

Kansas Register

Ron Thornburgh, Secretary of State

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In this issue	Page
State Fair Board	
Notice of meeting	1353
Board of Adult Care Home Administrators	
Notice of meeting	1353
Legislative interim committee schedule	1353
Juvenile Justice Authority	
Notice of Kansas Advisory Group and Kansas Youth Authority meeting	1354
Social and Rehabilitation Services	
Notice of Kansas Medicaid disproportionate share hospitals.....	1354
Kansas Judicial Council	
Notice of meetings.....	1354
Department of Administration—Division of Architectural Services	
Notice of commencement of negotiations for landscape architectural services.....	1354
Secretary of State	
Executive appointments.....	1355
Usury rate for September.....	1355
Pooled Money Investment Board	
Notice of investment rates.....	1355
State Conservation Commission	
Notices to contractors	1355, 1356
Kansas Development Finance Authority	
Notices of hearing	1356
State Board of Education	
Notice of hearing on proposed administrative regulations	1357
State Board of Pharmacy	
Notice of hearing on proposed administrative regulations	1357
Department of Transportation	
Notice to consulting engineers	1358
Notice to contractors.....	1359
State Corporation Commission	
Notice of motor carrier hearings.....	1360
Office of the Governor	
Executive Order No. 98-6.....	1360

(continued on next page)

Advisory Committee on Hispanic Affairs
 Notice of meeting 1361

Department of Health and Environment
 Notice concerning Kansas water pollution control permits..... 1361
 Requests for comments on proposed air quality permits..... 1362, 1363

State Emergency Response Commission
 Notice of meeting 1362

Notice of Bond Sale
 City of Overbrook 1364
 Shawnee County 1365
 City of Olathe..... 1366
 City of Ottawa..... 1367

Department of Administration—Division of Purchases
 Notice to bidders for state purchases 1368

Notice of Bond Redemption
 City of Wakefield 1368
 Finney County..... 1369

Permanent Administrative Regulations
 Department of Administration 1369
 Social and Rehabilitation Services..... 1376

Index to administrative regulations..... 1388

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State of Kansas

State Fair Board

Notice of Meeting

The Kansas State Fair Board will meet during the Kansas State Fair, September 11-20, in the Administration Office on the fairgrounds in Hutchinson. For further information, contact Deana Novak at (316) 669-3612.

Brad Rayl
President

Doc. No. 022852

State of Kansas

Board of Adult Care Home Administrators

Notice of Meeting

The Board of Adult Care Home Administrators will meet at 9:30 a.m. Friday, September 18, in Classrooms A and B of the Wheatland Habilitation Center, Kansas Neurological Institute, 21st and Oakley, Topeka.

Lesa Bray, Director
Health Occupations Credentialing

Doc. No. 022864

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of September 7 through September 20:

Date	Room	Time	Committee	Agenda
September 8	KCC 1st Floor Hearing Room	10:00 a.m.	Kansas Universal Service Fund (KUSF) Working Committee	Agenda not available.
September 8	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review rules and regulations filed by the Insurance Dept.; Kansas Real Estate Appraisal Board; Secretary of State; Dept. of Agriculture; Dept. of Administration; Board of Cosmetology; KDHE; KCC; Attorney General; and Dept. of Wildlife and Parks.
September 9	514-S	9:00 a.m.		
September 8	Wichita	9:00 a.m.	SRS Transition Oversight Committee	8th: Visit contractors and hold public hearing in Wichita re: Foster Care. 9th, 10th, 11th: Foster care issues.
September 9	519-S	10:00 a.m.		
September 10	519-S	9:00 a.m.		
September 11	519-S	9:00 a.m.		
September 10	123-S	10:00 a.m.	Joint Committee on Pensions, Investments and Benefits	KPERs update on system operations; consultant report on retirement options.
September 11	123-S	9:00 a.m.		
September 14	519-S	10:00 a.m.	Task Force on the Providers of Mental Health Services	Agenda not available.
September 15	519-S	9:00 a.m.		
September 15	423-S	10:00 a.m.	Special Committee on Financial Institutions/Insurance	Hearings on the topics of reorganizing the state regulatory supervision of the executive branch applicable to financial institutions.
September 16	423-S	9:00 a.m.		
September 16	123-S	9:00 a.m.	Legislative Coordinating Council	Legislative matters.
September 16	514-S	10:00 a.m.	Special Committee on Judiciary	Topic No. 8—Abortion/Partial Birth Abortion Issues.
September 17	514-S	9:00 a.m.		
September 16	519-S	10:00 a.m.	Special Committee on Local Government	16th: Staff overview; testimony of conferees. 17th: Testimony of conferees; committee deliberations.
September 17	519-S	9:00 a.m.		
September 16	527-S	10:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Agenda not available.
September 17	Manhattan	10:00 a.m.		
September 18	531-S	10:00 a.m.	Special Committee on Redistricting Advisory Group	Review of Census 2000 Redistricting Data Project and briefings by staff and Secretary of State's Office.

