the training results in gainful employment.

Standards for Foster Family Care

	Monthly Rate	Daily Rate
Infant through 4 years	\$225.00	\$7.41
5 through 11 years	\$304.00	\$10.02
12 years and older	\$386.00	\$12.70

(d) The foster care standards shall also be used to meet the maintenance needs of a child of an ADC-FC recipient if the recipient and the child are living together in the same foster care living arrangement. The effective date of this regulation shall be January 1, 1990. (Authorized

by K.S.A. 39-708c; implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709, 1990 SB 413; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended May 1, 1982; amended, T-83-17, July 1, 1982; amended, T-84-8, April 1, 1983; amended, T-84-9, May 1, 1983; amended, T-84-11, July 1, 1983; amended May 1, 1984; amended, T-85-19, July 1, 1984; amended May 1, 1985; amended, T-86-19, July 1, 1985; amended, T-86-42, Dec. 18, 1985; amended May 1, 1986; amended, T-87-44, Jan. 1, 1987; amended, T-88-10, May 1, 1987; amended, T-88-14, July 1, 1987; amended May 1, 1988; amended, T-30-7-1-88, July 1, 1988; amended Sept. 26, 1988; amended July 1, 1989; amended, T-30-2-28-90, Jan. 2, 1990 April 30, 1990.)

Article 5.—PROVIDER PARTICIPATION, SCOPE OF SERVICES, AND REIMBURSEMENTS FOR THE MEDICAID (MEDICAL ASSISTANCE) PROGRAM

30-5-58. Definitions. (a) The following words and terms, when used in this part, shall have the following meanings, unless the context clearly indicates otherwise:

(1) "Accept medicare assignment" means accept the medicare allowed payment rate as payment in full for services provided to a recipient.

(2) "Accrual basis accounting" means reporting revenue in the period when it is earned, regardless of when it is collected, and reporting expenses in the period in which they are incurred, regardless of when they are paid.

(3) "Acquisition cost" means the allowable reimbursement price determined by the agency for each covered drug, supply or device in accordance with federal regulations.

(4) "Activities of daily living" means basic activities necessary for daily self care.

(5) "Admission" means the condition of entry into a hospital for the purpose of receiving inpatient medical treatment.

(6) "Ambulance" means a state-licensed vehicle equipped for emergency transportation of injured or sick recipients to facilities where medical services are rendered.

(7) "Arm's length transaction" means a transaction between unrelated parties.

(8) "Border cities" mean those communities outside of the state of Kansas but within a 50-mile range of the state border.

(9) "Case conference" means a scheduled face-to-face meeting involving two or more persons to discuss problems associated with the treatment of the facility's patient or patients. Persons involved in the case conference may include treatment staff, collaterals or other agency representatives of the client or clients.

(10) "Capitation reimbursement" means a reimbursement methodology establishing payment rates, per program recipient or eligible individual, for a designated group of services.

(11) "Common control" means that an individual or organization has the power, directly or indirectly, to significantly influence or direct the actions or policies of an organization or facility.

(12) "Common ownership" means that an individual or individuals possess significant ownership or equity in the

provider and the facility or organization serving the provider.

(13) "Comparable outpatient service" means a service that is provided in a hospital that is comparable to a service provided in a physician's office or ambulatory surgical center.

(14) "Comparison per diem rate" means the per diem rate as adjusted by deducting the teaching cost for approved intern, resident and nursing programs divided by the total hospital inpatient days in the hospital fiscal year ending in 1981.

(15) "Complete ownership change" means:

(A) A change that involves an arm's length transaction between unrelated parties; and

(B)(i) The dissolution or creation of a partnership when no member of the dissolved partnership or the new partnership retains ownership interest from the previous ownership affiliation;

(ii) a transfer of title and property to another party if the transfer is an arm's length transaction, and if the property is owned by a sole proprietor;

(iii) the change or creation of a new lessee, acting as a provider of pharmacy services; or

(iv) the consolidation of two or more corporations that creates a new corporate entity. However, the transfer of participating provider corporate stock shall not in itself constitute a complete change of ownership. Similarly, a merger of one or more corporations with a participating provider corporation surviving shall not constitute a complete change of ownership.

(16) "Concurrent care" means services rendered simultaneously by two or more eligible providers.

(17) "Consultation" means an evaluation which requires another examination by a provider of the same profession, a study of records, and a discussion of the case with the physician primarily responsible for the patient's care.

(18) "Contract loss" means the excess of contract cost over contract income.

(19) "Cost finding" means the process of recasting the data derived from the accounts ordinarily kept by a provider to ascertain costs of the various types of services rendered.

(20) "Cost outlier" means a general hospital inpatient stay with an estimated cost which exceeds the cost outlier limit established for the respective diagnosis related group.

(21) "Cost outlier limit" means the maximum cost of a general hospital inpatient stay established according to a methodology specified by the secretary for each diagnosis related group.

(22) "Cost-related reimbursement" means reimbursement based on analysis and consideration of the historical operating costs required to provide specified services.

(23) "Covered service" means a medical service for which reimbursement will be made by the medicare/medicaid program. The agency may limit coverage on the basis of prior authorization.

(24) "Day outlier" means a general hospital inpatient length of stay which exceeds the day outlier limit established for the respective diagnosis related group.

(25) "Day outlier limit" means the maximum general

(continued)

hospital inpatient length of stay established according to a methodology specified by the secretary for each diagnosis related group.

(26) "Diagnosis related group (DRG)" means the classification system which arranges medical diagnoses into mutually exclusive groups.

(27) "Diagnosis related group (DRG) adjustment percent" means a percentage assigned by the secretary to a diagnosis related group for purposes of computing reimbursement.

(28) "Diagnosis related group (DRG) daily rate" means the dollar amount assigned by the secretary to a diagnosis related group for purposes of computing reimbursement when a rate per day is required.

(29) "Diagnosis related group (DRG) reimbursement system" means a reimbursement system in the Kansas medicaid/medikan program for general hospital inpatient services which uses diagnosis related groups for determining reimbursement on a prospective basis.

(30) "Diagnosis related group (DRG) weight" means the numeric value assigned to a diagnosis related group for purposes of computing reimbursement.

(31) "Discharge" means the condition of release from a hospital. A discharge shall occur when the recipient leaves the hospital or dies. A transfer to another unit within a hospital, except to a swing bed, and a transfer to another general or special hospital shall not be a discharge.

(32) "Discharging hospital" means, in instances of the transfer of a recipient, the hospital which discharges the recipient admitted from the last transferring hospital.

(33) "Disproportionate share hospital" means a hospital that has:

(A) A medicaid/medikan inpatient utilization rate of at least one standard deviation above the mean medicaid/medikan inpatient utilization rate for hospitals within the state borders of Kansas which are receiving medicaid/medikan payments or a hospital with a low-income utilization rate exceeding 25%; and

(B) at least two obstetricians with staff privileges at the hospital who have agreed to provide obstetric services to medicaid/medikan eligible individuals. In a hospital located in a rural area, the obstetrician may be any physician with staff privileges at the hospital to perform non-emergency obstetric procedures. The only exceptions to this shall be:

(i) A hospital with inpatients who are predominantly under 18 years of age; or

(ii) a hospital which did not offer non-emergency obstetric services as of December 21, 1987.

(34) "Drug, supply or device" means:

(A) Articles recognized in the official United States pharmacopoeia, or other such official compendiums of the United States, or official national formulary, or any supplement of any of them;

(B) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in human beings;

(C) articles intended to affect the structure or any function of the bodies of human beings; and

(D) articles intended for use as components of any articles specified in clause (A), (B) or (C) of this paragraph.

(35) "Durable medical equipment (DME)" means equipment which will:

(A) Withstand repeated use;

(B) not generally be useful to a person in the absence of an illness or injury;

(C) be primarily and customarily used to serve a medical purpose;

(D) be appropriate for use in the home; and

(E) be rented or purchased as determined by designees of the secretary.

(36) "Election period" means the period of time for the receipt of hospice care, beginning with the first day of hospice care as provided in the election statement and continuing through any subsequent days excluding any days of hospice care earlier than the date the election statement is signed.

(37) "Election statement" means the revokable statement signed by a recipient which is filed with a particular hospice and which consists of:

(A) Identification of the hospice selected to provide care;

(B) acknowledgement that the recipient has been given a full explanation of hospice care;

(C) acknowledgement by the recipient that other medicaid services are waived;

(D) effective date of the election period; and

(E) the recipient's signature or the signature of the recipient's legal representative.

(38) "Emergency services" means those services provided after the sudden onset of a medical condition manifested by symptoms of sufficient severity, including severe pain, that the absence of immediate medical attention could reasonably be expected to result in placing the patient's health in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ or part.

(39) "Estimated cost" means the cost of general hospital inpatient services provided to a recipient which are computed using a methodology set out in the Kansas medicaid state plan.

(40) "Formulary" means a listing of drugs, supplies or devices.

(41) "Free-standing inpatient psychiatric facility" means an inpatient psychiatric facility licensed to provide services only to the mentally ill.

(42) "General hospital" means an establishment with an organized medical staff of physicians, with permanent facilities that include inpatient beds, with medical services, including physician services and continuous registered professional nursing services for not less than 24 hours of every day, and which provides diagnosis and treatment for nonrelated patients who have a variety of medical conditions.

(43) "General hospital group" means the category to which a general hospital is assigned for purposes of computing reimbursement.

(44) "General hospital inpatient beds" mean the number of beds as reported by the general hospital on the hospital and hospital health care complex cost report form excluding those beds designated as skilled nursing facility or intermediate care facility beds. For hospitals not filing the hospital and hospital health care complex cost report form, the number of beds shall be obtained from the

provider application for participation in the Kansas medicaid/medikan program form.

(45) "Group reimbursement rate" means the dollar value assigned by the secretary to each general hospital group for a diagnosis related group weight of one.

(46) "Health maintenance organization" means an organization of providers of designated medical services which makes available and provides these medical services to eligible enrolled individuals for a fixed periodic payment which is determined in advance. Referral to outside specialists is limited.

(47) "Historical cost" means actual allowable costs incurred for a specified period of time.

(48) "Home health aide service" means the direct care provided by a person with minimum training, and who is under the supervision of a registered nurse employed by a home health agency, to recipients who are unable to care for themselves or who need assistance in accomplishing the activities of daily living.

(49) "Hospice" means a public agency or private organization, or a subdivision of either, that primarily engages in providing care to terminally ill individuals, which meets the medicare conditions of participation for hospices, and which has enrolled to provide hospice services pursuant to K.A.R. 30-5-59.

(50) "Hospital located in a rural area" means a facility located in an area outside of a metropolitan statistical area as defined by the executive office of management and budget under the health care financing administration.

(51) "Independent laboratory" means a laboratory that performs laboratory tests that are ordered by a physician, and that is in a location other than the physician's office or a hospital.

(52) "Ineligible provider" means a provider who is not enrolled in the medicaid/medikan program because of reasons set forth in K.A.R. 30-5-60, or because of commission of civil or criminal fraud in another state or another program.

(53) "Interest expense" means the cost incurred for the use of borrowed funds on a loan made for a purpose related to patient care.

(54) "Kan Be Healthy program participant" means an individual under the age of 21 who is eligible for medicaid, and who has undergone a Kan Be Healthy medical screening in accordance with a specified screening schedule in order to ascertain physical and mental defects and to provide treatment which corrects or ameliorates defects and chronic conditions found.

(55) "Kan Be Healthy dental-only participant" means an individual under the age of 21 who is eligible for medicaid, and who has undergone only a Kan Be Healthy dental screening in accordance with a specified screening schedule in order to ascertain dental defects and to provide treatment which corrects or ameliorates dental defects and chronic dental conditions found.

(56) "Kan Be Healthy vision-only participant" means an individual under the age of 21 who is eligible for medicaid, and who has undergone only a Kan Be Healthy vision screening in accordance with a specified screening schedule in order to ascertain vision defects and to provide treatment which corrects or ameliorates vision defects and chronic vision conditions found.

(57) "Length of stay as an inpatient in a general hospital" means the number of days an individual remains for treatment as an inpatient in a general hospital from and including the day of admission, to and excluding the day of discharge.

(58) "Lock-in" means the restriction of a recipient's access to medical services because of abuse through limitation of the use of the medical identification card to designated medical providers.

(59) "Low-income utilization rate for hospitals" means the rate which is defined in accordance with the omnibus budget reconciliation act, public law 100-203, Section 4112, effective July 1, 1988, which is adopted by reference.

(60) "Managerial capacity" means an individual, including a general manager, business manager, administrator, or director, who exercises operational or managerial control over the provider, or who directly or indirectly conducts the day to day operations of the provider.

(61) "Medicaid/medikan hospital inpatient utilization rate" means the total number of medicaid/medikan paid inpatient days in a cost reporting period, divided by the total number of the hospital's inpatient days in the same period.

(62) "Medical necessity" means a medically necessary item or service prescribed or provided by a physician or other medical practitioner for a specific medical condition and for the purpose of achieving a specific result. Medical staff designated by the secretary have final authority for the determination of medical necessity.

(63) "Medical necessity in psychiatric situations" means that there is medical documentation which indicates that the person could be harmful to himself or herself or others if not under psychiatric treatment, or the person is disoriented in time, place or person.

(64) "Medical supplies" means supplies not generally useful to a person in the absence of illness or injury which are prescribed by a physician and used in the home and certain institutional settings.

(65) "Metropolitan statistical area (MSA)" means a geographic area designated as such by the United States executive office of management and budget as set out in the Federal Register, Vol. 53, No. 244, December 20, 1988, which is adopted by reference.

(66) "Necessary interest" means interest expense incurred on a loan made to satisfy a financial need of the facility. Loans which result in excess funds or investments shall not be considered necessary.

(67) "Net cost" means the cost of approved educational activities less any reimbursements from grants, tuition, and specific donations.

(68) "Non-covered services" mean services for which medicaid/medikan will not provide reimbursement, including services that have been denied due to the lack of medical necessity.

(69) "Occupational therapy" means the provision of treatment by an occupational therapist registered with the American occupational therapy association. The treatment shall be:

- (A) Rehabilitative and restorative in nature;
- (B) provided following physical debilitation due to acute physical trauma or physical illness; and

(continued)

(C) prescribed by the attending physician.

(70) "Orthotics and prosthetics" mean devices which are:

(A) Reasonable and necessary for treatment of an illness or injury;

(B) prescribed by a physician;

(C) necessary to replace or improve functioning of a body part; and

(D) provided by a trained orthotist or prosthetist.

(71) "Out-of-state provider" means any provider that is physically located more than 50 miles beyond the border of Kansas, except those providing services to children who are wards of the secretary. Adult care homes, community mental health centers, partial hospitalization service providers, and alcohol and drug program providers shall be considered out-of-state providers if they are physically located beyond the border of Kansas.

(72) "Outpatient treatment" means services provided by the outpatient department of a hospital, a facility that is not under the administration of the hospital, or a physician's office.

(73) "Over-the-counter" means any item available for purchase without a prescription order.

(74) "Owner" means a sole proprietor, member of a partnership or a corporate stockholder with 5% or more interest in the corporation. The term "owner" shall not include minor stockholders in publicly-held corporations.

(75) "Partial hospitalization program" means an ambulatory treatment program that includes the major diagnostic, medical, psychiatric, psychosocial, and daily living skills treatment modalities based upon a treatment plan.

(76) "Participating provider" means any individual or entity that has in effect an agreement with the Kansas department of social and rehabilitation services to furnish medicaid services.

(77) "Pharmacy" means the premises, laboratory, area or other place:

(A) Where drugs are offered for sale, the profession of pharmacy is practiced and prescriptions are compounded and dispensed;

(B) which has displayed upon it or within it the words "pharmacist," "pharmaceutical chemist," "pharmacy," "apothecary," "drugstore," "druggist," "drugs," "drug sundries," or any combinations of these words or words of similar import; and

(C) where the characteristic symbols of pharmacy or the characteristic prescription sign "Rx" is exhibited. The term "premises" as used in this subsection refers only to the portion of any building or structure leased, used, or controlled by the registrant in the conduct of the business registered by the board at the address for which the registration was issued.

(78) "Pharmacist" means any person duly licensed or registered to practice pharmacy by the state board of pharmacy or by the regulatory authority of the state in which the person is engaged in the practice of pharmacy.

(79) "Physical therapy" means treatment which:

(A) Is provided by a physical therapist registered in the jurisdiction where the service is provided or by the Kansas board of healing arts;

(B) is rehabilitative and restorative in nature;

(C) is provided following physical debilitation due to acute physical trauma or physical illness; and

(D) is prescribed by the attending physician.

(80) "Physician extender" means a person registered as a physician's assistant or licensed advanced registered nurse practitioner in the jurisdiction where the service is provided and who is working under supervision as required by law or administrative regulation.

(81) "Plan of care" means a document which states the need for care, the estimated length of program, the prescribed treatment, modalities, and methodology to be used, and the expected results.

(82) "Practitioner" means any person licensed to practice medicine and surgery, dentistry or podiatry, or any other person licensed, registered or otherwise authorized by law to administer, prescribe and use prescription-only drugs in the course of professional practice.

(83) "Prescribed" means the issuance of a prescription order by a practitioner.

(84) "Prescription" means, according to the context, either a prescription order or a prescription medication.

(85) "Prescription medication" means any drug, supply or device, including label and container according to context, which is dispensed pursuant to a prescription order.

(86) "Prescription-only" means an item available for purchase only with a prescription order.

(87) "Primary care network" means a service delivery control system in which physicians, in independent or group practices, local health departments, or clinics act as primary care providers and are responsible for initiating or approving specified medical services for participating recipients.

(88) "Primary diagnosis" means the most significant diagnosis related to the services rendered.

(89) "Prior authorization" means the approval of a request to provide a specific service before the provision of the service.

(90) "Professional fee" means the reimbursement rate assigned to each individual pharmacy provider for provision of pharmacy services.

(91) "Program" means the Kansas medicaid/medikan program.

(92) "Proper interest" means interest incurred at a rate not in excess of what a prudent borrower would have had to pay under market conditions existing at the time the loan was made.

(93) "Prospective, reasonable cost-related reimbursement" means present and future reimbursement, based on analysis and consideration of the historical cost that is related to patient care, in the operation of facilities and programs.

(94) "Qualified medicare beneficiary (QMB)" means an individual who is entitled to medicare hospital insurance benefits under part A of medicare, whose income does not exceed a specified percent of the official poverty level as defined by the United States executive office of management and budget, and whose resources do not exceed twice the supplemental security income resource limit.

(95) "Readmission" means the subsequent admission of a recipient as an inpatient into a hospital within 30 days of discharge as an inpatient from the same or another DRG hospital.

(96) "Related parties" means that one party of a transaction has the ability to significantly influence another party in the transaction to the extent that either of their

own separate interests may not be fully pursued. Related parties include those related by family, by business or financial association, or by common ownership or control.

(97) "Related to the community mental health center" means that the agency or facility furnishing services to the community mental health center is directly associated or affiliated with the community mental health center by formal agreement, or that it governs the community mental health center, or is governed by the community mental health center.

(98) "Revocation statement" means the statement signed by the recipient which revokes the election of hospice service.

(99) "Special hospital" means an establishment with an organized medical staff of physicians, with permanent facilities that include inpatient beds, with medical services, including physician services and continuous registered professional nursing services for not less than 24 hours of every day, and which provides diagnosis and treatment for nonrelated patients who have specified medical conditions.

(100) "Speech therapy" means treatment provided by a speech pathologist who has a certificate of clinical competence from the American speech and hearing association. The treatment shall be rehabilitative and restorative in nature, shall be provided following physical debilitation due to acute physical trauma or physical illness, and shall be prescribed by the attending physician.

(101) "Standard diagnosis related group (DRG) amount" means the amount computed by multiplying the group reimbursement rate for the general hospital by the diagnosis related group weight.

(102) "Stay as an inpatient in a general hospital" means the period of time spent in a general hospital from admission to discharge.

