

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 17, No. 20    May 14, 1998    Pages 673-720

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The Kansas Register (ISSN No. 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$70 (Kansas residents must include \$4.31 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Periodicals postage paid at Topeka, KS.

*Postmaster:* Send change of address form to Kansas Register, Secretary of State, State Capitol, 300 S.W. 10th Ave., Topeka, KS 66612-1594.

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## State of Kansas

**Kansas Water Authority****Notice of Meeting**

The Kansas Water Authority will conduct a telephone conference call meeting at 9 a.m. Thursday, May 28, at the Kansas Water Office, 109 S.W. 9th, Topeka, to consider an application by Jost Farms to purchase surplus water from Marion Reservoir for irrigation purposes. If accommodations are needed for persons with disabilities, please notify the Kansas Water Office at the above address at least two days prior to the meeting.

For additional information, contact John Gottschamer, Public Information Coordinator, at the Kansas Water Office toll free at (888) KAN-WATER or e-mail at jgotts@fog.kwo.state.ks.us.

Kent Lamb  
Chair

Doc. No. 022433

## State of Kansas

**Kansas Insurance Department****Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 9 a.m. Thursday, July 23, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of proposed changes in an existing rule and regulation.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Rebecca Sanders, Kansas Insurance Department, 420 S.W. 9th, Topeka, 66612-1678. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance by contacting Rebecca Sanders at (785) 296-3071.

A copy of the full text of the regulation and the economic impact statement may be obtained by contacting the Kansas Insurance Department. A summary of the proposed regulation and its economic impact follows.

**K.A.R. 40-1-45. Release of data from the insurance database.** The purpose of this regulation is to provide guidelines, limitations and procedures to release compilations of information from a database maintained by the Secretary of Health and Environment for the Commissioner of Insurance. There will be limited economic impact on the Insurance Department and the Department of Health and Environment. The data that will be requested is already being collected as required by K.S.A. 1997 Supp. 40-2251. Staff time will be required to review the

requests and prepare the information in the format requested. It is expected that any additional costs of preparation of data will be reimbursed by the fees charged to the requester.

Kathleen Sebelius  
Kansas Insurance Commissioner

Doc. No. 022417

## State of Kansas

**Board of Pharmacy****Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 3 p.m. Thursday, July 16, in Room 106 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of a proposed rule and regulation of the Kansas State Board of Pharmacy. The regulation is proposed for adoption on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Larry Froelich, Executive Secretary, Board of Pharmacy, Room 513, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. 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 that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Karen Hollon at (785) 296-4056.

Copies of the regulation and its economic impact statement may be obtained from the Board of Pharmacy. A brief summary of the proposed regulation and its economic impact follows.

**K.A.R. 68-2-20. Pharmacist's function in filling a prescription or medication order.** The regulation sets out in detail the requirements for pharmacists to follow when filling either prescriptions or medication orders.

There is no anticipated economic impact on the Board of Pharmacy, other governmental agencies, registrants or the public.

Larry Froelich  
Executive Secretary

Doc. No. 022432

## State of Kansas

## State Banking Board

## Notice of Meeting

The State Banking Board will meet at 9 a.m. Monday, June 15, in the conference room of the Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. The board reviews matters relating to its supervisory authority as set forth in K.S.A. 9-1801 *et seq.*

W. Newton Male  
State Bank Commissioner

Doc. No. 022408

## State of Kansas

## Kansas Development Finance Authority

## Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, May 28, in the conference room in the offices of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, for the Kansas Development Finance Authority to issue approximately, in one or more series, \$25,450,000 principal amount of Health Facilities Revenue Bonds for Stormont-Vail HealthCare, Inc., a Kansas nonprofit corporation (SVHC). The bonds will be issued, pursuant to K.S.A. 74-8901 *et seq.*, to finance, refinance or refund the costs of certain health, health support and administrative facilities owned, leased and operated by SVHC or any of its affiliates at the following locations:

1. Stormont-Vail HealthCare Campus, 1500 S.W. 10th St., Topeka
2. 824 Washburn Office Building, 824 Washburn, Topeka
3. Cotton Building, 901 Garfield, Topeka
4. O'Neil Building, 823 Mulvane, Topeka
5. Midwest Occupational Health Services (MOHS), 1130 N. Kansas Ave., Topeka

The bonds, when issued, will be a limited obligation of the Kansas Development Finance Authority and will not constitute a general obligation or indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. The bonds will be payable solely and only from amounts received or pledged by SVHC, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bonds when they become due.

A copy of the Resolution of Intent passed by the Authority is on file in the office of the secretary and is available for public inspection during normal business hours.

All individuals who appear at the hearing will be given an opportunity to express their views for or against the proposal to issue any specific bonds for the purposes described above, and all written comments previously filed with the Authority at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding the project described above may be obtained by contacting the Authority.

Rebecca E. Floyd  
General Counsel

Doc. No. 022436

## 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 (785) 864-3416 or fax (785) 864-3454 for additional information.

Tuesday May 26, 1998

RFB 98-8390

Used copier, Canon Model 6060, with accessories  
(for sale to the highest bidder)

Dana Goble  
Associate Director of Purchasing

Doc. No. 022429

## State of Kansas

## Kansas Development Finance Authority

## Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, May 28, in the conference room in the offices of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue approximately \$10,000,000 principal amount of Health Facilities Revenue Bonds for The Children's Mercy Hospital (the borrower). The bonds will be issued, pursuant to K.S.A. 74-8901 *et seq.*, to provide for the payment of or to reimburse The Children's Mercy Hospital for expenditures related to the acquisition, construction, renovation or equipping of Children's Mercy South, Overland Park, Johnson County, Kansas (the project), and to pay certain costs of issuance with respect to the bonds. The project is located at 5808 W. 110th St., Overland Park, Johnson County, Kansas.

The bonds, when issued, will be a limited obligation of the Kansas Development Finance Authority and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, including the Authority, nor will the bonds constitute an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. The bonds will be payable solely and only from amounts received from the borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bonds when they become due.

All individuals who appear at the hearing will be given an opportunity to express their views for or against the proposal to issue any specific bonds for the purpose of financing the project, and all written comments previously filed with the Authority at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding the project described above may be obtained by contacting the Authority.

Rebecca E. Floyd  
General Counsel

Doc. No. 022434

## State of Kansas

## Kansas Insurance Department

## Notice of Change in Pharmacy Network

Pursuant to K.S.A. 40-2,153, the Commissioner of Insurance is publishing notice that a change has occurred in a pharmacy network in the State of Kansas. Prudential HealthCare Pharmacy Network has notified the department of the addition of Northside Dillon's Pharmacy #207 of Topeka, Kansas, effective May 1, 1998. Questions should be directed to Rebecca Sanders at the Kansas Insurance Department, (785) 296-3071.

Kathleen Sebelius  
Commissioner of Insurance

Doc. No. 022407

## State of Kansas

## Legislature

## Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were recently introduced by the 1998 Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096.

## Bills/Resolutions introduced April 29-May 3:

## House Bills

**HB 3026**, An act concerning nonhighway vehicles; amending K.S.A. 1997 Supp. 8-198 and repealing the existing section; also repealing K.S.A. 1997 Supp. 8-198a, by Committee on Appropriations.

**HB 3027**, An act concerning corrections; resolving conflicting amendments; amending K.S.A. 75-5291 and repealing the existing section; also repealing K.S.A. 75-5291a, by Committee on Appropriations.

**HB 3028**, An act concerning the Kansas parimutuel racing act; amending K.S.A. 1997 Supp. 74-8802 and repealing the existing section; also repealing K.S.A. 1997 Supp. 74-8802a, 74-8802b and 74-8813a, by Committee on Appropriations.

**HB 3029**, An act amending the uniform commercial code; definitions; amending K.S.A. 84-1-201 and repealing the existing section; also repealing K.S.A. 84-1-201a, by Committee on Appropriations.

**HB 3030**, An act concerning the Kansas commission on veterans affairs; relating to officers and employees; amending K.S.A. 1997 Supp. 73-1210a and repealing the existing section; also repealing K.S.A. 1997 Supp. 73-1210b, by Committee on Appropriations.

**HB 3031**, An act concerning the Kansas economic opportunity initiatives fund; amending K.S.A. 1997 Supp. 74-50,151 and repealing the existing section; also repealing K.S.A. 1997 Supp. 74-50,151a, by Committee on Appropriations.

**HB 3032**, An act concerning the employment security law; amending K.S.A. 1997 Supp. 44-710 and repealing the existing section; also repealing K.S.A. 1997 Supp. 44-710j, by Committee on Appropriations.

**HB 3033**, An act concerning courts; resolving conflicting amendments; amending K.S.A. 1997 Supp. 20-302b and repealing the existing section; also repealing K.S.A. 1997 Supp. 20-302c, by Committee on Appropriations.

**HB 3034**, An act repealing K.S.A. 1997 Supp. 65-4035; concerning treatment for persons with alcohol abuse problems, by Committee on Appropriations.

**HB 3035**, An act concerning the commission on governmental standards and conduct; relating to the powers and duties thereof; amending K.S.A. 25-4180, as amended by section 16 of 1998 Substitute for House Bill No. 2662 and 46-280, as amended by section 23 of 1998 Substitute for House Bill No. 2662, and K.S.A. 1997 Supp. 25-4152, as amended by section 10 of 1998 Substitute for House Bill No. 2662 and 25-4186, as amended by section 18 of 1998 Substitute for House Bill No. 2662 and repealing the existing sections; also repealing K.S.A. 25-4180, as amended by section 5 of 1998 Senate Bill No. 410, and 46-280, as amended by section 7 of 1998 Senate Bill No. 410, and K.S.A. 1997 Supp.

25-4152, as amended by section 4 of 1998 Senate Bill No. 410, and 25-4186, as amended by section 6 of 1998 Senate Bill No. 410, by Committee on Appropriations.

**HB 3036**, An act concerning municipalities; relating to special revenue bonds; amending K.S.A. 1997 Supp. 12-1771, as amended by section 2 of 1998 House Bill No. 2631 and 12-1775, as amended by section 4 of 1998 House Bill No. 2631, and repealing the existing sections; also repealing K.S.A. 1997 Supp. 12-1771, as amended by section 1 of 1998 Senate Bill No. 672 and 12-1775, as amended by section 2 of 1998 Senate Bill No. 672, by Committee on Appropriations.

## House Concurrent Resolutions

**HCR 5058**, A concurrent resolution relating to the adjournment of the Senate and House of Representatives for a period during the 1998 regular session of the legislature.

**HCR 5059**, A concurrent resolution relating to the 1998 regular session of the legislature; and providing for the adjournment thereof.

## House Resolutions

**HR 6021**, A resolution authorizing the Legislative Coordinating Council to intervene in the Kansas Supreme Court case, *State ex rel. Tomasic v. The Unified Government of Wyandotte County/Kansas City, Kansas*.

**HR 6022**, A resolution authorizing the Legislative Coordinating Council to intervene in the Shawnee County District Court case, *State ex rel. Stovall v. The Kansas Department of Revenue*.

**HR 6023**, A resolution congratulating and commending President Jon Wefald and Kansas State University.

**HR 6024**, A resolution congratulating and commending Gloria Timmer.

## Senate Bills

**SB 694**, An act concerning state facilities; relating to assignment of space and facilities in the state capitol; relating to the operation of the Hiram Price Dillon house; amending K.S.A. 75-3765a and K.S.A. 1997 Supp. 41-719, as amended by section 8 of 1998 House Bill No. 2899 and repealing the existing sections, by Committee on Federal and State Affairs.

## Senate Concurrent Resolutions

**SCR 1622**, A concurrent resolution requesting the Legislative Coordinating Council to appoint a special committee to study the issue of driving privileges for teenage drivers.

## Senate Resolutions

**SR 1858**, A resolution congratulating and commending Dr. Eugene M. Hughes.

**SR 1859**, A resolution congratulating and commending Paul L. Wilbert.

**SR 1860**, A resolution congratulating and commending the Wichita State University men's bowling team for winning the 1998 National Championship.

**SR 1861**, A resolution congratulating and commending the Wichita State University women's bowling team for placing sixth in the 1998 National Championship.

**SR 1862**, A resolution requesting the Statehouse Art and History Committee to consider placing a mural in the Capitol honoring the 1st Kansas (Colored) Voluntary Infantry Regiment and the Honorable Kansas Senator James Henry Lane, a Kansas military and political leader and a recruiter of troops in that regiment.

**SR 1863**, A resolution in memory of Wallace Benjamin (Ben) Foster.

**SR 1864**, A resolution recognizing the importance of the Santa Fe Trail to Kansas history.

**SR 1865**, A resolution congratulating and commending the Olathe East High School boys basketball team and Coach Jim Super for winning the 1998 Class 6A State Basketball Championship.

**SR 1866**, A resolution congratulating and commending Kansas students achieving perfect ACT test scores.

**SR 1867**, A resolution authorizing the Legislative Coordinating Council to intervene in the Shawnee County District Court case, *State ex rel. Stovall v. The Kansas Department of Revenue*.

**SR 1868**, A resolution congratulating and commending Gloria Timmer.

**SR 1869**, A resolution congratulating and commending Jonathan N. Winkler.

**SR 1870**, A resolution congratulating and commending the Kansas State University livestock judging team.

Doc. No. 022406

## State of Kansas

## Social and Rehabilitation Services

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 9 a.m. Thursday, July 16, in the SRS board room, sixth floor, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the adoption of amendments to existing rules and regulations on a permanent basis effective 15 days after publication in the Kansas Register. Telephone conference will not be available.

This 60-day notice of the public hearing shall constitute a public comment period for the proposed regulations. All interested parties may submit written comments prior to the hearing or during the public hearing to Hope Burns, Office of the Secretary, Social and Rehabilitation Services, Docking State Office Building, Room 603-N, 915 S.W. Harrison, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views; it may be necessary to request each participant to limit any oral presentation to five minutes.

Copies of the regulations and the economic impact statement may be obtained by contacting Hope Burns at (785) 296-3969.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Hope Burns or by calling the Kansas Relay Center at (800) 766-3777.

The adoption of the regulations will take place at 9 a.m. July 20 in the SRS executive conference room, 603-N, Docking State Office Building. Telephone conference will not be available.

A summary of the proposed regulations and the economic impact follows.

This comment outlines the secretary's actions involving the amendment of certain regulations on a permanent basis. The regulations are scheduled to become effective as soon as possible. The economic impact statements have been figured on an annual basis.

**Special Note**

With the repeal of the federal Medicaid "Boren Amendment" language in 42 U.S.C. § 1396a(a)(13)(A) in § 4711 of the Balanced Budget Act of 1997 (H.R. 2015)(Pub. L. 105-33) and the state's legislative retention of "Boren" type language in K.S.A. 39-708c(x), the Kansas Secretary of Social and Rehabilitation Services (in conjunction with the Kansas Secretary of Aging for the direct administration of nursing facility payments) has become the agency charged with the administration and interpretation of the remaining state payment standards.

The remaining provisions of K.S.A. 39-708c(x) are now different in scope and application with the repeal of the federally superior Boren Amendment language of 42 U.S.C. 1396a(a)(13)(A). The "assurance" language and requirements of the federal Boren Amendment provisions are now repealed. The requirements of rate determinations "to be in accordance with methods and stan-

dards developed by the State, which, in the case of nursing facilities, take into account the costs (including the costs of services required to attain or maintain the highest practicable physical, mental, and psychological well-being of each resident eligible for benefits under this title)" are now repealed. Furthermore, the state's retention of other "Kansas Prospective Payment System (KPPS)" provisions has been legislated with additional restrictions:

The secretary shall consider budgetary constraints as a factor in establishing payment schedules so long as the result complies with state and federal law. (K.S.A. 39-708c(x)(1))

The secretary shall not be required to establish rates for any such facility that are in excess of the minimum necessary to efficiently and economically meet those standards regardless of any excess costs incurred by such facility. (K.S.A. 39-708c(x)(2))

These particular restrictions also are included in the legislated payment requirements for the Secretary of Aging in K.S.A. 75-5945(k)(1) and (2). Therefore, it is clear that the retained "Kansas Prospective Payment System (KPPS)" is mandated to be more fiscally conservative than the former federal standards.

The former federal Boren Amendment standards were interpreted by the administering federal agency, the Health Care Financing Administration (HCFA) of the Department of Health and Human Services (HHS) to not require the states to adopt any specific definitions of "efficiently and economically operated facilities" or "EEOs." See e.g. 48 FR 56058 *et seq.*, Dec. 19, 1983, and the further comment of the Kansas Supreme Court in *Catholic Housing Services, Inc. v. State Dept. of SRS*, 256 Kan. 470, 483 (1994) that:

We note, also, that Medicaid federal legislation does not define the term "efficiently and economically operated facility." Each state must determine in its own way what it would consider efficient and economically operated nursing home facilities. *Illinois Health Care Ass'n v. Bradley*, 983 F.2d 1460 (7th Cir. 1993). A comparison of nursing home operations would seem a logical consideration. The comparison of nursing home operations with their rate of reimbursement of costs in particular areas being determined by what percentile a particular facility lies is an integral part of the Medicaid plan for Kansas.

This, with the refinement of median plus percentage comparisons, remains the operational basis of the Kansas system.

With the repeal and removal of the former federal Boren Amendment guidance, the Secretary of Social and Rehabilitation Services (in required concert and consultation with the Secretary of Aging) as now charged with the administration and interpretation of the remaining state EEO standards, determines that such standards should be applied and determined in accordance with their state legislative restrictions as based upon the state administrative experience.

The reimbursement program for recipient or "Medicaid consumer or customer" services in nursing facilities (also including nursing facilities for mental health) has

been and continues as a prospective reimbursement system. The program also is mandated to only reimburse the "minimum necessary" efficient and economically incurred consumer related costs. Excess costs are not required to be paid even if they are otherwise incurred by a facility. Further study and experience from the former federal Boren Amendment system indicates that even efficiently and economically operated facilities may incur some excess or inefficient costs. There is no mandate under the "Kansas Prospective Payment System (KPPS)" requirements to otherwise recognize excesses and inefficiencies in order to reimburse each and every otherwise apparent EEO facility for all of its costs. The reasonable and practical realities of a prospective reimbursement system and the Kansas mandates require the application of aggregate standards. The proper implementation of the "Kansas Prospective Payment System (KPPS)" standards therefore requires the following regulation changes and amendments.

#### Article 10—ADULT CARE HOME PROGRAM

**30-10-14. Prospective reimbursement.** This regulation is being amended to reflect the changes noted above that the payment standards are now controlled by the Kansas (K.S.A. 39-708c(x)) provisions for SRS interpretation without the former federal overlay. The regulation also corrects the description of the facilities covered by this provision. More specifically the regulation is to be amended to read:

Providers participating in the medicaid/medikan program shall be reimbursed for ~~long term care nursing facility services or nursing facility for mental health services~~ through rates that are reasonable and adequate to meet the resident-related costs which must be incurred by efficiently and economically operated facilities in order to provide care and services in conformity with applicable state and federal laws, regulations, and quality and safety standards. ~~The effective date of this regulation shall be January 30, 1991. Because even efficiently and economically operated facilities may incur some excess or inefficient costs, in this prospective payment system the identification of efficiently and economically operated facilities by the procedures and limitations of this Article shall be an aggregate determination.~~

**Economic Impact:** There should be no economic impact from these changes. They do not directly change any methods of computations of current rates.

**Bearer of Cost:** As noted above, there should be no increased costs to bear.

**30-10-209. ICF-MR prospective reimbursement.** This regulation is being amended to reflect the changes noted above that the payment standards are now controlled by the Kansas (K.S.A. 39-708c(x)) provisions for SRS interpretation without the former federal overlay. The regulation also corrects the description of the facilities covered by this provision. More specifically the regulation is to be amended to read:

Providers participating in the medicaid/medikan program shall be reimbursed for ~~long term care~~ ICF-MR services through rates that are reasonable and adequate to meet the client-related costs which must be incurred by efficiently and economically operated facilities in order to

provide care and services in conformity with applicable state and federal laws, regulations, and quality and safety standards. ~~The effective date of this regulation shall be January 30, 1991. Because even efficiently and economically operated facilities may incur some excess or inefficient costs, in this prospective payment system the identification of efficiently and economically operated facilities by the procedures and limitations of this Article shall be an aggregate determination.~~

**Economic Impact:** There should be no economic impact from these changes. They do not directly change any methods of computations of current rates.

**Bearer of Cost:** As noted above, there should be no increased costs.

Rochelle Chronister  
Secretary of Social and  
Rehabilitation Services

Doc. No. 022414

State of Kansas

### State Corporation Commission

#### Notice of Hearing

Pursuant to K.S.A. 55-603, 55-604, 55-703 and 55-703a, the State Corporation Commission has directed that a hearing be conducted to allow the following parties to show cause as to why their basic proration orders should not be dissolved:

- In the matter of the application of McCoy Petroleum Corporation for a basic proration order for the Amazon Ditch East Marmaton Oil Pool located in Finney County, Kansas, therein affecting all of Section 21, all of Section 22, all of Section 27, and all of Section 28, Township 22 South, Range 34 West, Finney County, Kansas. Docket No. 176,448-C (C-26,143)
- In the matter of establishing rules and regulations relating to the production, sale, and conservation of crude oil in the Mississippian Oil Reservoir of the Cutter Field, Grant, Haskell, Seward and Stevens counties, Kansas, therein affecting all of Sections 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35 and 36, Township 30 South, Range 35 West; all of Sections 27, 28, 29, 30, 31, 32, 33 and 34, Township 30 South, Range 34 West; all of Sections 4, 5, 6, 7, 8, 9, 16, 17 and 18, Township 31 South, Range 34 West; all of Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15 and 16, Township 31 South, Range 35 West, Grant, Haskell, Seward and Stevens counties, Kansas. Docket No. 65,174-C (C-8,430)
- In the matter of the application of Anadarko Petroleum Corporation for an order spacing the Upper Morrow Reservoir in the Cutter East Field in Seward County, Kansas, and for special allowables for wells drilled therein affecting all of Sections 4 and 9, Township 31 South, Range 34 West, Seward County, Kansas. Docket No. 169,899-C (C-25,199)

The hearing will be at 10 a.m. Tuesday, June 9, at the commission's office, 1500 S.W. Arrowhead Road, Topeka. Any person requiring special accommodations under the Americans With Disabilities Act should give notice to the commission at least 10 days prior to the hearing.