Jeff Russell
Director of Legislative
Administrative Services

Doc. No. 022863

State of Kansas

Juvenile Justice Authority

Notice of Kansas Advisory Group and
Kansas Youth Authority Meeting

The Kansas Advisory Group on Juvenile Justice and Delinquency Prevention and the Kansas Youth Authority will meet from 9 a.m. to 2:30 p.m. Thursday, September 17, at the Kansas State Department of Education, 120 S.E. 10th Ave., Topeka. The meeting will include a videoconference entitled "Serious and Violent Juvenile Offenders: Risk Factors and Successful Interventions," sponsored by the Office of Juvenile Justice and Delinquency Prevention in association with the Juvenile Justice Telecommunications Assistance Project of Eastern Kentucky University. The videoconference offers useful information for practitioners, researchers, law enforcement officers and others interested in helping troubled youths achieve their full potential. For further information, contact the Juvenile Justice Authority at (785) 296-4213.

Albert R. Murray
Commissioner of Juvenile Justice

Doc. No. 022874

State of Kansas

Social and Rehabilitation Services

Public Notice

The state fiscal year 1999 Kansas Medicaid disproportionate share hospitals are listed below:

Name	City	DSH Total
Coffey County Hospital	Burlington, KS 66839	\$104,672
Neosho Memorial Hospital	Chanute, KS 66720	26,760
Coffeyville Regional Med. Center	Coffeyville, KS 67337	73,491
Lane County Hospital	Dighton, KS 67839	7,971
Ellinwood Dist. Hospital	Ellinwood, KS 67526	8,134
Fredonia Regional Hospital	Fredonia, KS 66736	59,961
Anderson County Hospital	Garnett, KS 66032	1,639
Hodgeman County Health Center	Jetmore, KS 67854	11,996
Bethany Medical Center	Kansas City, KS 66102	210,349
Rainbow Mental Health Facility	Kansas City, KS 66103	2,951,385
University of Kansas Hospital	Kansas City, KS 66103-7202	1,380,833
Truman Medical Center, KC, MO	Kansas City, MO 64108	206,154
Children's Mercy Hospital	Kansas City, MO 64108	454,927
Truman Medical Center East	Kansas City, MO 64139	401,751
Kearny County Hospital	Lakin, KS 67860	84,092
Larned State Hospital	Larned, KS 67550	20,139,473
Wichita County Hospital	Leoti, KS 67861-9504	37,065
Hospital Dist. #1, Rice County	Lyons, KS 67554	61,718
Community Hospital - Onaga	Onaga, KS 66521	27,801
Osawatomie State Hospital	Osawatomie, KS 66064	15,661,620
Mt. Carmel Medical Center	Pittsburg, KS 66762	45,839
Grisell Memorial Hospital	Ransom, KS 67572	40,109
Hamilton County Hospital	Syracuse, KS 67878	35,960
Stormont Vail Health Care	Topeka, KS 66604-1353	194,696
Greeley County Hospital	Tribune, KS 67879	27,955
Wamego City Hospital	Wamego, KS 66547	16,914
Columbia Wesley Medical Center	Wichita, KS 67214	691,283
		Total \$42,964,547

Questions or comments should be directed to Frank Webb, Adult and Medical Services, Social and Rehabilitation Services, (785) 296-0024.