(103) "Swing bed" means a hospital bed that can be used interchangeably as either a hospital, skilled nursing facility, or intermediate care facility bed, with reimbursement based on the specific type of care provided.

(104) "Targeted case management services" means those services to assist medicaid recipients in gaining access to medically necessary care, and which are provided by a case manager with credentials specified by the department of social and rehabilitation services.

(105) "Terminally ill" means the medical condition of an individual whose life expectancy is six months or less as determined by a physician.

(106) "Transfer" means the movement of an individual receiving general hospital inpatient services from one hospital to another hospital for additional related inpatient care after admission to the previous hospital or hospitals.

(107) "Transferring hospital" means the hospital which transfers a recipient to another hospital. There may be more than one transferring hospital for the same recipient until discharge.

(108) "Uncollectable overpayment to an out-of-business provider" means:

(A) Any amount which is due from a provider of medical services who has ceased all practice or operations for any medical services as an individual, a partnership or a corporate identity, and who has no assets capable of being applied to any extent toward a medicaid overpayment; or

(B) any amount due which is less than its collection and processing costs.

(109) "Urgent" means situations which require immediate admission, but not through the emergency room.

(b) This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1988; amended, T-30-7-29-88, July 29, 1988; amended Sept. 26, 1988; amended Jan. 2, 1989; amended July 1, 1989; amended Jan. 2, 1990; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-59. Provider participation requirements. The following shall be prerequisites for participation in and payment from the medicaid/medikan program. Adult care home providers shall be excluded from these prerequisites. Providers of services to foster care recipients or adoption support recipients may be excluded from these prerequisites at the discretion of the secretary. (a) Enrollment. Each participating provider shall:

(1) Submit an application for participation in the medicaid/medikan program on forms as prescribed by the secretary;

(2) obtain and maintain professional or agency-specified credentials as determined by the secretary in the jurisdiction where the service is provided and for the time period when the service is provided, and if applicable, be certified, licensed or registered by the appropriate professional credentialing authority;

(3) notify the Kansas department of social and rehabilitation services if any of the original information provided on the application changes during the term of participation in the medicaid/medikan program;

(4) after completing the necessary application forms and receiving notice of approval to participate from the department, enter into and keep a provider agreement with the Kansas department of social and rehabilitation services;

(5) notify the Kansas department of social and rehabilitation services when a change of provider ownership occurs, submit new ownership information on forms for application for participation in the medicaid/medikan program, and receive approval from the department for participation as a new provider before reimbursement for services rendered to medicaid/medikan program recipients is made; and

(6) locate a provider service representative in Kansas if applying to be an out-of-state durable medical equipment or medical supply provider.

(b) Denial of application. If an application for participation in the medicaid/medikan program is denied, the applicant shall be notified in writing by the agency.

(c) Continuing participation. Each participating provider shall:

(1) Comply with applicable state and federal laws, regulations or other program requirements;

(continued)

- (2) comply with the terms of the provider agreement;
- (3) submit accurate claims or cost reports;
- (4) submit claims only for covered services provided to recipients;
- (5) engage in ethical and professional conduct;
- (6) provide goods, services or supplies which meet professionally recognized standards of quality;
- (7) submit a new application for participation in the medicaid/medikan program if a claim has been submitted for payment and if at least 18 months have elapsed since a previous claim for payment was submitted; and
- (8) refund any overpayment to the program within a period of time specified by the secretary or lose eligibility to participate.

(d) Recordkeeping. Each participating provider shall:

(1) Maintain and furnish within the time frame specified in a request any information for five years from the date of service that the Kansas department of social and rehabilitation services, its designee or any other governmental agency acting in its official capacity may request to assure proper payment by the medicaid/medikan program, to substantiate claims for medicaid/medikan program payments, and to complete determinations of medicaid/medikan program overpayments. This information shall include:

- (A) Fiscal, medical and other recordkeeping systems;
- (B) matters of the provider's ownership, organization and operation, including documentation as to whether transactions occurred between related parties;
- (C) documentation of asset acquisition, lease, sale or other action;
- (D) franchise or management arrangements;
- (E) matters pertaining to costs of operation;
- (F) amounts of income received, by source and purpose; and
- (G) a statement of changes in financial position.

(2) Use standardized definitions, accounting, statistics and reporting practices which are widely accepted in the provider's field.

(3) Permit the Kansas department of social and rehabilitation services, its designee, or any other governmental agency acting in its official capacity to examine any records and documents that are necessary to ascertain information pertinent to the determination of the proper amount of a payment due from the medicaid/medikan program.

(e) Payment. Each participating provider shall:

(1) Accept as payment in full, subject to audit when applicable, the amount paid by the medicaid/medikan program for covered services;

(2) not assign medicaid/medikan program claims or grant a power of attorney over or otherwise transfer right to payment for such claims except as set forth in 42 CFR 447.10, revised August 24, 1981;

(3) not charge medicaid/medikan program recipients for services denied for payment by the medicaid/medikan program because the provider has failed to meet a program requirement including prior authorization;

(4) not charge medicaid/medikan program recipients for noncovered services unless the recipient has been informed of the noncoverage prior to the rendering of the service;

(5) not charge medicaid/medikan program recipients for

services covered by the program with the exceptions of claims liable to spenddown or copayment;

(6) submit claims for payment on claim forms approved and prescribed by the secretary; and

(7) be subject to the payment limitations pursuant to K.A.R. 30-5-70.

(f) Provider participation in the medicaid/medikan program may be disallowed for any of the reasons set forth in K.A.R. 30-5-60. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective May 1, 1981; amended May 1, 1985; amended May 1, 1986; amended May 1, 1988; amended July 1, 1989; amended Oct. 1, 1989; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-60. Provider termination. (a) Any provider's participation in the medicaid/medikan program may be terminated for one or more of the following reasons:

(1) Voluntary withdrawal of the provider from participation in the program;

(2) non-compliance with applicable state laws, administrative regulations, or program issuances concerning medical providers;

(3) non-compliance with the terms of a provider agreement;

(4) non-compliance with the terms (provider certification) set forth on claims submitted to the agency for reimbursement;

(5) assignment (or granting a power of attorney over or otherwise transferring right to payment) of program claims except as set forth in 42 USCA 1396a (32);

(6) pattern of submitting inaccurate billings or cost reports;

(7) pattern of submitting billings for services not covered under the program;

(8) pattern of unnecessary utilization;

(9) unethical or unprofessional conduct;

(10) suspension or termination of license, registration, or certification;

(11) provision of goods, services, or supplies harmful to individuals or of an inferior quality;

(12) civil or criminal fraud against medicare, the Kansas medicaid/medikan or social service programs, or any other state's medicaid or social service programs;

(13) suspension or exclusion by the secretary of health and human services from the title XVIII or title XIX programs;

(14) direct or indirect ownership or controlling interest of 5% or more in a provider institution, organization or agency by a person who has been found guilty of civil or criminal fraud against the medicare program or the Kansas medicaid/medikan or social service programs or any other state's medicaid or social service programs;

(15) employment or appointment by a provider of a person in a managerial capacity or as an agent if the person has been found guilty of civil or criminal fraud against the medicare program or the Kansas medicaid/medikan or social service programs or any other state's medicaid or social service programs;

- (16) insolvency; or
- (17) other good cause.

(b) Termination, unless based upon civil or criminal fraud against the program, suspension or exclusion by the secretary of health and human services, shall remain in effect until the agency determines that the reason for the termination has been removed and that there is a reasonable assurance that it shall not recur. Terminations based upon civil or criminal fraud shall remain in effect for such time period as deemed appropriate by the agency. Termination based upon suspension or exclusion by the secretary of health and human services (HHS) shall remain in effect no less than the time period specified in HHS' notice of suspension.

(c) Prior to the termination of a provider from the program, the provider shall be sent a written notification by the agency of the proposed termination and the reasons. The notice shall state whether payment liability to the provider has been suspended pending further proceedings. The notice shall further advise the provider that an appearance before the section may be permitted at a specified time, not less than five days nor more than 15 days from the date the notice is mailed to or served upon the provider. At the appearance the provider may present any relevant evidence and have an opportunity to be heard on the question of continuing eligibility in the program. All evidence presented, including that of the provider, shall be considered by the agency. If the decision is to terminate, a written order of termination shall be issued, setting forth the effective date of the termination and the basic underlying facts supporting the order. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective May 1, 1981; amended May 1, 1986; amended July 1, 1989; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-62. Reinstatement of a provider previously terminated from the medicaid/medikan program. A request for reinstatement by a provider terminated from participation in the medicaid/medikan program shall not be considered for a period of 60 days following the effective date of the order of termination. As a prerequisite for reinstatement in the program one or more of the following conditions may be imposed by the agency: (a) Implementation and documentation of corrective action taken by the provider to comply with program policies and to reasonably insure that the reason for the termination shall not recur;

- (b) probationary period not to exceed one year;
- (c) attendance at provider education sessions;
- (d) prior authorization of services;
- (e) peer supervision; and
- (f) other conditions as the specific situation may warrant. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective May 1, 1981; amended May 1, 1986;

amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-65. Filing limitations for medical claims. Each claim for payment shall be submitted within six months of the date of service. Each medical claim which has been denied for payment shall be resubmitted within 12 months of the date of service and in conformance with all billing requirements of the medicaid/medikan program or payment shall not be made. The only exceptions shall be: (a) Claims which are submitted to medicare or medicaid/medikan within six months of the date of service; paid or denied for payment by medicare; and subsequently submitted for payment to the medicaid/medikan program within 30 days of the medicare payment or denial date; or

(b) claims determined payable by reason of administrative appeals, court action or agency error. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended May 1, 1982; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-67. Disallowance of claims for services generated by providers ineligible for participation in the medicaid/medikan program. The agency shall disallow payment, except for emergency services, if the service set forth on a claim was generated by a provider ineligible to participate in the medicaid/medikan program. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective May 1, 1981; amended May 1, 1986; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-68. Fees for consultants to the medicaid/medikan program. The maximum fee for consultants to the medicaid/medikan program who are contracted by the agency shall be \$55.00 per hour. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective May 1, 1981; amended May 1, 1986; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-70. Payment of medical expenses for eligible recipients. (a) Payment for covered services shall be made only to those providers participating in the program pursuant to K.A.R. 30-5-59. The only exception to this shall be that payment for services provided to foster care or adoption support recipients may be made to providers not participating in the program.

(continued)

(b) Program recipients shall be eligible for the payment of specific medical expenses as follows:

(1) Payment of medicare (title XVIII) premiums and deductibles and co-insurance amounts for services covered in the medicaid program. Recipients who are ineligible for program coverage because they have a spenddown shall also be eligible for the payment of the medicare (title XVIII) premium expense. For cash recipients, including SSI recipients, age 65 or older, payment of the medicare (title XVIII) premium shall begin with the month of approval for medicaid, excluding any months of prior eligibility. For recipients under age 65 who are eligible for medicare after receiving retirement and survivor's disability insurance for 24 consecutive months, payment of the medicare (title XVIII) premium shall begin with the 25th month. For all other recipients, payment of the medicare (title XVIII) premium shall begin with the second month following the month of approval for medicaid, excluding any months of prior eligibility;

(2) payment of premiums of health maintenance organizations which are approved by the agency;

(3) payment of other allowable medical expenses incurred in the current eligibility base period in excess of any co-pay or spenddown requirements;

(4) payment for services rendered to a person who is mandated to receive inpatient treatment for tuberculosis and who is not otherwise eligible for participation in the program shall be limited to services related to the treatment for tuberculosis;

(5) services in excess of medicaid/medikan program limitations shall be covered for foster care and adoption support recipients when approved by the agency; and

(6) payment for covered medical services provided to an individual participating in the KanWork program shall be made. A monthly cost sharing amount for medical services shall be paid by an individual participating in the KanWork program when required.

(c) The scope of services to be provided recipients and the payment for those services shall be as set forth in articles 5 and 10 of this chapter, subject to the following limitations.

(1) Payment for a particular medical expense shall be denied if it is determined that:

(A) The recipient failed to utilize medical care available through other community resources, including public institutions, veterans administration benefits, and those laboratory services that are available at no charge through the state department of health and environment;

(B) a third party liability for the medical expense has been established and is available;

(C) the recipient fails to make a good faith effort to establish a third party liability for the medical expense or fails to cooperate with the agency in establishing the liability. Payment of a medical expense may be delayed pending the outcome of a determination concerning third party liability;

(D) the expense is not covered or is only partially covered by an insurance policy because of an insurance program limitation or exclusion;

(E) the recipient failed to notify the provider of services of the recipient's eligibility for the program;

(F) the service is cosmetic, pioneering, experimental, or a result of complications related to such procedures;

(G) the service is related to transplant procedures which are noncovered by the medicaid/medikan program;

(H) the service was provided by a provider not designated as a lock-in provider for any recipient who is locked into designated providers due to abuse or participation in a primary care network. This limitation shall not apply to emergency services or services not provided by the primary care network; or

(I) the service was provided by an unlicensed, unregistered or noncertified provider when licensure, registration or certification is a requirement to participate in the medicaid/medikan program.

(2) Payment for out-of-state services shall be limited to:

(A) Payment on behalf of recipients where medical services are normally provided by medical vendors that are located in the bordering state and within 50 miles of the state border, except for community mental health center services, alcohol and drug abuse services or partial hospitalization services;

(B) emergency services rendered outside the state;

(C) nonemergency services for which prior approval by the agency has been given. Authorization from the agency shall be obtained before making arrangements for the individual to obtain the out-of-state services;

(D) services provided by independent laboratories; and

(E) medical services provided to foster care recipients and medical services in excess of the limitations of the state of residence when approved by the Kansas department of social and rehabilitation services and within the scope of the adoption agreement for those for whom Kansas has initiated adoption support agreements.

(3) The scope of services for adult non-medicaid (non-title XIX) program recipients shall be limited as set forth in K.A.R. 30-5-150 through 30-5-172.

(d) Payment for medical services shall be made after approval when it has been determined by the agency that an agency administrative error has been made. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709, 1990 SB 413; effective May 1, 1981; amended, E-82-11, June 17, 1981; modified, L. 1982, ch. 469, May 1, 1982; amended, T-84-8, March 29, 1983; amended May 1, 1983; amended, T-84-9, March 29, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-15, July 1, 1986; amended, T-87-44, Jan. 1, 1987; amended May 1, 1987; amended, T-88-10, May 1, 1987; amended May 1, 1988; amended July 1, 1989; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-71. Co-payment requirements: (a) Except as set forth in subsection (b), program recipients shall be obligated to the provider for co-payment.

(1) Co-payment for inpatient general hospital services shall be \$25.00 per admission.

(2) Co-payment for outpatient general hospital services shall be \$1.00 per non-emergency visit in place of a doctor's office visit.

(3) Co-payment for inpatient free-standing psychiatric facility services shall be \$25.00 per admission.

(4) Co-payment for other medical services shall be based upon the following ranges:

<i>average medicaid/medikan payment for services</i>	<i>maximum copayment chargeable to recipient</i>
\$10.00 or less	\$.50
\$10.01 to \$25.00	\$1.00
\$25.01 to \$50.00	\$2.00
\$50.01 or more	\$3.00

(5) Other medical services subject to co-payment are:

- (A) Ambulatory surgical center services, per visit;
- (B) audiological services, per office visit;
- (C) chiropractic services, per office visit;
- (D) dental services, per office visit;
- (E) durable medical equipment, per item;
- (F) non-emergency ambulance services, per trip;
- (G) optometric services, per office visit;
- (H) outpatient general hospital, per outpatient surgery;
- (I) prescribed drugs, per new or refill prescription;
- (J) physician services, per office visit;
- (K) podiatric services, per office visit; and
- (L) psychological services, per office visit.

(b) The provisions of subsection (a) shall not apply to services provided:

(1) To residents in intermediate care facilities, intermediate care facilities for the mentally retarded, intermediate care facilities for mental health, skilled nursing facilities, and to recipients participating in the home and community-based services program;

(2) to recipients age 18 to under 22, or age 65 or older, who are inpatients in a state psychiatric facility;

(3) to recipients under 18;

(4) to recipients enrolled in a health maintenance organization;

(5) for family planning purposes;

(6) for medical services relating to an injury incurred on the job during a community work experience project;

(7) that are related to pregnancy; and

(8) as emergency services. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective May 1, 1981; amended May 1, 1982; amended, T-83-38, Nov. 23, 1982; amended May 1, 1983; amended, T-84-36, Jan. 1, 1984; amended May 1, 1984; amended May 1, 1986; amended, T-87-20, Sept. 1, 1986; amended May 1, 1987; amended, T-88-59, Dec. 16, 1987; amended May 1, 1988; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-73. Requirements for facilities to participate.

(a) For medical services provided in community mental health centers, inpatient psychiatric facilities, and general hospitals to be reimbursed by the medicaid/medikan program, they shall be under the effective control of a physician as determined by the agency.

(b) Community mental health centers, inpatient psychiatric facilities, and general hospitals providing medical services reimbursable by the medicaid/medikan program shall have utilization review programs approved by medicare or the agency. Utilization review programs and their

implementation shall be subject to review by the secretary.

(c) Facilities offering medical services shall be licensed or certified by an appropriate Kansas state licensing or certification authority in order to be eligible for reimbursement by the medicaid/medikan program. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective May 1, 1981; amended May 1, 1986; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-81a. Participation in the diagnosis related group reimbursement system. As a prerequisite for participation in the medicaid/medikan program, a general hospital shall participate in the Kansas department of social and rehabilitation services' diagnosis related group reimbursement system. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, E-82-6, May 1, 1981; effective May 1, 1982; amended, T-84-7, May 1, 1983; amended May 1, 1984; amended July 1, 1989; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-82. Scope of rural health clinic services. Rural health clinic services and other ambulatory services shall be provided in medically underserved rural areas, as determined by the census bureau, by medicare-certified rural health clinics. (a) Rural health clinic services shall be provided by a physician, advanced registered nurse practitioner, or physician's assistant under the following conditions:

(1) A physician shall be available at least once every two weeks to supervise the delivery of services and to perform services not in the scope of practice of a registered physician's assistant or advanced registered nurse practitioner as defined in the Kansas statutes.

(2) A physician shall be available at least every 60 days to review the plan of care established for each homebound patient.

(b) Covered services include:

(1) Services and related medical supplies routinely provided in a physician's office and covered by medicare;

(2) other ambulatory services covered by medicaid;

(3) referral to other practitioners who are providers in the medicaid/medikan program for covered services that are not provided by the rural health clinic;

(4) home health nursing services and related medical supplies in the recipient's place of residence in areas where there is no home health agency. Nursing services shall be provided by a registered nurse or a licensed practical nurse under the supervision of a registered nurse. A written plan of treatment shall be established by a physician, a physician's assistant, or an advanced registered nurse practitioner; and

(5) screening and appropriate referral for the Kan Be

(continued)

Healthy program. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective May 1, 1981; amended Jan. 2, 1989; amended July 1, 1989; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-94. Reimbursement for pharmacy services. (a) Pharmacy providers shall be reimbursed for covered pharmacy services on the basis of product acquisition cost plus a professional fee. The submitted charge and payment for covered over-the-counter pharmacy services shall not exceed the lesser of the product acquisition cost plus the professional fee or the usual and customary over-the-counter charge of the pharmacy provider.

(b) The acquisition cost shall include an agency determined maximum allowable cost reimbursement limitation for selected multiple source drugs. The acquisition cost may be limited to a level as established by the secretary.

(c) The professional fee assigned to pharmacy providers shall be based upon each individual pharmacy's historical operating costs, as determined by analysis of data submitted on an annual cost report. The professional fee shall be limited to the lesser of:

(1) The 85th percentile of allocated costs per prescription for all pharmacies filing a cost report, plus a reasonable profit;

(2) usual and customary fee charges of each individual pharmacy, as determined by a prescription survey addendum to the pharmacy cost report;

(3) a factor of 1.075 multiplied by the lowest professional fee accepted by each individual pharmacy provider through participation in any pharmacy services program:

(A) In which partial or total reimbursement is made by a party other than the consumer; and

(B) in which total reimbursement from participation in any such program comprises 5% or more of the total prescription sales, not including sales for medical equipment and supplies, for the pharmacy during their most recently completed fiscal year; or

(4) a rate as established by the secretary.