Further information may be obtained by contacting William J. Wix, Assistant General Counsel, State Corporation Commission, Conservation Division, Room 2078, Finney State Office Building, 130 S. Market, Wichita, 67202, (316) 337-6200.

David J. Heinemann  
Executive Director

Doc. No. 022411

## State of Kansas

## State Employees Health Care Commission

## Notice of Meeting

A Health Care Commission meeting has been scheduled from 1:30 to 3:30 p.m. Wednesday, May 20, in Room 123-S, State Capitol, 300 S.W. 10th Ave., Topeka. For further information, contact the Benefits Office at (785) 296-6280.

Duane Nightingale  
Chair

Doc. No. 022420

## State of Kansas

## State Corporation Commission

## Notice of Motor Carrier Hearings

The following motor carriers have filed various applications and are scheduled for hearing at 9:30 a.m. June 2 before the commission at its offices, 1500 S.W. Arrowhead Road, Topeka, as indicated below. All applications listed herein are for statewide authority, unless otherwise stated. This list does not include cases which have been continued from earlier assigned hearing dates for which parties of record have received notice.

Requests to inspect and copy the notices provided to the parties and questions in regard to these hearings should be addressed to the State Corporation Commission, Transportation Division, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (785) 271-3225 or 271-3151. The presiding officer for these matters is Paula Lentz, Assistant General Counsel, (785) 271-3279. Anyone needing special accommodations should give notice to the commission 10 days prior to the scheduled hearing date.

Attention should be directed to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

## Application for Certificate of Public Service:

**Altom Transport, Inc.**, 4243 S. Knox Ave., Chicago, IL 60632; MC ID No. 146373; General commodities (except household goods).

**C.M.A. Distributors, Inc.**, 139 W. Hall, Oberlin, KS 67749; MC ID No. 151657; General commodities (except household goods and hazardous materials).

**Dewey Gressel, dba Dewey Gressel Well Service**, 2117 N. A St., Wellington, KS 67152; MC ID No. 156171; Salt water.

**Christopher T. Keck, dba CK Express**, 6312 Kentucky, Raytown, MO 64133; MC ID No. 156172; General commodities (except household goods).

**Jay Montgomery, dba Jay Montgomery Trucking**, 443 Old 40 Highway, Abilene, KS 67410; MC ID No. 155887; Grain, hay, cattle and farm equipment.

**Wayne E. Norman, dba Norman's Armored Car Service**, 1116 E. Beloit Ave., Salina, KS 67401; MC ID No. 156173; Bank notes and securities—currency and coins.

**John E. Price, dba Rocking J Trucking**, 384 N. Main, Grainfield, KS 67737; MC ID No. 156174; General commodities (except household goods and hazardous materials).

**Quality Transportation, Inc.**, I-44 Exit 58 and Highway O, Halltown, MO 65664; MC ID No. 214604; John Jandera, Attorney; Bulk commodities.

**Schmuhl Brothers, Inc.**, 1633 33 Ave. South, Apt. 309, Fargo, ND 58104; MC ID No. 222168; General commodities (except household goods).

**Kelly Stockton, dba S & S Auto Service**, 219 N. Post, Meade, KS 67864; MC ID No. 155905; William Barker, Attorney; General commodities (except household goods and hazardous materials).

**Ronald L. Thacker, dba Hollywoods Cattle Express**, Route 1, Box 81, Offerle, KS 67563; MC ID No. 156170; General commodities (except household goods and hazardous materials).

## Application for Extension of Certificate of Public Service:

**Sylvester Transport, Inc.**, 1906 Kingman Road, Ottawa, KS 66067; MC ID No. 155363; Clyde Christey, Attorney; Hazardous materials referenced in the Federal Highway Administration Insurance Regulations at 49 CFR 1043(b) (II) (c) (\$1 million).

## Application for Transfer of Certificate of Public Service:

**Kaw Transport Company**, 9100 W. Liberty Drive, Pleasant Valley, MO 64068, MC ID No. 106960, to: Kaw Transport Co., 9100 W. Liberty Drive, Pleasant Valley, MO 64068; W. Robert Alderson, Jr., Attorney; Commodities in bulk (except cement).

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

**Eveleigh Farms, Inc.**, Route 3, Box 84, Ulysses, KS 67880; MC ID No. 154052.

## Application for Abandonment of Certificate of Public Service:

**Blackhawk Enterprises, Inc.**, 1000 S. 66th Terrace, Kansas City, KS 66111; MC ID No. 123804.

**Mike Gilbreath, dba Gilbreath Cattle Co.**, Route 5, Box 45, Emporia, KS 66801; MC ID No. 151919.

**Raymond C. Griffith, dba Griffith Transport**, 606 Grand Ave., Esbon, KS 66941; MC ID No. 100104.

**Hansen Refrigerated Movements, Inc.**, 1115 Hills Road, Fremont, NE 68025; MC ID No. 118024.

**Highway Carrier Corporation**, 3601 Adventureland, Altoona, IA 50009; MC ID No. 107035.

**Hudson Foods, Inc.**, 1225 Hudson Road, Rogers, AR 72756; MC ID No. 110671.

**Hyman Freightways, Inc.**, 2690 N. Prior Ave., Roseville, MN 55113; MC ID No. 102561.

**J & J Fluid Marketing, dba Long's Oil Company**, 318 S. Front St., Russell, KS 67665; MC ID No. 154022.

**Monfort Transportation Co.**, 1650 AA St., Greeley, CO 80632-9663; MC ID No. 107137.

**Kenneth W. Schmidt**, 1509 S.W. Highway 77, El Dorado, KS 67042-9801; MC ID No. 100172.

**Terry L. Ticel, dba T & T Auto Body & Restoration**, 324 N. Mincer, Stafford, KS 67578; MC ID No. 153492.

**Bob Wollenman, Inc.**, 1002 N. 4th, St. Joseph, MO 64501; MC ID No. 108605.

## Application for Abandonment of Contract Carrier Permit:

**Raymond C. Griffith, dba Griffith Transport**, 606 Grand Ave., Esbon, KS 66941; MC ID No. 100104.

Don Carlile  
Administrator  
Transportation Division

Doc. No. 022428



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. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

**Tuesday, May 26, 1998**

33115

State Corporation Commission—Well plugging, Haibiger Project

7566

Adjutant General's Department—Construct mail room, State Defense Building

7568

University of Kansas—Mill work

7575

Pittsburg State University—Furnish and install vertical blinds

**Wednesday, May 27, 1998**

33116

University of Kansas Medical Center—Licensed armed security guard services, Wichita

7570

University of Kansas—Furnish and install aluminum doors and frames

7571

Adjutant General's Department—Repair mortar joints, McConnell AFB, Wichita

7572

Lansing Correctional Facility—Detention locks and keys

7576

Department of Social and Rehabilitation Services—Electronic locksets with stripe readers, Garden City

7577

University of Kansas—Janitorial equipment

7578

Kansas State University—Laboratory furniture, Salina

7579

Kansas State University—Floor scrubber

**Thursday, May 28, 1998**

33040

Emporia State University—Printing of "Spotlight" Magazine

33100

Beloit Juvenile Correctional Facility—Laundry services

33106

University of Kansas Medical Center—Detergents (animal care unit)

33109

Department of Social and Rehabilitation Services—Security guard services

33110

Kansas State University—Fabricate duct work

7567

Kansas State University—HP oscilloscope upgrade, Salina

7573

Kansas State University—Fluorescence monitoring system

7581

Kansas State University—533 MHZ 21164A alpha processor

7585

University of Kansas—Engine lathe

7586

Kansas State University—Liquid scintillation system

7587

University of Kansas—Research microscope

7588

Department of Health and Environment—Continuous particulate monitor

7589

University of Kansas—Fluid metering pump

**Friday, May 29, 1998**

33107

Statewide—Dairy products

7582

Kansas Highway Patrol—K-9 transportation equipment

7590

Larned Correctional Mental Health Facility—Step van

7591

Larned Correctional Mental Health Facility—Furnish and install carpet

**Tuesday, June 2, 1998**

A-8541

Department of Administration—"Ad Astra" grounds monument, Statehouse Grounds

7584

Department of Health and Environment—Hosey Tank Reclamation Project, Frontenac

7593

Department of Health and Environment—Holmes Cemetery Reclamation Project, Frontenac

**Thursday, June 4, 1998**

A-8496

University of Kansas Medical Center—Phase 1 demolition and site development, Center for Health and Aging

A-8543

University of Kansas—Partial roof replacement, Woodruff Auditorium

**Friday, June 5, 1998**

33105

Department of Human Resources—Workers compensation insurance

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**Request for Proposals**

**Thursday, May 28, 1998**

33080

Printing of 1999 Travel Guide for the Kansas Department of Commerce and Housing

(continued)

**Friday, June 12, 1998**

**33036**

Space lease for Hutchinson Social and Rehabilitation Office for the Kansas Department of Social and Rehabilitation Services

**Thursday, June 18, 1998**

**33081**

Child support enforcement services (23rd and 25th Judicial Districts) for the Department of Social and Rehabilitation Services

**Friday, June 19, 1998**

**33083**

Privately-operated minimum custody therapeutic community (based at Winfield Correctional Facility) for the Kansas Department of Corrections

**Monday, June 22, 1998**

**33067**

Health benefits for the Department of Social and Rehabilitation Services

John T. Houlihan  
Director of Purchases

Doc. No. 022431

## State of Kansas

### Secretary of State

#### Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of April 1998 for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

#### Domestic Corporations

A - B Sales, Inc., Wichita, KS.  
A Windshield Shop, Inc., Wichita, KS.  
A. J. Soerries, Real Estate, Inc., Wichita, KS.  
Advanced Systems of Wichita, Inc., Wichita, KS.  
Air Capital Communications, Inc., Wichita, KS.  
Alpine Enterprises Ltd., Clay Center, KS.  
Annabelles, Inc., Overland Park, KS.  
Ascanio's, Inc., Cherokee, KS.  
Audio Access, Inc., McPherson, KS.  
B & B Fluid Service, Inc., Hugoton, KS.  
B.J.B., Inc. of Kansas, Kansas City, KS.  
Bel-Air Ceramics, Inc., Shawnee Mission, KS.  
Bell Taxi and Transportation Incorporated, Junction City, KS.  
Bell Taxi and Transportation of Manhattan, Inc., Manhattan, KS.  
Bilco Service, Inc., Abilene, KS.  
Bio Environmental Systems Technologies Corp., Kansas City, KS.  
Boland Well Service, Inc., Chelsea, OK.  
C & G Coins and Jewelry, Inc., Overland Park, KS.  
C & S Capital Corporation, Kansas City, KS.  
Carr Consulting, Inc., Shawnee, KS.  
Cellcom, Inc., Manhattan, KS.  
Clark Six, Incorporated, Turon, KS.

Coconut Drilling, Inc., Yates Center, KS.  
Coffee U.S.A. Corporation, Topeka, KS.  
Col-Kan Development, Inc., Russell, KS.  
Cook and Kibler, Inc., Louisburg, KS.  
Cornerstone Christian Academy, Inc., El Dorado, KS.  
Corporate Resource Group, Inc., Stilwell, KS.  
Cowboy Up Ventures, Inc., Wichita, KS.  
Cramer Inc., Kansas City, KS.  
Critchfield, Inc., Branson, MO.  
Custom Contracting, Inc., Olathe, KS.  
E. Randall, Inc., Olathe, KS.  
Educational Support Services, Inc., Wichita, KS.  
Electronics Sales & Service, Inc., Wichita, KS.  
Emporia Security Systems, Inc., Emporia, KS.  
Engineered Reduction Systems, Inc., Pittsburg, KS.  
Far View Farm, Inc., Stilwell, KS.  
Flickering Scents, Inc., Kansas City, MO.  
Foote Construction Company, Inc., Pleasanton, KS.  
G & B Enterprises, Incorporated, Junction City, KS.  
Gibson Structural Detailing, Inc., Savannah, MO.  
Great Plains Construction Company, Inc., Great Bend, KS.  
Hi-Plains Land Investments, Inc., Colby, KS.  
High Impact, Inc., Altamont, KS.  
Hillview Health Center, Inc., Topeka, KS.  
Hoffman International, Inc., Overland Park, KS.  
Homes for Neodesha, Inc., Neodesha, KS.  
House of Heavilin of Kansas, Inc., Wichita, KS.  
Housing Foundation, Topeka, KS.  
Idaho Falls Braves Baseball Club, Inc., Oak Brook, IL.  
J & L, P.A., Hutchinson, KS.  
J & M Machine & Welding, Inc., Canton, KS.  
J. & P. Investment Co., Inc., Overland Park, KS.  
J. Walters Construction Co., Inc., Mission, KS.  
Jerry L. Howard, D.C., P.A., Derby, KS.  
JHDLR, Inc., Olathe, KS.  
Jo Inc., Whiting, KS.  
Johnny Appleseed Farms, Inc., Shawnee, KS.  
Kansas Oil and Gas Corporation, Houston, TX.  
Kazda, Incorporated, Beloit, KS.  
KC Brewing Company, Merriam, KS.  
Knight Trenching & Excavating, Inc., Lenexa, KS.  
KSQ Blowmolding-Engineering-Manufacturing, Inc., Winfield, KS.  
L & R Recycling Center, Inc., Hays, KS.  
L.N.U. Pipe Company, Inc., Columbus, KS.  
Lackey Sanitation, Inc., Hutchinson, KS.  
Magnum Resources, Inc., Wichita, KS.  
Mahr Painting Company, Inc., Shawnee, KS.  
Manufacturing and Engineering, Inc., Wichita, KS.  
MD Leasing Services, Inc., Overland Park, KS.  
Media Resources, Inc., Overland Park, KS.  
Mel Raskin & Associates, Inc., Overland Park, KS.  
Micro-Chem. Associates, Inc., Wichita, KS.  
Mid West Building Co., Inc., Olathe, KS.  
Midway Auto Supply of Valley Falls, Inc., Valley Falls, KS.  
Midwest Mule Club, Kansas City, KS.  
Missouri Valley Excellence, Inc., Prairie Village, KS.  
Moonwalk International, Inc., Kansas City, MO.  
Morris Newspaper Corporation of Kansas, Great Bend, KS.  
New Star Excavation, Inc., Olathe, KS.  
Ninnescah Valley Health Systems, Inc., Kingman, KS.  
Nu Concept Centre, Inc., Concordia, KS.  
Office World, Inc., Manhattan, KS.  
OQ II, Inc., Shawnee, KS.  
Osborne County Grain, Inc., Osborne, KS.  
Oursler Drilling, Inc., Peabody, KS.  
Overland Tow Service of Olathe, Inc., Olathe, KS.  
P & H Cattle Company, Inc., Emporia, KS.

Practice Solutions, Inc., Overland Park, KS.  
 Prairie Center Muffler, Inc., Olathe, KS.  
 Quigg Photographic, Inc., Wichita, KS.  
 R & E Enterprises, Inc., Hays, KS.  
 R & J Engine Sales, Inc., Hugoton, KS.  
 Resource Home Health Care, Inc., Osage City, KS.  
 Rex Tire Company, Inc., Topeka, Kansas, Topeka, KS.  
 Rolco Manufacturing, Inc., Chanute, KS.  
 RRC, Inc., Topeka, KS.  
 Samuelson Enterprises, Inc., Haysville, KS.  
 Sandy Inc., Kansas City, MO.  
 Schmidt Enterprises, Inc., Andover, KS.  
 Shadowline Productions, Inc., Olathe, KS.  
 Stafford County Abstract and Title Company, Inc.,  
 St. John, KS.  
 Summit Industries, Inc., Wichita, KS.  
 Superior Foundation, Inc., Olathe, KS.  
 The Alumni Board of the Kansas Gamma Chapter of Sigma  
 Phi Epsilon, Inc., Lawrence, KS.  
 The Korean Church of Lawrence, Lawrence, KS.  
 The Wickenburg Ranch, L.L.C., Wichita, KS.  
 Thibault Companies, Inc., Wichita, KS.  
 Thundering Wings Pheasant Farm, Inc., Westphalia, KS.  
 Tractor 6146, Inc., Peoria, AZ.  
 Tractor 6308, Inc., Fort Scott, KS.  
 Tractor 8607, Inc., Benton, KS.  
 Triacq Corp., Kansas City, MO.  
 Typewriter Doctor, Inc., Wichita, KS.  
 Value Vision, Inc., Fredonia, KS.  
 Volley Heat Volleyball Club Inc., Overland Park, KS.  
 W. W. Y. Inc., Hutchinson, KS.  
 W.J. Duplication, Inc., Overland Park, KS.  
 Warburton Services Group, Inc., Bixby, OK.  
 Wichita Waterproofing, Inc., Wichita, KS.  
 Wichita Youth for Christ, Inc., Wichita, KS.  
 Wick Water, L.L.C., Wichita, KS.  
 Wood Construction Company, Inc., Wichita, KS.  
 Wood Roasted Pizza of Overland Park, Inc.,  
 Overland Park, KS.  
 Wooten's Card & Gift Shop, Inc., Prairie Village, KS.  
 Wright of Kansas City, Inc., Lenexa, KS.  
 Wright of Oklahoma City, Inc., Lenexa, KS.  
 Wyandotte County Real Estate, Inc., Kansas City, KS.  
 Yan-Kan-Tex, Inc., Fort Scott, KS.

#### Foreign Corporations

Abby Road Limited Partnership, Kansas City, KS.  
 Aero-Mod Incorporated, Canton, OH.  
 American Coatings, Inc., Nashville, TN.  
 American Medicorp Development Co., Nashville, TN.  
 Ameriquest Technologies, Inc., Santa Ana, CA.  
 AnnTaylor Inc., New Haven, CT.  
 Aptus, Inc., Wilmington, DE.  
 Aramark Educational Resources, Inc., Philadelphia, PA.  
 Asgrow Seed Company, Oxnard, CA.  
 Associated Pool Builders, Inc., Bismarck, ND.  
 Azcot, Inc., Hobart, OK.  
 B & R Erectors, Inc., Woodstock, IL.  
 Baker Hughes Process Systems, Inc., Houston, TX.  
 Baltimore Aircoil Company, Inc., Jessup, MD.  
 Bar-S Foods Co., Phoenix, AZ.  
 Bossert Industrial Supply, Inc., Skokie, IL.  
 C. Rallo Contracting Co., Inc., St. Louis, MO.  
 Cannon Sline, Inc., Philadelphia, PA.  
 Citizens Leasing Corporation, Providence, RI.  
 Clark-Timmons Oil Company, Inc., Blue Springs, MO.  
 Compliance Coordinators, Inc., Kansas City, MO.  
 Correctional Medical Services, Inc., Philadelphia, PA.

Coslett Enterprises, Inc., Sarasota, FL.  
 Counties Corporation, Plymouth Meeting, PA.  
 Cramer & Giles Insurance, Inc., Eugene, OR.  
 Dakota Growers Pasta Company, Carrington, ND.  
 Dave Kolb Grading, Inc., St. Charles, MO.  
 Deloitte & Touche Consulting Group Holding LLC,  
 Wilmington, DE.  
 Deloitte & Touche Consulting Group LLC, Wilmington, DE.  
 Destin Drywall & Paint, Inc., Houston, TX.  
 Dr. Vinyl of Independence/Blue Springs, Inc.,  
 Independence, MO.  
 Electronic Contracting Company, Lincoln, NE.  
 Enviroworks, Inc., Apopka, FL.  
 ERC Properties of Oklahoma, Inc., Fort Smith, AR.  
 Fidelity Leasing, Inc., Ambler, PA.  
 Golden Coast Management Services, Inc., Fort Collins, CO.  
 Gormley & Company, Inc., Westminster, CO.  
 Holmes & Narver, Inc., Orange, CA.  
 Homestar Industries of Missouri, Inc., Fenton, MO.  
 Infinity Research & Development, Inc., Chanute, KS.  
 Intercable N.A., Inc., Berlin, NJ.  
 Intelemedia N.A., Inc., Berlin, NJ.  
 Intelepower N.A., Inc., Berlin, NJ.  
 Interior Materials, Inc., Kansas City, MO.  
 International Corporation Company, Inc., Wilmington, DE.  
 International Office Systems, Inc., Wayne, PA.  
 KCM, Inc., Seattle, WA.  
 L B & B Associates Inc., Columbia, MD.  
 LeFebure Corporation, Wilmington, DE.  
 Liebert Corporation, Columbus, OH.  
 Lowry's Diversified Services, Inc., Joplin, MO.  
 Majec Training Consultants, Leawood, KS.  
 Marketers, Ltd., Overland Park, KS.  
 Martinez Corporation, St. Paul, MN.  
 Max D. Smith, Jr., D.D.S., P.C., Kansas City, MO.  
 Meridian Financial Corporation, Indianapolis, IN.  
 MHM Extended Care Services, Inc., McLean, VA.  
 Moore/Andersson Architects, Inc., Austin, TX.  
 Mortgage Capital Resource Corporation, Colton, CA.  
 National Garment Company, Bridgeton, MO.  
 Netstar, Inc., Eden Prairie, MN.  
 Okemah Construction, Inc., Okemah, OK.  
 Optical Services, Inc. (a Nebraska Corporation), Omaha, NE.  
 Peter's Custom Tailoring & Clothing, Inc., Overland Park, KS.  
 Physicians Total Care, Inc., Tulsa, OK.  
 PLZ, Corp., Worcester, MA.  
 Quality Mortgage USA, Inc., Irvine, CA.  
 Rollins Environmental, Inc., Wilmington, DE.  
 Romac, Inc., Lenexa, KS.  
 RZR, Corp., Worcester, MA.  
 S&J Tech Data Service Co., Rochester Hills, MI.  
 Sight 'n Sound Appliance Centers, Inc., Oklahoma City, OK.  
 Signature Cellular, Inc., St. Louis, MO.  
 Southeast Mechanical Contractors, Inc., Lee's Summit, MO.  
 Sterling Petroleum Operating Company, Sterling, KS.  
 Style Crest Products, Inc., Fremont, OH.  
 Tetra Tech, Inc., Pasadena, CA.  
 The Astrup Company, Cleveland, OH.  
 The Credit Store, Inc., Sioux Falls, SD.  
 Unitel Global Communications, Inc., Oklahoma City, OK.  
 Wallace Oil & Gas, Inc., Oklahoma City, OK.  
 Waterlink Operational Services, Inc., Canton, OH.  
 We Care Workers Compensation, Inc., Springdale, AR.