Rochelle Chronister
Secretary of Social and
Rehabilitation Services

Doc. No. 022849

State of Kansas

Kansas Judicial Council

Notice of Meetings

The Kansas Judicial Council and its advisory committees will meet according to the following schedule at the Kansas Judicial Center, 301 S.W. 10th Ave., Topeka:

Date	Committee	Time	Location
Sept. 4	Criminal Law	9:30 a.m.	Room 259
Sept. 10	Estate Tax	9:30 a.m.	Room 259
Sept. 11	Judicial Council	9:00 a.m.	Room 259
Sept. 11	Guard. & Conserv.	9:30 a.m.	Room 364
Sept. 18	PIK-Criminal	9:30 a.m.	Room 259
Sept. 18	Probate Law	9:30 a.m.	Room 275-N
Sept. 25	Civil Code	9:30 a.m.	Room 259
Sept. 25	Family Law	9:30 a.m.	Room 275-N
Sept. 25	Ad. Pro.	9:30 a.m.	Room 337
Oct. 2	Criminal Law	9:30 a.m.	Room 259
Oct. 2	Guard. & Conserv.	9:30 a.m.	Room 275-N
Oct. 9	Municipal Ct Manual	9:30 a.m.	Room 259
Oct. 14	Estate Tax	9:30 a.m.	Room 259
Oct. 16	Judicial Council	9:00 a.m.	Room 259
Oct. 16	PIK-Criminal	9:30 a.m.	Room 275-N
Oct. 23	Probate Law	9:30 a.m.	Room 259
Oct. 23	Ad. Pro.	9:30 a.m.	Room 275-N
Oct. 30	Family Law	9:30 a.m.	Room 275-N
Oct. 30	Civil Code	9:30 a.m.	Room 259

Hon. Tyler C. Lockett
Chair

Doc. No. 022848

State of Kansas

Department of Administration
Division of Architectural ServicesNotice of Commencement of
Negotiations for Landscape Architectural Services

Notice is hereby given of the commencement of negotiations for "on-call" landscape architectural services for the Department of Administration, Division of Facilities Management. The selected firm will provide landscape architectural services for the area surrounding the Statehouse. Work must complement Statehouse monumental design and will include a master plan for future landscaping continuity.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (785) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Any questions or expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. September 18.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 022870

State of Kansas

Secretary of State

Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A complete listing of Kansas state agencies, boards and commissions are included in the Kansas Directory, published by the Secretary of State. The following appointments, which are effective immediately unless otherwise specified, were recently filed with the Secretary of State:

**District Judge, 1st Judicial District,
Division 6**

Robert J. Bednar, 1105 Independence Court, Atchison, 66002. New position.

Comanche County Sheriff

David L. Timmons, HC 72, Box 29, Coldwater, 67029. Term expires when a successor is elected and qualifies according to law. Succeeds Mike Burt.

Osborne County Commissioner

William T. Kiper, 609 Morgan, Downs, 67437. Term expires when a successor is elected and qualifies according to law. Succeeds Donald S. Kiper, deceased.

**Department of Administration,
Division of the Budget**

Duane Goossen, Director, 1st Floor, State Capitol, 300 S.W. 10th Ave., Topeka, 66612. Serves at the pleasure of the Governor.

Education Commission of the States

Andy Tompkins, Kansas Commissioner of Education, 120 S.E. 10th Ave., Topeka, 66612. Term expires May 8, 2000. Reappointed.

Historic Sites Board of Review

Mary J. Adair, University of Kansas, Museum of Anthropology, Lawrence, 66045. Term expires June 30, 2001. Reappointed.

Craig Crosswhite, P.O. Box 266, Jetmore, 67854. Term expires June 30, 2001. Reappointed.

Pamela D. Kingsbury, 224 N. Crestway, Wichita, 67208. Term expires June 30, 2001. Reappointed.