(d) The agency may elect to further limit the professional fee assignment of individual pharmacy providers through use of a multiple regression analysis based on cost study data from all pharmacy cost reports. Individual pharmacy providers with data which exceeds selected regression analysis norms by a factor greater than a standard deviation of 1.0 shall have allocated cost data relative to the selected norm limited to a value at a standard deviation of 1.0 above the norm.

(e) Completed cost reports, pursuant to the provisions of subsection (c), shall be due on May 1 of each year. Cost reports submitted after May 1 shall be processed and fees assigned within eight weeks from the date received or by August 1, whichever is later. If August 1 occurs within the eight-week period, the pharmacy submitting the cost report shall be assigned a professional fee for the eight-week period that is not greater than the lowest professional fee determined for any Kansas phar-

macy. Delinquent cost reports shall not be accepted after August 15.

(f) Out-of-state pharmacy providers, new Kansas pharmacies, and Kansas pharmacies that were in business for less than six months in the cost reporting period shall not be required to file a cost report and shall be assigned a professional fee determined from mean and average cost data for all pharmacies that file a cost report. If the annual volume of payments to an out-of-state pharmacy provider reaches a substantial level, the filing of a cost report shall be required.

(g) Pharmacy providers involved in an ownership change shall re-apply to the agency to participate in the medicaid/medikan program pursuant to K.A.R. 30-5-59. Pharmacy providers involved in a complete change of ownership shall be assigned an initial professional fee based on cost data from the previous owner's cost report and on weighted mean labor costs per prescription for all pharmacy providers that file a cost report. Pharmacy providers involved in a partial change of ownership shall be assigned the professional fee of the previous pharmacy provider.

(h) In areas where pharmacy services are not available, each physician dispensing prescriptions to program recipients shall be eligible to receive reimbursement for provision of those services after a pharmacy provider number has been issued by the agency pursuant to K.A.R. 30-5-59.

(1) Physicians assigned a pharmacy provider number shall be reimbursed on the basis of product acquisition cost plus a professional fee of \$1.00 per prescription.

(2) Payment shall not apply to injectible drugs not intended for self-administration by the patient except as included in the charge for the professional services of the physician.

(i) Reimbursement shall be made to the pharmacy provider only when the covered service has been prescribed by the recipient's attending practitioner. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended July 1, 1989; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-111. Screening, evaluation, and referral for adult care home services for persons ineligible to participate in the medicaid/medikan program. (a) Each person requesting screening, evaluation, and referral for admission to an adult care home or referral to community-based services shall make application on forms prescribed by the secretary.

(b) The fee for the service shall be the contract rate negotiated between the agency and the performing provider. The fee shall be payable at the time the application for services is approved. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-777, 39,778; implementing

K.S.A. 39-777, 39-778, 1990 SB 413; effective, T-84-25, Oct. 1, 1983; effective May 1, 1984; amended May 1, 1986; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-112. Scope of local health department services.

(a) Local health department services shall be covered for medicaid/medikan recipients.

(b) Covered services shall include the following:

- (1) "Kan Be Healthy" program services;
- (2) family planning services;
- (3) maternal and child health services;
- (4) home health nursing services when home health agency services are not available to the recipient;
- (5) immunizations;
- (6) nursing assessments performed by a registered nurse; and
- (7) services to detect, diagnose and treat specific diseases. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective May 1, 1987; amended May 1, 1988; amended Jan. 2, 1989; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-113. Scope of advanced registered nurse practitioner and registered nurse anesthetist services.

(a) (1) Advanced registered nurse practitioner services shall be covered for medicaid/medikan recipients when provided by an advanced registered nurse practitioner who is certified pursuant to K.A.R. 60-11-103 or who meets criteria in K.A.R. 60-11-103 if practicing out-of-state.

(2) Covered services shall include the following:

- (A) Anesthesia services provided by certified registered nurse anesthetists;
- (B) obstetrical services provided by nurse midwives;
- (C) "Kan Be Healthy" screenings when certified by the department of health and environment; and
- (D) targeted case management services for technology dependent children.

(b) Registered nurse anesthetist services shall be covered for medicaid/medikan recipients when provided by a registered nurse anesthetist who is authorized to practice pursuant to K.S.A. 1989 Supp. 65-1151 and 65-1152. Anesthesia services shall be covered. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective May 1, 1988; amended Jan. 2, 1989; amended Jan. 2, 1990; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-114. Scope of targeted case management services. (a) Targeted case management services shall be covered for medicaid/medikan recipients.

(b) Covered services shall include the following:

- (1) Referral for assessment;
- (2) referral for treatment if appropriate according to the assessment; and

(3) assistance with gaining access to medically necessary services. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective May 1, 1988; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-115. Scope of hospice services. Hospice services shall be covered for medicaid and medikan recipients who have been determined to be terminally ill by a physician and who have filed an election statement with a hospice enrolled to participate in the medicaid/medikan program. Hospice services shall be covered pursuant to Public Law 99-272, section 9505, effective April 7, 1986. Medicare hospice beneficiaries who are also simultaneously eligible for the program and who reside in adult care homes shall have room and board reimbursed. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective July 1, 1989; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-116. Scope of rehabilitation services. Rehabilitation services (behavior management services) shall be covered for medicaid and medikan recipients when provided by a rehabilitation service provider enrolled pursuant to K.A.R. 30-5-59. Services may include: (a) Substance abuse treatment rendered by a facility licensed by the alcohol and drug abuse commission within the Kansas department of social and rehabilitation services and approved by the division of medical programs;

(b) family mental health treatment rendered by a provider recommended by the youth services commission within the Kansas department of social and rehabilitation services and prior authorized;

(c) group mental health treatment rendered by a provider recommended by the youth services commission within the Kansas department of social and rehabilitation services and prior authorized; and

(d) physical therapy, speech pathology or occupational therapy services provided when medically necessary to recipients under the age of 21 and when rendered by physical therapists, speech pathologists or occupational therapists employed by or under contract with enrolled local education agencies which have been approved by the division of medical programs. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective July 1, 1989; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-150. Co-payment requirements for medikan program recipients. Medikan program recipients shall be obligated to the provider for co-payment amounts identical to the co-payment amounts for medicaid program

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recipients pursuant to K.A.R. 30-5-71. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; effective May 1, 1984; amended, T-87-20, Sept. 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-151. Scope of hospital services for medikan program recipients. The scope of hospital services for medikan program recipients shall be identical to the hospital services pursuant to K.A.R. 30-5-81 covered for adult medicaid program recipients with the exception that psychiatric services shall be limited by the secretary to specific diagnoses for medikan program recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, March 29, 1983; amended, T-84-11, July 1, 1983; effective May 1, 1984; amended, T-85-24, Sept. 18, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-152. Scope of rural health clinic services for medikan program recipients. The scope of rural health clinic services for medikan program recipients shall be identical to the rural health clinic services pursuant to K.A.R. 30-5-82 covered for adult medicaid program recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective May 1, 1984; amended May 1, 1988; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-154. Scope of services by community mental health centers for medikan program recipients. The scope of community mental health center services for medikan program recipients shall be identical to the community mental health center services pursuant to K.A.R. 30-5-86 covered for adult medicaid program recipients with the following exceptions: (a) Outpatient psychotherapy shall be limited to 24 hours per calendar year per medikan recipient when provided by a community mental health center, physician, psychologist, or any combination of these providers;

(b) psychological testing shall be prior authorized and limited to six hours in any three consecutive calendar years for medikan recipients; and

(c) targeted case management services and partial hospitalization services shall be limited to amounts specified by the secretary for medikan recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990

through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; effective May 1, 1984; amended May 1, 1987; amended May 1, 1988; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-155. Scope of "Kan Be Healthy" program services for medikan program recipients. "Kan Be Healthy" program services shall not be covered for medikan program recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; effective May 1, 1984; amended Jan. 2, 1989; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-156. Scope of physician services for medikan program recipients. The scope of physician services for medikan program recipients shall be identical to the physician services pursuant to K.A.R. 30-5-88 covered for medicaid program recipients with the exception that outpatient psychotherapy for medikan recipients shall be limited to 24 hours per calendar year per recipient when provided by a physician, psychologist, community mental health center, or any combination of these providers. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, March 29, 1983; amended, T-84-11, July 1, 1983; effective May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1988; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-157. Scope of home health services for medikan program recipients. The scope of home health services for medikan program recipients shall be identical to the home health services pursuant to K.A.R. 30-5-89 covered for adult medicaid program recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; effective May 1, 1984; amended May 1, 1988; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-158. Scope of pharmacy services for adult medikan program recipients. Coverage shall be limited to prescription-only and over-the-counter drugs, supplies and devices that have been accepted for inclusion on any formulary listing for adult medikan program recipients which has been adopted and distributed, by the agency, to eligible providers of service. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing

K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; effective May 1, 1984; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-159. Scope of dental services for medikan program recipients. The scope of dental services for medikan program recipients shall be identical to the dental services pursuant to K.A.R. 30-5-100 covered for adult medicaid program recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; modified L. 1983, ch. 373, May 1, 1983; effective May 1, 1984; amended May 1, 1988; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-160. Scope of chiropractic services for medikan program recipients. The scope of chiropractic services for medikan program recipients shall be identical to the chiropractic services pursuant to K.A.R. 30-5-101 for adult medicaid program recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, March 29, 1983; effective May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-5, May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-161. Scope of podiatric services for medikan program recipients. The scope of podiatric services for medikan program recipients shall be identical to the podiatric services pursuant to K.A.R. 30-5-103 covered for adult medicaid program recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, March 29, 1983; effective May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-5, May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-162. Scope of psychological services for medikan program recipients. The scope of psychological services for adult medikan program recipients shall be identical to the psychological services pursuant to K.A.R. 30-5-104 covered for adult medicaid program recipients with the following exceptions: (a) Outpatient psychotherapy shall be limited to 24 hours per calendar year per medikan recipient when provided by a psychologist, physician, community mental health center, or any combination of these providers;

(b) psychological testing and evaluation shall be limited to six hours in any three consecutive calendar years for medikan recipients; and

(c) targeted case management and partial hospitalization services shall be limited to amounts specified by the secretary for medikan recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; effective May 1, 1984; amended May 1, 1986; amended, T-87-5, May 1, 1986; amended, T-87-20, Sept. 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-163. Scope of hearing services for medikan program recipients. The scope of hearing services for medikan program recipients shall be identical to the hearing services pursuant to K.A.R. 30-5-105 covered for adult medicaid program recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, March 29, 1983; effective May 1, 1984; amended May 1, 1985; amended May 1, 1988; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-164. Scope of ambulance services for adult medikan program recipients. Coverage shall be limited to emergency transportation to a facility where medical services are rendered. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; effective May 1, 1984; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-165. Scope of non-ambulance medical transportation services for adult medikan program recipients. Non-ambulance medical transportation services shall not be covered for adult medikan program recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; effective May 1, 1984; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-166. Scope of durable medical equipment, medical supplies, orthotic and prosthetic services for adult medikan program recipients. Coverage for durable medical equipment and medical supplies shall be limited to services necessary to support life. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; effective May 1, 1984; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

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2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-167. Scope of services in free-standing inpatient psychiatric facilities for medikan program recipients. The scope of services in free-standing inpatient psychiatric facilities for medikan program recipients shall be identical to the free-standing inpatient psychiatric facility services pursuant to K.A.R. 30-5-109 for adult medicaid program recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; effective May 1, 1984; amended May 1, 1988; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-168. Family planning services for medikan program recipients. The scope of family planning services for medikan program recipients shall be identical to the family planning services pursuant to K.A.R. 30-5-88(b)(5) covered for adult medicaid program recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; effective May 1, 1984; amended May 1, 1988; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-169. Scope of partial hospitalization services for medikan program recipients. (a) Partial hospitalization services shall be provided in a community mental health center or a facility affiliated with a community mental health center unless the partial hospitalization services were provided by a program approved by the division of medical programs prior to December 1, 1986.

(b) Supportive partial hospitalization services shall be limited to a maximum of 720 hours per medikan recipient per calendar year.

(c) Crisis stabilization partial hospitalization services shall be limited to a maximum of 960 hours per medikan recipient per calendar year. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; effective May 1, 1984; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended July 1, 1989; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

3-5-170. Scope of services for ambulatory surgical centers for medikan program recipients. The scope of ambulatory surgical center services for medikan program recipients shall be identical to the ambulatory surgical center services pursuant to K.A.R. 30-5-83 covered for adult medicaid program recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April

30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; effective May 1, 1984; amended May 1, 1988; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-171. Scope of substance abuse services for medikan program recipients. The scope of substance abuse services for medikan program recipients shall be identical to the substance abuse services pursuant to K.A.R. 30-5-151 and K.A.R. 30-5-156 covered for adult medicaid program recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; effective May 1, 1984; amended May 1, 1988; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

30-5-172. Scope of optometric services for adult medikan program recipients. Optometric services shall not be covered for adult medikan program recipients. This temporary regulation shall supersede the previous temporary revocation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, 1990 SB 413; effective, T-84-8, April 1, 1983; effective May 1, 1984; revoked, T-30-1-2-90, Jan. 2, 1990; effective, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

Article 6.—MEDICAL ASSISTANCE PROGRAM— CLIENTS' ELIGIBILITY FOR PARTICIPATION

30-6-65. Automatic eligibles. To be automatically eligible for medical assistance, each person shall meet the general eligibility requirements of K.A.R. 30-6-56, 30-6-63 and 30-6-106(c)(2) and shall be: (a) Legally entitled to and receiving SSI benefits and in compliance with the general eligibility requirements of residence;

(b) legally entitled to and receiving state supplemental payments from Kansas related to SSI;

(c) determined by SSA to retain recipient status, although not currently receiving an SSI benefit;

(d) receiving public assistance, excepting emergency assistance, pursuant to article 4 of this chapter. Such recipients shall meet the general eligibility requirement of K.A.R. 30-6-55(d);

(e) not receiving public assistance for one of the following reasons:

(1) The person is eligible for less than \$10.00 of public assistance;

(2) the amount of recovery of an overpayment is greater than the budget deficit; or

(3) the person is eligible using prospective budgeting, but ineligible due to retrospective accounting of income;

(f) included in the assistance plan of a family which was receiving ADC, ADC-FC, or APW in at least three of the six months immediately preceding the month in which the family became ineligible for ADC, ADC-FC, or APW and which became ineligible solely because of increased earned income or increased hours of employment. Such

recipients shall meet the general eligibility requirement of K.A.R. 30-6-55(d). Automatic eligibility for the medical assistance program shall continue for the four months immediately subsequent to the last month in which the family was eligible and legally entitled to receive ADC, ADC-FC, or APW as long as a family member is employed and the family and the person remains ineligible for ADC, ADC-FC, or APW solely because of increased earned income or increased hours of employment. The receipt of an extra pay check due to an additional pay period within a calendar month shall not constitute an increase in earnings;

(g) included in the assistance plan of a family which was receiving ADC, ADC-FC, or APW in at least three of the six months immediately preceding the month in which the family became ineligible for ADC, ADC-FC, or APW as a result, in whole or in part, of collection or increased collection of support. Such recipients shall meet the general eligibility requirement of K.A.R. 30-6-55(d). Automatic eligibility for the medical assistance program shall continue for the four months immediately subsequent to the last month in which the family was eligible and legally entitled to receive ADC, ADC-FC, or APW as long as the family remains ineligible for ADC, ADC-FC, or APW due to such collection or increased collection of support;

(h) mandated to receive inpatient treatment for tuberculosis;

(i) one who is not a public assistance recipient but is receiving maintenance payments from youth services;

(j) included in the assistance plan of a family which became ineligible for ADC, ADC-FC, or APW solely because of the termination of the earned income disregards as provided in K.A.R. 30-4-111(b)(2). Automatic eligibility for the medical assistance program shall continue for the nine months immediately subsequent to the last month in which the family was eligible and legally entitled to receive ADC, ADC-FC, or APW. This automatic eligibility period shall be extended for an additional three months for a KanWork participant and the participant's immediate family;

(k) a non-ADC eligible child who is under 18 years of age and who meets the ADC income and resource requirements pursuant to article 4 of this chapter;

(l) a child born to a mother eligible for and receiving medicaid at the time of birth for a period of up to one year. The child shall remain eligible so long as such mother remains eligible for medicaid and the child remains in the same household with the mother;

(m) a child receiving foster care payments under title IV-E, regardless of the state making payment;

(n) a child for whom an adoption assistance agreement under title IV-E is in effect, even if assistance payments are not being made or the adoption assistance agreement was entered into with another state. Automatic eligibility begins when the child is placed for adoption even if an interlocutory decree of adoption or a judicial decree of adoption has not been issued;

(o) a child for whom a non-title IV-E adoption assistance agreement is in effect between the state and the adoptive parents and who cannot be placed without medical assistance because the child has special needs for medical or rehabilitative care; or

(p) a KanWork participant and the participant's family who:

(1) Has received ADC or APW in three of the six months immediately preceding the first month of transitional medical services;

(2) has lost eligibility for ADC or APW beginning in or after January 1990 due solely to increased earned income or hours of employment; and

(3) has not been rendered ineligible for assistance as a result of a fraud determination at any time during the six months immediately preceding the first month of transitional medical services.

(A) Assistance under this provision shall be initially provided to persons for a period not to exceed six months provided that the individual continues to be a resident of the state and provides ongoing status reports as may be required by the secretary.

(B) Assistance shall be provided for an additional six-month period of time provided the individual continues to be a resident of the state, provides ongoing status reports as may be required by the secretary and continues employment. Assistance shall be terminated when the person's gross earned income, less the cost of child care, exceeds 185% of the official federal poverty income guidelines. Persons who are not otherwise eligible for medicaid without a spenddown and who have gross earned income, less the cost of child care, that exceeds 100% of the official federal poverty income guidelines shall be responsible for contributing to the payment of the cost for medical coverage. This temporary regulation shall supersede the previous temporary regulation which took effect on January 2, 1990. This regulation shall be effective from and after January 2, 1990 through April 30, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709, 39-7,103, 1990 SB 413; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-84-8, March 29, 1983; amended May 1, 1983; amended, T-84-9, March 29, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended, T-85-34, Dec. 19, 1984; amended May 1, 1985; amended, T-86-19, July 1, 1985; amended May 1, 1986; amended, T-87-5, May 1, 1986; amended, T-87-15, July 1, 1986; amended, T-87-29, Nov. 1, 1986; amended, T-87-44, Jan. 1, 1987; amended May 1, 1987; amended, T-88-10, May 1, 1987; amended, T-88-14, July 1, 1987; amended May 1, 1988; amended, T-30-7-29-88, July 29, 1988; amended Sept. 26, 1988; amended Oct. 1, 1989; amended Jan. 2, 1990; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990.)

Winston Barton
Secretary of Social and
Rehabilitation Services

Doc. No. 008960

State of Kansas

Legislature

Legislative Bills Introduced

The following numbers and titles of bills and resolutions have been recently introduced in the 1990 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.

Bills introduced March 15-21:

House Bills

HB 3086, by Committee on Appropriations: An act establishing the overhead power line accident prevention act.

HB 3087, by Committee on Appropriations: An act concerning the department of social and rehabilitation services; relating to office hours of intake offices; amending K.S.A. 39-708c and repealing the existing section.

HB 3088, by Committee on Appropriations: An act making and concerning appropriations for the fiscal years ending June 30, 1990, and June 30, 1991, for the department of social and rehabilitation services; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

HB 3089, by Committee on Taxation: An act concerning public improvements within Sedgwick county; relating to the creation of benefit districts; assessing costs upon the property specially benefited; and providing for financing of such improvements.

HB 3090, by Committee on Appropriations: An act amending the health care provider insurance availability act with respect to certain persons engaged in residency training; amending K.S.A. 1989 Supp. 40-3401, 40-3402, 40-3403, 40-3404 and 40-3414 and repealing the existing sections.