Ron Thornburgh  
 Secretary of State

Doc. No. 022412

State of Kansas

**Office of Judicial Administration  
Court of Appeals Docket**

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

Kansas Court of Appeals  
643 U.S. Courthouse  
500 State Ave.  
Kansas City, Kansas

Before Elliott, P.J.; Wahl, S.J.; and C. Robert Bell, D.J., assigned.

Tuesday May 19, 1998

9:00 a.m.

Case No.	Case Name	Attorneys	County
77,230	State of Kansas, Appellee, v. Dean E. Needham, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Donald L. Hochanadel	Johnson
78,232	City of Overland Park, Kansas, Appellee, v. Albert R. Jaso, Appellant.	Wayne E. Smith Thomas J. Bath	Johnson
77,844	In the Matter of the Marriage of Mary Jane Johnson, Appellee, and Timothy Howard Johnson, Appellant.	Charles Ball David P. Simmons	Wyandotte

1:30 p.m.

78,202	Clarence Annett, Appellee, v. Tapanam Associates, Inc., Appellant.	Ernest C. Ballweg Timothy A. Toth	Johnson
78,147	In the Matter of the Marriage of Thomas E. Wayne, Appellee, and Georgia Sue Wayne, Appellant.	Michael Redmon Charles R. Wilson	Wyandotte
77,528	Mary Teresa Doyle, Appellant, v. Megan Yearout, Appellee.	Robert G. Herndon Kurt A. Level Patrick E. McGrath	Johnson

**Summary Calendar—No Oral Argument**

77,625	State of Kansas, Appellee, v. Robert L. Wilson, Appellant.	Attorney General Terra D. Morehead, Asst. D.A. Jessica R. Kunen, Chief A.D.	Wyandotte
78,253	State of Kansas, Appellee, v. John C. McClanahan, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Jessica R. Kunen, Chief A.D.	Johnson
78,484	State of Kansas, Appellee, v. Harold E. Wieland, Jr., Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Jessica R. Kunen, Chief A.D.	Johnson
78,137	State of Kansas, Appellee, v. John S. Bulla, Appellant.	Attorney General Dionne M. Scherff, Asst. D.A. Jessica R. Kunen, Chief A.D.	Wyandotte
78,292	Isabel Mandelkern, Appellant, v. Mercedes-Benz Credit Corp., Appellee.	Steven H. Mustoe Paul W. Rebein	Johnson

78,791	State of Kansas, Appellee, v. Aretha Coleman, Appellant.	Attorney General District Attorney Jessica R. Kunen, Chief A.D.	Wyandotte
77,645	State of Kansas, Appellee, v. Scott Allen Ingerson, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Jessica R. Kunen, Chief A.D.	Johnson
78,748 78,749	State of Kansas, Appellee, v. Richard Harper, Appellant.	Attorney General County Attorney Jessica R. Kunen, Chief A.D.	Geary
79,221	Gurmej S. Gosal, Appellee, v. USC Industries, Inc., and Hartford Accident & Indemnity Company, Appellants.	Mark A. Corder Kip A. Kubin	Work Comp

Kansas Court of Appeals  
Court of Appeals Courtroom  
Kansas Judicial Center  
301 W. 10th Ave.  
Topeka, Kansas

Before Brazil, C.J.; Marquardt, J.; and J. Michael Smith, D.J., assigned.

Tuesday, May 19, 1998

9:00 a.m.

Case No.	Case Name	Attorneys	County
77,621	State of Kansas, Appellee, v. John E. Johnson, Appellant.	Attorney General James A. Brown, Asst. D.A. Jessica R. Kunen, Chief A.D. Hazel Haupt, Asst. A.D.	Shawnee
77,810	State of Kansas, Appellee, v. Frank Swanson, Appellant.	Attorney General Gwynne E. Harris, Asst. D.A. Dwight L. Miller	Shawnee
77,265	State of Kansas, Appellee, v. Richard L. Sutton, Appellant.	Attorney General Keith W. Sprouse, C.A. Jessica R. Kunen, Chief A.D. Michael J. Helvey, Asst. A.D.	Marshall

1:30 p.m.

78,525	Sharon Miller, <i>et al.</i> , Appellees, v. Woodmen Accident and Life Ins. Company, <i>et al.</i> (John and Nathan Felman), Appellants.	Harold S. Youngentob Jay C. Hinkel William J. Pauzaskie	Shawnee
80,231	State of Kansas, Appellant, v. Willard Brown, Appellee.	Attorney General Thomas Alongi, Asst. C.A. Michael P. McKone	Geary
78,103	Farm Bureau Mutual Insurance Company, Inc., Appellee, v. James Correy, Inez Edmondson, and Kansas Mutual Insurance Company, Appellants.	David A. Hanson A. J. Wachter Leigh C. Hudson	Cherokee

(continued)

## Summary Calendar—No Oral Argument

78,386	State of Kansas, Appellee, v. Thomas C. Roberts, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
78,410	Lenny Dean Lowry, Appellant, v. State of Kansas, Appellee.	Roger L. Falk Jon E. Newman Attorney General Debra S. Peterson, Asst. D.A.	Sedgwick
78,762	Gerald Haataja, Appellee, v. General Riggers & Erectors, Inc., and Liberty Mutual Insurance Co., Appellants.	Robert S. Fuqua Douglas D. Johnson	Work Comp
78,019	State of Kansas, Appellee, v. Scott Alan Elvin, Appellant.	Attorney General Ty Kaufman, C.A. Jessica R. Kunen, Chief A.D.	McPherson
78,514	State of Kansas, Appellee, v. Edward D. Florez, Appellant.	Attorney General District Attorney Jessica R. Kunen, Chief A.D.	Shawnee
78,670	State of Kansas, Appellee, v. Gerald M. Narron, Appellant.	Attorney General Joan Hamilton, D.A. Jessica R. Kunen, Chief A.D.	Shawnee
77,751	State of Kansas, Appellee, v. Samuel E. Baker, Appellant.	Attorney General District Attorney Jessica R. Kunen, Chief A.D.	Shawnee
78,172	State of Kansas, Appellee, v. Beatrice Perkins, Appellant.	Attorney General Thomas Alongi, Asst. C.A. Jessica R. Kunen, Chief A.D.	Geary
78,579	Raymond R. Griffin, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Attorney General Debra S. Peterson, Asst. D.A.	Sedgwick

Kansas Court of Appeals  
Old Sedgwick County Courthouse  
510 N. Main, 3rd Floor  
Wichita, Kansas

Before Gernon, P.J.; Rulon, J.; and James J. Noone, D.J., Retired, assigned.

Tuesday, May 19, 1998

9:30 a.m.

Case No.	Case Name	Attorneys	County
77,981 78,627	Wellwin Drilling Corporation, Appellant, v. John M. Rush and Paul Sears, Individually, Jointly and Severally, and d/b/a Venture Leasing and Development, Appellees, and John M. Rush, Third-Party Plaintiff, v. W.C. Long, Jr. and Jack C. Mitchell, Third-Party Defendants.	James J. Long James D. Oliver	Cowley

77,727	State of Kansas, Appellee, v. Douglas T. Florence, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. David Lowden, Asst. D.A. Jessica R. Kunen, Chief A.D. Alice A. Craig, Asst. A.D.	Sedgwick
75,986	State of Kansas, Appellee, v. Randall L. Mulanix, a/k/a Randall A. Mulanix, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Doyle Baker, Asst. D.A. Jessica R. Kunen, Chief A.D. Janine Cox, Asst. A.D.	Sedgwick
1:30 p.m.			
76,917	State of Kansas, Appellee, v. Vernon A. Montgomery, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Doyle Baker, Asst. D.A. Jessica R. Kunen, Chief A.D. Reid T. Nelson, Asst. A.D.	Sedgwick
77,601 77,602	State of Kansas, Appellee, v. William E. Johnson, Appellant.	Attorney General Morgan Metcalf, Deputy C.A. Michael L. Jones	Butler
78,314	Wesley A. McGuire, Deceased, Appellant, v. Martin K. Eby Construction Company, Inc., and Aetna Casualty & Surety Co., Appellees.	John Dee Roper Lyndon W. Vix	Work Comp

#### Summary Calendar—No Oral Argument

78,371	State of Kansas, Appellee, v. Robert Corona, Appellant.	Attorney General Brian R. Sherwood, Asst. C.A. Jessica R. Kunen, Chief A.D. Lisa Nathanson, Asst. A.D.	Finney
79,814	In the Interest of D.W.F., K.M.F., and A.J.F.	Timothy H. Henderson Ledetra C. Jones	Sedgwick
80,129	In the Interest of A.M.W., a Female Child Under 18 Years of Age.	John K. Chenoweth Kerry Holyoak Jill E. Chard, C.A.	Wilson
78,053	State of Kansas, Appellee, v. Terry A. Terhune, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Michael C. Brown	Sedgwick
78,348	Harold E. Hawkins, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Attorney General Debra S. Peterson, Asst. D.A.	Sedgwick
78,542	State of Kansas, Appellee, v. Genaro Hermosillo, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
78,449	State of Kansas, Appellee, v. James B. Price II, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
78,485	Timothy C. Stringer, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Attorney General Morgan Metcalf, Deputy C.A.	Butler

(continued)

79,741	In the Interest of A.L.A., dob: 02/28/84 L.G.M., dob: 12/11/86 T.M.M., dob: 03/17/88 C.D.M., dob: 03/24/90 U.G.M., dob: 08/05/91 L.C.M., dob: 11/26/92 G.L.M., dob: 12/09/93	Philip J. Bernhart Robert L. Eastman Ann L. Smith, Special Asst. C.A.	Montgomery
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**Kansas Court of Appeals  
Old Sedgwick County Courthouse  
510 N. Main, 3rd Floor  
Wichita, Kansas**

**Before Lewis, P.J.; Pierron, J.; and Jack L. Burr, D.J., assigned.**

**Wednesday, May 20, 1998**

**9:30 a.m.**

Case No.	Case Name	Attorneys	County
78,545	LaWanda B. King, Appellant, v. Estate of Arnett L. King, <i>et al.</i> , Appellees.	Steven R. Sublett Paul C. Herr	Sedgwick
79,392	State of Kansas, Appellee, v. Roger A. Patterson, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Doyle Baker, Asst. D.A. Jessica R. Kunen, Chief A.D. Elizabeth Seale Cateforis, Asst. A.D.	Sedgwick
76,952	State of Kansas, Appellee, v. Joseph Scott Stuber, a/k/a Jason S. Stuber.	Attorney General Debra S. Peterson, Asst. D.A. Doyle Baker, Asst. D.A. Jessica R. Kunen, Chief A.D. Steven R. Zinn, Deputy A.D.	Sedgwick
<b>1:30 p.m.</b>			
77,399	Colleen Parker, Appellant, v. Mid-Century Ins. Co., Appellee.	Brian D. Pistotnik Alan G. Metzger Kenneth P. Leyba	Sedgwick
80,131	In the Matter of the Marriage of Scott Plisek, Appellant, and Stacy Plisek, Appellee.	Philip J. Bernhart Curt T. Schneider	Montgomery
76,548 76,764	Board of Sedgwick County Commissioners, Appellant, v. Dillon Stores, <i>et al.</i> , Appellees, and Dillon Stores, <i>et al.</i> , v. Board of Sedgwick County Commissioners.	Clarence D. Holeman Robert J. O'Connor Jill C. Allison Mark A. Corder J. Bradley Short Ray E. Sousley	Tax Appeal

**Summary Calendar—No Oral Argument**

78,604	Eldon L. Meigs and Rebecca Meigs, Appellants, v. John V. Black and Withers Investment, Inc., a Corporation, Appellees.	Eldon L. Meigs Bill Hampton, Jr.	Pratt
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80,341	In the Interest of T.W.J., a/k/a T.M., dob: 04/23/91, a Child Under 18 Years of Age.	William L. Brown Jennifer M. Wieland, Asst. C.A. Randall J. Pankratz	Harvey
80,524	Jeffrey Garner, Appellant, v. Michael A. Nelson, Appellee.	Michael G. Coash Julie Riddle	Butler
78,810 78,811	State of Kansas, Appellee, v. Anthony S. Cisneros, Appellant.	Attorney General Jan Satterfield, Deputy C.A. Darren K. Patterson	Butler
79,562	In the Interest of H.A.M., dob: 11/14/84; J.F.D., dob: 04/24/89; and W.D.M., dob: 02/10/94, Minor Children Under 18 Years of Age.	Richard L. Dickson Shawn Elliott Becky C. Hurtig	Sedgwick
80,237	Stanton S. Holt, Appellant, v. Hutchinson Correctional Facility, et al., Appellees.	Stanton S. Holt, pro se Jon D. Graves	Reno
78,080	State of Kansas, Appellee, v. Michael T. Anthony, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
78,465	Donald L. Bumpus, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Attorney General Debra S. Peterson, Asst. D.A.	Sedgwick
79,992	In the Interest of T.R.J., dob: 03/16/96, Minor Child Under 18 Years of Age.	Michael S. Boohar Shawn Elliott Kim Christiansen	Sedgwick

Carol G. Green  
Clerk of the Appellate Courts

Doc. No. 022347

## State of Kansas

### Kansas Insurance Department

#### Permanent Administrative Regulations

#### Article 4.—ACCIDENT AND HEALTH INSURANCE

**40-4-36. Accident and sickness insurance; continuation and conversion policies; reasonable notice of required contributions and right to convert.** (a) The reasonable notice of required contribution provided for by K.S.A. 40-19c06 and K.S.A. 1997 Supp. 40-2209, and amendments thereto, shall be fulfilled if a form meeting the following requirements is transmitted to the insured person:

(1) Describes the right to continue coverage under the group policy;

(2) sets forth the premiums or subscriber's charges and mode of payment necessary to exercise this right; and

(3) describes the availability of coverages through the Kansas health insurance association.

(b) The form shall be directly delivered or transmitted to the last known address of the insured person.

(c) The reasonable notice of the right to convert required by K.S.A. 40-19c06 and K.S.A. 1997 Supp. 40-2209,

and amendments thereto, shall be fulfilled if, during the six-month continuation period, a form meeting the following requirements is transmitted to the person eligible for conversion:

(1) Describes the conversion options;

(2) describes the premiums or subscriber's charges for each option;

(3) provides instructions regarding the action required to effect conversion; and

(4) describes the availability of coverages through the Kansas health insurance association.

(d) Insurers may include provisions in their group policies, subscription agreements, and certificates of coverage that are necessary to identify or obtain identification of persons and events that would activate the continuation and conversion rights created by K.S.A. 40-19c06 and K.S.A. 1997 Supp. 40-2209, and amendments thereto. (Authorized by K.S.A. 40-103, K.S.A. 40-19c06 and K.S.A. 1997 Supp. 40-2209; implementing K.S.A. 40-19c06 and K.S.A. 1997 Supp. 40-2209; effective, T-86-3, Jan. 9, 1985; effective May 1, 1985; amended May 1, 1986; amended May 29, 1998.)

Kathleen Sebelius  
Kansas Insurance Commissioner

Doc. No. 022415

## State of Kansas

## State Historical Society

Temporary Administrative  
RegulationsArticle 3.—REVIEW OF PROJECTS AFFECTING  
HISTORIC PROPERTIES AND THEIR ENVIRONS

**118-3-1. Definitions.** For the purposes of Article 3, these terms shall have the following meanings.

(a) "Boundaries of a historic property" means the limits or extent of a geographic area included in the state or national registers of historic places.

(b) "Character-defining features" means those physical characteristics and elements that indicate the integrity, design, and materials of the listed historic property.

(c) "Demolition" means the partial or complete removal of a building or structure, the components of a building or structure, or the man-made components of the site on which the building or structure is located, including walks, driveways, retaining walls, and fences.

(d) "Environs" means the historic property's associated surroundings and the elements or conditions that serve to characterize a specific place, neighborhood, district, or area, which takes into account all relevant factors, including the following:

- (1) The use of the area;
- (2) the significance of the historical property;
- (3) the scope of the project;
- (4) surrounding buildings, structures, and foliage; and
- (5) the topography of the surrounding area.

A project need not be adjacent to a historic property for it to be in the historic property's environs.

(e) "Feasible and prudent alternative" means an alternative solution that can be reasonably accomplished and that is sensible or realistic. Factors that shall be considered when determining whether or not a feasible and prudent alternative exists include the following:

- (1) Technical issues;
- (2) design issues;
- (3) the project's relationship to the community-wide plan, if any; and
- (4) economic issues.

(f) "Governmental entity" means the "state or any political subdivision of the state," as that term is defined by K.S.A. 75-2714, and amendments thereto.

(g) "Ground-disturbing project" means a project that changes the existing grade, shape, or contour of a property or involves drilling into or excavation of earth from a piece of property where there is the potential to disturb archeological remains.

(h) "Historic property" means any property included on "the national register of historic places" or "the register of historic Kansas places."

(i) "Program includes all possible planning" means that the written evidence and materials submitted by a governmental entity to the state historic preservation officer clearly identify all alternative solutions that have been investigated, compare the differences among the alternative solutions and their effects, and describe mitigation measures proposed by the project proponent that address an adverse effect determination of the state historic preservation officer.

(j) "Relevant factors" means pertinent information submitted by project proponents or project opponents in written form, including evidence supporting their positions. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

**118-3-2. Notice of projects directly undertaken by a governmental entity or supported by a governmental entity.** (a) Projects undertaken directly by a governmental entity or projects undertaken by a person but supported by a governmental entity, for which notice shall be given when required by K.S.A. 75-2724(a), and amendments thereto, shall include any of the following:

(1) Exterior or interior projects involving the listed historic property, including any of the following:

- (A) Construction of one or more structures;
- (B) site improvements;
- (C) repair work;
- (D) alterations or additions to the listed historic property;

(E) partial or total demolition of any structure on the listed historic property; or

(F) ground-disturbing projects;

(2) projects carried out within the environs of a listed historic property, including the following:

(A) Construction or alteration of any existing structures;

(B) demolition or removal of structures;

(C) public improvements, including improvements to streets, curbs, sidewalks, parking areas, parks, and other public amenities;

(D) vacation of streets, alleys, or both; or

(E) ground-disturbing projects; or

(3) any other project that is determined by the state historic preservation officer to have the potential to encroach upon, damage, or destroy a listed historic property or its environs.

(b) Projects involving emergency repair work. Each governmental entity shall give notice of emergency work, including water or sewer line repair or protective work required immediately for structures damaged by fire, tornado, or other disaster, if the project would be covered by subsection (a) of this regulation. A review of the emergency repair work shall be expedited by the state historic preservation officer and shall be handled by telephone or FAX when possible. If, after reasonable but unsuccessful efforts to notify the state historic preservation officer, emergency repair work must be completed, the work shall be performed in a manner that minimizes the effect on the historic property or its environs. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

**118-3-3. Notice of projects involving the issuance of a lease, permit, license, certificate, or other entitlement for use to any person by a governmental entity.**

(a) Projects for which a governmental entity issues a lease, permit, license, certificate, or other entitlement for use to any person for which notice shall be given when required by K.S.A. 75-2724(a), and amendments thereto, shall include the following:

(1) Projects directly or indirectly affecting any listed historic building, structure, object, district, or site, including any of the following:

(A) Exterior or interior projects involving the listed historical property, including any of the following:

- (i) Construction of one or more structures;
- (ii) site improvements;
- (iii) repair work;
- (iv) alterations or additions to the listed historic property, including signage;
- (v) partial or total demolition of any structure on the listed historic property; or
- (vi) ground-disturbing projects; or
- (B) rezoning;
- (C) special use or conditional use permits;
- (D) subdivision of property; or
- (E) vacation of streets or alleys; and

(2) projects requiring permits that would affect the environs of a listed historic property, including any of the following:

- (A) Rezoning;
- (B) special use or conditional use permits;
- (C) subdivision of property;
- (D) vacation of streets or alleys; or
- (E) exterior projects that affect any building, structure, object, or site in the environs of a historic property, including any of the following:
  - (i) Construction of one or more structures;
  - (ii) site improvements;
  - (iii) repair work;
  - (iv) alterations or additions to structures in the environs, including signage; or
  - (v) partial or total demolition of a structure.

(b) Exceptions. Notice shall not be required when the issued lease, permit, license, certificate, or other entitlement is for interior projects in the environs of a listed property. In addition, notice shall not be required for any exterior projects in the environs of a listed property for replacement of deteriorated existing materials with new, matching materials, known as replacement-in-kind. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

**118-3-4. Content of notice to state historic preservation officer.** Each governmental entity required to give notice to the state historic preservation officer under K.S.A. 75-2724, and amendments thereto, and K.A.R. 118-3-2 and K.A.R. 118-3-3, shall provide notice in accordance with this regulation before undertaking a project.

(a) At a minimum, the following documentation shall be submitted with the initial notification for all projects:

(1) A written transmittal or letter that contains the following elements from the governmental entity:

(A) A request for the state historic preservation officer's comments on the proposed project in accordance with K.S.A. 75-2724, and amendments thereto; and

(B) an identification of the work to be done, the property address, its legal description, and the project contact person;

(2) complete architectural drawings as required by the governmental entity for issuance of a building permit, or sufficient documentation to clearly explain the proposed project, including floor plans, elevations, wall or building sections and detail drawings, as applicable. For additions or new construction, the property owner shall also fur-

nish a site plan showing all existing structures and the location of the proposed new construction. If no documentation is required by the city or county, the property owner shall supply to the state historic preservation officer sufficient documentation to clearly explain the proposed project.

(b) If a project is reviewed to assess its effects on one or more listed historic properties, the documentation shall include photographs accurately and fully depicting the site and setting of the historic structure, including the following perspectives:

- (1) A general overall view from the street;
- (2) the relevant exterior elevations;
- (3) detailed close-ups of the specific exterior or interior architectural features, including windows, doors, porches, and stairs; and
- (4) the interior views of rooms that will be affected by the proposed project.

(c) If a project is reviewed to assess its effects on the environs of one or more listed historic properties, the documentation shall include a vicinity map showing the proximity of the proposed project to the listed historic property, existing structures in the environs, and clear, sharp photographs that fully depict the project and the listed property's environs, including the following:

- (1) Views from the proposed project to the historic property;
- (2) views from the historic property to the proposed project;
- (3) views that show the conditions and character of the environs; and
- (4) the relevant exterior elevations.