Ombudsman for Corrections

Gwendolyn Sims, Chief Ombudsman, 2845 S.W. Bluestem Drive, Topeka, 66614. Serves at the pleasure of the Governor. Succeeds Dan Stanley.

Board of Veterinary Medical Examiners

Dr. Jay Hedrick, 830 W. 6th, El Dorado, 67042. Term expires June 30, 2002. Succeeds Debra Anderson.

Dr. Charles L. Stinchcomb, 745 Lamar Lane, Russell, 67665. Term expires June 30, 2002. Succeeds Mark Schwarm.

Ron Thornburgh
Secretary of State

Doc. No. 022856

State of Kansas

Secretary of State

Usury Rate for September

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of September 1, 1998 through September 30, 1998, is 8.31 percent.

Ron Thornburgh
Secretary of State

Doc. No. 022858

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 20,000-cubic yard detention dam with PVC primary spillway pipe, Site K-6 in Bourbon County, will be received by the Marmaton Watershed Joint District No. 102 at the office of Agricultural Engineering Associates, 102 E. 2nd, Uniontown, 66779, until 8 p.m. September 24, and then opened. A copy of the invitation for bids and plans and specifications can be obtained at the Agricultural Engineering Associates office, (316) 756-4845. Prospective bidders must complete a contractor prequalification form prior to bidding.

Tracy D. Streeter
Executive Director

Doc. No. 022855

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The investment rate is the minimum interest rate that banks must pay for municipal public funds. Currently this rate, for the three-month, six-month, nine-month, one-year, eighteen-month and two-year maturities, is developed utilizing the Monday Wall Street Journal (Friday's rates) for these specific maturities. The highest rate for a given maturity becomes the investment rate. Effective August 31, 1998, rates for these specific maturities will continue to be gathered from the WSJ, but the average of these rates, rather than the highest rate, will become the investment rate. 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 8-31-98 through 9-6-98

Term	Rate
1-89 days	5.51%
3 months	4.93%
6 months	5.03%
9 months	5.05%
12 months	5.05%
18 months	5.03%
24 months	5.00%

Clyde Graeber
Acting Chairman

Doc. No. 022844

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, September 17, in the conference room in the offices of Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

Project No. 000359, Maximum Principal Amount: \$81,000. Owner/Operator: Brian Koster. Description: Acquisition of 160 acres of agricultural land and related improvements and equipment and construction of a barn to be used by the owner/operator for farming purposes. The project is located at the Northwest Quarter of Section 35, Township 11, Range 6 in Lincoln County, Kansas; approximately 1 mile east of Beverly on Kansas State Highway K-18, then 3 miles north on county road.

The bond, 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 it be an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. The bond will be payable solely 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 bond when it becomes due.

All individuals who appear at the hearing will be given an opportunity to express their views for or against the proposal to issue the bond 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 of the project may be obtained by contacting the Authority.

Any individual affected by the above-described project may, at or prior to the hearing, file a written request with the Authority that a local hearing be held on the proposal to issue a bond to finance the project. A local hearing, if requested, would be conducted in the county where the project is located.

Kenneth Frahm
President

Doc. No. 022845

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 42,000-cubic yard detention dam, Site 2 in Woodson County, will be received by the Cherry-Plum Creeks Watershed Joint District No. 17 at the Natural Resources Conservation Service Office, 704 S. Fry, Yates Center, 66783, until 8 a.m. September 28, and then will be opened at 9 a.m. at the same address. A copy of the invitation for bids and the plans and specifications can be ordered from James Oler, Contracting Officer, 1147 Highway 54, Yates Center, 66783, (316) 625-3224.

Tracy D. Streeter
Executive Director

Doc. No. 022861

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, September 17, in the conference room 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 \$3,250,000 principal amount of Multifamily Housing Revenue Bonds for Western Hills Apartments, Limited Partnership (the developer), the general partner of which is CEHP IV, L.L.C. The bonds will be issued, pursuant to K.S.A. 74-8901 *et seq.*, to finance the costs of acquisition and rehabilitation of Western Hills Apartments to be used for public housing purposes (the project). Western Hills Apartments will consist of 28 one-bedroom units, 36 two-bedroom (small) units and 16 two-bedroom (large) units located at 6106 Foster Ave., 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 from amounts received from the developer, 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 the 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 may be obtained by contacting the Authority.