HB 3091, by Committee on Appropriations: An act concerning the community corrections act; relating to discontinuance of certain community corrections services; amending K.S.A. 75-52,111 and repealing the existing section.

HB 3092, by Committee on Appropriations: An act concerning the compensation of district magistrate judges; amending K.S.A. 75-3120k and repealing the existing section.

HB 3093, by Committee on Appropriations: An act repealing K.S.A. 20-301b; relating to requiring at least one judge in each county.

HB 3094, by Committee on Appropriations: An act repealing K.S.A. 75-3120l; relating to percentage increases in annual salaries of justices and judges.

HB 3095, by Committee on Taxation: An act concerning health and environment; hazardous wastes; fees; amending K.S.A. 65-3437 and K.S.A. 1989 Supp. 65-3431 and repealing the existing sections.

HB 3096, by Committee on Appropriations: An act making and concerning appropriations for the fiscal year ending June 30, 1991, for the Winfield state hospital and training center; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

Senate Bills

SB 774, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal year ending June 30, 1991, for the Winfield state hospital and training center; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

SB 775, by Committee on Federal and State Affairs: An act enacting the auctioneers license law; providing for the licensure of auctioneers; creating the board of auctioneers and providing for the powers, duties and functions thereof; declaring certain acts to be unlawful and providing penalties for violations; amending K.S.A. 75-3170a and repealing the existing section.

SB 776, by Committee on Ways and Means: An act enacting the farm animal and research facilities protection act; prohibiting certain acts with regard to certain animal facilities and providing penalties and remedies therefor.

SB 777, by Committee on Ways and Means: An act relating to property taxation; concerning aggregate tax levy limitations; amending K.S.A. 2-129i, 12-110b, 12-1680, 12-1688, 13-14,112, 19-101d, 19-436, 19-15,142, 19-1930, 19-2122, 19-2651, 19-2698, 19-27,156, 19-2881a, 19-28,112, 19-3905, 19-4102, 19-4443, 19-4485, 20-356, 25-2201a, 27-322, 44-710e, 65-4060, 68-5,100, 75-1122, 75-6110, 75-6113, 79-1482, 79-1607, 79-1946, 79-1947b, 79-2005, as amended by section 3 of 1989 Special Session House Bill No. 2001, 79-5021, 79-5022, 79-5024, 79-5025, 79-5026, 79-5028, 79-5032, 79-5036 and 82a-1425 and K.S.A. 1989 Supp. 2-162, 2-1318, 12-1257, 12-16,102, 12-1933, 13-13a23, 13-13a26, 19-4606, 40-2305, 65-204, 65-3327, 65-6113, 71-301, 74-4920, 74-4967 and 74-5057 and repealing the existing sections; also repealing K.S.A. 12-4803, 13-10,143, 79-5028a and 79-5035.

SB 778, by Committee on Federal and State Affairs: An act concerning abortion; defining and classifying the crime of criminal abortion; repealing K.S.A. 21-3407.

SB 779, by Committee on Federal and State Affairs: An act concerning the governor's residence advisory commission; amending K.S.A. 75-130 and repealing the existing section.

SB 780, by Committee on Ways and Means: An act authorizing exchange of real property and improvements thereon and lease, grant and retention of easements and interests in real property in Reno county; duties of secretary of corrections; contract provisions; Kansas state industrial reformatory.

SB 781, by Committee on Ways and Means: An act concerning fire safety and prevention; relating to the construction of school buildings; amending K.S.A. 31-150 and repealing the existing section.

SB 782, by Committee on Ways and Means: An act imposing an excise tax on personal property inventories; providing for the administration, collection and enforcement thereof and providing penalties for violations; amending K.S.A. 79-2959 and repealing the existing section.

House Resolutions

HR 6054, by Representative Lacey: A resolution congratulating and commending Ty Lewis on winning the High Jump at the AAU National Indoor Track and Field Championships.

HR 6055, by Representative Lacey: A resolution congratulating and commending Mamie Stice on her 100th birthday.

HR 6056, by Representative Crowell: A resolution congratulating Don and Maxine Dale on their impending 50th wedding anniversary.

HR 6057, by Representative Sprague: A resolution congratulating and commending McPherson High School for winning the sportsmanship trophy in the 1990 boys' Class 5A State Basketball Championship.

HR 6058, by Representative Sprague: A resolution congratulating and commending the McPherson High School boys' basketball team and Coach Mike Henson for winning the 1990 Class 5A State Basketball Championship in Kansas.

HR 6059, by Committee on Agriculture and Small Business: A resolution proclaiming March 20, 1990, as "Agriculture Day."

HR 6060, by Representative Samuelson: A resolution congratulating and commending the Moundridge High School boys' basketball team and Coach Vance Unrau for winning the 1990 Class 2A State Basketball Championship in Kansas.

HR 6061, by Representative Amos: A resolution urging the Kansas State High School Activities Association to award the Championship Trophy to the Shawnee Mission South boys' Class 6A High School basketball team.

HR 6062, by Representative Bunten: A resolution congratulating and commending the First United Methodist Church, Topeka, Kansas, on its 135th anniversary.

HR 6063, by Representative Reardon: A resolution congratulating and commending the Bishop Miega High School girls' basketball team and Coach Terry English for winning the 1990 Class 5A State Basketball Championship in Kansas.

HR 6064, by Representative Branson: A resolution in memory of Buford Watson.

HR 6065, by Representative Guldner: A resolution in memory of Don Christy.

HR 6066, by Representative Littlejohn: A resolution congratulating and commending the Northern Valley High School boys' basketball team and Coach Doug Reusink for winning the 1990 Class 1A State Basketball Championship in Kansas.

HR 6067, by Representatives Heinemann and Moomaw: A resolution congratulating and commending Garden City Community College and its Criminal Justice Advisory Council on being recognized as one of the best community-education cooperative programs in the nation.

Senate Concurrent Resolutions

SCR 1642, by Senator Burke: A proposition to amend section 1 of article 11 of the constitution of the state of Kansas, relating to the taxation of property.

SCR 1643, by Committee on Education: A concurrent resolution commending and endorsing commitment of the National Geographic Society Geography Education Program and State Geographic Alliances to the goal of rekindling interest and enthusiasm for geography education; commending schools, colleges and universities which are providing quality geography education programs and urging others to strengthen efforts at improving geographic literacy of Kansas students.

Senate Resolutions

SR 1827, by Senator Vidricksen: A resolution congratulating and commending the Philips Lighting Company on producing its one billionth lamp.

SR 1828, by Senator Frahm: A resolution in memory of Don Christy.

SR 1829, by Senator Winter: A resolution in memory of Buford Watson.

SR 1830, by Senator Sallee: A resolution congratulating and commending the Midway-Denton High School girls' basketball team and Coach Garry Smith for winning the 1990 Class 1A State Basketball Championship in Kansas.

SR 1831, by Committee on Agriculture: A resolution proclaiming March 20, 1990, as "Agriculture Day."

SR 1832, by Senator Petty: A resolution congratulating and commending the First United Methodist Church, Topeka, Kansas, on its 135th anniversary.

Doc. No. 009008

State of Kansas

Attorney General

Opinion No. 90-27

Roads and Bridges; Roads—County and Township Roads—Maintenance of Waterway Along Township Road. Leon Stricker, Trustee, Lincoln Township, Russell, March 15, 1990.

Under K.S.A. 65-115, townships are responsible for keeping open road drainage ditches they construct on private property. The statute gives the township trustee broad discretion in determining when ditch clearing operations are "necessary." Nevertheless, the courts have granted injunctive relief in cases where inaction by local road officials resulted in a nuisance to private landowners. The question of whether trees and brush in a drainage ditch constitute a nuisance to abutting landowners is one of fact for a court to decide if the landowner's bring a cause of action against the township. Cited herein: K.S.A. 68-115; 75-6103; 75-6104. JLM

Opinion No. 90-28

Procedure, Civil, For Limited Actions—Small Claims Procedure—Trial of Actions; County as Party; Representation of County. Vernon Steerman, Osborne County Attorney, Osborne, March 15, 1990.

Where a filing otherwise complies with the requirements of K.S.A. 61-2701 *et seq.*, the board of county commissioners may authorize representation of the county in small claims proceedings by a full-time salaried employee other than the county attorney. Cited herein: K.S.A. 19-101; 19-212; 19-701; 61-2701; K.S.A. 1989 Supp. 61-2703; 61-2704; 61-2707; K.S.A. 77-201. TMN

Opinion No. 90-29

Corporations—Credit Unions—Directors to Elect Officers; Duties of Board; Compensation. William A. Kasting, Administrator, Kansas State Department of Credit Unions, Topeka, March 15, 1990.

Members of a credit union's board of directors, credit committee or supervisory committee may not be compensated for performing duties in such capacities; however, reimbursement for incidental expenses may be paid as authorized by statute. Directors and committee members who are bona fide employees performing duties separate and apart from those prescribed by statute for directors and committee members may be compensated for their services. Cited herein: K.S.A. 17-2209; 17-2210; K.S.A. 1989 Supp. 17-2211. MWS

Opinion No. 90-30

Constitution of the State of Kansas—Education—State Board of Education and State Board of Regents; Outcomes-Based Accountability System; 1990 Senate Bill No. 456.

Constitution of the State of Kansas—Legislative—Legislative Power; Outcomes-Based Accountability System; 1990 Senate Bill No. 456. Senator Nancy Parrish, 19th District, Topeka, March 16, 1990.

Under Article 6, § 2 of the Kansas Constitution, the State Board of Education has the power of "general supervision" of public schools, educational institutions and all the educational interests of the state, except educational functions delegated by law to the State Board of Regents. The power of "general supervision" is deemed to be limited to matters which will equalize and promote the quality of education for the students of this state, including such matters as the accreditation of schools, certification of school personnel, and establishment of minimum curriculum and graduation requirements. As to those matters, the State Board of Education may alter, amend, waive, revoke or adopt rules and regulations without submitting those rules and regulations to legislative review.

As to those matters beyond the bounds of "general supervision," an express legislative delegation of authority, accompanied by adequate standards and guidelines, must exist before the State Board of Education may legislate in those areas. Rules and regulations regarding such matters are subject to legislative review and may only be altered, amended, waived, revoked or adopted by following the procedure set forth by state statute.

The Legislature has authorized the State Board of Education to administer matters beyond the bounds of "general supervision." Therefore, the authority to waive "any requirements of law [administered by the state board] or of rules and regulations of the state board," conferred upon the State Board of Education in 1990 Senate Bill No. 456, would permit the State Board of Education to legislate in areas beyond the realm of "general supervision" and to waive rules and regulations without submitting them to legislative review and without sufficient guidelines. Such a delegation of authority constitutes a violation of article 2, § 1 of the Kansas Constitution. Cited

(continued)

herein: K.S.A. 72-963; 72-1106; 72-1206; 72-4518; 72-4921; 72-5017; 72-5113; 72-6202; K.S.A. 1989 Supp. 72-7043; 72-7045; 72-7047; 72-8803; 72-9403; 72-9504; K.S.A. 72-9603; K.S.A. 1989 Supp. 72-9903; Kan. Const., Article 2, § 1; Article 6, § 1; Article 6, § 2. RDS

Opinion No. 90-31

Taxation—Property Valuation, Equalizing Assessments, Appraisers and Assessment of Property—Utilization of Valuations Established in County-Wide Reappraisals. Representative Clyde D. Graeber, 41st District, Leavenworth, March 16, 1990.

K.S.A. 79-1451 does not prevent use of valuations established by statewide reappraisal even though the Board of Tax Appeals has ordered a second reappraisal in one or more counties. That statute was enacted to correct a situation in existence at the time of its enactment (1978) and has been effectively superseded by the provisions of K.S.A. 79-1476. An order of the Board of Tax Appeals to reappraise in one or more counties does not affect the school district equalization act formula. Cited herein: K.S.A. 1989 Supp. 72-7040; 72-7042; K.S.A. 79-1413a; 79-1451; 79-1476. JLM

Opinion No. 90-32

Drainage and Levees—Drainage Districts Within Counties or Cities; Drainage Act of 1905 and Amendments—Organization of Drainage Districts. Representative R. D. Miller, 110th District, Russell, March 16, 1990.

K.S.A. 24-401 *et seq.* authorize a drainage district, organized pursuant to the act, to prohibit or limit discharges into a drainage ditch that prevent its maintenance. The drainage district is authorized by statute to maintain suits to enforce the reasonable orders of its directors and thus includes the ability to seek an injunction to this effect, thus obviating the need for 1990 House Bill No. 2623. Cited herein: K.S.A. 24-401 *et seq.*; 24-407; 24-429; 24-434. GE

Opinion No. 90-33

Minors—Kansas Code for Care of Children—Filing of Petition on Referral by SRS or Other Person; Filing by Individual—Duties of County or District Attorney to Represent SRS. Terry P. Todd, Montgomery County Attorney, Independence, March 19, 1990.

The Kansas Code for the Care of Children provides that an individual or the county or district attorney may initiate a child in need of care petition. Under either statutory provision the duties of Social and Rehabilitation Services are investigative and/or custodial. During presentation of the case, the role of an SRS employee is that of a witness. A county or district attorney is not under a duty to represent an SRS employee during the presentation of a child in need of care case whether the case is presented by an individual or the county or district attorney. CN

Robert T. Stephan
Attorney General

Doc. No. 009007

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking the services of qualified consultant engineering firms for the following projects:

Johnson—35-46 K-4088-01—Perform a comprehensive engineering study for the expansion of I-35 from four lanes to six lanes from the I-35/U.S. 169/K-7 interchange northeast to the I-35/K-150 interchange. Also, develop plans to determine right of way requirements, relocate Burlington Northern Railroad spur, and correct slide failure conditions on the northwest side of I-35 between the I-35/U.S. 169/K-7 interchange and the I-35 structure over the Burlington Northern mainline tracks.

Montgomery—75-63 K-4082-01—Develop plans to reconstruct U.S. 75 from Laurel Street east to 21st Street in Independence. Includes replacement of railroad bridge No. 007 over U.S. 75 and drainage south of the railroad bridge. Also includes railroad signals at Laurel Street.

Reno/Sedgwick—96-106 K-4234-01—Develop a feasibility study and environmental analysis for the expansion of the existing K-96 two-lane facility to a divided four-lane facility between Hutchinson and Wichita. Funding for this effort is limited to the amount provided by a special federal funding allocation.

Statewide Service—106 K-4091-01—Contract with one or more prequalified firms to provide bridge inspection services on structures with potential scour problems. The service will consist primarily of underwater inspection through the use of divers.

Statewide Service—Contract with one or more prequalified surveying firms to provide the following services on a time and material plus percentage fee contract. Performance of survey work on projects prescribed by K.D.O.T. on an as-required basis. Work will be authorized by work order and charged to preapproved K.D.O.T. project authorizations.

Statewide Service—Contract with one or more prequalified hazardous waste investigation firms to provide the following services on a time and material plus percentage fee contract. Work will be authorized by a work order and charged to preapproved K.D.O.T. project authorizations. Investigations will include leaking underground storage tanks, heavy metal concentrations, soil gases and other hazardous waste areas.

Firms expressing interest in these projects must respond in writing and complete the Consulting Engineers Qualification Questionnaire (if not already prequalified) by April 5.

It is the policy of K.D.O.T. to use the following criteria as the basis for selection of engineering consulting 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 record.

Horace B. Edwards
Secretary of Transportation

Doc. No. 008973

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties 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, 1990, and then publicly opened:

District One—Northeast

Nemaha—66 C-2531-01—County road, 7.5 miles south and 2.4 miles west of Centralia, then west, 0.1 mile, grading and bridge. (Federal Funds)

Wyandotte—35-105 K-2848-01—I-35, bridge 18, Adams Street and bridge 19, Cambridge Street in Kansas City, 0.3 mile, bridge repair. (State Funds)

Wyandotte—35-105 K-3467-01—I-35, approaches to bridge 13, 1.6 miles northeast of U.S. 69, pavement reconstruction. (State Funds)

Wyandotte—35-105 K-3467-02—I-35, bridge 13 over Mission Road, 1.6 miles north of U.S. 69, bridge overlay. (State Funds)

District Two—Northcentral

Saline—135-85 K-4235-01—I-135, 0.3 mile north of the junction of K-104, then north to the junction of I-70, 9.5 miles, patching. (State Funds)

Washington—148-101 K-0932-01—K-148, Horseshoe Creek bridge 22, 7.7 miles north of U.S. 36, 0.6 mile, bridge replacement. (Federal Funds)

Washington—101 C-2516-01—County road, 1.8 miles west and 8.8 miles north of Vining, then north, 0.1 mile, grading. (Federal Funds)

District Three—Northwest

Ellis—26 C-2712-01—County road, 1.5 miles east and 2.5 miles south of Hays, then north, 0.4 mile, grading and bridge. (Federal Funds)

Trego—70-98 K-3992-01—I-70, from the Gove-Trego county line east to the Ellsworth-Russell county line, 92.0 miles, signing. (State Funds)

Trego—98 C-2440-01—County road, 7 miles west and 13.7 miles south of WaKeeney, then south, 0.7 mile, grading. (Federal Funds)

District Four—Southeast

Cherokee—69A-11 K-3158-01—U.S. 69 Alternate (9th Street to 14th Street); U.S. 166 (west 1/2 block) in Baxter Springs, 0.4 mile, overlay. (State Funds)

Montgomery—63 U-0842-01—First Street at Sycamore Creek in Coffeyville, 0.1 mile, bridge replacement. (Federal Funds)

Neosho—39-67 K-3628-01—K-39, from 180 feet west of Wilson Street west 1600 feet in Chanute, 0.3 mile, surfacing. (State Funds)

District Five—Southcentral

Barton—156-5 K-3978-01—K-156, bridge 12 over K-4, Missouri Pacific Railroad east of Claflin, bridge overlay. (State Funds)

Barton—281-5 K-3983-01—U.S. 281, Arkansas River bridge 71, 0.7 mile south of U.S. 56, bridge repair. (State Funds)

Barton—281-5 K-3984-01—U.S. 281, Dry Walnut Creek bridge 15, 0.5 mile north of U.S. 281 Alternate, bridge overlay. (State Funds)

Harvey—15-40 K-3943-01—K-15, northbound bridge 62 over I-135 southbound and U.S. 50 eastbound in Newton, bridge repair. (State Funds)

Reno—78 C-2322-01—County road, from Yoder, north, 3.1 miles, grading and surfacing. (Federal Funds)

Sedgwick—87 U-1292-01—Meridian Avenue and 31st Street in Wichita, traffic signal. (Federal Funds)

District Six—Southwest

Scott—86 C-2741-01—County road, 0.5 mile south and 1.0 mile west of Shallow Water, then west, 1.0 mile, surfacing. (Federal Funds)

Scott—86 C-2742-01—County road, 0.5 mile south and 2.0 miles west of Shallow Water, then west, 1.0 mile, surfacing. (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 because 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 projects 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. 008974

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking the services of qualified consultant engineering firms for the following project:

Wabaunsee—70-99 K-4089-01—Develop comprehensive studies for the reconstruction of the rest areas located in the median of I-70 approximately 25 miles west of Topeka. The study shall determine the feasibility of development of a single rest area facility to serve both eastbound and westbound traffic. The redevelopment will involve the design of new facilities—comfort station and shelters—and should consider the integration of existing drives and parking. Alternatives and cost estimates shall be presented for consideration.

Firms expressing interest in this project must respond in writing and complete the Consulting Engineers Qualification Questionnaire (if not already prequalified) by April 12.

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

Horace B. Edwards
Secretary of Transportation

Doc. No. 009006

(Published in the Kansas Register, March 29, 1990.)