(d) The governmental entity shall provide in writing all revisions, amendments, or clarifications to previously submitted project documents.

(e) Any of these requirements to submit documentation may be waived by the state historic preservation officer if adequate and recent information is already in the state historic preservation officer's files to complete the review. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

**118-3-5. Notice of revisions or modifications.** After the state historic preservation officer has initiated an investigation of a project, the governmental entity providing notice shall keep the state historic preservation officer informed of any revisions or modifications to the project by forwarding any changes to the proposed project submitted by the project proponent within five working days of receiving them from the project proponent. The governmental entity shall forward the documentation described in K.A.R. 118-3-4 with this notice. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

**118-3-6. Notice required before project may proceed.** If the state historic preservation officer determines that a project will encroach upon, damage, or destroy a listed historic property and if the appropriate governmental entity subsequently makes the findings required under K.S.A. 75-2724, and amendments thereto, to permit a project to proceed, the governmental entity shall notify

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the state historic preservation officer of the determination by certified mail. The governmental entity shall not issue any permit or authorize the project to begin for five working days after it gives notice of its determination. This notice shall include the following:

(a) A written transmittal or letter from the appropriate governmental entity informing the state historic preservation officer of the findings made by the governmental entity;

(b) a written copy of the minutes of the meeting where the project was discussed; and

(c) a copy of all relevant written information upon which the appropriate unit of government based its decision. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

**118-3-7. Investigations without notice.** If the state historic preservation officer initiates an investigation of a project that may encroach upon, damage, or destroy the environs of a historic property but for which no notice is required from a governmental entity, notice of the investigation shall be given by the state historic preservation officer to the governmental entity. The investigation shall then proceed as if it were a project for which the governmental entity is obligated to provide notice, and the governmental entity shall provide documentation to the state historic preservation officer. A determination shall be made accordingly by the state historic preservation officer. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

**118-3-8. Standards and guidelines utilized by the state historic preservation officer.** The following standards and guidelines shall be used by the state historic preservation officer when reviewing projects.

(a) "The secretary of the interior's standards for the treatment of historic properties with guidelines for preserving, rehabilitating, restoring & reconstructing historic buildings," 1995 edition, is adopted by reference as a guide to determine whether or not proposed projects encroach upon, damage, or destroy listed historic properties.

(b) The "treatment of archeological properties: a handbook," endorsed by the advisory council on historic preservation, Washington, D.C., on November 5, 1980, is adopted by reference as a guide for identifying and evaluating archeological sites using the criteria of eligibility for listing sites on the national register of historic places.

(c) The Kansas state historical society's "standards and guidelines for evaluating the effect of projects on environs," 1998 edition, is adopted by reference as a guide to determine whether or not proposed projects encroach upon, damage, or destroy the environs of listed historic properties. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

**118-3-9. Official response.** An official response shall be provided by the state historic preservation officer within 30 days of receiving notice of a project. Official responses that may be issued by the state historic preservation officer may include any of the following.

(a) The state historic preservation officer is initiating an investigation, and additional information is required.

(b) The project does not encroach upon, damage, or destroy the listed historic property or its environs.

(c) The project does encroach upon, damage, or destroy the listed historic property or its environs.

(d) No investigation will be initiated, and the 30-day waiting period is waived. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

**118-3-10. Initiating an investigation.** "The state historic preservation officer is initiating an investigation, and additional information is required" response may be issued when any of these conditions is met.

(a) The state historic preservation officer has determined that insufficient information was included in the submittal and additional information is necessary to complete the required review.

(b) The project is likely to encroach upon, damage, or destroy the listed historic property, and the state historic preservation officer desires to suggest alterations to the proposed project so that the proponent can revise the proposal to meet the standards and guidelines set out in K.A.R. 118-3-8.

(c) The state historic preservation officer desires to solicit the advice and recommendations of the historic sites board of review.

(d) The state historic preservation officer directs that a public hearing or hearings be held on a proposed project. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

**118-3-11. "Project does not encroach" response.** A "project does not encroach upon, damage, or destroy the listed historic property" response shall be issued when the state historic preservation officer determines that the proposed project meets the standards and guidelines established in K.A.R. 118-3-8. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

**118-3-12. "Project does encroach" response.** (a) A "project does encroach upon, damage, or destroy the listed historic property" response shall be issued when the state historic preservation officer determines that the proposed project does not meet the standards and guidelines established in K.A.R. 118-3-8 and the project will encroach upon, damage, or destroy the listed historic property or its environs. The state historic preservation officer's response letter shall state why the project will have an adverse effect, outline the standards and guidelines that are not met, and describe the responsibilities of the appropriate governing body under the state preservation statute.

(b)(1) A "project does encroach" response may also include "suggestions for approval." If, in the state historic preservation officer's opinion, the project could be revised in order to meet the standards and guidelines, suggested conditions for approval may be indicated in the response.

(2) If the project proponent incorporates the suggestions for approval in a revised proposal, the additional information shall be submitted to the state historic preservation officer and a new response shall be issued, the

resolution of which shall depend on the adequacy of the revisions to the project. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

**118-3-13. Executive review of project.** After a governmental entity notifies the state historic preservation officer that the governing body has complied with K.S.A. 75-2715, et seq., and amendments thereto, and has made the proper findings, the governing body's decision shall be reviewed by the state historic preservation officer within five working days of receipt of notice. The findings of the governing body shall be reviewed by the state historic preservation officer, and determination of whether or not further action is required shall be made by this individual. Acknowledgement that the state historic preservation officer received the governing body's findings shall be provided to the governing body. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

**118-3-14. Reconsideration of official response.** In response to additional information, a new official response may be issued by the state historic preservation officer. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

**118-3-15. Provisions for transfer of authority.** An agreement authorizing any city, county, or state educational institution under the control and supervision of the board of regents to make recommendations or to perform any or all of the review responsibilities of the state historic preservation officer, within the jurisdiction of that city, county, or state educational institution, may be entered into by the state historic preservation officer.

(a) In order to transfer authority to a city or county, a determination shall be made by the state historic preservation officer that the city or county meets each of the following conditions.

(1) It has enacted a comprehensive, local historic preservation ordinance.

(2) It has established a qualified, local historic preservation board or commission.

(3) It is actively engaged in a local historic preservation program.

(b) In order to transfer authority to a state educational institution under the control and supervision of the board of regents, a determination shall be made by the state historic preservation officer that the institution meets both of the following conditions.

(1) It has constituted a qualified, local historic preservation board or commission.

(2) It is actively engaged in a campus historic preservation program. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

**118-3-16. Transfer of authority agreement.** (a) Each agreement between the state historic preservation officer and a city or county shall specify the following information:

- (1) The authority delegated;
- (2) the standards for project review;

(3) the manner in which decisions are to be reported to the state historic preservation officer;

(4) the conditions under which assistance from the state historic preservation officer can be requested;

(5) an appeal procedure and designation of the governing body with jurisdiction;

(6) an amendment procedure;

(7) the length of time the agreement is valid;

(8) provisions for termination of the agreement; and

(9) the state historic preservation officer's authority under K.S.A. 75-2724(e), and amendments thereto.

(b) Each agreement between the state historic preservation officer and a state educational institution under the control and supervision of the board of regents shall specify the following:

(1) The authority delegated;

(2) the standards for project review;

(3) the manner in which decisions are to be reported to the state historic preservation officer;

(4) the conditions under which assistance from the state historic preservation officer can be requested;

(5) an appeal procedure and designation of the governing body with jurisdiction;

(6) an amendment procedure;

(7) the length of time the agreement is valid; and

(8) provisions for termination of the agreement. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998.)

Ramon Powers  
Executive Director

Doc. No. 022410

## State of Kansas

### Department of Administration Division of Personnel Services

#### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Tuesday, July 14, in Room 106, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed rules and regulations of the Department of Administration, Division of Personnel Services, on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Administration, Room 263-E, State Capitol, 300 S.W. 10th Ave., 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.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for ac-

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commodation should be made at least five working days in advance of the hearing by contacting Faith Loretto at (785) 296-6000 or (785) 296-4798 (TTY). Handicapped parking is located at the south end of the Landon State Office Building, and the north entrance to the building is accessible.

Summaries of the proposed regulations and their economic impact follow.

**K.A.R. 1-2-46, Length of service.** Proposed amendments to this regulation clarify that time spent on an appointment to a position pursuant to K.S.A. 75-2935(1)(I) will count toward an employee's overall length of service. These positions, which are often referred to as "unclassified special project" positions, consist of temporary employment or appointment by the legislature or by a legislative committee or commission or other competent authority to make or conduct a special inquiry, investigation, examination or installation. Another proposed amendment provides that any retiree returning to state service will be rehired with a length of service of zero. These amendments reflect existing policy and, therefore, will not have any economic impact on unclassified special project employees, retirees or state agencies.

**K.A.R. 1-2-77, Retiree.** This proposed new regulation would accurately define the term "retiree." However, addition of the definition will not change existing rights, limitations or requirements associated with retirees; therefore, there is no economic impact on state employees, retirees or state agencies.

**K.A.R. 1-5-9, Pay of temporary employee.** A proposed amendment to this regulation revises an inaccurate internal reference to K.A.R. 1-5-8 in order to clarify that agency heads have the ability to hire a temporary employee above step 1 of the pay grade when the employee is determined to have exceptional qualifications. This technical amendment does not change existing practice and will not result in an economic impact on temporary employees or state agencies.

**K.A.R. 1-5-10, Pay of employee rehired by reinstatement or reemployment.** This regulation is being amended to transfer from the director of Personnel Services to agency heads the authority to approve higher beginning pay for an employee who is reinstated or reemployed and has exceptional qualifications. No economic impact on reinstated or reemployed employees or state agencies is anticipated as a result of shifting to the agency head the authority to approve higher starting pay based on exceptional qualifications.

**K.A.R. 1-5-14, Pay of an employee upon transfer; and K.A.R. 1-5-15, Pay of employee upon demotion.** Amendments to these regulations permit an employee who, in lieu of layoff, is transferred or demoted to a trainee class with an abbreviated pay grade to be paid at the same rate paid to the employee immediately prior to the demotion or transfer, if the rate of pay does not exceed the maximum pay rate for the pay grade to which the trainee class is assigned. The amendments implement existing policy as set out in Executive Directive No. 96-245 and, therefore, will not result in an economic impact on state agencies or state employees.

**K.A.R. 1-6-22a, Training classes.** Proposed amendments to this regulation add a reference to K.A.R. 1-10-6(g), which is a new subsection describing the process for

dismissing employees who are on trainee status. This amendment is a technical correction and, therefore, there is no economic impact on the Department of Administration, state employees, other state agencies, applicants or the general public.

**K.A.R. 1-6-30, Reinstatement.** This regulation is amended to recognize that temporary employees are not eligible for reinstatement. The amendment confirms existing policies and practices limiting reinstatement rights to employees who had permanent status. As a result, no economic impact on these employees or state agencies is anticipated due to the changes in K.A.R. 1-6-30.

**K.A.R. 1-9-19a, Drug screening test for employees in designated position.** Technical amendments to this regulation refer to appropriate provisions of K.A.R. 1-10-6 that are applicable to employees who receive a confirmed "positive" drug screen result. Because these amendments simply provide prior internal references, there is no economic impact on the Department of Administration, state employees, other state agencies, applicants or the general public.

**K.A.R. 1-9-23, Shared leave.** This regulation is being revised to eliminate a subsection providing for waiver or modification of the regulation's requirements upon approval by the director of Personnel Services. Most of the approval authority for the shared leave program has been decentralized over the last few years. Elimination of the waiver provision is consistent with this direction and is not expected to have any identifiable economic impact on employees requesting, donating or using shared leave, on their families or on their agencies. Although this provision could have affected whether an employee was granted or denied leave under particular circumstances, it has not been used.

**K.A.R. 1-9-25, Alcohol and controlled substances test for employees in commercial driver positions; and K.A.R. 1-9-26, Pre-duty controlled substances testing for employees assigned commercial driver functions.** Technical amendments to these regulations refer to K.A.R. 1-10-6, rather than K.A.R. 1-10-8, which has been revoked. Because these amendments simply provide proper internal references, there is no economic impact on the Department of Administration, state employees, other state agencies, applicants or the general public.

**K.A.R. 1-10-6, Dismissal, suspension, or demotion.** This regulation is being revised to reflect the appropriate dismissal, suspension and demotion procedures for probationary employees with previous permanent status and for trainee employees with or without previous permanent status. The amendments reflect existing policy and incorporate references to the appropriate statutory provisions for discipline; therefore, there is no economic impact on the Department of Administration, state employees, other state agencies, applicants or the general public.

Copies of the proposed regulations and the associated economic impact statements may be obtained from the Division of Personnel Services, Room 951-S, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1251, (785) 296-4278.

Daniel R. Stanley  
Secretary of Administration

Doc. No. 022435

State of Kansas

**Pooled Money Investment Board**

**Notice of Investment Rates**

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 1997 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

Effective 5-11-98 through 5-17-98	
Term	Rate
1-89 days	5.32%
3 months	5.23%
6 months	5.50%
9 months	5.50%
12 months	5.54%
18 months	5.56%
24 months	5.59%

Clyde Graeber  
Acting Chairman

Doc. No. 022405

State of Kansas

**Department of Health and Environment**

**Notice of Meeting on Proposed Administrative Regulations**

A public meeting will be conducted by the Kansas Department of Health and Environment at 10 a.m. Thursday, June 11, in the MTAA conference room in the Air Terminal at Forbes Field, 6700 S. Topeka Blvd., Topeka, to consider development of regulations and amendments to existing regulations of the Division of Environment.

KDHE is soliciting comments regarding the need for development of regulations addressing livestock waste management activities addressed in House Bill 2950, which was passed by the 1998 Legislature and signed into law by Governor Graves. KDHE is seeking input from the livestock industry, the public and other interested parties regarding the scope, content or extent of any regulations needed to implement the provisions of HB 2950.

Persons wishing to provide KDHE with comments regarding regulations needed to implement the provisions of HB 2950 may submit written comments to Dorothy Geisler, Kansas Department of Health and Environment, Bureau of Water, Industrial Program Section, Building 283, Forbes Field, Topeka, 66620, prior to June 11, or may attend the public meeting and provide their comments orally.

All interested parties will be given a reasonable opportunity to present their views and recommendations orally during the meeting. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit their oral presentation. It is recommended, to ensure all parties at the meeting will be able to completely present their views and recommendations, that a written summary of their views and recommendations be available to present to KDHE staff in the event it is necessary for speakers to limit their comments.

Any individual with a disability may request accommodation in order to participate in the public meeting. Requests for accommodation should be made at least five working days in advance of the meeting by contacting Dorothy Geisler at (785) 296-5545 or by fax at (785) 296-5509.

Gary R. Mitchell  
Secretary of Health and Environment

Doc. No. 022426

State of Kansas

**Department of Health and Environment**

**Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. KN Gas Gathering has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install two natural gas compressor engines. Emissions of nitrogen oxides, carbon monoxide and volatile organic compounds were evaluated during the permit review process.

KN Gas Gathering, Liberal, owns and operates the stationary source located at Section 26, Township 32S, Range 37W, Stevens County, at which the compressor engines are to be installed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southwest district office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Shawn Howell, (785) 296-1993, at the KDHE central office, or Wayne Neese, (316) 225-0596, at the KDHE southwest district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Shawn Howell, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business June 15.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business June 15 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell  
Secretary of Health and Environment

Doc. No. 022423

## State of Kansas

**Governor's Commission for the Public Health Improvement Plan****Notice of Meeting**

The Governor's Commission for the Public Health Improvement Plan will meet from 9 a.m. to 3 p.m. Friday, May 29, at the Kansas Health Institute, 309 E. Douglas, Wichita. For more information, contact Linda Clements, Kansas Department of Health and Environment, Room 620, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1290, (785) 296-8114.

Any individual with a disability may request accommodation in order to participate in the public meeting. Requests for accommodation should be made at least five working days in advance of the meeting by contacting Linda Clements or the Kansas Relay Center, (800) 766-3777 (TTY).

Edwin Fonner, Jr., Dr.P.H.  
Executive Director

Doc. No. 022422

## State of Kansas

**Department of Health and Environment****Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Johns Manville International, Inc. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to update process equipment and increase production rates. Emissions of nitrogen oxides, carbon monoxide, volatile organic compounds and particulate matter were evaluated during the permit review process.

Johns Mansville International, Inc. owns and operates the stationary source located at Country Road 319, McPherson, at which the modifications are to be conducted.

A copy of the proposed permit, permit application, all supporting nonconfidential documentation and all information relied upon during review of the permit application is available for public inspection during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE north central district office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Shawn A. Howell, (785) 296-1993, at the KDHE central office, or Rick Brunetti, (785) 827-9639, at the KDHE north central district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Shawn A. Howell, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business June 15.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing

shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business June 15 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell  
Secretary of Health  
and Environment

Doc. No. 022424

## State of Kansas

**Department of Health and Environment****Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. KN Gas Gathering has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install two natural gas compressor engines. Emissions of nitrogen oxides, carbon monoxide and volatile organic compounds were evaluated during the permit review process.

KN Gas Gathering, Liberal, owns and operates the stationary source located at Section 8, Township 34S, Range 39W, Morton County, at which the compressor engines are to be installed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southwest district office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Shawn Howell, (785) 296-1993, at the KDHE central office, or Wayne Neese, (316) 225-0596, at the KDHE southwest district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Shawn Howell, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business June 15.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business June 15 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell  
Secretary of Health  
and Environment

Doc. No. 022425



## State of Kansas

Department of Health  
and Environment

## Request for Comments

The Kansas Department of Health and Environment has received and reviewed a new municipal solid waste landfill permit application from Smith County. KDHE is providing public notice of its intent to issue a municipal solid waste permit for the new landfill. Smith County's landfill design will fulfill requirements of new federal and state regulations regarding small arid landfills, which became effective October 9, 1997. The landfill (Permit #760) is located on an approximate 180-acre parcel located in the southeast quarter of Section 8, Township 3 South, Range 12. The site is approximately 4 miles east of Smith Center and a mile north of U.S. Highway 36. A groundwater monitoring system, engineering design plans and calculations, and an operations plan on which the new permit is based were developed by Golder Associates, Inc. In addition, location demonstrations were evaluated and found to be in compliance with Kansas administrative regulations.

A copy of the administrative record, which includes the draft permit, permit application and all information regarding this permit action, is available for public review through Monday, June 15, during normal business hours, Monday through Friday, at the following locations:

Kansas Department of Health and Environment  
Permits Section

Forbes Field, Building 740  
Topeka, 66620  
Contact: William N. Bicher  
(785) 296-1595

Smith County Courthouse  
218 S. Grant  
Smith Center, 66967

Contact: Lela Rogers, Smith County Clerk  
(785) 282-5110

A public hearing will be conducted in conjunction with the public comment period at 1 p.m. Tuesday, June 16, in the basement community meeting room, Smith County Courthouse, 218 S. Grant, Smith Center.

Anyone wishing to comment on the solid waste landfill permit should submit written statements postmarked not later than Wednesday, June 17, to William N. Bicher, KDHE (as listed above). After consideration of all written comments received and formal comments from the public hearing, the director of the Division of Environment will make a final permit decision. Notice of the decision will be given to the applicant, to all persons who submitted written comments, and to those who requested notice of the final permit decision.

Gary R. Mitchell  
Secretary of Health  
and Environment

Doc. No. 022430

## State of Kansas

Department of Health  
and Environment

## Request for Comments

The Kansas Department of Health and Environment is proposing Natural Events Action Plans (NEAPs) for Sedgwick and Morton counties.

The purpose of NEAPs is to ensure protection of public health in areas where unhealthy levels of airborne particulate matter have occurred as a result of natural events. These plans have been prepared in response to exceedances of the 24-hour National Ambient Air Quality Standard (NAAQS) for airborne particulate matter less than 10 microns in aerodynamic diameter (PM<sub>10</sub>) associated with blowing dust during the first calendar quarter of 1996. The NEAPs define public education and other measures to protect the public from adverse health effects of PM<sub>10</sub>. These NEAPs for PM<sub>10</sub> have been prepared in accordance with United States Environmental Protection Agency policies for areas affected by PM<sub>10</sub> natural events.

This notice is provided for the purpose of informing the public of this activity and to present an opportunity for interested parties to offer relevant information and comments to the Kansas Department of Health and Environment. A copy of the complete document, entitled "Proposed State of Kansas PM<sub>10</sub> Natural Events Action Plans for Morton and Sedgwick Counties," is available for public review at each of the following locations:

Kansas Department of Health and Environment  
Bureau of Air and Radiation  
Forbes Field, Building 283  
Topeka, 66620-0001

Kansas Department of Health and Environment  
Southwest District Office  
302 McArtor Road  
Dodge City, 67801-6098

Wichita-Sedgwick County Department of  
Community Health  
Office of Air Quality  
1900 E. 9th  
Wichita, 67214-3198

Information provided by the public should be addressed to Scott Weir, Kansas Department of Health and Environment, Bureau of Air and Radiation, Forbes Field, Building 283, Topeka, 66620-0001. Relevant information and comments must be received by the Bureau of Air and Radiation not later than the close of business June 15 in order to assure full consideration prior to completion of the final plans.

Gary R. Mitchell  
Secretary of Health  
and Environment

Doc. No. 022421

**State of Kansas**  
**Department of Administration**  
**Public Notice**

Under requirements of K.S.A. 65-34,117(c), as amended, records of the Division of Accounts and Reports show the unobligated balances are \$2,732,647.59 in the underground petroleum storage tank release trust fund and \$1,210,851.88 in the aboveground petroleum storage tank release trust fund at April 30, 1998.

Daniel R. Stanley  
 Secretary of Administration

Doc. No. 022409

**State of Kansas**  
**Department of Health and Environment**  
**Notice Concerning Kansas Water Pollution Control Permits**

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for discharges to the waters of the United States and the State of Kansas for the class of dischargers described below. The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent 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 subject to certain conditions.

**Public Notice No. KS-AG-98-75**

Name and Address of Applicant	Legal Description	Receiving Water
Robert Daniels, Jr. Route 1, Box 61 Elk City, KS 67344	SW/4 of Sec. 27, T31S, R14E, Montgomery County	Verdigris River

Kansas Permit No. A-VEMG-S039

This is an expansion of an existing facility from 260 animal units of swine to 524 animal units (1,120 head over 55 lbs. and 760 head under 55 lbs.) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: Existing controls meet KDHE requirements.