**Summary Notice of Bond Sale
City of Goddard, Kansas**

\$258,211.21

**General Obligation Bonds, Series A, 1990
(general obligation bonds payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the notice of bond sale and preliminary official statement dated April 4, 1990, sealed bids will be received by the city clerk of the city of Goddard, Kansas, on behalf of the governing body at the City Hall, 122 N. Main, Goddard, until 7:30 p.m. C.D.T. on April 16, 1990, for the purchase of \$258,211.21 principal amount of General Obligation Bonds, Series A, 1990. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$3,211.21. The bonds will be dated May 1, 1990, and will become due serially on November 1 in the years as follows:

Year	Principal Amount
1991	\$18,211.21
1992	25,000.00
1993	25,000.00

1994	25,000.00
1995	25,000.00
1996	25,000.00
1997	25,000.00
1998	30,000.00
1999	30,000.00
2000	30,000.00

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on May 1, 1991.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$5,164.22 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before May 30, 1990, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1989 is \$10,982,155. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$1,557,211.21.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, Jackilyn A. Rundell, Goddard, KS 67052, (316) 794-2441; or from the financial advisor, Kirchner Group, a division of George K. Baum & Company, One Main Place, Suite 810, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 264-9351.

Dated April 4, 1990.

City of Goddard, Kansas

Doc. No. 009012

State of Kansas
Public Employee Relations Board

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 1 p.m. Wednesday, May 16, in the second floor conference room, 1430 Topeka Blvd., Topeka, to consider the adoption of proposed changes in existing rules and regulations of the Public Employee Relations Board.

This 30-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Public Employee Relations Board, 1430 Topeka Blvd., Topeka 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

These regulations are proposed for adoption on a permanent basis. A summary of the proposed regulations and their economic impact follows:

K.A.R. 84-1-1 et seq. Generally, the amendments to these regulations align procedures established by the Public Employee Relations Board with the requirements of the Kansas Administrative Procedures Act, K.S.A. 77-501 et seq. Additionally, the amendments clarify conflicting and ambiguous regulations and bring the regulations into compliance with present format, language and style requirements.

K.A.R. 84-2-1(d). Service by the board. Amendments to this regulation remove the requirement of the board serving all parties with all papers filed with the board.

K.A.R. 84-2-4. Authorization Cards; acceptability. Amendments to this regulation extend from 180 days to one year the time a showing of interest card or petition signed by an employee constitutes prima facie evidence of authorization and provides the date to be used is the date of filing the petition for certification. Other amendments remove the requirement that the employee's Social Security number appear upon the showing of interest card or petition.

K.A.R. 84-2-5 and 84-2-11. Amendments to these regulations reconcile a conflict between the two regulations and clarifies that the addresses that may be released include the employee's work site and home address.

Employee organizations and public employers could experience some increases in costs resulting from the requirements imposed by the Kansas Administrative Procedures Act; however, the potential economic impact cannot be quantified because of the number of organizations and employers involved and the non-uniformity of costs between these entities. The Public Employee Relations Board, private citizens and consumers will not be directly affected by these regulations.

Copies of the regulations and the economic impact statement may be obtained from the Department of Human Resources, Division of Administration and Legal

Services, 427 Topeka Blvd., Topeka 66603, (913) 296-4902.

Ray Siehndel
Secretary of Human Resources

Doc. No. 008989

(Published in the *Kansas Register*, March 29, 1990.)

Notice of Call for Redemption
to the holders of
City of Wichita, Kansas
Industrial Revenue Bonds
Series XVIII, 1981
(Electro-Mech, Inc.)

Notice is hereby given that pursuant to Section 5 of Ordinance No. 37-593 of the city of Wichita, Kansas, all of the above-mentioned bonds maturing on and after November 1, 1990, and all unmatured coupons appertaining thereto, have been called for redemption and payment on May 1, 1990, at the office of the First National Bank in Wichita, Wichita, Kansas (the paying agent).

Bond Nos.	Maturity Date	Principal Amount	Interest Rate
79-96	11-1-90	90,000.00	13.00%
97-117	11-1-91	105,000.00	13.25%
118-140	11-1-92	115,000.00	13.50%

On such redemption date there shall become due and payable, upon the presentation and surrender of each such bond, the redemption price thereof equal to 103 percent of the principal amount of each bond together with interest accrued to the redemption date, upon the presentation and surrender of each such bond and appropriate coupons appertaining thereto. Interest shall cease to accrue on the bonds so called for redemption, and all unmatured coupons appertaining thereto, from and after May 1, 1990, subject to the condition that sufficient funds for redemption are then on deposit with the paying agent from the proceeds of the refunding bonds issued by the city.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the 1981 bonds who wish to avoid the imposition of the tax should submit certified taxpayer identification numbers when presenting the bonds for payment.

Dated March 29, 1990.

City of Wichita, Kansas
By: First National Bank in Wichita
as Trustee

Doc. No. 008994

(Published in the Kansas Register, March 29, 1990.)

**Notice of Redemption
Johnson County, Kansas
Single Family Mortgage Revenue Bonds
1980 Series A**

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated May 1, 1980, \$3,575,000 principal amount of the bonds are called for redemption May 1, 1990, at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date. This notice was first published on Thursday, March 29, 1990, in the *Kansas Register* and *The Bond Buyer*.

The serial numbers of the bearer bonds to be redeemed are as follows: Note: Coupons due May 1, 1990, should be presented in the normal manner. Coupons due November 1, 1990, and all subsequent coupons must be attached to bonds called for redemption.

Due May 1, 1991: CUSIP 478747-AL	1402, 1437, 1453, 1483, 1516, 1581, 1600
Due May 1, 1992: CUSIP 478747-AM	1635, 1669, 1678, 1711, 1760, 1763, 1801, 1823, 1850, 1884, 1897
Due May 1, 1993: CUSIP 478747-AN	1913, 1948, 1990, 2013, 2031, 2032, 2064, 2099, 2136, 2179, 2185, 2208
Due May 1, 1994: CUSIP 478747-AP	2223, 2264, 2318, 2350, 2366, 2378, 2414, 2416, 2458, 2479, 2508, 2559
Due May 1, 1995: CUSIP 478747-AQ	2576, 2614, 2631, 2639, 2670, 2704, 2831, 2898, 2938, 2949
Due May 1, 1996: CUSIP 478747-AR	2963, 2966, 3005, 3044, 3092, 3099, 3107, 3112, 3125, 3131, 3151, 3160, 3210, 3367, 3370, 3382, 3383

**Due May 1, 1999:
CUSIP 478747-AU**

3420	3576	3961	4301	4445	4768	4877
3441	3861	4041	4322	4458	4776	4937
3459	3873	4079	4328	4615	4796	4940
3525	3949	4169	4330	4710	4804	4969
3547	3955	4268	4396	4752	4813	

**Due May 1, 2011:
CUSIP 478747-AV**

5163	8243	10437	13051	14597	17213	18589
5329	8279	10855	13235	14706	17436	18735
5471	8308	10894	13262	14775	17461	18759
5472	8329	10912	13267	14779	17516	18769
5848	8359	10913	13278	14786	17611	18816
5877	8416	11127	13335	14906	17683	18820
5890	8475	11148	13473	14935	17781	18821
6328	8599	11155	13597	14969	17782	18896
6344	8746	11265	13635	14990	17809	18905
6602	8906	11270	13665	14992	17834	18936
6662	8985	11274	13880	15012	17854	19238
6672	9121	11290	13888	15155	17879	19660
6981	9129	11483	14056	15253	17885	19676
7142	9204	11487	14060	15718	17914	19765
7176	9240	11490	14101	15833	17997	19774
7267	9339	11559	14200	15921	18061	19867
7789	9852	11634	14335	16168	18086	19893
7818	9875	11722	14445	16232	18161	20022
7840	9883	12201	14453	16314	18172	20053
7875	9898	12612	14457	16318	18187	20072
8012	10105	12715	14470	16921	18308	
8016	10347	12717	14568	16930	18386	
8056	10424	12770	14582	17108	18400	
8059	10427	12775	14587	17207	18462	

The numbers of the registered bonds to be partially or fully redeemed in the amounts described below are as follows:

**Due May 1, 1991:
CUSIP 478747-AL**

<u>Registered Bond Number</u>	<u>Amount Called</u>
R324	\$ 5,000
R687	5,000

**Due May 1, 1994:
CUSIP 478747-AP**

<u>Registered Bond Number</u>	<u>Amount Called</u>
R752	\$ 5,000

**Due May 1, 1995:
CUSIP 478747-AQ**

<u>Registered Bond Number</u>	<u>Amount Called</u>
R707	\$ 5,000
R734	10,000
R735	5,000

**Due May 1, 1999:
CUSIP 478747-AU**

<u>Registered Bond Number</u>	<u>Amount Called</u>
R 11	\$ 5,000
R 80	5,000
R185	5,000
R748	120,000
R775	5,000

**Due May 1, 2011:
CUSIP 478747-AV**

<u>Registered Bond Number</u>	<u>Amount Called</u>
R145	5,000
R353	5,000
R414	5,000
R454	5,000
R479	5,000
R502	10,000
R503	5,000
R505	5,000
R516	5,000
R568	5,000
R638	5,000
R656	5,000
R691	5,000
R709	5,000
R715	10,000
R716	5,000
R717	5,000
R724	830,000
R725	870,000
R726	145,000
R743	5,000
R750	5,000
R756	20,000
R772	5,000
R774	90,000

Payment of the redemption price of the bearer bonds and the registered bonds to be redeemed will be made at Security Bank of Kansas City, One Security Plaza, Kansas City, KS 66117. To avoid a 20 percent backup withholding required by the Interest and Dividend Tax Act of 1983, bondholders should submit certified taxpayer identification numbers on I.R.S. Form W-9 when presenting their securities for redemption.

Notice is hereby given that on and after May 1, 1990, interest on the bonds shall cease to accrue.

Security Bank of Kansas City
Kansas City, Kansas, Trustee

Doc. No. 008996

(Published in the *Kansas Register*, March 29, 1990.)

(Published in the *Kansas Register*, March 29, 1990.)

**Notice of Call for Redemption
Industrial Revenue Bonds
(Gene F. Winkler, a Sole Proprietor
doing business as**

**Gene's Tire and Service Center)
Series 1981, Dated November 1, 1981 of the
City of Marion, Kansas**

**Notice of Redemption
Kansas City, Kansas
Single Family Mortgage Revenue Bonds
1980 Series A**

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated May 1, 1980, \$1,235,000 principal amount of the bonds are called for redemption May 1, 1990, at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date. This notice was first published on Thursday, March 29, 1990, in the *Kansas Register* and *The Bond Buyer*.

The serial numbers of the bearer bonds to be redeemed are as follows: Note: Coupons due May 1, 1990, should be presented in the normal manner. Coupons due November 1, 1990, and all subsequent coupons must be attached to bonds called for redemption.

- Due May 1, 1991: 635, 645, 658, 662, 672
CUSIP 484770-BG
- Due May 1, 1992: 741, 747, 761, 770, 775, 786
CUSIP 484770-BH
- Due May 1, 1993: 860, 865, 868, 928, 929, 933
CUSIP 484770-BJ
- Due May 1, 1994: 961, 972, 1014, 1020, 1029, 1049, 1061
CUSIP 484770-BK
- Due May 1, 1995: 1098, 1111, 1128, 1154, 1168, 1181, 1183, 1210
CUSIP 484770-BM
- Due May 1, 1996: 1250, 1261, 1272, 1304, 1311, 1341, 1356, 1378
CUSIP 484770-BN
- Due May 1, 1999: 1406, 1414, 1426, 1433, 1453, 1674, 1691, 1738, 1774, 1791, 1801, 1834, 1836, 1837, 1849, 1870, 1880, 1905, 1913, 1953, 1963
CUSIP 484770-BP

Notice is hereby given that pursuant to the provisions of Section 4 of Ordinance No. 980 of the city of Marion, Kansas, all of the outstanding Industrial Revenue Bonds, Series A, 1981 (Gene's Tire and Service Center), maturing on and after November 1, 1990, have been called for redemption and payment on May 1, 1990, at the offices of the Southwest National Bank of Wichita, Trust Department, P.O. Box 1401, Wichita, KS 67201.

Bond Numbers	Interest Amount	Interest Rate	Maturity Date
15-17	\$15,000	11.75%	November 1, 1990
18-23	30,000	12.00%	November 1, 1991

This notice of redemption, and the payment of the principal of and interest on the aforesaid 1981 bonds on the specified redemption date, are subject to the funds being provided by the tenant to pay the specified redemption price of the 1981 bonds. In the event the funds are not provided by the redemption date, this notice shall be null and void and of no force and effect, the 1981 bonds delivered for redemption shall be returned to the respective owners thereof, and said 1981 bonds shall remain outstanding as though the notice of redemption had not been given.

On such redemption date, provided that funds are on hand to pay the specified redemption price, there shall become due and payable on each of the above-mentioned bonds the redemption price thereof equal to 102 percent of the principal amount of each bond together with interest accrued to the redemption date (upon presentation and surrender of each such bond and all appurtenant coupons). Interest shall cease to accrue on the bonds from and after May 1, 1990, and interest coupons maturing after May 1, 1990, shall be void. Please submit bonds to the paying agent two weeks prior to May 1, 1990, to allow adequate time for processing payments.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the above described securities who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their securities for collection.

Dated March 20, 1990.

The Southwest National Bank
of Wichita
P.O. Box 1401
Wichita, KS 67201
Trustee for the City of
Marion, Kansas

**Due May 1, 2012:
CUSIP 484770-BL**

2022	2958	4112	5074	5845	6745
2024	3019	4120	5174	5949	6781
2088	3095	4185	5248	6004	6815
2195	3146	4245	5268	6092	6867
2327	3407	4273	5299	6134	6949
2388	3448	4331	5460	6142	6966
2422	3478	4337	5467	6156	7005
2425	3572	4416	5538	6225	7056
2540	3589	4441	5585	6250	7133
2549	3591	4451	5592	6258	7219
2620	3628	4648	5662	6297	7246
2719	3652	4671	5704	6385	7281
2781	3728	4772	5718	6395	7369
2818	3779	4814	5719	6513	7404
2837	3848	4920	5727	6641	7439
2855	3971	4973	5740	6648	7469
2871	4067	5032	5761	6656	7580

The serial numbers of the registered bonds to be partially or fully redeemed in the amounts described below are as follows:

**Due May 1, 1999:
CUSIP 484770-BP**

Registered Bond Number	Amount Called
R149	\$ 5,000
R217	5,000
R259	5,000
R289	5,000
R291	5,000
R293	5,000
R326	5,000
R333	5,000
R341	5,000

(continued)

Due May 1, 2012:
CUSIP 484770-BL

Registered Bond Number	Amount Called
R 6	\$ 5,000
R 26	5,000
R173	5,000
R260	5,000
R327	135,000
R328	5,000
R332	140,000
R349	75,000

Payment of the redemption price of the bearer bonds and the registered bonds to be redeemed will be made at Security Bank of Kansas City, One Security Plaza, Kansas City, KS 66117. To avoid a 20 percent backup withholding required by the Interest and Dividend Tax Act of 1983, bondholders should submit certified taxpayer identification numbers on I.R.S. Form W-9 when presenting their securities for redemption.

Notice is hereby given that on and after May 1, 1990, interest on the bonds shall cease to accrue.

Security Bank of Kansas City
Kansas City, Kansas, Trustee

Doc. No. 008995

State of Kansas Office of Secretary of State

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

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal.

Bill Graves
Secretary of State

(Published in the *Kansas Register*, March 29, 1990.)

SENATE BILL No. 332

AN ACT relating to county appraisers; concerning authorities, duties and qualifications thereof; amending K.S.A. 19-430, 19-432, 79-1448, 79-1460, 79-1602, 79-1606 and 79-2001 and K.S.A. 1989 Supp. 19-431 and repealing the existing sections.

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

Section 1. K.S.A. 19-430 is hereby amended to read as follows: 19-430. On the ~~fifteenth~~ day of January 15, 1977, and on the ~~first~~ day of July 1 of each fourth year thereafter the board of county commissioners of each county shall by resolution appoint a county appraiser for such county who shall serve for a term of four (4) years and until ~~his~~ a successor is appointed. County appraisers appointed in counties having a population of more than ~~twenty thousand~~ (20,000) 20,000 shall devote full time to the duties of such office but county appraisers appointed in counties having a population of ~~twenty thousand~~ (20,000) 20,000 or less may be appointed either as a full-time or a part-time county appraiser as prescribed in the resolution providing for such appointment. No person shall be appointed or reappointed to or serve as county appraiser in any county under the provisions of this act unless such person shall ~~have at least one year of appraisal experience and~~ be qualified by the director of property valuation as a ~~certified~~ *an eligible* Kansas appraiser under the provisions of this act. Whenever a vacancy shall occur in the office of county appraiser the board of county commissioners shall appoint a ~~certified~~ *an eligible* Kansas appraiser to fill such vacancy for the unexpired term and until ~~his~~ a successor is appointed. The person holding the office of county assessor or performing the duties thereof on the effective date of this act shall continue to hold such

office and perform such duties until a county appraiser is appointed under the provisions of this act.

Sec. 2. K.S.A. 1989 Supp. 19-431 is hereby amended to read as follows: 19-431. (a) Whenever it shall be made to appear to the board of county commissioners of any county or the district board of an appraisal district by evidence satisfactory to such board that the appraiser of such county or district has failed or neglected to properly perform the duties of office, by reasons of incompetency or for any other cause, the board shall enter upon its journal an order suspending or terminating the county or district appraiser from office. Such order shall state the reasons for such suspension or termination, and upon the service of any such order upon the appraiser suspended or terminated such appraiser shall at once be divested of all power as county or district appraiser and shall immediately deliver to the person appointed to discharge the duties of the office of such appraiser, all books, records and papers pertaining to the office. The board of county commissioners or district board shall appoint a temporary appraiser to discharge the duties of the office until the suspension is removed or the vacancy filled, and the person so appointed shall take the oath of office required by law and thereupon such person shall be invested with all of the powers and duties of the office.

Within 15 days after service of an order of suspension or termination, the appraiser may request a hearing on the order before the director of property valuation. Upon receipt of a timely request, the director of property valuation shall conduct a hearing in accordance with the provisions of the Kansas administrative procedure act. If the appraiser is a county appraiser, the hearing shall be held at the county seat of such county or if such appraiser is a district appraiser at the county seat of the county within the district having the greater population. At the hearing the director of property valuation shall make inquiry as to all facts connected with such suspension or termination, and if after such inquiry is made the director of property valuation shall determine that the appraiser suspended should be removed permanently and such appraiser's office declared vacated or should be terminated, then the director of property valuation shall render an order removing such appraiser. A copy of such order, duly certified and under the seal of the director of property valuation, shall be sent to the board of county commissioners or district board employing such appraiser who shall cause the same to be recorded in full upon the journal of the board. Immediately upon the service of such order by the director of property valuation such office of appraiser shall be vacant, and the board of county commissioners or district board shall appoint a ~~certified~~ *an eligible* Kansas appraiser as appraiser to fill such vacancy, who shall qualify as provided by law in such cases. Should the person appointed be other than the person appointed to discharge the duties of the office temporarily, the person discharging the duties of the office temporarily shall immediately transfer to the person appointed to fill the vacancy all the books, records and files of the office.

(b) Whenever the director of property valuation shall on such director's own motion conclude, after inquiry, that the appraiser of any county or district has failed or neglected to discharge such appraiser's duties as required by law and that the interest of the public service will be promoted by the removal of such appraiser, the director of property valuation shall enter upon the record of proceeding in such director's office an order suspending or terminating such appraiser from office. Such order shall state the reason for such suspension or termination and from and after the date of service of such order upon such appraiser and the board of county commissioners or district board employing such appraiser, the person suspended or terminated shall be divested of all power as appraiser and shall immediately deliver to the person appointed to discharge the duties of the office of such appraiser, all books, records and papers pertaining to the office. Upon receipt of an order by the director of property valuation suspending or terminating the appraiser of the county or district, the board of county commissioners or district board shall appoint a temporary appraiser to discharge the duties of the office until the suspension is removed or the vacancy filled, and the person appointed shall take the oath of office required by law and thereupon such person shall be invested with all of the powers and duties of the office.

Within 15 days after service of an order of suspension or termination by the director of property valuation under this subsection,

the appraiser may request a hearing on the order before the state board of tax appeals. Upon receipt of a timely request, the board of tax appeals shall conduct a hearing in accordance with the provisions of the Kansas administrative procedure act. If the appraiser is a county appraiser, the hearing shall be held at the county seat of such county or if such appraiser is a district appraiser such hearing shall be held at the county seat of the county within such district having the greatest population. At the hearing, the board of tax appeals shall make inquiry as to all facts connected with such suspension or termination, and if after such inquiry is made the board of tax appeals determines that the appraiser suspended should be removed permanently and such appraiser's office declared vacated or should be terminated, then the board of tax appeals shall render an order removing such appraiser. A copy of such order, duly certified by the secretary under the seal of the board, shall be sent to the board of county commissioners or district board, who shall cause the same to be recorded in full upon the journal of the board. Immediately upon the service of such order by the board of tax appeals such office of county appraiser shall be vacant, and the board of county commissioners or district board shall appoint a certified eligible Kansas appraiser as appraiser to fill such vacancy, who shall qualify as provided by law in such cases. Should the person appointed be other than the person appointed to discharge the duties of the office temporarily, the person discharging the duties of the office temporarily shall immediately transfer to the person appointed to fill the vacancy all the books, records and files of the office.

Sec. 3. K.S.A. 19-432 is hereby amended to read as follows: 19-432. The director of property valuation shall maintain a current list of persons eligible to be appointed to the office of appraiser. Periodic issuance of this list shall constitute the official list of certified eligible Kansas appraisers who are candidates for appointment. Inclusion on this list shall be made dependent upon successful completion of a written examination as adopted and administered by the director. **Provided, That all persons designated "certified Kansas assessor" on the effective date of this act shall be included on the certified Kansas appraisers list without taking such written examination.**

The director of property valuation shall be required to conduct training courses annually for the purpose of training appraisal candidates. These courses shall be designed to prepare students to successfully complete the written examinations required for certified eligible Kansas appraiser status.

Once certified, a certified eligible Kansas appraiser may retain that status only through successful completion of additional appraisal courses at intervals as determined by the director of property valuation. The director shall be required to conduct training courses annually for the purpose of providing the additional curriculum required for retention of certified eligible Kansas appraiser status. The director may accept recognized appraisal courses as an alternative to courses conducted by his the director's office to fulfill this requirement for the maintenance of certified eligible Kansas appraiser status.

Sec. 4. K.S.A. 79-1448 is hereby amended to read as follows: 79-1448. Any taxpayer may complain or appeal to the county appraiser from the classification or appraisal of the taxpayer's property by giving notification of such dissatisfaction to the county appraiser within 21 days of the mailing of the valuation notice or May 5, 1990, in all cases where no valuation notice was mailed. The county appraiser or the appraiser's designee shall arrange to hold an informal meeting with the aggrieved taxpayer with reference to the property in question. The county appraiser may extend the time in which the taxpayer may informally appeal from the classification or appraisal of the taxpayer's property for just and adequate reasons. In no event shall an informal meeting regarding real property be scheduled to take place after May 1, 15, 1990, and May 1 of all years thereafter, 1989, and April 1 of all years thereafter, nor shall a final determination be given by the appraiser after May 15, 1989, and April 15 of all years thereafter 20, 1990, and May 5 of all years thereafter. Any taxpayer who is aggrieved by the final determination of the county appraiser may appeal to the hearing officer or panel appointed pursuant to K.S.A. 79-1602, and amendments thereto, or, only in cases where no hearing officer or panel has been appointed, to the county board of equalization in the same manner as appeals are made to such board under K.S.A. 79-1606, and amendments thereto, and such hearing officer, panel or board, for just cause

shown and recorded, is authorized to change the classification or valuation of specific tracts or individual items of real or personal property in the same manner provided for in K.S.A. 79-1602 et seq. and amendments thereto. Any taxpayer who is aggrieved by the final determination of a hearing officer or panel may appeal to the county board of equalization in the same manner as appeals are made to such board under K.S.A. 79-1606, and amendments thereto. Each step in the county's established informal and formal appeal process must be completed before the taxpayer may appeal to the next level except as provided in K.S.A. 79-1609, and amendments thereto.

Sec. 5. K.S.A. 79-1460 is hereby amended to read as follows: 79-1460. (a) The county appraiser shall notify each taxpayer in the county annually on or before April 1 for real property and May 1 for personal property, by mail directed to the taxpayer's last known address, of any change in the classification or appraised valuation of the taxpayer's property, except that, in the year in which valuations for real property established pursuant to the program of statewide reappraisal are first applied as a basis for the levy of taxes, such notice in the case of real property shall be mailed on or before March 1 for tax year 1990, such notices shall be mailed on or before April 16 for real property, and the valuation for all real property shall not be increased and notices need not be sent unless such notice is requested by the taxpayer or an increase in the appraised valuation of the real property occurs due to a specific review thereof, including an individual physical inspection of such property by the county or district appraiser provided that no such inspection shall be required to change the valuation of land devoted to agricultural use. For the purposes of this section and in the case of real property, the term "taxpayer" shall be deemed to be the person in ownership of the property as indicated on the records of the office of register of deeds or county clerk. Except for the year in which valuations for real property established pursuant to the program of statewide reappraisal are first applied as a basis for the levy of taxes, such notice shall specify separately both the previous and current appraised and assessed values for the land and buildings situated on such lands. In the year following the year in which valuations for tangible property established under the program of statewide reappraisal are applied as a basis for the levy of taxes, and in each year thereafter, such notice shall include the most recent county sales ratio for the particular subclass of property to which the notice relates, except that no such ratio shall be disclosed on any such notices sent in any year when the total assessed valuation of the county is increased or decreased due to reappraisal of all of the property within the county. Such notice shall also contain a statement of the taxpayer's right to appeal and the procedure to be followed in making such appeal. Failure to receive such notice shall in no way invalidate the classification or appraised valuation as changed.

(b) Prior to January 1, 1989, the county appraiser shall notify each owner of improved real estate upon forms devised and provided by the director of property valuation of the criteria upon which the valuation of such property was obtained, except that the director may waive the provisions of this sentence in any case where a county appraiser has substantially complied therewith or in any other case deemed necessary.

Sec. 6. K.S.A. 79-2001 is hereby amended to read as follows: 79-2001. As soon as the county treasurer receives the tax roll of the county, the treasurer shall enter in a column opposite the description of each tract or parcel of land the amount of unpaid taxes and the date of unredeemed sales, if any, for previous years on such land. The treasurer shall cause a notice to be published in the official county paper once each week for three consecutive weeks, stating in the notice the amount of taxes charged for state, county, township, school, city or other purposes for that year, on each \$1,000 of valuation.

Each year after receipt of the tax roll from the county clerk and before December 15, the treasurer shall mail to each taxpayer, as shown by the rolls, a tax statement which indicates the taxing unit, assessed value of real and personal property, the mill levy and tax due. In addition, with respect to land devoted to agricultural use, such statement shall indicate the acreage and description of each parcel of such land. The tax statement shall also indicate separately each parcel of real property which is separately classified for prop-

(continued)

erty tax purposes. The county appraiser shall provide the information necessary for the county treasurer to comply with the provisions of this section. The tax statement also may include the intangible tax due the county. All items may be on one statement or may be shown on separate statements and may be on a form prescribed by the county treasurer. The statement shall be mailed to the last known address of the taxpayer or to a designee authorized by the taxpayer to accept the tax statement, if the designee has an interest in receiving the statement. When any statement is returned to the county treasurer for failure to find the addressee, the treasurer shall make a diligent effort to find a forwarding address of the taxpayer and mail the statement to the new address. All tax statements mailed pursuant to this section shall be mailed by first-class mail. The requirement for mailing a tax statement shall extend only to the initial statement required to be mailed in each year and to any follow-up required by this section.

Sec. 7. K.S.A. 79-1602 is hereby amended to read as follows: 79-1602. The hearing officer or panel or the county board of equalization, or a majority of the members thereof, may on and after January 15 of each year, meet at any time deemed necessary. All such meetings shall be held in a suitable place in the county. Such hearing officer or panel or the board shall on the first business day in April of each year meet for the purpose of inquiring into the valuation of property and shall review the appraisal rolls of the county as to accuracy, completeness and uniformity of appraisal, and shall make such changes in the appraisal of property as shall be necessary in order to secure uniform and equal application to all property.

In all cases where it shall become necessary to increase the appraised value of specific tracts or individual items of real or personal property, except where the appraised value of a class or classes of property in any area or areas of the county is raised by a general order of the state board of tax appeals applicable to all property in such class or classes for the purpose of equalization, the county clerk shall, at least 10 days prior to hearing, mail or cause to be mailed a notice to the person to be affected thereby at such person's post office address as shown by the assessment rolls, stating in substance that it is proposed to increase the assessment of such specific tracts or individual items of such person's real or personal property, and fixing the time and place when a hearing thereon will be had.

The hearing officer or panel or the board, only in cases where no hearing officer or panel has been appointed, shall hear and determine any appeal made by any taxpayer as to the valuation of any property in the county which may be made to the hearing officer or panel or the board by the owner of such property or such owner's agent or attorney, and shall perform the duties prescribed in this section. All determinations made by a hearing officer or panel may be appealed to the county board of equalization. The session of the hearing officer or panel or the board held for the purpose of considering the valuation of property shall commence not later than the first business day in April and shall remain in session until *June 8, 1990, and May 15, or the next business day, of all years thereafter* except that a county board of equalization shall remain in session until *June 8, 1990, and the last business day in May of all years thereafter*. During such time the hearing officer or panel or the board may adjourn from time to time as may be necessary, and at the expiration of *June 8, 1990, and the last business day in May of all years thereafter*, the board shall adjourn until *June 11, 1990, and June 5 of all years thereafter*, when it shall again reconvene for the purpose of hearing appeals from persons who have been notified by the county clerk of pending changes in the valuation of their property as provided above and appeals from determinations made by a hearing officer or panel, but such adjourned session shall not continue for more than 10 days, after which the board shall adjourn sine die, which adjournment must be taken on or before *June 21, 1990, and June 15 of all years thereafter*, or the next business day and the board shall have no authority to be in session thereafter. After such final adjournment the board shall not change the appraised or assessed valuation of the property of any person, except for the correction of clerical errors as authorized by law, or reduce the aggregate amount of the appraised or assessed valuation of the taxable property of the county.

The hearing officer or panel or the board shall provide for sufficient evening and Saturday meetings during the sessions hereinbefore prescribed for the performance of its duties as shall be necessary to

hear all parties making requests for such evening or Saturday meetings.

In order to more efficiently and effectively hear and determine appeals by taxpayers which may result from changes in valuations of property the board of county commissioners may appoint hearing officers or panels to accomplish such purpose. Any such officers or panels shall be persons who have attended a training program conducted by the director of property valuation or the director's designee. No person who has performed an appraisal of any real property the reappraised valuation of which is appealed shall be eligible to serve as a member of any such panel with respect to a hearing on the appeal of such valuation of such property. The director of property valuation shall prescribe guidelines governing the composition and duties of such panels. No member of the county board of equalization shall be a hearing officer or serve as a member of a hearing panel but all such members shall be required to attend a training program conducted by the director of property valuation or the director's designee.

Sec. 8. K.S.A. 79-1606 is hereby amended to read as follows: 79-1606. The hearing officers or panels or the county board of equalization in each county shall adopt, use and maintain the following records, the form and method of use of which shall be prescribed by the director of property valuation: (a) Appeal form, (b) hearing docket, and (c) record of cases, including the disposition thereof. The county clerk shall furnish appeal forms to any owner of property which has been appraised who desires to further appeal to the hearing officers or panels or the county board of equalization as to the classification, appraised valuation, assessment or assessment equalization of property by the county appraiser. Any such appeal in writing involving the classification, appraised valuation, assessment or assessment equalization of property must be filed with the county clerk within 18 days of the date that a notice of change in value or final determination of the appraiser, hearing officer or panel or board of equalization was mailed to the taxpayer, except as provided in K.S.A. 79-1609, and amendments thereto.

Every appeal so filed shall be set for hearing by the hearing officers or panels or the county board of equalization which hearing must be held on or before *May 15, 1990, and May 15 of all years thereafter*, if heard by a hearing officer or panel, and *May 30, June 8, 1990, and May 30 of all years thereafter*, if heard by a county board of equalization. The county clerk shall notify each appellant and the county appraiser of the date for hearing of the taxpayer's appeal at least 10 days in advance of such hearing. Every such appeal shall be determined by order of the hearing officer or panel or the county board of equalization and such order shall be recorded in the minutes of such officer, panel or board on or before *May 15, 1990, and May 15 of all years thereafter*, if heard by a hearing officer or panel, and *May 30, June 8, 1990, and May 30 of all years thereafter*, if heard by a county board of equalization. Such recorded orders and minutes shall be open to public inspection. Notice as to disposition of the appeal shall be mailed by the county clerk to the taxpayer and the county appraiser within five days after the determination.

Sec. 9. K.S.A. 19-430, 19-432, 79-1448, 79-1460, 79-1602, 79-1606 and 79-2001 and K.S.A. 1989 Supp. 19-431 are hereby repealed.

Sec. 10. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, March 29, 1990.)

SENATE BILL No. 757

AN ACT concerning insurance; authorizing certain insurance companies to issue policies under plans for apportionment of risk among insurers of applicants for professional liability insurance; amending K.S.A. 1989 Supp. 40-12a06 and repealing the existing section.

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

Section 1. K.S.A. 1989 Supp. 40-12a06 is hereby amended to read as follows: 40-12a06. (a) Any company organized under the provisions of this act shall be empowered to make contracts of insurance as provided herein and to cede to any insurer or accept from any insurer reinsurance on any portion of any such risk for the following kinds of insurance:

(a) (1) Against loss or liability arising out of the performance of professional services rendered or which should have been rendered by an insured.

(b) (2) Against loss or liability to persons or property for which the insured may be liable or have assumed liability, including but not limited to liability of any person who is a director or officer of a health care provider arising out of acts performed or which should have been performed by such director or officer.

(c) (3) Against loss or liability to persons or property resulting from the ownership, maintenance or use of any ambulance, aircraft or other vehicle used by an insured in connection with rendering professional services.

(b) Any company organized under the provisions of this act shall be empowered to contract with the governing board of any plan created pursuant to K.S.A. 40-3413 and amendments thereto to issue policies to any applicant for liability insurance under the provisions of any such plan, to service and manage such policies and in all respects to administer and carry out the functions of any plan as the same may be authorized by the contract. Policies may be issued to persons and corporations under the provisions of such contract even though the insured is not a member of the association of health care providers forming the insurance company. No provision of this act or of article 12 of chapter 40 of the *Kansas Statutes Annotated* regarding the issuance of assessable policies, voting rights of members or the payment of dividends shall apply to policies issued under this subsection.

Sec. 2. K.S.A. 1989 Supp. 40-12a06 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the *Kansas register*.

(Published in the *Kansas Register*, March 29, 1990.)

SENATE BILL No. 666

AN ACT relating to work therapy projects and work therapy project funds; amending K.S.A. 75-3728e, 75-3728f, 75-3728g, 75-3728h and 75-3728i and repealing the existing sections.

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

Section 1. K.S.A. 75-3728e is hereby amended to read as follows: 75-3728e. As used in this act, unless the context otherwise requires:

(a) "Canteen" means a retail store which offers for sale items of necessity, comfort and morale which are not otherwise accessible to persons in the environment of a state institution.

(b) "Canteen fund" means the moneys and other assets used for operation of a canteen.

(c) "Benefit fund" means the moneys and other assets available to provide property, services or entertainment for persons in a state institution.

(d) "Work therapy project" means a sheltered workshop or other similar vocational training activity whether on or off campus at a state institution.

(e) "Work therapy fund" means the moneys and other assets used to operate a work therapy project for persons in a state institution.

Sec. 2. K.S.A. 75-3728f is hereby amended to read as follows: 75-3728f. (a) The superintendent, president or other chief administrative officer of any state institution may apply to the director of accounts and reports for authority to establish one or more canteens in the institution supervised by such officer. In accordance with rules and regulations adopted under the provisions of this act, the director of accounts and reports may authorize the establishment of any canteen for which application is made under this section. The director

of accounts and reports shall prescribe a system of accounts to be used in the operation of canteens, *work therapy projects* and benefit funds. Canteens and *work therapy projects* may make purchases of personal property as provided in K.S.A. 75-3739 and amendments thereto.

(b) Moneys of canteen funds, *work therapy funds* and benefit funds shall be deposited in an account of a bank, a savings and loan association or a federally chartered savings bank, which bank, association or savings bank is insured by the federal government or an agency thereof, or invested in a credit union which is insured with an insurer or guarantee corporation as required under K.S.A. 17-2246 and amendments thereto and is designated by the pooled money investment board. Except as otherwise directed by the pooled money investment board, moneys of canteen funds, *work therapy funds* and benefit funds shall be placed in one or more interest-bearing accounts.

(c) The provisions of K.S.A. 75-4217 and amendments thereto and the provisions relating to security of article 42 of chapter 75 of *Kansas Statutes Annotated* shall apply to accounts in banks, savings and loan associations, credit unions and federally chartered savings banks under this section.

(d) Interest earned on moneys invested under this section shall be regularly prorated according to procedures approved by the director of accounts and reports and credited to the appropriate canteen funds, *work therapy funds* and benefit funds from which they were invested.

(e) Canteen funds, *work therapy funds* and benefit funds shall be subject to post audit under the provisions of the statutes contained in article 11 of chapter 46 of *Kansas Statutes Annotated*.

Sec. 3. K.S.A. 75-3728g is hereby amended to read as follows: 75-3728g. The annual budget requests of each institution which has a canteen, *work therapy* or a benefit fund, shall contain canteen operations, *work therapy project operations* and benefit fund operations as separate activities, each of which shall be justified on the basis of recommended expenditures, estimated revenues and proposed distribution of profits. Profits of a canteen or a *work therapy project* or any part thereof may be retained in the canteen fund their respective funds or distributed to a benefit fund of the institution, in accordance with appropriation acts of the legislature.

Sec. 4. K.S.A. 75-3728h is hereby amended to read as follows: 75-3728h. The secretary of administration in the manner provided in K.S.A. 75-3706 and amendments thereto shall adopt rules and regulations relating to canteens, *work therapy projects*, canteen funds, *work therapy funds* and benefit funds.

Sec. 5. K.S.A. 75-3728i is hereby amended to read as follows: 75-3728i. No canteen or benefit fund shall be operated contrary to the provisions of this act on or after October 1, 1974, nor shall any *work therapy fund* be operated contrary to the provisions of this act on or after July 1, 1990.

Sec. 6. K.S.A. 75-3728e, 75-3728f, 75-3728g, 75-3728h and 75-3728i are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its publication in the *Kansas register*.

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. This cumulative index supplements the index found in the 1989 Index Supplement to the *Kansas Administrative Regulations*.