**Public Notice No. KS-98-047/053**

Name and Address of Applicant	Waterway	Type of Discharge
City of Caney P.O. Box 129 Caney, KS 67333	Little Caney River	Treated domestic wastewater

Kansas Permit No. M-VE04-0001 Federal Permit No. KS0027481  
 Legal: SE¼, S11, T35S, R13E, Montgomery County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing mechanical wastewater treatment system. The proposed permit contains a schedule of compliance requiring the permittee to upgrade the facility to meet the fecal coli-

form requirements in the final limits. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
City of Hanover P.O. Box 416 Hanover, KS 66945	Little Blue River	Treated domestic wastewater

Kansas Permit No. M-BB10-0001 Federal Permit No. KS0048402  
 Legal: SE¼, S8, T2S, R5E, Washington County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing mechanical wastewater treatment system. The proposed permit contains a schedule of compliance requiring the permittee to upgrade the facility to meet fecal coliform requirements. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
City of LaHarpe City Hall P.O. Box 121 LaHarpe, KS 66751	Neosho River via Elm Creek via unnamed tributary	Treated domestic wastewater

Kansas Permit No. M-NE39-0002 Federal Permit No. KS0094251  
 Legal: NE¼, S34, T24S, R19E, Allen County

Facility Description: The proposed action is to issue a new permit to operate a new three-cell wastewater treatment lagoon system treating domestic wastewater. The proposed permit contains a schedule of compliance to complete construction of the lagoon facility. The requirements of the permit are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
City of Valley Center 116 S. Park P.O. Box 188 Valley Center, KS 67147	Little Arkansas River	Treated domestic wastewater

Kansas Permit No. M-LA16-IO01 Federal Permit No. KS0031577  
 Legal: SE¼, S36, T25S, R1W, Sedgwick County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing mechanical wastewater treatment system. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
City of Willowbrook P.O. Box 1067 Hutchinson, KS 67504-1067	Cow Creek	Treated domestic wastewater

Kansas Permit No. M-AR95-0001 Federal Permit No. KS0117641  
 Legal: NW¼, S33, T22S, R6W, Reno County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing mechanical wastewater treatment system. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Con Agra dba Monfort, Inc. P.O. Box G Greeley, CO 80632	Arkansas River	Treated process wastewater

Kansas Permit No. I-UA14-P003 Federal Permit No. KS0092347  
 Facility: Monfort, Inc., P.O. Box 957, Garden City, KS 67846

Facility Description: The proposed action is to issue a new permit for operation of a new mechanical wastewater treatment system. The proposed permit does not supersede the existing nonoverflowing

wastewater treatment facility permit, I-UA14-NP04. This facility is a beef complex slaughterhouse with associated rendering and hide curing activities. The process wastewater flow rate is 2 million gpd average (2.5 million gpd maximum). Wastewater is treated by a pre-treatment system, two anaerobic lagoons, two sequential batch reactors, two aerobic digesters and a belt filter press (for sludge dewatering). The facility has the option of storing the treated water in water retention structures for use for crop irrigation or discharging the treated water to the Arkansas River. The requirements of the permit are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Whitfield Sand & Concrete 1301 W. 10th Pratt, KS 67124	Arkansas River via south fork Ninnescah River	Treated process wastewater
Kansas Permit No. I-AR73-PO06	Federal Permit No. KS0094315	

Legal: SE¼, S5, T28S, R13W, Pratt County

**Facility Description:** The proposed action is to issue a new permit to a new facility discharging sand washwater to surface waters of the state. This facility is engaged in a sand dredging operation. Dredging will occur in the river channel and in a nearby pasture. Well water will be used to wash the sand and to move the sand to the top of a screening plant to produce the required gradation. The washwater will then be treated using a settling through and basin to remove the fines before discharging the washwater to the river. The requirements of the permit are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Written comments on the draft permits must be submitted to the attention of Dorothy Geisler for agricultural permits or to the permit clerk for all other permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments post-marked or received on or before June 13 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-98-75, KS-98-047/053) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determination. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The applications, proposed permits, 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 Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 5 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.

Gary R. Mitchell  
Secretary of Health  
and Environment

Doc. No. 022427

(Published in the Kansas Register May 14, 1998.)

**Summary Notice of Bond Sale  
City of Rossville, Kansas  
\$259,672.78**

**General Obligation Bonds, Series 1998  
(General obligation bonds payable from  
unlimited ad valorem taxes)**

**Sealed Bids**

Subject to a notice of bond sale dated May 4, 1998, sealed bids will be received by the clerk of the City of Rossville, Kansas (the issuer), on behalf of the governing body at City Hall, 438 Main St., Rossville, KS 66533, until 7:30 p.m. Monday, June 1, 1998, for the purchase of \$259,672.78 principal amount of General Obligation Bonds, Series 1998. No bid of less than the entire par value of the bonds and accrued interest 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 for one bond in the amount of \$4,672.78. The bonds will be dated June 1, 1998, and will become due on June 1 in the years as follows:

<b>Maturity June 1</b>	<b>Principal Amount</b>
1999	\$29,672.78
2000	25,000.00
2001	25,000.00
2002	25,000.00
2003	25,000.00
2004	25,000.00
2005	25,000.00
2006	25,000.00
2007	25,000.00
2008	30,000.00

The bonds will bear interest from their dated date at rates to be determined when the bonds are sold, which interest will be payable semiannually on June 1 and December 1 in each year, beginning December 1, 1998.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Security**

The bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. (Reference is made to the official notice of bond sale and the city's preliminary official statement for a further discussion of the security for the bonds.)

**Redemption**

Certain of the bonds are subject to redemption as set forth in the official notice of bond sale.

**Good Faith Deposit**

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$5,193.46 (2 percent of the principal amount of the bonds).

(continued)

(Published in the Kansas Register May 14, 1998.)

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder within 30 days of the sale of the bonds at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations is \$4,345,356. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$259,672.78.

**Official Statement**

The city has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the city. The preliminary official statement is in a form "deemed final" by the city for the purpose of Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered by the successful bidder at its expense.

**Continuing Disclosure**

Securities and Exchange Commission Rule 15c2-12, as amended effective July 3, 1995, provides that brokers, dealers and municipal securities dealers must comply with certain requirements before acting as an underwriter in a primary offering of municipal securities with an aggregate principal amount of \$1,000,000 or more.

The bonds described herein will be offered in a primary offering with an aggregate principal amount of less than \$1,000,000. Accordingly, in the opinion of bond counsel, the offering and sale of the bonds described herein does not constitute an offering as defined by the rule, and the requirements of the rule do not apply to brokers, dealers and municipal securities dealers acting as underwriters in connection with the bonds described herein.

**Approval of Bonds**

The bonds will be sold subject to the legal opinion of Cosgrove, Webb & Oman, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

**Additional Information**

Additional information regarding the bonds may be obtained from Lisa Stum, city clerk of the issuer, (785) 584-6155.

City of Rossville, Kansas  
by Lisa Stum  
City Clerk  
438 Main St.  
Rossville, KS 66533

Doc. No. 022416

**Summary Notice of Bond Sale****\$175,500****Republic County, Kansas****General Obligation Bonds, Series 1998****(General obligation bonds payable from unlimited ad valorem taxes)****Sealed Bids**

Subject to the notice of bond sale dated May 4, 1998, sealed bids will be received by the clerk of Republic County, Kansas (the issuer), on behalf of the governing body at 1815 M St., P.O. Box 429, Belleville, KS 66935, until 2 p.m. May 26, 1998, for the purchase of \$175,500 principal amount of General Obligation Bonds, Series 1998. No bid of less than 100 percent of the principal amount 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 \$500 (plus \$5,000 or any integral multiple thereof). The bonds will be dated June 1, 1998, and will become due on June 1 in the years as follows:

Year	Principal Amount
1999	\$10,500
2000	15,000
2001	15,000
2002	15,000
2003	15,000
2004	20,000
2005	20,000
2006	20,000
2007	20,000
2008	25,000

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 June 1 and December 1 in each year, beginning June 1, 1999.

**Optional Book-Entry-Only System**

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$3,510 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer 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 June 2, 1998, at DTC for the account of the successful bidder or at such bank or trust company in the contiguous

United States 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 1998 is \$44,289,198. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$695,000.

#### Approval of Bonds

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

#### Additional Information

Additional information regarding the bonds may be obtained from the clerk, (785) 527-5691, fax (785) 527-2659.

Dated May 4, 1998.

Republic County, Kansas

Doc. No. 022419

#### State of Kansas

### Department of Social and Rehabilitation Services

#### Department on Aging

### Notice of Proposed Nursing Facility Medicaid Rates for State Fiscal Year 1999, Methodology for Calculating Proposed Rates, and Rate Justifications; Notice of Intent to Amend the Medicaid State Plan; Request for Comments; and Notice of Intent to Publish Final Rates

Under the Medicaid program, 42 U.S.C. 1396 *et seq.*, the State of Kansas pays nursing facilities, nursing facilities for mental health, and hospital long-term care units (hereafter collectively referred to as "nursing facilities") a daily rate for care provided to residents who are eligible for Medicaid benefits. The Secretary of Aging administers the Medicaid nursing facility services payment program on behalf of the Secretary of Social and Rehabilitation Services. As required by 42 U.S.C. 1396a(a)(13), as amended by Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the Secretary of Social and Rehabilitation Services (SRS) and the Secretary of Aging (KDOA) are publishing the proposed Medicaid per diem rates for Medicaid-certified nursing facilities for state fiscal year 1999, the methodology underlying the establishment of the proposed nursing facility rates, and the justifications for those proposed rates. SRS and KDOA also are providing notice of the state's intent to submit proposed amendments to the Medicaid State Plan to the U.S. Department of Health and Human Services' Health Care Financing Administration (HCFA) on or before September 30, 1998.

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

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

A. The following portions of the Kansas Medicaid State Plan maintained by SRS:

1. Attachment 4.19D, Part I, Subpart C, Exhibit C-1, Pages 1-12, inclusive;
2. Attachment 4.19D, Part I, Subpart F; and
3. Attachment 4.19D, Part I, Subpart S; and

B. SRS regulations set out in K.A.R. Article 30-10.

Because of the large number of pages needed to reprint all the documents and authorities and the materials incorporated into them by reference, only the text of those portions of the Medicaid State Plan identified above are reprinted in this Notice. Those Medicaid State Plan provisions set out in this Notice appear in the versions which the State currently intends to submit to HCFA as proposed Medicaid State Plan amendments on or before September 30, 1998. The proposed Medicaid State Plan amendments which the State ultimately submits to HCFA may differ from the versions contained in this Notice.

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

Secretary of Aging  
New England Building, Second Floor  
503 S. Kansas Ave.  
Topeka, KS 66603-3404  
Fax (785) 296-0256

#### A. Attachment 4.19D, Part I, Subpart C, Exhibit C-1: Methods and Standards for Establishing Payment Rates Skilled Nursing and Intermediate Care Facility Rates (NF's and NF's-MH)

#### Narrative Explanation of Nursing Facility Reimbursement Formula

The narrative explanation of the nursing facility (NF) and NF-Mental Health (NF-MH) reimbursement formula is divided into nine sections. The sections are: Cost Reports, Rate Determination, Retroactive Rate Adjustments, Case Mix Payment System, Reimbursement Limitations, Real and Personal Property Fee, Incentive Factor, Inflation Factors, and Rate Effective Date.

#### COST REPORTS

The Nursing Facility Financial and Statistical Report (MS2004) is the uniform cost report. It is included in Exhibit A-5 (K.A.R. 30-10-17). It organizes the commonly incurred business expenses of providers into four reimbursable cost centers (administration, plant operating, room and board, and health care). Ownership costs (i.e., mortgage interest, depreciation, lease and amortization of leasehold improvements) are reported but reimbursed through the real and personal property fee. There is non-reimbursable/non-resident related cost center so that

(continued)

total operating expenses can be reconciled to the providers accounting records.

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

**Calendar Year End Cost Reports:** All providers not on a projected rate or in the first year of operation are required to file the uniform cost report on a calendar year basis. The requirements for filing the calendar year cost report are found in Exhibit A-5 (K.A.R. 30-10-17).

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

**Projected Cost Reports:** The filing of projected cost reports are limited to: 1) Newly constructed facilities; 2) Existing facilities new to the program; 3) New providers when the rate of the previous provider places the residents care at risk and the rate is less than the statewide average; or 4) A provider re-entering the program who has not actively participated or billed services for 24 months or more. The requirements are found in Exhibit A-5 (K.A.R. 30-10-17). NOTE: Effective December 29, 1995, the provision for a new provider to file a projected cost report in accordance with number 3 above is revoked. The projected cost report is desk reviewed by agency auditors. Rates from the projected cost reports are subject to upper payment limits.

**Historical Cost Report Covering Projected Cost Report Period Or The First Year of Operation of a New Provider:** The cost report requirements are found in Exhibit A-5 (K.A.R. 30-10-17).

#### RATE DETERMINATION

Medicaid rates for Kansas NFs and NFs-MH are determined using a prospective, facility-specific rate setting system. The rate is based on the costs from the latest cost report submitted by the provider. The rate is subject to upper payment limits established by the agency for the limitation period. Computer software has been developed and is used for calculating the facility specific payment rates.

The allowable expenses are divided into four centers in the cost report. The cost centers are Administration, Plant Operating, Room and Board and Health Care. An owner/administrator limitation is applied in determining the allowable cost. This limitation will be explained in detail in another section of this exhibit.

The allowable historic per diem cost is determined by dividing the allowable resident related expenses in each cost center by resident days, subject to an 85% minimum occupancy rule. The greater of the actual resident days for the cost report period or the 85% minimum occupancy based on the number of licensed bed days during the cost report period are used as the total resident days in the

rate calculation. All licensed beds are required to be certified to participate in the Medicaid program.

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

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

The allowable historic per diem cost is adjusted by the historic and estimated inflation factors. These inflation factors will be explained in greater detail in another section. The inflated allowable historic per diem cost for each cost center is then compared to the cost center per diem limitation.

The allowable per diem rate is the lesser of the inflated allowable historic per diem cost in each cost center or the cost center per diem limitation. Each cost center has a separate limitation. If each cost center limitation is exceeded, the allowable per diem rate is the sum of the four cost center limitations.

There are add-ons to the allowable per diem rate. The add-ons consist of the incentive factor, the real and personal property fee, and the 24-hour nursing factor. The incentive factor and real and personal property fee are explained in separate sections of this exhibit. The 24-hour nursing factor is explained in Exhibit A-18 (K.A.R. 30-10-29). NOTE: The provision for the 24-hour nursing factor expires for requests received after December 31, 1995. The add-ons plus the allowable per diem rate equal the total per diem rate.

#### RETROACTIVE RATE ADJUSTMENTS

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

One, a retroactive rate adjustment and direct cash settlement is made when an audit, by the agency, determines that the historic cost report data used to determine the prospective payment rate is in error. The prospective payment rate period is adjusted for the audit corrections.

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

And three, when a new provider, through an arms-length transaction, is reimbursed the rate of the prior provider and files a historic cost report for the first 12 months of operation, a settlement is made based on the difference between the interim rate and the rate from the historic cost report. Please note the change below on January 3, 1994.

All settlements are subject to upper payment limits. A provider is considered to be in "projection status" when they are operating on a projected rate or the rate of old

provider and they are subject to the retroactive rate adjustment.

*Effective January 3, 1994:*

New providers, on or after January 3, 1994, shall not be considered to be in "projection status" when they assume the rate of a previous provider. There will be no retroactive settlement for the first 12 months of operation. The rate effective date for the first historical cost report will be the first day of the month following the cost report period. Rates initially paid after the effective date of the rate based on the first historical cost report will be adjusted to the new rate.

For example, a new provider is licensed and certified on March 1, 1994. They assume the rate from the previous provider. They will file the first historic cost report for the period from March 1, 1994 through February 28, 1995.

There will be no settlement for the period from March 1, 1994 through February 28, 1995. The rate effective date from the first historical cost report will be March 1, 1995. Since there is a delay in submitting the cost report and having a rate established, there will be a retroactive rate adjustment from March 1, 1995, until the rate is given to the fiscal agency for payment.

Only providers filing projected cost reports for interim rates will have a retroactive settlement for the historical cost report covering the projected period.

#### CASE MIX PAYMENT SYSTEM

Kansas is one of four States involved in the National Multistate Nursing Facility Case Mix and Quality Demonstration Project. The case mix payment system was partially implemented in Kansas on January 1, 1994. The case mix rate calculation process will follow a process similar to that used under the current system. However, under the case mix system, the Health Care cost center upper payment limit will be adjusted by a facility average case mix index (CMI).

The theory behind a case mix payment system is that the characteristics of the residents in a facility rather than the characteristics of the facility should determine the payment rate. The idea is that certain resident characteristics can be used to predict future costs to care for residents with those same characteristics. For these reasons, it is desirable to use the case mix classification for each facility in adjusting provider rates.

Providers are required to submit to the agency the uniform assessment instrument for each resident in the facility. In Kansas, the Minimum Data Set (MDS) is the uniform instrument. The MDS assessments have been maintained in a computer data base.

Each resident's case mix classification will be determined using the Resource Utilization Group, Version III (RUG III) classification system and the most current MDS assessment, for the appropriate time period, in the data base for this resident. From this classification, the numeric value or CMI will be determined. Resident assessments that cannot be classified will be assigned the lowest CMI for the State.

Once each resident has been classified, a case mix normalization process will be performed annually. The purpose of this process is to set the mean CMI for the State to a value of one (1). In order to accomplish this calculation, the case mix indices for all residents in the State are

totalled and divided by the number of residents. The value determined in this calculation will then be divided into each resident's CMI. This will result in the Table showing the normalized numeric value for each RUGs classification. See Exhibit C-2, Page 11. The average CMI for the State will equal one (1).

Now that each resident has been assigned a normalized CMI, the facility average CMI can be calculated. The facility average is determined by adding the CMI for each resident and then dividing by the number of residents.

The next step in the case mix system is to set the limit for the Health Care cost center. This process is slightly different than the method used to set limits for the other cost centers. The base limit will be the upper limit for a case mix of one (1), the statewide average.

Each facility will have its unique Health Care cost center limit. In theory, each facility's cost for resident care is directly related to its CMI. Because of this assumption, one would expect providers caring for residents needing heavier care to incur higher costs. Arraying the facilities' costs and setting limits without adjusting the case mix would result in a less appropriate rate calculation.

Determining the case mix allows the agency to array the facilities' costs and set limits with costs that should be more comparable. The first calculation is to determine what each facility's cost would be at a case mix of one. The technique of adjusting costs for case mix is known as neutralizing the costs.

Neutralizing costs is done by dividing each facility's per diem costs by its normalization facility average CMI. The CMIs used to normalize the Health Care cost will be the most current MDS assessment in the database as of the last day of the cost report period. This date is used to match as closely as possible the CMI to the time the costs were incurred. When this set of calculations is complete, the neutralized per diem costs are then arrayed and the base upper limit for the Health Care cost center will be calculated using the methodology described for the current system.

Neutralized costs arrayed weighted by resident days. The median cost is determined. The upper limit is calculated by multiplying the day weighted median by the appropriate add-on percentage.

Each facility's unique upper limit is calculated by multiplying the base limit just established by that facility's normalized CMI. For example, if the normalized case mix index of one (1) results in a base limit of \$40, a facility with a facility average CMI of .9 would have a Health Care cost center upper payment limit of \$36 ( $\$40 \times .9$ ). Likewise, a provider with a facility average CMI of 1.1 would have an upper limit of \$44 ( $\$40 \times 1.1$ ). The provider would be reimbursed the lower of their inflated Health Care per diem cost or their facility specific, CMI adjusted, upper payment limit.

Rates will be adjusted quarterly for changes in a facility's average CMI. Since the health care allowance is based on lower of costs or the limit, not all facilities will receive a quarterly rate change. A detailed listing of the computation for the rate change and the CMI listing will be sent to the provider.

*Case Mix Implementation January 1, 1994:*

(continued)

The case mix payment was phased in for dates of service from January 1 through June 30, 1994. The provider received 50% of the rate under the previous system and 50% of the rate under the case mix methodology. There was a "hold harmless" provision for each provider who experienced a rate reduction based on the case mix adjustment for service days from January 1 through June 30, 1994. The rate from the previous methodology was continued if the case mix adjusted rate was less.

*Case Mix System Beginning July 1, 1994:*

The case mix payment system was fully implemented on July 1, 1994. The rates were no longer adjusted for the phased-in period. Providers received 100% of the case mix adjusted rate. The "hold harmless" provision was eliminated.

### REIMBURSEMENT LIMITATIONS

*Period:*

The upper payment limits are in effect from July 1st through June 30th, unless otherwise specified by a State Plan amendment.

*Upper Payment Limitations:*

There are two types of upper payment limits. One is the owner/related party/administrator/co-administrator limit. The other is the cost center limits. Each will be described.

#### Owner/Related Party/Administrator/Co-Administrator Limit:

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

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

The Schedule C is an array of non owner administrator and co-administrator salaries. The schedule includes the most current historic cost reports in the data base from all active nursing facility providers. The salary information is not adjusted for inflation. The per diem data is

calculated using an 85% minimum occupancy level for those providers in operation for more than twelve months. The Schedule C for the owner/related party/administrator/co-administrator per diem compensation limit is the first schedule run during the annual limitation setting.

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

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

#### Cost Center Limits:

The Schedule B computer run is an array of all per diem costs for each of the four cost centers- Administration, the Plant Operating portion of Property, Room and Board and Health Care. The schedule includes the most recent historic cost report in the data base from all active nursing facility providers. Projected cost reports are excluded from the data base.

The per diem expenses in each cost center are subject to the 85% minimum occupancy rule for providers reporting costs for the 13th month of operation and after. All previous desk review and field audit adjustments are considered in the per diem expense calculations. The costs are adjusted by the owner/related party/administrator/co-administrator limitations.