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1-5-9	Amended	V. 8, p. 1207
1-5-9	Amended	V. 8, p. 1472
1-5-10	Amended	V. 8, p. 1207
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1-5-11	Amended	V. 8, p. 130
1-5-11	Amended	V. 8, p. 1473
1-5-13	Amended	V. 8, p. 130
1-5-15	Amended	V. 8, p. 130
1-5-19b	Amended	V. 8, p. 1208
1-5-19b	Amended	V. 8, p. 1473
1-5-19c	Amended	V. 8, p. 1208
1-5-19c	Amended	V. 8, p. 1473
1-5-24	Amended	V. 8, p. 1209
1-5-24	Amended	V. 8, p. 1474
1-5-29	New	V. 8, p. 1210
1-5-29	New	V. 8, p. 1475
1-6-24	Amended	V. 8, p. 131
1-6-31	New	V. 8, p. 131
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1-7-10	Amended	V. 8, p. 1210
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1-9-19a	Amended	V. 9, p. 10
1-16-8	Amended	V. 9, p. 379
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28-16-137	Amended	V. 8, p. 1559
28-16-137	Amended	V. 8, p. 1638
28-19-7	Amended	V. 8, p. 1291
28-19-8	Amended	V. 8, p. 1292
28-19-14	Amended	V. 8, p. 1293
28-19-16a	Amended	V. 8, p. 1294
28-19-17a	Amended	V. 8, p. 1296
28-19-17b	Amended	V. 8, p. 1296
28-19-17c	Amended	V. 8, p. 1297
28-19-17g	Amended	V. 8, p. 1298
28-19-17i	Amended	V. 8, p. 1298
28-19-20	Amended	V. 8, p. 1298
28-19-21	Amended	V. 8, p. 1298
28-19-56	Amended	V. 8, p. 1298
28-31-1	through	
28-31-6	Amended	V. 8, p. 1806-1812
28-31-8	Amended	V. 8, p. 1813
28-31-8a	Amended	V. 8, p. 1814
28-31-8b	New	V. 8, p. 1814
28-31-9	Amended	V. 8, p. 1814
28-31-14	Amended	V. 8, p. 1814

28-33-11	New	V. 8, p. 1211
28-33-12	New	V. 8, p. 1212
28-39-77	Amended	V. 8, p. 200
28-39-87	Amended	V. 8, p. 871
28-39-200	Revoked	V. 8, p. 201
28-39-202		
through		
28-39-218	Revoked	V. 8, p. 201
28-39-225	Amended	V. 8, p. 201
28-39-226	Amended	V. 8, p. 203
28-51-108	Amended	V. 9, p. 123

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-35	Amended	V. 8, p. 714
30-4-41	Amended	V. 8, p. 714
30-4-50	Amended	V. 8, p. 1180
30-4-54	Amended	V. 8, p. 1180
30-4-56	Revoked	V. 8, p. 714
30-4-57	Amended	V. 8, p. 1180
30-4-58	Amended	V. 8, p. 1180
30-4-62	Amended	V. 8, p. 1180
30-4-63	Amended	V. 8, p. 1661
30-4-64	Amended	V. 8, p. 1661
30-4-70	Amended	V. 8, p. 714
30-4-73	Amended	V. 9, p. 193
30-4-74	Amended	V. 8, p. 715
30-4-75	Amended	V. 8, p. 715
30-4-85a	Amended	V. 9, p. 194
30-4-90	Amended	V. 8, p. 1182
30-4-96	Amended	V. 9, p. 194
30-4-100	Amended	V. 8, p. 715
30-4-101	Amended	V. 9, p. 109
30-4-102	Amended	V. 9, p. 380
30-4-110	Amended	V. 8, p. 1182
30-4-111	Amended	V. 8, p. 1662
30-4-112	Amended	V. 8, p. 1662
30-4-113	Amended	V. 8, p. 1182
30-4-120	Amended	V. 8, p. 1182
30-4-130	Amended	V. 8, p. 1662
30-4-140	Amended	V. 8, p. 715
30-5-58	Amended	V. 8, p. 1662
30-5-58	Amended	V. 9, p. 109
30-5-59	Amended	V. 8, p. 1182
30-5-59	Amended	V. 9, p. 114
30-5-60	Amended	V. 9, p. 115
30-5-62	Amended	V. 9, p. 115
30-5-65	Amended	V. 9, p. 115
30-5-67	Amended	V. 9, p. 115
30-5-68	Amended	V. 9, p. 116
30-5-70	Amended	V. 9, p. 116
30-5-71	Amended	V. 9, p. 117
30-5-73	Amended	V. 9, p. 117
30-5-76	New	V. 8, p. 717
30-5-81	Amended	V. 8, p. 1205
30-5-81	Amended	V. 8, p. 1470
30-5-81a	Amended	V. 9, p. 117
30-5-81b	Amended	V. 8, p. 718
30-5-81d	Revoked	V. 8, p. 718
30-5-81q	Revoked	V. 8, p. 718
30-5-81r	Revoked	V. 8, p. 718
30-5-81s	Revoked	V. 8, p. 718
30-5-81t	Amended	V. 8, p. 718
30-5-81u	New	V. 8, p. 718
30-5-81v	New	V. 8, p. 718
30-5-82	Amended	V. 9, p. 117
30-5-84	Revoked	V. 8, p. 1662
30-5-84a	Revoked	V. 8, p. 1662
30-5-88	Amended	V. 8, p. 1206
30-5-88	Amended	V. 8, p. 1471
30-5-89	Amended	V. 9, p. 118
30-5-94	Amended	V. 9, p. 118
30-5-95	Amended	V. 8, p. 719
30-5-100	Amended	V. 8, p. 1182
30-5-101	Amended	V. 9, p. 119
30-5-103	Amended	V. 9, p. 119
30-5-108	Amended	V. 8, p. 719
30-5-110	Amended	V. 8, p. 719
30-5-111	Amended	V. 9, p. 119
30-5-112	Amended	V. 9, p. 119
30-5-113	Amended	V. 9, p. 119
30-5-114	Amended	V. 9, p. 119
30-5-115	Amended	V. 9, p. 119
30-5-115a	New	V. 8, p. 719
30-5-116	Amended	V. 9, p. 120

30-5-116a	New	V. 8, p. 720
30-5-150	Revoked	V. 9, p. 120
30-5-151	Revoked	V. 9, p. 120
30-5-152	Revoked	V. 9, p. 120
30-5-154		
through		
30-5-172	Revoked	V. 9, p. 120
30-6-35	Amended	V. 8, p. 720
30-6-41	Amended	V. 9, p. 195
30-6-53	Amended	V. 8, p. 720
30-6-55	Amended	V. 8, p. 1662
30-6-56	Amended	V. 8, p. 720
30-6-57	Revoked	V. 8, p. 1182
30-6-58	Revoked	V. 8, p. 1182
30-6-63	Amended	V. 8, p. 1182
30-6-65	Amended	V. 9, p. 121
30-6-73	Amended	V. 8, p. 1182
30-6-73	Amended	V. 8, p. 1754
30-6-74	Amended	V. 9, p. 195
30-6-77	Amended	V. 8, p. 721
30-6-79	Amended	V. 9, p. 195
30-6-86	Amended	V. 8, p. 721
30-6-103	Amended	V. 9, p. 122
30-6-106	Amended	V. 9, p. 195
30-6-109	Amended	V. 8, p. 721
30-6-110	Amended	V. 8, p. 1663
30-6-111	Amended	V. 9, p. 197
30-6-112	Amended	V. 8, p. 1663
30-6-113	Amended	V. 8, p. 1183
30-7-26		
through		
30-7-63	Revoked	V. 8, p. 721
30-7-64		
through		
30-7-78	New	V. 8, p. 721-724
30-7-68	Amended	V. 8, p. 1663
30-9-13	New	V. 8, p. 1663
30-9-18		
through		
30-9-22	New	V. 8, p. 1663, 1664
30-10-1b	Amended	V. 8, p. 1664
30-10-2	Amended	V. 8, p. 1664
30-10-3	Amended	V. 8, p. 1664
30-10-4	Amended	V. 8, p. 1664
30-10-11	Amended	V. 8, p. 1664
30-10-15a	Amended	V. 8, p. 1664
30-10-15b	Amended	V. 8, p. 1664
30-10-17	Amended	V. 8, p. 1665
30-10-18	Amended	V. 8, p. 1665
30-10-19	Amended	V. 8, p. 1665
30-10-21	Amended	V. 8, p. 1665
30-10-25	Amended	V. 8, p. 1665
30-10-28	Amended	V. 8, p. 1665
30-10-29	Amended	V. 8, p. 1665
30-10-30	New	V. 8, p. 1665
30-22-31	Amended	V. 8, p. 1665
30-22-32	Amended	V. 8, p. 1666
30-46-10	Amended	V. 8, p. 1666
30-46-17	Amended	V. 8, p. 1666
30-51-1		
through		
30-51-5	Revoked	V. 9, p. 198

AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
33-1-4		
through		
33-1-17	Revoked	V. 8, p. 1525
33-1-19	Revoked	V. 8, p. 1525
33-1-21	Revoked	V. 9, p. 167
33-2-4	Revoked	V. 8, p. 1733
33-3-2	Revoked	V. 9, p. 386
33-3-3	Revoked	V. 8, p. 1733
33-3-4	Revoked	V. 9, p. 386
33-4-5	Revoked	V. 8, p. 1525
33-4-7		
through		
33-4-10	Revoked	V. 8, p. 1525

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-16-1	Amended	V. 8, p. 1162

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-28	Amended	V. 8, p. 452
40-1-34	Amended	V. 8, p. 798
40-1-37	New	V. 8, p. 798
40-2-12	Amended	V. 8, p. 452
40-3-5	Amended	V. 8, p. 454
40-3-35	Amended	V. 9, p. 303
40-3-42	New	V. 8, p. 1323
40-3-43	New	V. 8, p. 1139
40-3-43	New	V. 8, p. 1184
40-3-44	New	V. 8, p. 454
40-3-45	New	V. 8, p. 1006
40-4-35	Amended	V. 8, p. 515
40-4-35	Amended	V. 8, p. 558
40-4-35a	Amended	V. 9, p. 30
40-4-35a	Amended	V. 9, p. 303
40-4-38	New	V. 8, p. 455
40-4-39	New	V. 9, p. 303
40-5-108	Amended	V. 8, p. 800
40-7-7	Amended	V. 8, p. 455
40-7-11	Amended	V. 9, p. 304
40-7-13	Amended	V. 8, p. 455
40-7-20	Revoked	V. 8, p. 455
40-7-20a	New	V. 8, p. 455
40-7-21	Amended	V. 8, p. 457
40-7-21	Amended	V. 8, p. 516
40-7-22		
through		
40-7-25	New	V. 9, p. 304
40-14-1	Amended	V. 9, p. 304
40-14-4	Amended	V. 9, p. 304

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-9-103	Amended	V. 9, p. 123
44-9-104	Amended	V. 9, p. 123
44-11-111	Amended	V. 9, p. 80
44-11-112	Amended	V. 9, p. 80
44-11-113	Amended	V. 9, p. 80
44-11-114	Amended	V. 9, p. 80
44-11-116	Revoked	V. 9, p. 81
44-11-121	Amended	V. 9, p. 81
44-11-122	Amended	V. 9, p. 81
44-11-123	Amended	V. 9, p. 81
44-11-126	Revoked	V. 9, p. 81
44-11-128	Revoked	V. 9, p. 81
44-11-129		
through		
44-11-135	New	V. 9, p. 81, 82

AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS' COMPENSATION

Reg. No.	Action	Register
51-24-4	Amended	V. 8, p. 1493
51-24-5	Amended	V. 8, p. 1493

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-11-104a	Amended	V. 9, p. 406

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-3	Amended	V. 9, p. 170
63-1-4	Amended	V. 9, p. 170
63-1-6	Amended	V. 8, p. 712
63-1-12	Amended	V. 8, p. 713
63-2-14	Amended	V. 8, p. 713
63-6-3	Amended	V. 8, p. 713
63-6-6	Amended	V. 8, p. 714
63-6-7	Revoked	V. 8, p. 714
63-6-8	Revoked	V. 8, p. 714

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-10-9	Amended	V. 9, p. 257

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1b	Amended	V. 9, p. 383
68-1-2	Amended	V. 8, p. 252
68-2-12a	Amended	V. 9, p. 383

(continued)

68-5-11	Revoked	V. 8, p. 252
68-7-11	Amended	V. 8, p. 252
68-7-12	Amended	V. 8, p. 253
68-9-1	Amended	V. 9, p. 384
68-20-1	Amended	V. 8, p. 254
68-20-16	Amended	V. 8, p. 255
68-20-20	Amended	V. 9, p. 384

AGENCY 70: BOARD OF VETERINARY MEDICAL EXAMINERS

Reg. No.	Action	Register
70-5-1	Amended	V. 8, p. 750

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-2-1	through	
71-2-7	Amended	V. 8, p. 161, 162
71-2-9	Amended	V. 8, p. 162
71-2-11	Amended	V. 8, p. 163
71-2-12	Amended	V. 8, p. 163
71-2-13	Revoked	V. 8, p. 163
71-4-1	Amended	V. 8, p. 163

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-5-202	Amended	V. 8, p. 493
74-5-203	Amended	V. 8, p. 493
74-6-2	Amended	V. 8, p. 1069
74-12-1	Amended	V. 8, p. 1590
74-13-1	New	V. 9, p. 232
74-13-2	New	V. 9, p. 232

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-3-2	Amended	V. 8, p. 1704
81-3-2	Amended	V. 9, p. 83
81-5-6	Amended	V. 8, p. 1704
81-5-6	Amended	V. 9, p. 83

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-100	Amended	V. 9, p. 329
82-3-101	Amended	V. 9, p. 329
82-3-103	Amended	V. 9, p. 332
82-3-103a	Amended	V. 9, p. 332
82-3-105	Amended	V. 8, p. 425
82-3-106	Amended	V. 9, p. 333
82-3-107	Amended	V. 9, p. 334
82-3-108	Amended	V. 9, p. 334
81-3-109	Amended	V. 9, p. 335
82-3-110	Amended	V. 9, p. 336
82-3-111	Amended	V. 9, p. 336
82-3-113	Amended	V. 9, p. 336
82-3-114	Amended	V. 8, p. 427
82-3-117	Amended	V. 9, p. 336
82-3-120	Amended	V. 9, p. 337
82-3-122	Amended	V. 9, p. 337
82-3-123	Amended	V. 9, p. 337
82-3-123a	Amended	V. 9, p. 337
82-3-124	Amended	V. 9, p. 338
82-3-126	Amended	V. 9, p. 338
82-3-128	Amended	V. 9, p. 339
82-3-129	Amended	V. 9, p. 339
82-3-130	Amended	V. 9, p. 339
82-3-131	Amended	V. 9, p. 339
82-3-133	Amended	V. 9, p. 339
82-3-134	Revoked	V. 9, p. 339
82-3-135	Amended	V. 9, p. 339
82-3-135a	New	V. 9, p. 340
82-3-135b	New	V. 9, p. 340
82-3-138	Amended	V. 9, p. 341
82-3-139	Revoked	V. 9, p. 340
82-3-140	Amended	V. 9, p. 341
82-3-141	Amended	V. 9, p. 341
82-3-142	Revoked	V. 9, p. 342
82-3-143	Revoked	V. 9, p. 342
82-3-201	Amended	V. 9, p. 342
82-3-203	Amended	V. 9, p. 342
82-3-205	Revoked	V. 9, p. 342
82-3-206	Amended	V. 9, p. 342
82-3-208	Amended	V. 9, p. 342
82-3-209	Amended	V. 9, p. 343
82-3-300	Amended	V. 9, p. 343
82-3-300a	New	V. 9, p. 344

82-3-303	Amended	V. 9, p. 344
82-3-304	Amended	V. 9, p. 346
82-3-305	Amended	V. 8, p. 431
82-3-306	Amended	V. 9, p. 346
82-3-307	Amended	V. 9, p. 346
82-3-311	Amended	V. 9, p. 346
82-3-312	Amended	V. 9, p. 347
82-3-400	Amended	V. 9, p. 347
82-3-401	Amended	V. 9, p. 348
82-3-402	Amended	V. 8, p. 434
82-3-403	Amended	V. 9, p. 349
82-3-404	Amended	V. 9, p. 349
82-3-405	Amended	V. 9, p. 350
82-3-406	Amended	V. 9, p. 351
82-3-407	Amended	V. 9, p. 351
82-3-408	Amended	V. 9, p. 351
82-3-409	Amended	V. 8, p. 435
82-3-410	Amended	V. 9, p. 352
82-3-600a	New	V. 9, p. 352
82-3-603	Amended	V. 9, p. 352
82-3-604	New	V. 9, p. 352
82-3-606	New	V. 9, p. 352
82-4-1	Amended	V. 9, p. 381
82-4-3	Amended	V. 9, p. 381
82-4-8a	Amended	V. 9, p. 382
82-4-20	Amended	V. 9, p. 382
82-4-38	Amended	V. 9, p. 383
82-11-1	through	
82-11-9	New	V. 8, p. 377-383
82-11-3	Amended	V. 9, p. 298
82-11-4	Amended	V. 9, p. 298
82-11-10	New	V. 9, p. 302

AGENCY 85: ABSTRACTERS' BOARD OF EXAMINERS

Reg. No.	Action	Register
85-4-1	Amended	V. 8, p. 1448
85-6-1	Amended	V. 8, p. 1448
85-7-1	Amended	V. 8, p. 1448

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-10	Amended	V. 8, p. 1752
86-1-13	Amended	V. 8, p. 1753

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-20-1	through	
88-20-11	New	V. 9, p. 165-167
88-21-1	through	
88-21-10	New	V. 8, p. 1834, 1835

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-127b	Amended	V. 8, p. 94
91-1-32	Amended	V. 8, p. 94
91-1-32a	Revoked	V. 8, p. 94
91-1-33	Amended	V. 8, p. 94
91-1-38	Revoked	V. 8, p. 95
91-1-58	Amended	V. 8, p. 95
91-1-60	Amended	V. 8, p. 95
91-1-79	Amended	V. 8, p. 95
91-1-85	Amended	V. 8, p. 95
91-1-92	Amended	V. 8, p. 96
91-1-107a	Amended	V. 8, p. 96
91-1-128a	Amended	V. 8, p. 98
91-1-129a	Amended	V. 8, p. 98
91-1-131	Amended	V. 8, p. 99
91-1-132a	Amended	V. 8, p. 100
91-1-149	New	V. 8, p. 101
91-1-150	New	V. 8, p. 101
91-12-22	Amended	V. 8, p. 1755
91-12-23	Amended	V. 8, p. 1758
91-12-25	Amended	V. 8, p. 1759
91-12-32	Amended	V. 8, p. 1760
91-12-34	Amended	V. 8, p. 1760
91-12-38	Amended	V. 8, p. 1760
91-12-40	Amended	V. 8, p. 1761
91-12-41	Amended	V. 8, p. 1762
91-12-42	Amended	V. 8, p. 1763
91-12-44	Amended	V. 8, p. 1763

91-12-51	through	
91-12-63	Amended	V. 8, p. 1764-1770
91-12-65	Amended	V. 8, p. 1771
91-12-70	Amended	V. 8, p. 1771
91-12-73	New	V. 8, p. 1771
91-16-30	New	V. 8, p. 423
91-19-1	Amended	V. 8, p. 101
91-19-2	Amended	V. 8, p. 101
91-19-6	Amended	V. 8, p. 102
91-31-1	Amended	V. 8, p. 102
91-31-2	Amended	V. 8, p. 102
91-31-3	Amended	V. 8, p. 1361
91-31-4a	New	V. 8, p. 1362
91-31-7	Amended	V. 8, p. 103
91-31-11	Revoked	V. 8, p. 1362
91-31-12a	Amended	V. 8, p. 104
91-31-12h	Amended	V. 8, p. 1362
91-31-13	Amended	V. 8, p. 104
91-31-14	New	V. 8, p. 105
91-31-14a	Amended	V. 8, p. 105
91-33-1	Amended	V. 8, p. 105
91-33-3	Amended	V. 8, p. 1363
91-33-5	Amended	V. 8, p. 106
91-33-8	Amended	V. 8, p. 1364
91-33-9	Revoked	V. 8, p. 1364
91-34-1	Amended	V. 8, p. 106
91-34-2	Amended	V. 8, p. 106
91-34-3	Amended	V. 8, p. 107
91-34-6	Revoked	V. 8, p. 1364
91-34-7	Amended	V. 8, p. 1364
91-34-13	Amended	V. 8, p. 1365

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-9-6	Revoked	V. 8, p. 751
92-9-6a	New	V. 8, p. 751
92-51-42	New	V. 9, p. 35
92-52-10	Revoked	V. 9, p. 35
92-52-12	New	V. 9, p. 35
92-56-1	through	
92-56-5	New	V. 8, p. 1324, 1325