Prior to the Schedule B arrays, the cost data on certain expense lines is adjusted for historical and estimated inflation, where appropriate. This will bring the costs reported by the providers to a common point in time for comparisons. The historic inflation will be based on the Data Resources, Inc. National Skilled Nursing Facility Market Basket Index (DRI Index) for the cost center limits effective July 1st. This historic inflation factor will adjust costs from the midpoint of each providers cost report period to the latest quarterly DRI Index for the Schedule B processing.

The estimated inflation factor will be also be based on the DRI Index. Determination of the estimated inflation factor will begin with the quarter the historic inflation ends. It will be continued to the midpoint of the payment limitation period.

Certain costs are exempt from the inflation application when setting the upper payment limits. They include administrators and co-administrator salaries, owner/related



party compensation, interest expense, and real and personal property taxes.

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

Administration	115% of the median
Plant Operating (Portion of Property)	130% of the median
Room and Board	130% of the median
Health Care	125% of the median

The overall Property limit requires additional explanation. The implementation of the real and personal property fee (property fee), effective January 1, 1985, revised the method of determining the property limit. Ownership costs (interest, depreciation, lease or amortization of leasehold improvements) are no longer included in the allowable cost when determining the Medicaid rate. The methodology of the overall property limit needed to be revised after the ownership costs were excluded.

Due to the implementation of the property fee, the calculation methodology of the Total Property cost limit has been revised such that changes in ownership (and resulting increases in ownership costs) after July 18, 1984 are not recognized in setting new limits. The change in methodology essentially holds the ownership cost portion of the property limit, effective October 1, 1984, constant. The revised methodology only allows for relative changes in the plant operating costs to influence to total Property cost limit.

The calculation of the Total Property cost limit is as follows:

	Plant Operating Per Diem Limit from Current Data Base
Minus:	Plant Operating Per Diem Limit from Prior Data Base
Equal:	Incremental Change in Total Plant Operating Limit
Add:	Total Property Cost Limit from Prior Limitation Period
Equal:	Total Property Cost Limit for New Limitation Period

The skilled nursing facilities and intermediate care facilities became nursing facilities on October 1, 1990. The Property cost limit, using the incremental change in Plant Operating costs, was based on the Property cost limit from the October 1, 1984 data base for skilled facilities. The incremental changes in the Plant Operating costs and the subsequent change in Property cost limits are now determined from the combined Nursing Facility data base.

The property fee resulted in a calculation of a provider specific plant operating limit. The Total Property limit is reduced, on a provider specific basis, by the amount of the property allowance included in the property fee. In this manner, the non-ownership costs are limited by a cost center limit that excludes the ownership cost portion of the Medicaid rate, or the property allowance. The following is the calculation of the Plant Operating Limit:

Total Property Cost Limit for Limitation Period  
 Minus: Property Allowance Included in Property Fee  
 Equal: Plant Operating Cost Center Limit for Limitation Period.

It should be noted that the value factor component of the property fee should not be reduced from the Total Property cost limit to determine the Plant Operating Cost Center Limit. The property fee is explained in greater detail in the following section of this exhibit.

*Case Mix Adjustment Effective January 1, 1994:*

The upper payment limit for the Health Care cost center limit will be determined based on the case mix adjustment. This adjustment is explained in detail in the Case Mix Payment System section of this narrative.

**REAL AND PERSONAL PROPERTY FEE**

The real and personal property fee (property fee) was implemented, effective January 1, 1985, pursuant to Kansas Administrative Regulation 30-10-25. It was implemented as a response to the Deficit Reduction Act of 1984 regarding re-valuation of assets due to a change in ownership. The property fee satisfies this requirement in that it is the capital reimbursement portion of the Medicaid rate and does not change due solely to a change in ownership. The property fee is facility specific and is in lieu of all depreciation, mortgage interest, lease and amortization of lease expense. The actual ownership costs used to develop the property fee were from the latest cost report for each provider that the agency had processed through July, 1984.

The two components of the property fee are the property allowance and the property value factor. An explanation of each of these follows.

**Property Allowance:** The four line items of ownership cost (mortgage interest, depreciation, lease and amortization of lease expenses) were added together and divided by resident days to arrive at the ownership cost per diem for each provider. The 85% minimum occupancy rule was imposed on all providers who had been in operation for over 12 months. The ownership per diem cost was reduced proportionately for each provider who had total property costs in excess of the 85th percentile limit on the Property Cost Center Limit. This adjustment to the ownership per diem cost was based on the ratio of ownership costs to total property costs, multiplied by the property costs in excess of the cost center limit. The ownership per diem cost minus this adjustment (if any) resulted in the property allowance.

**Property Value Factor:** The property allowances for all providers were arrayed by level of care and percentiles established. These percentiles became the basis for establishing the property value factor. The five different groupings developed from each array are as follows:

Group #	Percentile Ranking	Add-On Percent
1	-0- through 25th Percentile	45%
2	26th through 50th Percentile	15%
3	51st through 75th Percentile	7.5%
4	76th through 85th Percentile	5%
5	86th through 100th Percentile	0%

Once the percentile groups were established, a  
*(continued)*

weighted average property allowance was calculated for each group. This average property allowance was then multiplied by the add-on percentage to arrive at the property value factor for each group. This add-on percentage is inversely related to the percentile ranking. That is, the lower the percentile ranking, the higher the add-on percentage. The property value factor for each percentile group was then assigned to each provider within that group.

There are two value factor arrays. One array is the Medicare skilled nursing facilities. The other is for nursing facilities which are not certified as Medicare skilled facilities. The value factor is determined based on the classification of the nursing facility and by using the applicable array.

The applicable array applies to the certification of the facility at the time the property fee is established. The value factor does not change with a change in certification. However, if a property fee changes due to a "rebas-ing," then the value factor is based on the array for which the facility is certified at the time the rebasing is effective.

There are two provisions for changing the property fee. One is for a "rebas-ing" when capital expenditure thresholds are met (\$25,000 for homes under 51 beds and \$50,000 for homes over 50 beds). The original property allowance remains constant but the additional factor for the rebasing is added. The property fee rebasing is explained in greater detail in Exhibit A-14 (K.A.R. 30-10-25). The other provision is that an inflation factor may be applied to the property fee on an annual basis.

#### INCENTIVE FACTOR

The incentive factor is a per diem add-on ranging from zero to fifty cents. It is based on the per diem cost of the Administration cost center and the Plant Operating cost center less the real and personal property taxes expense line. The per diem allowance for these two cost centers less property taxes is determined before the owner/related party/administrator/co-administrator limitation is applied.

The incentive is designed to encourage economy and efficiency in the administrative and plant operating cost areas. Property taxes were excluded since the provider has little control of the cost. There is an inverse relationship between the incentive factor and the per diem cost used to determine it. The higher the per diem cost, the lower the incentive factor.

The Schedule E is an array of the per diem costs that are used to determine the incentive factor. The schedule includes the costs from the most recent historical cost report for all active providers. No projected cost reports are included. The per diem costs are based on the 85% occupancy rule. The costs are not adjusted for inflation.

The Schedule E summarizes all expense lines from the Administration cost center and the Plant Operating cost center, less property taxes. The ownership costs are excluded from the array so that both older facilities (with relatively lower ownership costs) and newer facilities (with relatively higher ownership costs) can benefit from the incentive factor through efficient operations. The Room and Board and Health Care cost centers are excluded from the incentive factor calculation so that pro-

viders are not rewarded for cost efficient operations with regard to costs that may jeopardize the direct care of the residents.

The total per diem costs for administration and plant operating, less property taxes, are arrayed and percentiles established. These percentiles then become the basis for establishing the per diem cost ranges used to determine each providers efficiency factor, consistent with agency policy. The ranges are defined as follows:

Providers Percentile Ranking	Incentive Factor Per Diem
-0- to 30th Percentile	\$.50
31st to 55th Percentile	.40
56th to 75th Percentile	.30
76th to 100th Percentile	-0-

#### INFLATION FACTORS

Inflation will be applied to the allowable reported costs from the calendar year end cost reports for rates effective July 1st. The inflation will be based on the Data Resources, Inc. National Skilled Nursing Market Basket Index (DRI Index). The inflation will be applied from the midpoint of the cost report period to the midpoint of the payment limitation period (December 31st). This annual percentage estimate is used consistently throughout the limitation period.

The DRI Indexes listed in the latest available quarterly publication will be used to determine the inflation tables for the payment schedules processed during the payment limitation period. This will require the use of forecasted factors in the inflation table. The inflation tables will not be revised until the next payment limitation period.

For historic cost report periods ending other than the last month in a quarter, the inflation factor to be used in the calculation will be the factor for the quarter in which the cost reporting period ends. For example, a cost report period ended August 31st will receive inflation based on the calculation using the September, third quarter, DRI Index forecast. This approach is being used instead of trying to convert a quarterly index into monthly factors.

The table "Inflation For Report Year End Prior To July 1" (Exhibit C-2, page 1) is applied in determining rates with an effective date of July 1. The table "Inflation For Report Year Ends After July 1" (Exhibit C-2, page 2) is applied in determining rates for non calendar year historic cost reports with rate effective date other than July 1.

The inflation factor is applied to all costs *except* the following:

- (1) Administrator and Co-Administrator Salaries
- (2) Owner/Related Party Compensation
- (3) Interest Expense
- (4) Real and Personal Property Taxes

#### RATE EFFECTIVE DATE

Rate effective dates are determined in accordance with Exhibit A-7 (K.A.R. 30-10-19). The rate may be revised for an add-on reimbursement factor (i.e., rebased property fee or 24 hour nursing), desk review adjustment or field audit adjustment.

**B. Attachment 4.19D, Part I, Subpart F:****Reimbursement for Nursing Facilities With Over 199 Beds**

Nursing facilities (NFs) with over 199 beds, who are reimbursed on the basis of a projected or historical cost report, shall be limited by an overall total rate approved by the Secretary of the agency.

The rate shall be reasonable and adequate to meet the costs which must be incurred by efficiently and economically operated facilities. Special level of care groups are only established when the characteristics of the facilities or residents are so unique that reimbursement under the usual methods and standards for establishing payment rates for NFs are not reasonable or adequate.

The following parameters shall be used in setting rates for NFs with over 199 beds:

1. They are required to submit the uniform Nursing Facility Financial and Statistical Report in accordance with Exhibit A-5 (K.A.R. 30-10-17). The treatment of allowable and non-allowable costs are consistent for all NFs, regardless of size.
2. The per diem rates are determined by applying the 85 percent minimum occupancy rule, administrator/co-administrator/owner/related party compensation limits, inflation factors and the incentive factors, as applied to all NFs, regardless of size.
3. The rates are held to the upper payment limits for the Administration, Property, and Room and Board cost centers. They are not held to the upper payment limit for the Health Care cost center.
4. The property reimbursement (real estate interest, depreciation, lease and amortization of leasehold improvements) is based on the real and personal property fee. The overall property limit established for NFs with less than 200 beds is applied to these facilities. The payment methodology is not reasonably expected to result in an increase in payments based solely on a change of ownership in excess of what would be allowed for any other NF.
5. The payment rate can not exceed the private pay rate for comparable services. The related requirements in Exhibit A-6 (K.A.R. 30-10-18) shall be followed.
6. The rates are not expected to pay more in the aggregate for NF services than the amount that the agency estimates would be paid under the Medicare principles of reimbursement.
7. Rates for the facilities are determined at least annually based on submissions of the uniform cost report.

**C. Attachment 4.19D, Part I, Subpart S:****Minimum Wage Per Diem Pass Through**

This subpart explains the methodology for the minimum wage pass-through. The pass-through are effective October 1, 1996 and September 1, 1997. The pass-through is facility specific and requires the provider to submit a report and related documentation. The minimum wage reimbursement is subject to the following conditions:

- (1) A provider who is paying employees the minimum wage or more prior to October 1, 1996 and September 1, 1997, is not entitled to the pass-through factor.
- (2) A provider who is paying employees less than the new minimum wage requirements on October 1, 1996 and September 1, 1997, may request the pass-through factor.
  - (A) The factor is restricted to the difference between the employees hourly rate and the new minimum wage hourly rate plus the related increase in the employers payroll taxes and benefits. The minimum wage effective October 1, 1996 is \$4.75 per hour. The minimum wage effective September 1, 1997 is \$5.15.
  - (B) The percentage of the employers payroll taxes and benefits can be determined based on the ratio of total benefits to total salaries in the last Nursing Facility Financial and Statistical Report submitted.
  - (C) Resident days used in the denominator of the minimum wage per diem pass-through shall be based on the actual days reported on the last Nursing Facility Financial and Statistical Report submitted. The resident days will not be subject to the 85% minimum occupancy factor.
- (3) The per diem pass-through shall not be subject to the cost center limits.
- (4) A retroactive rate adjustment with the minimum wage pass-through for the October 1, 1996 increase will be made back to October 1, 1996. The increase in the minimum wage on September 1, 1997 will allow a retroactive rate adjustment back to that date. These adjustments will be made after the Minimum Wage Report and related documentation are received by the agency.
- (5) The minimum wage pass-through factor will be reduced from the Medicaid rate as the related payroll expenses are reflected in the rate from the submission of the Nursing Facility Financial and Statistical Report. For example, a facility with a report year end (RYE) of 12/31/96 receives a \$.20 pass-through for the 10/1/96 minimum wage increase. The factor will be reduced one-fourth, or \$.05 to \$.15 on 7/1/97. This is the rate effective date of the RYE 12/31/96 cost report. The reason is because three months or one-fourth of the increased salary costs are reflected in the per diem rate determined from the cost report.

In the above example, when the per diem rate is effective 7/1/98 from the RYE 12/31/97 cost report, the 10/1/96 minimum wage pass-through will be eliminated. The full cost of the first minimum wage increase is reflected in the cost report and the rate established from it.

Some providers will have a portion of the 10/1/96 pass-through and the 9/1/97 pass-through beginning 9/1/97. The same method of phasing out the pass-through will be used for the 9/1/97 mini-

(continued)

imum wage increase. The 9/1/97 minimum wage pass-through will be completely eliminated from the rate on 7/1/99.

**II. Proposed Medicaid Per Diem Rates for Kansas Nursing Facilities.**

**A. Cost Center Limitations.** The State proposes to establish the following cost center limitations which are used in the rate-setting process:

Administration:	Median Cost + 15%	\$11.59 per day
Property:	(Plant Operating Median Cost + 30%)	\$11.36 per day
Room & Board:	Median Cost + 30%	\$20.71 per day
Health Care (for a Case Mix Index of 1.0):	Median Cost + 25%	\$53.78 per day

These amounts were determined according to the "Reimbursement Limitations" section set out above in Section I.A. of this Notice.

**B. Case Mix Index.** These proposed rates are based upon each nursing facility's average Case Mix Index (CMI) calculated with a cutoff date of April 1, 1998, using the July 1, 1998 normalized table. In Section II.C., below, each nursing facility's average CMI is listed beside its proposed per diem rate. In accordance with the methodology described above, the final rates (to be published after the public comment period) will be based upon each nursing facility's average CMI calculated with a cutoff date of May 1, 1998.

**C. Proposed Nursing Facility Per Diem Rates and CMI.**

Facility Name	City	Proposed Daily Rate	CMI
ABILENE HEALTH CENTER	ABILENE	\$62.23	1.04
HIGHLAND CARE HOME	ABILENE	\$53.02	0.96
ALMA MANOR	ALMA	\$68.36	0.98
ARKHAVEN AT ALTAMONT	ALTAMONT	\$58.60	0.88
ANDOVER HEALTH CARE CENTER	ANDOVER	\$70.21	1.07
FRIENDSHIP MANOR OF ANTHONY	ANTHONY	\$70.06	0.90
ARKANSAS CITY PRESBYTERIAN MANOR	ARKANSAS CITY	\$89.47	1.16
MEDICALODGE EAST HEALTHCARE CENTER	ARKANSAS CITY	\$91.81	1.15
MEDICALODGE POST ACUTE AND REHAB CENTER	ARKANSAS CITY	\$92.04	1.02
CCA AT ARMA	ARMA	\$77.83	1.35
ASHLAND HEALTH CENTER - LTCU	ASHLAND	\$75.05	0.97
ATCHISON HOSPITAL SNF	ATCHISON	\$89.25	1.28
ATCHISON SENIOR VILLAGE	ATCHISON	\$84.84	0.89
DOOLEY CENTER	ATCHISON	\$79.75	0.80
MEDICALODGE OF ATCHISON	ATCHISON	\$90.72	1.02
ATTICA LONG TERM CARE	ATTICA	\$77.86	0.90
ATWOOD GOOD SAMARITAN CENTER	ATWOOD	\$77.61	0.86
AUGUSTA MEDICAL COMPLEX	AUGUSTA	\$81.97	0.88
LAKEPOINT NURSING CENTER	AUGUSTA	\$65.29	0.90
BALDWIN CARE CENTER	BALDWIN CITY	\$77.93	0.92
QUAKER HILL MANOR	BAXTER SPRINGS	\$66.69	0.87
SPRING VALLEY CARE CENTER	BAXTER SPRINGS	\$82.62	0.92
BELLEVILLE HEALTH CARE CENTER	BELLEVILLE	\$72.47	0.91
REPUBLIC COUNTY HOSPITAL - LTCU	BELLEVILLE	\$90.25	0.90
THE LUTHERAN HOME	BELLEVILLE	\$69.00	0.83
HILLTOP LODGE NURSING HOME	BELOIT	\$72.62	0.91
MITCHELL COUNTY COMMUNITY HOSPITAL	BELOIT	\$92.34	0.97
BLUE VALLEY NURSING HOME	BLUE RAPIDS	\$66.70	1.03
BONNER HEALTH CARE	BONNER SPRINGS	\$72.89	0.93
HILL TOP HOUSE	BUCKLIN	\$74.57	0.83
BUHLER SUNSHINE HOME, INC.	BUHLER	\$79.05	0.93
SANTA FE TRAILS NURSING HOME	BURLINGAME	\$62.18	0.80

LIFE CARE CENTER OF BURLINGTON	BURLINGTON	\$57.71	1.03
BEVERLY HEALTH & REHAB OF CALDWELL	CALDWELL	\$59.39	0.92
CANEY GUEST HOME	CANEY	\$58.27	0.92
SHILOH MANOR OF CANTON, INC.	CANTON	\$73.90	0.94
CEDARVALE MANOR	CEDARVALE	\$64.19	0.73
EASTRIDGE	CENTRALIA	\$63.32	1.03
APPLEWOOD CARE CENTER	CHANUTE	\$59.88	0.63
HERITAGE HEALTH CARE CENTER	CHANUTE	\$69.30	1.50
PARK PLACE HEALTHCARE & REHAB CENTER	CHANUTE	\$81.47	1.09
CHAPMAN VALLEY MANOR	CHAPMAN	\$69.09	0.90
CHENEY GOLDEN AGE HOME INC.	CHENEY	\$77.87	0.93
SUNNY ACRES OF CHERRYVALE	CHERRYVALE	\$68.07	0.82
CHETOFA MANOR	CHETOFA	\$64.50	0.90
THE SHEPHERD CENTER	CIMARRON	\$75.13	0.93
CLAY CENTER PRESBYTERIAN MANOR	CLAY CENTER	\$92.24	0.95
MEDICALODGE OF CLAY CENTER	CLAY CENTER	\$80.43	1.30
NINNESCAH MANOR	CLEARWATER	\$77.89	1.02
ESTELLE'S NURSING HOME	CLIFTON	\$56.81	0.82
PARK VILLA NURSING HOME	CLYDE	\$63.63	0.88
COFFEYVILLE REGIONAL MEDICAL CENTER	COFFEYVILLE	\$119.22	1.54
MEDICALODGE EAST OF COFFEYVILLE	COFFEYVILLE	\$91.27	1.03
SUNNY VIEW NURSING HOME	COFFEYVILLE	\$74.80	0.88
WINDSOR PLACE	COFFEYVILLE	\$83.96	1.12
LANTERN PARK MANOR	COLBY	\$63.11	1.45
PRAIRIE SENIOR LIVING COMPLEX	COLBY	\$81.58	0.88
PIONEER LODGE	COLDWATER	\$82.39	0.89
MEDICALODGE OF COLUMBUS	COLUMBUS	\$99.65	1.16
COLWICH HEALTH CENTER, INC.	COLWICH	\$66.81	1.08
BEVERLY HEALTH & REHAB OF CONCORDIA	CONCORDIA	\$74.83	0.93
MT JOSEPH SENIOR COMMUNITY, INC.	CONCORDIA	\$77.87	0.96
SUNSET NURSING CENTER	CONCORDIA	\$82.30	1.27
SPRINGVIEW MANOR	CONWAY SPRINGS	\$69.68	0.82
CHASE COUNTY NURSING HOME	COTTONWOOD FALLS	\$63.82	1.07
TWIN LAKES HEALTHCARE CENTER	COUNCIL GROVE	\$69.60	1.02
HILLTOP MANOR, INC.	CUNNINGHAM	\$68.61	0.91
DELPHOS REST HOME	DELPHOS	\$69.48	0.92
WESTVIEW MANOR, INC.	DERBY	\$81.18	1.12
CEDAR GROVE HEALTH CARE	DESOTO	\$69.65	0.76
GROUSE VALLEY MANOR	DEXTER	\$69.89	0.86
LANE COUNTY HOSPITAL - LTCU	DIGHTON	\$86.92	0.90
DODGE CITY GOOD SAMARITAN CENTER	DODGE CITY	\$77.14	1.17
MANOR OF THE PLAINS, INC.	DODGE CITY	\$92.48	0.97
TRINITY MANOR	DODGE CITY	\$81.86	0.92
MEDICALODGE OF DOUGLASS	DOUGLASS	\$92.34	1.28
DOWNNS NURSING CENTER	DOWNNS	\$73.76	1.03
COUNTRY CARE HOME	EASTON	\$75.03	1.12
EDWARDSVILLE CONVALESCENT CENTER	EDWARDSVILLE	\$84.84	1.15
EDWARDSVILLE MANOR	EDWARDSVILLE	\$69.02	0.81
PARKWAY CARE CENTER	EDWARDSVILLE	\$79.02	1.12
BEVERLY HEALTH & REHAB OF EL DORADO	EL DORADO	\$70.86	1.17
KNUTSON MANOR NURSING HOME	EL DORADO	\$72.37	0.98
MORTON COUNTY HOSPITAL	ELKHART	\$87.95	0.91
CCA AT ELLINWOOD	ELLINWOOD	\$69.71	1.03
ELLIS GOOD SAMARITAN	ELLIS	\$74.06	1.11
GOOD SAMARITAN CENTER - VILLA GRACE	ELLSWORTH	\$83.71	1.09
GOOD SAMARITAN CENTER - VILLA HOPE	ELLSWORTH	\$70.35	0.74
EMPORIA PRESBYTERIAN MANOR	EMPORIA	\$90.98	1.13
EMPORIA REHABILITATION CENTER	EMPORIA	\$56.81	1.08
HOLIDAY RESORT, INC.	EMPORIA	\$67.12	0.91
MEADOWVIEW CARE CENTER	EMPORIA	\$57.05	0.97
VINTAGE MANOR	EMPORIA	\$64.79	1.03
ENTERPRISE ESTATES NURSING CENTER	ENTERPRISE	\$60.48	0.88
HERITAGE VILLAGE-ESKRIDGE	ESKRIDGE	\$62.51	0.67
EUDORA NURSING CENTER	EUDORA	\$72.71	0.92
MEDICALODGE OF EUREKA	EUREKA	\$91.87	1.02
PRAIRIE HILLS HEALTH CARE	EUREKA	\$80.06	1.26
FLORENCE HEALTH CARE	FLORENCE	\$60.57	0.87
FORT SCOTT MANOR	FORT SCOTT	\$62.88	1.06
MEDICALODGE OF FT. SCOTT	FORT SCOTT	\$86.44	1.18