AGENCY 98: KANSAS WATER OFFICE

Reg. No.	Action	Register
98-6-1	through	
98-6-4	New	V. 8, p. 1121, 1122

AGENCY 99: BOARD OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

Reg. No.	Action	Register
99-25-1	Amended	V. 8, p. 1005
99-25-3	Amended	V. 8, p. 1005
99-31-1	Amended	V. 8, p. 132

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended	V. 8, p. 654
100-11-1	Amended	V. 8, p. 1069
100-38-1	Amended	V. 8, p. 1558
100-38-1	Amended	V. 8, p. 1806
100-49-4	Amended	V. 9, p. 108
100-49-4	Amended	V. 9, p. 257
100-54-4	Amended	V. 8, p. 1558
100-54-4	Amended	V. 8, p. 1806
100-55-4	Amended	V. 8, p. 1558
100-55-4	Amended	V. 8, p. 1806
100-60-1	Amended	V. 8, p. 1558
100-60-1	Amended	V. 8, p. 1806
100-60-15	New	V. 8, p. 1558
100-60-15	Amended	V. 8, p. 1806

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-7	Amended	V. 8, p. 906
102-1-15	Amended	V. 8, p. 906
102-2-1a	Amended	V. 8, p. 204
102-2-3	Amended	V. 8, p. 1470
102-2-3	Amended	V. 8, p. 1591
102-3-1	New	V. 8, p. 1526
102-3-1	New	V. 8, p. 1591
102-3-3	through	
102-3-13	New	V. 8, p. 1526-1531

102-3-3		
through		
102-3-13	New	V. 8, p. 1591-1596
102-4-1	New	V. 8, p. 204
102-4-1	New	V. 8, p. 335
102-4-3		
through		
102-4-11	New	V. 8, p. 205-209
102-4-3		
through		
102-4-11	New	V. 8, p. 335-339

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-3-2	Amended	V. 8, p. 1366
105-5-6	Amended	V. 8, p. 1366
105-5-7	Amended	V. 8, p. 1367
105-5-8	Amended	V. 8, p. 1367
105-7-5	Amended	V. 8, p. 1367
105-8-4	Amended	V. 8, p. 1367
105-10-1	Amended	V. 8, p. 1070
105-10-1	Amended	V. 8, p. 1367

AGENCY 109: EMERGENCY MEDICAL SERVICES BOARD

Reg. No.	Action	Register
109-1-1	Amended	V. 8, p. 873
109-2-1	Amended	V. 8, p. 874
109-2-2	Amended	V. 8, p. 874
109-2-4	Amended	V. 8, p. 874
109-2-5		
through		
109-2-9	Amended	V. 8, p. 874-877
109-2-10	Revoked	V. 8, p. 877
109-2-11	Amended	V. 8, p. 877
109-2-12	Amended	V. 8, p. 878
109-3-1	New	V. 8, p. 879
109-4-1	Amended	V. 8, p. 879
109-4-2	Amended	V. 8, p. 880
109-4-3	Amended	V. 8, p. 880
109-5-1	Amended	V. 8, p. 881
109-5-2	Amended	V. 8, p. 881
109-5-3	Amended	V. 8, p. 881
109-6-1	Amended	V. 8, p. 1731
109-7-1	New	V. 8, p. 1731
109-8-1	New	V. 8, p. 882
109-9-1	New	V. 8, p. 882
109-9-2	New	V. 8, p. 882
109-9-4	New	V. 8, p. 882
109-10-1	New	V. 8, p. 883
109-11-1		
through		
109-11-8	New	V. 8, p. 883-885
109-12-1	New	V. 8, p. 885
109-12-2	New	V. 8, p. 886

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-3-1		
through		
110-3-11	New	V. 8, p. 28-30

AGENCY 111: THE KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-2-2a	New	V. 9, p. 199
111-1-5	Amended	V. 8, p. 586
111-2-1	Amended	V. 7, p. 1995
111-2-5	Revoked	V. 8, p. 1085
111-2-6	New	V. 8, p. 134
111-2-7	Amended	V. 8, p. 586
111-2-8		
through		
111-2-12	Revoked	V. 8, p. 1666
111-2-13	New	V. 8, p. 1666
111-2-14	New	V. 9, p. 30
111-3-1	Amended	V. 9, p. 199
111-3-3	Revoked	V. 7, p. 1062
111-3-4	Revoked	V. 7, p. 1062
111-3-7	Revoked	V. 7, p. 1714
111-3-9	Amended	V. 8, p. 1085
111-3-10		
through		
111-3-31	New	V. 7, p. 201-206
111-3-10	Revoked	V. 7, p. 1062

111-3-11	Amended	V. 8, p. 299
111-3-12	New	V. 8, p. 587
111-3-13	Amended	V. 7, p. 1062
111-3-14	Amended	V. 9, p. 199
111-3-14a	Revoked	V. 9, p. 30
111-3-16	Amended	V. 7, p. 1309
111-3-17	Revoked	V. 7, p. 1714
111-3-19		
through		
111-3-22	Amended	V. 9, p. 30
111-3-20	Amended	V. 8, p. 1085
111-3-21	Amended	V. 7, p. 1606
111-3-22	Amended	V. 8, p. 1085
111-3-22a	Revoked	V. 9, p. 31
111-3-24	Revoked	V. 9, p. 31
111-3-25	New	V. 7, p. 1310
111-3-27	New	V. 7, p. 1310
111-3-30	Revoked	V. 7, p. 1310
111-3-31	Amended	V. 8, p. 209
111-3-32	New	V. 7, p. 931
111-3-33	New	V. 7, p. 1434
111-4-1	Amended	V. 8, p. 134
111-4-2	Amended	V. 7, p. 1063
111-4-4	Amended	V. 7, p. 1063
111-4-6	Amended	V. 7, p. 1434
111-4-7	Amended	V. 7, p. 1945
111-4-8	Amended	V. 7, p. 1064
111-4-12	Amended	V. 7, p. 1190
111-4-16	Revoked	V. 8, p. 209
111-4-19	Revoked	V. 7, p. 206
111-4-22		
through		
111-4-40	Revoked	V. 7, p. 206, 207
111-4-41	Revoked	V. 7, p. 1435
111-4-42	Revoked	V. 7, p. 1435
111-4-43	Revoked	V. 7, p. 207
111-4-44	Revoked	V. 7, p. 1435
111-4-46		
through		
111-4-64	Revoked	V. 7, p. 207
111-4-66		
through		
111-4-77	New	V. 7, p. 207-209
111-4-66		
through		
111-4-71	Revoked	V. 9, p. 31
111-4-71a	Revoked	V. 9, p. 31
111-4-71b	Revoked	V. 9, p. 31
111-4-72	Revoked	V. 9, p. 31
111-4-73	Revoked	V. 9, p. 31
111-4-73a	Revoked	V. 8, p. 134
111-4-74	Revoked	V. 9, p. 31
111-4-75	Revoked	V. 9, p. 31
111-4-76	Revoked	V. 9, p. 31
111-4-77	Revoked	V. 9, p. 31
111-4-77a	Revoked	V. 9, p. 32
111-4-77b	Revoked	V. 9, p. 32
111-4-78		
through		
111-4-82	Revoked	V. 8, p. 13
111-4-82a	Revoked	V. 8, p. 13
111-4-83		
through		
111-4-87	Revoked	V. 8, p. 13
111-4-88		
through		
111-4-91	Revoked	V. 8, p. 210
111-4-92		
through		
111-4-95	Revoked	V. 8, p. 299
111-4-96		
through		
111-4-114	New	V. 7, p. 1606-1610
111-4-96		
through		
111-4-99	Revoked	V. 8, p. 1667
111-4-99a	Revoked	V. 8, p. 1667
111-4-99b	Revoked	V. 8, p. 1667
111-4-100	Amended	V. 8, p. 1396
111-4-101	Amended	V. 8, p. 1328
111-4-102	Amended	V. 8, p. 1396
111-4-104	Amended	V. 8, p. 1396
111-4-105	Amended	V. 8, p. 1396
111-4-107	Amended	V. 8, p. 1397
111-4-115		
through		
111-4-118	Revoked	V. 8, p. 1667

111-4-118a	Revoked	V. 8, p. 1667
111-4-119		
through		
111-4-125	Revoked	V. 8, p. 1667
111-4-126		
through		
111-4-129	Revoked	V. 8, p. 1667, 1668
111-4-130		
through		
111-4-137	Revoked	V. 9, p. 32
111-4-138		
through		
111-4-152	Revoked	V. 8, p. 1668
111-4-153		
through		
111-4-160	New	V. 8, p. 970, 971
111-4-160	Amended	V. 8, p. 1329
111-4-161		
through		
111-4-176	Revoked	V. 8, p. 1668, 1669
111-4-177		
through		
111-4-180	New	V. 8, p. 1086, 1087
111-4-181		
through		
111-4-184	New	V. 8, p. 1329
111-4-185		
through		
111-4-196	New	V. 8, p. 1518-1520
111-4-196		
through		
111-4-203	New	V. 9, p. 32-34
111-4-201	Amended	V. 9, p. 232
111-5-1		
through		
111-5-23	New	V. 7, p. 209-213
111-5-1		
through		
111-5-8	Revoked	V. 9, p. 34
111-5-9		
through		
111-5-15	Amended	V. 8, p. 210, 211
111-5-17	Amended	V. 8, p. 211
111-5-19	Amended	V. 8, p. 212
111-5-20	Revoked	V. 8, p. 212
111-5-21	Revoked	V. 9, p. 34
111-5-22	Revoked	V. 9, p. 34
111-5-23	Revoked	V. 9, p. 34
111-6-1		
through		
111-6-15	New	V. 7, p. 213-217
111-6-1	Amended	V. 8, p. 212
111-6-3	Amended	V. 9, p. 200
111-6-6	Amended	V. 9, p. 200
111-6-12	Amended	V. 8, p. 212
111-6-13	Amended	V. 8, p. 299
111-6-16	Revoked	V. 8, p. 212
111-6-17	New	V. 7, p. 1191
111-7-1		
through		
111-7-10	New	V. 7, p. 1192, 1193
111-7-1	Amended	V. 8, p. 212
111-7-3	Amended	V. 8, p. 1669
111-7-4	Amended	V. 7, p. 1610
111-7-5	Amended	V. 7, p. 1610
111-7-11	New	V. 7, p. 1224
111-7-12		
through		
111-7-32	New	V. 7, p. 1194-1196
111-7-12		
through		
111-7-27	Revoked	V. 7, p. 1436, 1437
111-7-28		
through		
111-7-32	Revoked	V. 9, p. 34
111-7-32a	Revoked	V. 8, p. 1330
111-7-32b	Revoked	V. 8, p. 1330
111-7-33		
through		
111-7-43	New	V. 7, p. 1197, 1198
111-7-33	Revoked	V. 7, p. 1437
111-7-33a	New	V. 8, p. 300
111-7-34a	Revoked	V. 8, p. 1330
111-7-37a	Revoked	V. 8, p. 1330

(continued)

111-7-34 through		
111-7-42	Revoked	V. 9, p. 34, 35
111-7-43	Revoked	V. 8, p. 212
111-8-1	New	V. 7, p. 1633
111-8-2	New	V. 7, p. 1633
111-8-3	Amended	V. 8, p. 752
111-8-4	New	V. 7, p. 1714
111-8-4a	New	V. 7, p. 1995
111-8-5 through		
111-8-13	New	V. 7, p. 1634
111-9-1 through		
111-9-12	New	V. 7, p. 1714-1716
111-9-13 through		
111-9-18	New	V. 8, p. 300, 301
111-10-1 through		
111-10-9	New	V. 8, p. 136-138
111-10-7	Amended	V. 8, p. 301

AGENCY 112: KANSAS RACING COMMISSION

Reg. No.	Action	Register
112-3-16	Amended	V. 9, p. 153
112-3-19	Amended	V. 9, p. 153
112-4-1 through		
112-4-14	New	V. 8, p. 255-257
112-4-1	Amended	V. 8, p. 1244
112-4-1	Amended	V. 8, p. 1288
112-4-3	Amended	V. 8, p. 1245
112-4-3	Amended	V. 8, p. 1288
112-4-4	Amended	V. 8, p. 1245
112-4-4	Amended	V. 8, p. 1288
112-4-5	Amended	V. 8, p. 1246
112-4-5	Amended	V. 8, p. 1288
112-4-8	Amended	V. 8, p. 1246
112-4-8	Amended	V. 8, p. 1288
112-4-10	Amended	V. 8, p. 1246
112-4-10	Amended	V. 8, p. 1288
112-4-11	Amended	V. 8, p. 1246
112-4-11	Amended	V. 8, p. 1289
112-4-14a	New	V. 8, p. 1214
112-4-14a	New	V. 8, p. 1289
112-4-15	New	V. 8, p. 724
112-4-16	New	V. 8, p. 258
112-4-17	New	V. 8, p. 258
112-4-18	New	V. 8, p. 258
112-4-19	Amended	V. 8, p. 1214
112-4-19	Amended	V. 8, p. 1289
112-4-20	Amended	V. 8, p. 1246
112-4-20	Amended	V. 8, p. 1289
112-4-22	Amended	V. 8, p. 1246
112-4-22	Amended	V. 8, p. 1289
112-5-1 through		
112-5-9	New	V. 8, p. 258-260
112-5-1	Amended	V. 9, p. 153
112-5-2	Amended	V. 9, p. 154
112-5-3	Amended	V. 9, p. 154
112-5-8	Amended	V. 9, p. 155
112-5-9	Amended	V. 9, p. 155
112-6-1 through		
112-6-8	New	V. 8, p. 261-263
112-6-6	Amended	V. 9, p. 155
112-7-2 through		
112-7-22	New	V. 8, p. 593, 594
112-7-2 through		
112-7-22	New	V. 8, p. 641-648

112-8-2 through		
112-8-12	New	V. 8, p. 263-267
112-8-3	New	V. 8, p. 596
112-8-3	New	V. 8, p. 725
112-8-9	New	V. 8, p. 596
112-8-9	New	V. 8, p. 725
112-9-2 through		
112-9-38	New	V. 8, p. 726-737
112-9-5	Amended	V. 9, p. 155
112-9-7	Amended	V. 9, p. 156
112-9-8	Amended	V. 9, p. 156
112-9-11	Amended	V. 9, p. 156
112-9-13	Amended	V. 9, p. 156
112-9-18	Amended	V. 9, p. 157
112-9-21	Amended	V. 9, p. 157
112-9-22	Amended	V. 9, p. 158
112-9-23	Amended	V. 9, p. 159
112-9-29	Amended	V. 9, p. 159
112-9-34	Amended	V. 9, p. 159
112-9-37	Amended	V. 9, p. 159
112-9-39 through		
112-9-41	New	V. 8, p. 1214-1216
112-9-39 through		
112-9-41	New	V. 8, p. 1289
112-10-2 through		
112-10-12	New	V. 8, p. 598
112-10-2		
112-10-12	New	V. 8, p. 737-740
112-10-4	Amended	V. 9, p. 160
112-10-32 through		
112-10-37	New	V. 8, p. 1246-1248
112-10-32		
112-10-37	Amended	V. 8, p. 1289
112-11-1 through		
112-11-19	New	V. 8, p. 594, 595
112-11-1		
112-11-19	New	V. 8, p. 648-653
112-11-2	Amended	V. 9, p. 160
112-11-3	Amended	V. 9, p. 161
112-11-6	Amended	V. 9, p. 161
112-11-7	Amended	V. 9, p. 161
112-11-9	Amended	V. 9, p. 161
112-11-10	Amended	V. 9, p. 161
112-11-12	Amended	V. 9, p. 162
112-11-14	Amended	V. 9, p. 162
112-11-15	Amended	V. 9, p. 162
112-11-20	Amended	V. 9, p. 162
112-11-21	New	V. 8, p. 595
112-11-21	New	V. 8, p. 653
112-12-2 through		
112-12-13	New	V. 8, p. 1007
112-12-2		
112-12-13	New	V. 8, p. 1123-1126
112-12-2	Amended	V. 9, p. 164
112-12-4	Amended	V. 9, p. 164
112-13-2	New	V. 8, p. 596
112-13-2	New	V. 8, p. 267
112-13-3	New	V. 8, p. 598
112-13-3	New	V. 8, p. 740
112-14-2 through		
112-14-10	New	V. 8, p. 1162-1164

112-14-2 through		
112-14-10	New	V. 8, p. 1184, 1185

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

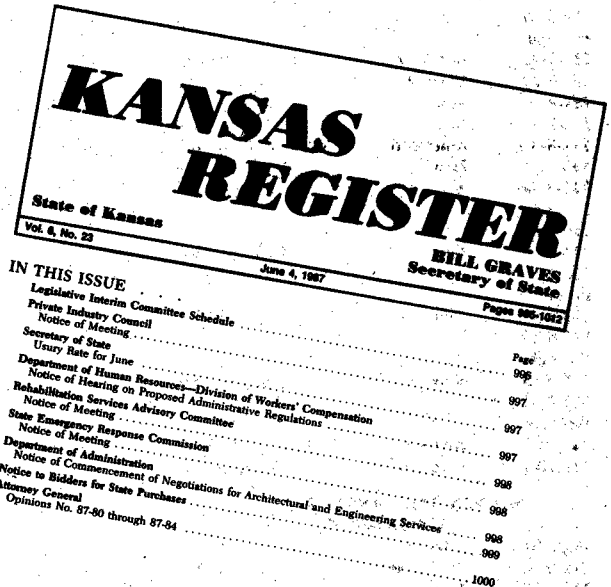
Reg. No.	Action	Register
115-1-1	New	V. 8, p. 1629
115-2-1	New	V. 8, p. 1520
115-2-2	New	V. 8, p. 1733
115-2-3	New	V. 8, p. 1733
115-3-1	New	V. 8, p. 1160
115-3-1	New	V. 8, p. 1185
115-3-2	Amended	V. 8, p. 1733
115-3-2	Amended	V. 9, p. 35
115-4-1	New	V. 8, p. 1733
115-4-3	New	V. 9, p. 386
115-4-5	New	V. 9, p. 387
115-4-6	New	V. 9, p. 388
115-4-7	New	V. 9, p. 390
115-4-8	New	V. 8, p. 1356
115-4-8	New	V. 8, p. 1477
115-4-10	New	V. 8, p. 1357
115-4-10	New	V. 8, p. 1477
115-5-1	New	V. 9, p. 167
115-5-2	New	V. 9, p. 168
115-6-1	New	V. 9, p. 168
115-7-1	New	V. 8, p. 1630
115-7-2	New	V. 8, p. 1630
115-7-4	New	V. 8, p. 1631
115-7-5	New	V. 8, p. 1631
115-8-1	New	V. 8, p. 1521
115-8-2	New	V. 9, p. 391
115-8-3	New	V. 8, p. 1161
115-8-4 through		
115-8-16	New	V. 8, p. 1521-1523
115-8-9	New	V. 9, p. 169
115-8-21	New	V. 9, p. 169
115-8-18	New	V. 8, p. 1523
115-8-20	New	V. 8, p. 1523
115-9-1 through		
115-9-4	New	V. 8, p. 1631
115-9-5	New	V. 8, p. 1524
115-9-6	New	V. 8, p. 1161
115-9-6	New	V. 8, p. 1185
115-10-1 through		
115-10-8	New	V. 9, p. 391, 392
115-11-1	New	V. 8, p. 1524
115-11-2	New	V. 8, p. 1524
115-12-1	New	V. 8, p. 1734
115-15-1	New	V. 8, p. 1357
115-15-2	New	V. 8, p. 1357
115-15-3	New	V. 8, p. 1358
115-18-1 through		
115-18-5	New	V. 8, p. 1359, 1360
115-18-7	New	V. 8, p. 1361
115-30-1	New	V. 8, p. 1361

AGENCY 116: STATE FAIR BOARD

Reg. No.	Action	Register
116-1-1	New	V. 8, p. 1191
116-1-1	New	V. 8, p. 1326
116-1-2	New	V. 8, p. 1191
116-1-2	New	V. 8, p. 1326
116-2-1	New	V. 8, p. 1191
116-2-1	New	V. 8, p. 1326

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