MERCY HOSPITAL OF KANSAS - FT. SCOTT	FORT SCOTT	\$133.45	1.74	KANSAS CITY PRESBYTERIAN MANOR	KANSAS CITY	\$94.48	1.29
FOWLER NURSING HOME	FOWLER	\$78.51	0.86	MEDICALODGE EAST OF KANSAS CITY	KANSAS CITY	\$102.91	1.15
FRANKFORT COMMUNITY CARE HOME	FRANKFORT	\$71.51	0.91	MEDICALODGE POST ACUTE CARE CENTER	KANSAS CITY	\$107.11	1.24
BEVERLY HEALTH & REHAB OF FREDONIA	FREDONIA	\$72.46	0.93	ST. JOSEPH CARE CENTER	KANSAS CITY	\$121.18	1.16
SUNSET MANOR, INC.	FRONTENAC	\$66.70	1.10	THE MANOR OF KANSAS CITY	KANSAS CITY	\$78.13	1.14
BARKER REST HOME	GALENA	\$48.48	0.93	PRAIRIE HAVEN NURSING CENTER	KENSINGTON KINGMAN	\$52.24	0.85
GALENA NURSING AND REHABILITATION	GALENA	\$69.82	1.05	KINGMAN MANOR	KINGMAN	\$74.56	0.97
GARDEN VALLEY RETIREMENT VILLAGE	GARDEN CITY	\$88.08	1.08	THE WHEATLANDS HEALTH CARE CENTER	KINGMAN	\$68.90	0.89
TERRACE GARDEN CARE CENTER	GARDEN CITY	\$84.90	0.94	MEDICALODGE OF KINSLEY	KINSLEY	\$87.38	0.97
GARDNER REHABILITATION CENTER	GARDNER	\$90.28	1.15	FRIENDSHIP MANOR OF KIOWA	KIOWA	\$75.33	0.98
MEADOWBROOK HOSPITAL SNF	GARDNER	\$169.35	3.13	RUSH CO. HEALTHCARE CENTER	LACROSSE	\$82.57	0.77
ANDERSON COUNTY HOSPITAL	GARNETT	\$85.43	1.04	RUSH COUNTY NURSING HOME	LACROSSE	\$77.23	0.99
GOLDEN HEIGHTS LIVING CENTER	GARNETT	\$70.69	0.95	SWAN MANOR, INC.	LACYGNE	\$63.49	0.98
HERITAGE NURSING HOME	GIRARD	\$58.51	1.08	HIGH PLAINS RETIREMENT VILLAGE	LAKIN	\$93.17	1.04
THE NICOL HOME, INC.	GLASCO	\$56.38	0.76	COLONIAL MANOR - LANSING	LANSING	\$80.06	1.10
MEDICALODGE OF GODDARD	GODDARD	\$107.48	1.27	LARNED HEALTHCARE & LIVING CENTER	LARNED	\$68.20	0.93
BETHESDA HOME	GOESSEL	\$92.08	0.97	BRANDON WOODS, INC.	LAWRENCE	\$89.37	1.22
SHERMAN CO. GOOD SAMARITAN CENTER	GOODLAND	\$72.22	0.89	COLONIAL MANOR-LAWRENCE	LAWRENCE	\$80.26	1.49
CENTRAL KANSAS MEDICAL CENTER	GREAT BEND	\$120.69	1.69	LAWRENCE PRESBYTERIAN MANOR	LAWRENCE	\$96.01	1.20
CHERRY VILLAGE	GREAT BEND	\$64.59	0.97	SOUTHWINDS REHABILITATION & CARE	LAWRENCE	\$89.64	0.97
INTEGRATED HEALTH SERVICES	GREAT BEND	\$70.56	1.07	LEAVENWORTH CO CONVALESCENT	LEAVENWORTH	\$87.17	0.96
WASHINGTON COUNTY HOSPITAL DISTRICT	HANOVER	\$78.38	1.09	MEDICALODGE OF LEAVENWORTH	LEAVENWORTH	\$91.84	1.02
FRIENDSHIP MANOR REHAB CENTER	HAVILAND	\$54.31	0.57	DELMAR GARDENS OF LENEXA, INC.	LENEXA	\$87.34	1.18
HAYS GOOD SAMARITAN CENTER	HAYS	\$74.28	1.00	LEONARDVILLE HOME	LEONARDVILLE	\$60.89	0.92
HAYS MEDICAL CENTER	HAYS	\$159.15	2.55	GOLDEN ACRES NURSING HOME	LEOTI	\$84.90	0.90
ST. JOHN'S OF HAYS	HAYS	\$81.04	0.99	LIBERAL GOOD SAMARITAN CENTER	LIBERAL	\$75.37	0.93
PRESTIGE REHAB & NURSING CENTER	HAYSVILLE	\$94.05	1.11	LINCOLN COUNTY HOSPITAL	LINCOLN	\$91.98	0.91
HERINGTON MUNICIPAL HOSPITAL	HERINGTON	\$101.98	1.45	LTCU	LINCOLN	\$66.56	0.92
LUTHERAN HOME, INC.	HERINGTON	\$63.84	0.86	MID-AMERICA HEALTH CENTER	LINDSBORG	\$81.70	0.83
SCHWALTER VILLA	HESTON	\$94.13	0.98	BETHANY HOME ASSOCIATION	LINN	\$58.94	0.91
MAPLE HEIGHTS OF HIAWATHA	HIAWATHA	\$61.68	0.87	LINN COMMUNITY NURSING HOME, INC.	LITTLE RIVER	\$71.97	0.89
OAK RIDGE ACRES	HIAWATHA	\$59.27	0.87	SANDSTONE HEIGHTS	LOGAN	\$64.87	1.03
HIGHLAND CARE CENTER	HIGHLAND	\$76.45	1.17	LOGAN MANOR COMMUNITY HEALTH SRVC	LOUISBURG	\$80.39	1.24
DAWSON PLACE, INC.	HILL CITY	\$69.08	0.87	LOUISBURG CARE CENTER	LUCAS	\$67.11	1.07
PARKSIDE HOMES, INC.	HILLSBORO	\$77.57	0.81	BEVERLY HEALTH & REHAB OF LUCAS	LYNDON	\$76.63	1.28
SALEM HOSPITAL, INC. - LTCU	HILLSBORO	\$79.68	0.90	HILLTOP HOME	LYONS	\$77.19	0.90
HOISINGTON REHABILITATION CENTER	HOISINGTON	\$66.46	0.86	LYONS GOOD SAMARITAN CENTER	MADISON	\$68.41	0.82
HOLTON MANOR	HOLTON	\$59.78	0.90	MADISON MANOR, INC.	MANHATTAN	\$91.13	1.40
JACKSON CO. NURSING HOME, INC.	HOLTON	\$65.86	0.92	MEADOWLARK HILLS RETIREMENT COMM	MANHATTAN	\$74.19	0.98
TRI-COUNTY MANOR LIVING CENTER	HORTON	\$61.95	0.96	ST. JOSEPH SENIOR COMMUNITY, INC.	MANHATTAN	\$80.19	1.36
HOWARD TWILIGHT MANOR	HOWARD	\$71.42	0.91	STONEBROOK RETIREMENT COMMUNITY	MANHATTAN	\$84.28	0.94
SHERIDAN COUNTY HOSPITAL	HOXIE	\$89.34	0.97	WHARTON MANOR	MANHATTAN	\$80.32	0.92
LTCU	HUGOTON	\$89.16	0.84	JEWELL COUNTY HOSPITAL	MANKATO	\$65.08	1.02
PIONEER MANOR	HUMBOLDT	\$64.26	0.96	MARION MANOR	MARION	\$81.19	0.88
PINECREST NURSING HOME	HUTCHINSON	\$75.76	0.98	ST. LUKE LIVING CENTER	MARQUETTE	\$65.04	0.85
GOLDEN PLAINS HEALTH CARE CENTER	HUTCHINSON	\$80.00	0.94	RIVERVIEW ESTATES, INC.	MARYSVILLE	\$77.32	1.09
HUTCHINSON GOOD SAMARITAN CENTER	HUTCHINSON	\$77.48	1.20	CAMBRIDGE PLACE	MARYSVILLE	\$77.45	0.91
OAKWOOD REHABILITATION	HUTCHINSON	\$82.72	1.06	COMMUNITY MEMORIAL HOSPITAL - LTCU	MCPHERSON	\$62.89	0.85
RAY E. DILLON LIVING CENTER	HUTCHINSON	\$64.04	1.07	HIGHLAND MANOR	MCPHERSON	\$86.08	0.93
SILVER OAKS HEALTH CENTER	HUTCHINSON	\$97.46	1.05	THE CEDARS, INC.	MEADE	\$75.58	0.96
WESLEY TOWERS	HUTCHINSON	\$62.96	0.94	LONE TREE RETIREMENT COMMUNITY	MEDICINE LODGE	\$64.95	0.95
GLENWOOD ESTATE	INDEPENDENCE	\$65.68	0.91	CEDAR CREST MANOR	MERRIAM	\$98.26	1.01
MANOR NURSING HOME	INDEPENDENCE	\$111.48	2.02	TRINITY LUTHERAN MANOR	MINNEAPOLIS	\$79.48	0.91
MERCY HLTH SYSTEM OF KANSAS, INC.	INDEPENDENCE	\$73.29	1.07	MINNEAPOLIS GOOD SAMARITAN CENTER	MINNEAPOLIS	\$70.17	1.06
THE LODGE AT INDEPENDENCE	INDEPENDENCE	\$77.29	1.03	OTTAWA COUNTY HOSPITAL - LTCU	MINNEAPOLIS	\$89.00	1.03
THE TERRACE AT INDEPENDENCE	INMAN	\$73.26	0.84	MINNEOLA NURSING HOME	MINNEOLA	\$66.67	0.86
PLEASANT VIEW HOME	IOLA	\$70.30	1.02	ELK MANOR HOME	MOLINE	\$77.37	0.89
COUNTRYSIDE ESTATES	JAMESTOWN	\$68.65	1.09	BETHEL HOME, INC.	MONTEZUMA	\$68.74	0.91
CHEYENNE LODGE, INC.	JETMORE	\$94.54	0.96	MORAN MANOR	MORAN	\$48.38	0.98
HODGEMAN CO HEALTH CENTER - LTCU	JOHNSON	\$97.16	0.99	CRYSTAL CARE CENTER OF MOUND CITY	MOUND CITY	\$92.53	0.91
STANTON COUNTY HOSPITAL - LTCU	JUNCTION CITY	\$74.44	0.95	MEMORIAL HOME FOR THE AGED	MOUNDRIDGE	\$67.33	0.80
JUNCTION CITY GOOD SAMARITAN CENTER	JUNCTION CITY	\$72.03	0.87	MOUNDRIDGE MANOR, INC.			
VALLEY VIEW PROFESSIONAL CARE CENTER	KANSAS CITY	\$88.08	0.88				
ALZHEIMER'S CENTER OF KANSAS CITY							

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MT. HOPE NURSING CENTER	MT. HOPE	\$76.72	0.93	SABETHA MANOR	SABETHA	\$72.38	0.93
VILLA MARIA, INC.	MULVANE	\$93.02	0.98	COLLEGE PARK VILLAGE	SALINA	\$70.43	1.05
BEVERLY HEALTH & REHAB OF NEODESHA	NEODESHA	\$67.61	0.87	HOLIDAY RESORT OF SALINA	SALINA	\$77.44	1.24
GOLDEN KEYS HOME	NEODESHA	\$61.12	0.87	KENWOOD VIEW NURSING CENTER	SALINA	\$72.42	0.92
NESS COUNTY DISTRICT HOSPITAL LTCU	NESS CITY	\$83.10	0.95	SALINA PRESBYTERIAN MANOR	SALINA	\$92.10	1.01
BETHEL CARE CENTRE	NEWTON	\$95.15	1.06	SHALIMAR HEALTH CENTER	SALINA	\$63.67	0.84
FRIENDLY ACRES, INC.	NEWTON	\$90.86	0.91	SMOKEY HILL REHABILITATION CENTER	SALINA	\$77.77	1.06
KANSAS CHRISTIAN HOME	NEWTON	\$93.58	0.93	WINDSOR ESTATES	SALINA	\$74.52	0.92
NEWTON PRESBYTERIAN MANOR	NEWTON	\$93.84	1.19	SATANTA DIST. HOSP. LTCU	SATANTA	\$95.66	1.00
MANORCARE HEALTH SERVICES	NORTH WICHITA	\$88.16	1.07	PARK LANE NURSING HOME	SCOTT CITY	\$77.85	0.85
ANDBE HOME, INC.	NORTON	\$76.94	0.87	PLEASANT VALLEY MANOR	SEDAN	\$63.55	1.12
VILLAGE VILLA	NORTONVILLE	\$60.29	0.86	SEDGWICK HEALTHCARE CENTER	SEDGWICK	\$90.80	1.10
NORWICH CARE CENTER, INC.	NORWICH	\$73.28	0.88	COUNTRY VIEW ESTATES CARE HOME	SENECA	\$61.04	1.07
OAKLEY MANOR	OAKLEY	\$57.98	1.01	CRESTVIEW MANOR	SENECA	\$49.77	0.90
DECATUR CO. GOOD SAMARITAN CENTER	OBERLIN	\$72.64	0.88	PRAIRIE MANOR GOOD SAMARITAN	SHARON SPRINGS	\$75.80	0.82
DECATUR COUNTY HOSPITAL	OBERLIN	\$82.24	0.89	SHARON LANE NURSING HOME	SHAWNEE	\$85.00	1.06
JOHNSON COUNTY NURSING CENTER	OLATHE	\$95.29	0.96	SHAWNEE GARDENS NURSING CENTER	SHAWNEE	\$91.64	1.01
MARINER HEALTH OF OLATHE	OLATHE	\$92.88	1.18	CCA AT SMITH CENTER	SMITH CENTER	\$78.35	1.03
OLATHE GOOD SAMARITAN CENTER	OLATHE	\$92.22	1.05	SMITH COUNTY MEMORIAL HOSP-LTCU	SMITH CENTER	\$87.49	0.90
ROYAL TERRACE NRSG. & REHAB. CENTER	OLATHE	\$81.85	1.08	SOUTH HAVEN GUEST HOME, INC.	SOUTH HAVEN	80.44	0.92
GOLDEN ACRES	ONAGA	\$57.94	1.01	MENNONITE FRIENDSHIP MANOR, INC.	SOUTH HUTCHINSON	\$87.52	1.02
OSAGE NURSING AND REHABILITATION	OSAGE CITY	\$75.48	1.33	BEVERLY HLTH & REHAB CENTER	SPRING HILL	\$82.97	0.92
PETERSON NURSING HOME	OSAGE CITY	\$65.42	0.90	GOOD SAMARITAN VILLAGE	ST. FRANCIS	\$76.63	0.95
HERITAGE MANOR OF OSAWATOMIE	OSAWATOMIE	\$75.27	1.36	HEARTHSTONE NURSING CENTER #192	ST. JOHN	\$73.40	0.89
PARKVIEW CARE CENTER	OSBORNE	\$75.09	0.87	COMMUNITY HOSPITAL ONAGA, INC.,	ST. MARY'S	\$87.90	0.93
HICKORY POINTE CARE & REHAB	OSKALOOSA	\$68.05	1.26	PRAIRIE MISSION RETIREMENT VILLA	ST. PAUL	\$76.11	0.91
OSWEGO HEALTH CENTER	OSWEGO	\$90.15	1.00	LEISURE HOMESTEAD ASSOCIATION	STAFFORD	\$63.83	0.93
OSWEGO MANOR	OSWEGO	\$56.29	0.96	STERLING PRESBYTERIAN MANOR	STERLING	\$81.47	1.01
VILLAGE MANOR	OTTAWA	\$75.01	1.22	SOLOMON VALLEY MANOR	STOCKTON	\$73.35	0.91
BROOKSIDE MANOR	OVERBROOK	\$84.71	1.06	HAMILTON CO. HOSPITAL LTUC	SYRACUSE	\$90.88	0.87
DELMAR GARDENS OF OVERLAND PARK	OVERLAND PARK	\$89.97	1.39	TONGANOXIE NURSING CENTER	TONGANOXIE	\$79.94	1.09
HORIZON SPECIALTY HOSPITAL	OVERLAND PARK	\$98.86	1.32	ALDRSGATE VILLAGE	TOPEKA	\$100.32	1.07
INDIAN CREEK NURSING CENTER	OVERLAND PARK	\$98.89	1.14	BREWSTER PLACE	TOPEKA	\$93.40	0.94
LIFE CARE CENTER OF OVERLAND PARK	OVERLAND PARK	\$86.54	0.92	BRIGHTON PLACE NORTH	TOPEKA	\$56.26	0.63
MANORCARE HLTH SERVICES	OVERLAND PARK	\$95.15	1.08	CCA AT BRIGHTON PLACE	TOPEKA	\$65.74	0.66
OVERLAND PARK MANOR	OVERLAND PARK	\$97.12	1.15	COMMUNITY CARE OF AMERICA	TOPEKA	\$85.32	1.10
VILLA SAINT JOSEPH	OVERLAND PARK	\$105.44	1.17	COUNTRYSIDE HEALTH CENTER	TOPEKA	\$62.12	0.68
RIVERVIEW MANOR, INC.	OXFORD	\$72.84	0.98	EVENTIDE CONVALESCENT CENTER	TOPEKA	\$60.63	0.91
COUNTRY HAVEN NURSING CENTER	PAOLA	\$71.03	1.04	FAIRLAWN HEIGHTS NURSING CENTER	TOPEKA	\$81.84	0.82
MEDICALODGE OF PAOLA	PAOLA	\$67.80	0.63	HEARTLAND CARE CENTER	TOPEKA	\$49.02	0.90
PAOLA REHABILITATION & NURSING CENTER	PAOLA	\$80.69	1.23	INDIAN TRAILS MANOR	TOPEKA	\$54.56	0.64
ELMHAVEN	PARSONS	\$60.67	0.88	MANORCARE HEALTH SERVICES	TOPEKA	\$83.95	0.94
ELMHAVEN EAST	PARSONS	\$63.15	0.99	MCCRITTE RETIREMENT ASSOCIATION	TOPEKA	\$81.42	1.09
PARSONS GOOD SAMARITAN CENTER	PARSONS	\$70.87	0.89	PLAZA WEST CARE CENTER, INC.	TOPEKA	\$84.53	1.40
PARSONS PRESBYTERIAN MANOR	PARSONS	\$87.23	0.93	ROLLING HILLS HEALTH CENTER	TOPEKA	\$88.52	1.45
PEABODY COMMUNITY LIVING CENTER	PEABODY	\$78.40	0.87	SOUTHGATE VILLAGE LIFE CARE CENTER	TOPEKA	\$78.33	1.47
WESTVIEW NURSING CENTER	PEABODY	\$57.00	0.67	THE UNITED METHODIST HOMES	TOPEKA	\$91.66	0.94
PHILLIPS COUNTY HOSPITAL LTCU	PHILLIPSBURG	\$95.74	1.05	TOPEKA CONVALESCENT CENTER	TOPEKA	\$74.44	1.27
PHILLIPS COUNTY RETIREMENT CENTER	PHILLIPSBURG	\$63.50	0.82	TOPEKA HEALTHCARE CENTER	TOPEKA	\$76.72	1.44
BEVERLY REHABILITATION CENTER	PITTSBURG	\$76.84	1.22	TOPEKA PRESBYTERIAN MANOR INC.	TOPEKA	\$101.98	1.15
MEDICALODGE NORTH OF PITTSBURG	PITTSBURG	\$86.66	1.12	WESTWOOD MANOR	TOPEKA	\$62.82	0.99
MEDICALODGE SOUTH OF PITTSBURG	PITTSBURG	\$92.42	1.09	WOODLAND HEALTH CENTER	TOPEKA	\$68.09	0.92
MT. CARMEL MEDICAL CENTER	PITTSBURG	\$138.96	2.13	GREELEY COUNTY HOSPITAL, LTCU	TRIBUNE	\$91.48	0.88
ROOKS COUNTY HOME	PLAINVILLE	\$77.90	0.82	WESTERN PRAIRIE CARE HOME	ULYSSES	\$95.61	0.98
FRIENDSHIP MANOR OF PRATT	PRATT	\$66.74	1.25	MARMATON VALLEY HOME	UNIONTOWN	\$59.18	1.07
PRATT REGIONAL MEDICAL CENTER	PRATT	\$104.86	1.35	VALLEY HEALTH CARE CENTER	VALLEY FALLS	\$61.85	0.66
PRESCOTT COUNTRY VIEW NURSING HOME	PRESCOTT	\$55.70	0.83	ST. JOHN'S REST HOME OF VICTORIA	VICTORIA	\$83.46	0.96
PRAIRIE SUNSET MANOR	PRETTY PRAIRIE	\$80.36	0.85	THE LUTHERAN HOME - WAKEENEY	WAKEENEY	\$62.65	0.88
PROTECTION VALLEY MANOR	PROTECTION	\$62.66	0.71	TREGO CO LEMKE MEMORIAL LTCU	WAKEENEY	\$94.98	0.97
GOVE COUNTY MEDICAL CENTER	QUINTER	\$81.46	0.86	WAKEFIELD REHABILITATION CENTER	WAKEFIELD	\$68.81	0.99
GRISSELL MEMORIAL HOSP DIST #1	RANSOM	\$86.22	0.94	VALLEY VISTA GOOD SAMARITAN CENTER	WAMEGO	\$82.37	0.97
OAKHAVEN NURSING CENTER	RICHMOND	\$78.19	0.90	THE CENTENNIAL HOMESTEAD, INC.	WASHINGTON	\$60.90	0.81
HERITAGE VILLAGE OF ROSE HILL	ROSE HILL	\$75.24	0.90	COLONIAL MANOR - WATHENA	WATHENA	\$73.53	1.22
ROSSVILLE VALLEY MANOR	ROSSVILLE	\$70.73	1.01	SUNSET MANOR	WAVERLY	\$74.53	0.76
GATEWOOD CARE CENTER	RUSSELL	\$60.84	0.66				
WHEATLAND NURSING & REHAB CENTER	RUSSELL	\$73.66	1.09				
APOSTOLIC CHRISTIAN HOME	SABETHA	\$68.28	0.95				

BEVERLY HEALTH & REHAB	WELLINGTON	\$56.10	1.24
CEDAR VIEW GOOD SAMARITAN CENTER	WELLINGTON	\$77.92	0.93
WELLSVILLE MANOR CARE CENTER	WELLSVILLE	\$77.33	1.11
WESTY COMMUNITY CARE HOME	WESTMORELAND	\$67.75	0.96
WHEAT STATE MANOR	WHITEWATER	\$82.67	1.00
CATHOLIC CARE CENTER INC.	WICHITA	\$82.79	1.00
CHRIST VILLA NURSING HOME	WICHITA	\$77.58	0.90
HOMESTEAD HEALTH CENTER, INC.	WICHITA	\$85.26	0.98
HORIZON SPECIALTY HOSPITAL SNE/NF	WICHITA	\$93.90	1.02
INTEGRATED HEALTH SERVICES	WICHITA	\$90.67	1.05
KANSAS MASONIC HOME	WICHITA	\$101.71	1.12
LAKWOOD HEALTH CARE CENTER	WICHITA	\$72.90	1.08
LIFE CARE CENTER OF WICHITA	WICHITA	\$101.74	1.08
LINCOLN EAST	WICHITA	\$77.57	0.89
MEDICALODGE OF WICHITA	WICHITA	\$113.30	1.34
PARKWAY HEALTH CARE	WICHITA	\$72.04	0.87
SANDPIPER BAY HEALTH & RETIRE. CENTER	WICHITA	\$96.51	1.09
TERRACE GARDENS NURSING CENTER	WICHITA	\$79.88	0.89
THE HEALTHCARE CENTER - LARKSFIELD	WICHITA	\$101.00	1.06
WICHITA HEALTHCARE & REHAB CENTER	WICHITA	\$95.42	1.27
WICHITA PRESBYTERIAN MANOR	WICHITA	\$98.06	1.35
WOODLAWN NURSING HOME	WICHITA	\$81.22	1.01
WILSON NURSING HOME	WILSON	\$81.47	1.12
JEFFERSON COUNTY MEMORIAL HOSP.	WINCHESTER	\$59.22	0.87
CUMBERNAULD VILLAGE, INC.	WINFIELD	\$89.29	0.97
GOOD SAMARITAN VILLAGE	WINFIELD	\$76.76	1.02
WALNUT HILL NURSING CENTER, INC.	WINFIELD	\$66.91	1.12
TWIN OAKS HEALTH CARE	YATES CENTER	\$64.22	1.03

**III. Justifications for the Proposed Rates.**

1. The proposed rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan, which has been used, in essentially the same form, to set nursing facility rates for more than five years.

2. The proposed rates are calculated according to a methodology which satisfies the requirements of K.S.A. 39-708c(x) and the Department of Social and Rehabilitation Services regulations in K.A.R. Article 30-10 implementing that statute.

3. The State's studies project that the proposed rates:
- a. Would result in payment, in the aggregate, of 96.58% of the Medicaid day weighted average inflated allowable nursing facility costs statewide; and
  - b. Would result in a maximum allowable rate of \$97.44; the total average allowable cost is \$89.98.

4. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase by approximately \$32,000,000.

5. The State estimates that the proposed rates would continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general population. The State's studies indicate:

- a. service providers operating a total of 339 nursing facilities (representing 95 % of all the licensed nursing facilities in Kansas) participate in the

- b. Medicaid program, while an additional 45 hospital-based long-term care units are also certified to participate in the Medicaid program;
- b. there is at least one Medicaid-certified nursing facility or Medicaid-certified hospital-based long-term care unit in each of the 105 counties in Kansas;
- c. the statewide average occupancy rate for nursing facilities participating in Medicaid is 85.3 %;
- d. the statewide average Medicaid occupancy rate for participating facilities is 55.4%, which is an increase from the prior year; and
- e. the proposed rates would cover 98.67% of the estimated Medicaid health care costs incurred by participating nursing facilities statewide.

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

**IV. Request for Comments; Request for Copies.**

The State requests providers, beneficiaries and their representatives, and other concerned Kansas residents to review and comment on the proposed rates, the methodology used to calculate the proposed rates, and the justifications for the proposed rates. Persons and organizations wishing to submit comments must mail, deliver, or fax their signed, written comments before the close of business on Monday, June 1, 1998 to:

Secretary of Aging  
 New England Building, Second Floor  
 503 S. Kansas Ave.  
 Topeka, KS 66603-3404  
 Fax (785) 296-0256

Persons and organizations wishing to submit comments on the proposed amendments to the Medicaid State Plan must mail, deliver or fax their signed, written comments before the close of business Wednesday, July 1, 1998, to the same address set out above.

**V. Notice of Intent to Publish Final Rates.**

The State intends to publish final Medicaid nursing facility per diem rates, the methodology used to calculate the final rates, and the justifications for those final rates in the *Kansas Register* on June 25, 1998.

**VI. Notice of Intent to Amend the Medicaid State Plan.**

The State intends to submit proposed Medicaid State Plan amendments to HCFA on or before September 30, 1998.

Rochelle Chronister  
 Secretary of Social and Rehabilitation Services  
 Thelma Hunter Gordon  
 Secretary of Aging

Doc. No. 022404

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 98-00 by adding the following projects:

- Project X-2004-01**, Railroad cantilever signals with gates, BNSF Railroad Crossing and 4th Street in Garden City, Finney County
- Project X-2005-01**, Railroad cantilever signals with gates, BNSF Railroad Crossing and K-23 (Main Street) in Cimarron, Gray County
- Project X-2006-01**, Railroad cantilever signals with gates, BNSF Railroad Crossing and K-27 (Main Street) in Syracuse, Hamilton County
- Project X-2008-01**, Railroad signals circuitry upgrade, UP Railroad Crossing and RS-219 (Main Street) in Haviland, Kiowa County
- Project X-2009-01**, Railroad flashing light signals with gates, UP Railroad Crossing and RS-1065 east of McPherson, McPherson County
- Project X-2010-01**, Add gates to existing railroad signals, BNSF Railroad Crossing and K-31 (Market Street) in Osage City, Osage County
- Project X-2014-01**, Straight post with gates, BNSF Railroad Crossing and 2nd Street in Valley Center, Sedgwick County

- Project X-2015-01**, Straight post with gates, BNSF Railroad Crossing and 5th Street in Valley Center, Sedgwick County
- Project X-2016-01**, Railroad cantilever signals with gates, BNSF Railroad Crossing and US-69 south of Columbus, Cherokee County
- Project X-2017-01**, Railroad cantilever signals with gates, BNSF Railroad Crossing and US-160 South of Cherokee, Comanche County
- Project X-2018-01**, Railroad cantilever signals with gates, BNSF Railroad Crossing and K-31 (Spruce Street) in Fulton, Bourbon County
- Project X-2019-01**, Railroad cantilever signals with gates, SEK Railroad Crossing and K-96 in Sherwin, Cherokee County

The STIP amendment requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568, (785) 296-7916, fax (785) 296-0723.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Office of Public Information, (785) 296-3585 (Voice/TTY).

The comment period regarding the STIP amendment will conclude June 15.

E. Dean Carlson  
Secretary of Transportation

Doc. No. 022413

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 to the 1997 Volumes of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-8	Amended	V. 16, p. 1178
1-2-14	Amended	V. 16, p. 1178
1-2-35	Amended	V. 16, p. 1178
1-2-68	Revoked	V. 16, p. 1178
1-5-7	Amended	V. 16, p. 1665
1-5-8	Amended	V. 16, p. 1665
1-5-12	Revoked	V. 16, p. 1666
1-5-13	Amended	V. 16, p. 1666
1-5-19c	Amended	V. 16, p. 1666
1-6-2	Amended	V. 16, p. 1178
1-6-8	Amended	V. 16, p. 1179
1-6-21	Amended	V. 16, p. 1179
1-6-22	Revoked	V. 16, p. 1179
1-6-27	Amended	V. 16, p. 1179
1-6-29	Amended	V. 16, p. 1666
1-6-33	Amended	V. 16, p. 973
1-7-11	Amended	V. 16, p. 1667
1-9-2	Amended	V. 16, p. 973

1-9-7b	Amended	V. 16, p. 1668
1-9-7c	Amended	V. 16, p. 974
1-9-13	Amended	V. 16, p. 974
1-9-17	Revoked	V. 16, p. 975
1-9-26	Amended	V. 16, p. 975
1-9-27	Amended	V. 16, p. 976
1-10-7	Amended	V. 16, p. 1667
1-13-1a	Amended	V. 16, p. 977
1-14-12a	New	V. 16, p. 170
1-16-2a	Amended	V. 16, p. 1210
1-16-2b	Amended	V. 16, p. 1210
1-16-2d	Revoked	V. 16, p. 1211
1-16-2e	Amended	V. 16, p. 1211
1-16-18	Amended	V. 16, p. 1211
1-18-1a	Amended	V. 16, p. 1212
1-63-2	Amended	V. 16, p. 978

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-7-213	New	V. 17, p. 171
4-7-213a	New	V. 17, p. 171
4-16-1a	Amended	V. 16, p. 1356
4-16-1c	Amended	V. 16, p. 1356
4-17-1a	Amended	V. 16, p. 1357
4-17-1c	Amended	V. 16, p. 1357

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-19-1	Amended	V. 16, p. 821
7-19-2	Amended	V. 16, p. 821
7-19-3	Amended	V. 16, p. 822
7-19-4	Amended	V. 16, p. 822
7-19-7	New	V. 16, p. 822

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-2-1	Amended	V. 17, p. 36
9-2-32	Amended	V. 17, p. 36

9-7-3	Amended	V. 17, p. 37
9-7-10	Amended	V. 17, p. 364
9-7-12	Amended	V. 17, p. 37
9-7-14	Amended	V. 17, p. 37
9-7-15	New	V. 17, p. 37
9-7-16	New	V. 17, p. 38
9-7-17	New	V. 17, p. 38
9-7-18	New	V. 17, p. 38
9-10-33 through 9-10-39	New	V. 17, p. 364, 365
9-11-10	Amended	V. 17, p. 38
9-27-1	New	V. 17, p. 38
9-28-1	New	V. 17, p. 39
9-28-2	New	V. 17, p. 39
9-29-1 through 9-29-11	New	V. 17, p. 39-41
9-30-1	New	V. 17, p. 41
9-30-2	New	V. 17, p. 41
9-30-3	New	V. 17, p. 41

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-20-2	Amended	V. 16, p. 1049
10-20-3	Revoked	V. 16, p. 1049
10-20-4	Amended	V. 16, p. 1049

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-9-1	New	V. 16, p. 1078

AGENCY 17: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
17-22-1	Amended	V. 16, p. 1775



AGENCY 26: DEPARTMENT ON AGING

Table with columns: Reg. No., Action, Register. Lists regulations from 26-1-7 to 26-10-1 with their respective statuses and register references.

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Table with columns: Reg. No., Action, Register. Lists regulations from 28-1-2 to 28-24-2 with their respective statuses and register references.

Table with columns: Reg. No., Action, Register. Lists regulations from 28-24-4 to 28-70-3 with their respective statuses and register references.

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Table with columns: Reg. No., Action, Register. Lists regulations from 30-2-17 to 30-4-72w with their respective statuses and register references.

Table with columns: Reg. No., Action, Register. Lists regulations from V. 16, p. 2024 to V. 17, p. 169 with their respective statuses and register references.

Table with columns: Reg. No., Action, Register. Lists regulations from 30-4-73 to 30-6-106w with their respective statuses and register references.

Table with columns: Reg. No., Action, Register. Lists regulations from V. 16, p. 256 to V. 16, p. 274 with their respective statuses and register references.

(continued)





111-2-4	Amended	V. 17, p. 429	111-4-100	Amended	V. 14, p. 972	111-4-370		
111-2-6	Revoked	V. 13, p. 149	111-4-101			through		
111-2-7	Revoked	V. 10, p. 1210	through			111-4-379	Revoked	V. 14, p. 7, 8
111-2-13	Revoked	V. 10, p. 881	111-4-106	Revoked	V. 16, p. 450	111-4-380		
111-2-14	Amended	V. 14, p. 1634	111-4-106a	Revoked	V. 16, p. 450	through		
111-2-15	Revoked	V. 10, p. 881	111-4-107			111-4-383	Revoked	V. 12, p. 1664
111-2-16	Revoked	V. 10, p. 1210	through			111-4-384		
111-2-17	Revoked	V. 10, p. 1210	111-4-114	Revoked	V. 16, p. 450, 451	through		
111-2-18	Revoked	V. 11, p. 413	111-4-153			111-4-387	Revoked	V. 12, p. 1373
111-2-19	Revoked	V. 11, p. 413	through			111-4-388		
111-2-20			111-4-160	Revoked	V. 9, p. 1676, 1677	through		
through			111-4-177			111-4-391	Revoked	V. 12, p. 1373
111-2-26	Revoked	V. 13, p. 1401	through			111-4-392		
111-2-27	Revoked	V. 14, p. 972	111-4-212	Revoked	V. 9, p. 1677, 1678	through		
111-2-28	New	V. 12, p. 1844	111-4-213			111-4-400	Revoked	V. 16, p. 252
111-2-29	Revoked	V. 14, p. 972	111-4-213			through		
111-2-30	Amended	V. 17, p. 429	through			111-4-401		
111-2-31	New	V. 14, p. 170	111-4-220	Revoked	V. 10, p. 1213	through		
111-2-32			111-4-221			111-4-404	Revoked	V. 12, p. 1373
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111-2-42	Revoked	V. 16, p. 448, 449	111-4-224	Revoked	V. 10, p. 1585	through		
111-2-43	Amended	V. 16, p. 1807	111-4-225			111-4-413	Revoked	V. 16, p. 452
111-2-44	New	V. 15, p. 288	through			111-4-414		
111-2-45	New	V. 15, p. 288	111-4-228	Revoked	V. 10, p. 1585	through		
111-2-46	New	V. 15, p. 624	111-4-229			111-4-428	Revoked	V. 14, p. 8
111-2-47	Amended	V. 16, p. 449	through			111-4-429		
111-2-48	New	V. 15, p. 1055	111-4-236	Revoked	V. 10, p. 1585, 1586	through		
111-2-49	New	V. 15, p. 1055	111-4-237			111-4-432	Revoked	V. 12, p. 1373
111-2-50	New	V. 15, p. 1056	through			111-4-433		
111-2-51	New	V. 15, p. 1440	111-4-240	Revoked	V. 11, p. 413	through		
111-2-52	New	V. 15, p. 1441	111-4-241			111-4-436	Revoked	V. 12, p. 1374
111-2-53	New	V. 15, p. 1710	through			111-4-437		
111-2-54	New	V. 15, p. 1920	111-4-244	Revoked	V. 12, p. 1371	through		
111-2-55	New	V. 15, p. 1953	111-4-245			111-4-440	Revoked	V. 12, p. 1374
111-2-56	New	V. 16, p. 449	through			111-4-441		
111-2-57	New	V. 16, p. 449	111-4-248	Revoked	V. 12, p. 1371	through		
111-2-58	New	V. 16, p. 689	111-4-249			111-4-444	Revoked	V. 14, p. 8
111-2-59	New	V. 16, p. 1043	through			111-4-445		
111-2-60	New	V. 16, p. 1209	111-4-256	Revoked	V. 12, p. 113, 114	through		
111-2-61	New	V. 16, p. 1473	111-4-257			111-4-448	Revoked	V. 12, p. 1374
111-2-62	New	V. 16, p. 1209	through			111-4-449		
111-2-63	New	V. 16, p. 1808	111-4-257			through		
111-2-64	New	V. 16, p. 1808	111-4-286	Revoked	V. 11, p. 413, 414	111-4-453	Revoked	V. 14, p. 8
111-2-65	New	V. 16, p. 1883	111-4-287			111-4-454		
111-2-66	Amended	V. 17, p. 467	through			through		
111-2-67	Amended	V. 17, p. 387	111-4-290	Revoked	V. 12, p. 1371	111-4-465	Revoked	V. 12, p. 1664, 1665
111-2-68	New	V. 16, p. 2069	111-4-291			111-4-466		
111-2-69	New	V. 16, p. 2070	through			through		
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111-2-73	New	V. 17, p. 467	111-4-307	Revoked	V. 13, p. 1402	111-4-477	Revoked	V. 16, p. 452, 453
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111-3-6	Amended	V. 12, p. 677	through			through		
111-3-9	Revoked	V. 11, p. 1793	111-4-317	Revoked	V. 16, p. 451	111-4-492	Revoked	V. 14, p. 974, 975
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111-3-13	Amended	V. 17, p. 390	111-4-327	Revoked	V. 12, p. 1371	111-4-512	Revoked	V. 14, p. 975
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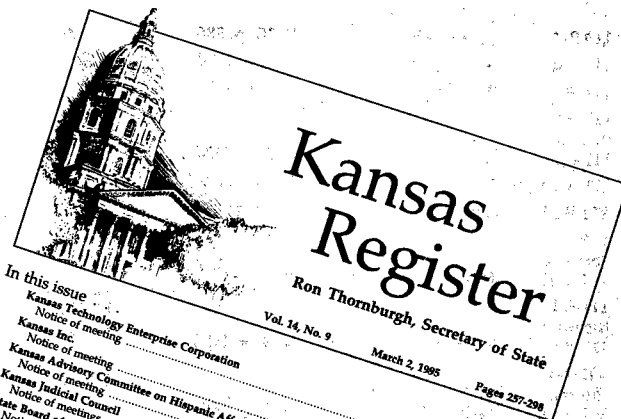
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111-8-3	Amended	V. 10, p. 886	<b>AGENCY 112: KANSAS RACING AND GAMING COMMISSION</b>			115-14-9	Amended	V. 16, p. 1175
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111-8-5 through 111-8-13	New	V. 7, p. 1634	112-4-1	Amended	V. 17, p. 511	115-18-7	Amended	V. 16, p. 1991
111-8-14	New	V. 13, p. 881	112-4-22	Amended	V. 17, p. 512	115-18-13	Amended	V. 16, p. 1472
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111-9-1 through 111-9-12	New	V. 7, p. 1714-1716	112-4-23	Amended	V. 17, p. 590	115-18-15	New	V. 16, p. 1991
111-9-1 through 111-9-6	Revoked	V. 9, p. 1680	112-4-26	New	V. 16, p. 1152	115-30-3	Amended	V. 16, p. 249
111-9-13 through 111-9-18	Revoked	V. 9, p. 1680	112-7-7	Amended	V. 17, p. 512	115-30-6	Amended	V. 16, p. 249
111-9-25 through 111-9-30	New	V. 9, p. 699, 700	112-10-5	Amended	V. 16, p. 1664	<b>AGENCY 117: REAL ESTATE APPRAISAL BOARD</b>		
111-9-31 through 111-9-36	New	V. 10, p. 262	112-10-6	Amended	V. 16, p. 379	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
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111-9-49 through 111-9-54	New	V. 12, p. 318, 319	112-12-2	Amended	V. 16, p. 1889	117-2-2	Amended	V. 16, p. 302
111-9-55 through 111-9-60	New	V. 12, p. 1263, 1264	112-12-4	Amended	V. 16, p. 1889	117-3-1	Amended	V. 16, p. 2064
111-9-61 through 111-9-78	New	V. 16, p. 1087-1089	112-12-5	Amended	V. 16, p. 1889	117-3-2	Amended	V. 16, p. 2064
111-9-79 through 111-9-90	New	V. 17, p. 394, 395	112-12-6	Amended	V. 16, p. 1890	117-4-1	Amended	V. 16, p. 2065
111-10-1 through 111-10-9	New	V. 8, p. 136-138	112-12-7	Amended	V. 16, p. 1890	117-4-2	Amended	V. 16, p. 2066
111-10-7	Amended	V. 8, p. 301	112-12-8	Amended	V. 16, p. 1890	117-5-1	Amended	V. 17, p. 465
			112-12-9	Amended	V. 17, p. 213	117-5-2	New	V. 17, p. 465
			112-12-10	Amended	V. 16, p. 1891	117-5-3	New	V. 17, p. 465
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			112-16-6	Amended	V. 16, p. 1469	117-8-1	Amended	V. 17, p. 366
			112-16-11	Amended	V. 17, p. 590	<b>AGENCY 121: DEPARTMENT OF CREDIT UNIONS</b>		
			112-16-14	Amended	V. 16, p. 380	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
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			112-18-21	Amended	V. 17, p. 60	through		
						121-4-11	New	V. 16, p. 72-77
						121-5-1	New	V. 16, p. 1048
						121-5-2	New	V. 16, p. 1048
						121-6-1	New	V. 16, p. 1773
						121-6-2	New	V. 16, p. 1773
						<b>AGENCY 122: POOLED MONEY INVESTMENT BOARD</b>		
						<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
						122-2-2	Amended	V. 17, p. 10
						<b>AGENCY 123: JUVENILE JUSTICE AUTHORITY</b>		
						<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
						123-2-1	New	V. 17, p. 36
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						<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
						124-1-1		
						through		
						124-1-4	New	V. 16, p. 1819

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