Kenneth Frahm
President

Doc. No. 022850

State of Kansas

Board of Education

Notice of Hearing on Proposed
Administrative Regulations

The State Board of Education will conduct a public hearing at 1:30 p.m. Wednesday, November 4, in the board room of the State Education Building, 120 S.E. 10th Ave., Topeka, to consider proposed amendments to K.A.R. 91-5-1, 91-5-1a, 91-5-4, 91-5-9 and 91-5-13, and revocation of 91-5-2, 91-5-8, 91-5-10 and 91-5-11. These regulations relate to driver education programs.

K.A.R. 91-5-1. This regulation specifies the definition of terms relating to approved driver education programs. These definitions are essential to providing an understanding of the subsequent regulations. The proposed amendments clarify terms used in the substantive regulations.

K.A.R. 91-5-1a. This regulation provides the general components of program approval for driver education courses. This regulation is being changed to reflect program approval having performance-based criteria rather than time-based.

K.A.R. 91-5-2. This regulation fixes hours of instruction for driver education. Under performance-based programs, this regulation is unnecessary and is being revoked.

K.A.R. 91-5-4. This regulation prescribes the method of reporting students for purposes of reimbursement and implements the provisions of K.S.A. 8-267 relating to the State Safety Fund.

K.A.R. 91-5-8. This regulation duplicates requirements of state law and is unnecessary. It is being revoked.

K.A.R. 91-5-9. This regulation currently limits the number of vehicles allowed for driver education. The proposed change would eliminate this restriction.

K.A.R. 91-5-10. This regulation restricts instruction by means of a driving simulator. Under performance-based programs, this regulation is unnecessary and is being revoked.

K.A.R. 91-5-11. This regulation restricts instruction by the use of multi-car driving ranges. Under performance-based programs, this regulation is unnecessary and is being revoked.

K.A.R. 91-5-13. This regulation specifies the procedures for reporting students who complete an approved drivers education program. This change necessitates a wording change in this regulation.

These regulations will have no economic impact upon the State Board of Education or other governmental agencies, or upon private business, individuals or school districts.

Copies of the regulations and the economic impact statements may be obtained by contacting the secretary of the State Board of Education, 120 S.E. 10th Ave., Topeka, 66612-1182.

All interested persons will be given a reasonable opportunity at the hearing to present their views or arguments, either orally or in writing, in regard to the proposed amended regulations. In addition, the period of public notice hereby provided constitutes a public com-

ment period for the purpose of receiving written public comments on the proposed regulations. Such written comments may be submitted to the secretary of the State Board of Education at the address above. The hearing shall be conducted in compliance with the public hearing procedures of the State Board of Education.

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 Lanny Gaston at (785) 296-3906 or (785) 296-8172 (TDD).

Andy Tompkins
Commissioner of Education

Doc. No. 022871

State of Kansas

Board of Pharmacy

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Thursday, November 5, at the Senate Luxury Suites, 900 S.W. Tyler, Topeka, to consider the adoption of a proposed rule and regulation of the Kansas Board of Pharmacy.

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, 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 view, 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.

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

K.A.R. 68-7-19. Transfer of a refillable prescription between pharmacies. The regulation sets out in detail the steps to follow in transferring a prescription between pharmacies. There is no anticipated economic impact on the Board of Pharmacy, other governmental agencies, registrants or the public.

Copies of the regulation and economic impact statement may be obtained from the Kansas Board of Pharmacy.

Larry Froelich
Executive Secretary

Doc. No. 022869

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the projects listed below. Responses must be received by 5 p.m. September 23 for the consulting engineering firm to be considered. Seven signed copies of the response should be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages.

From the firms expressing interest, the Consultant Selection Committee will select a list of the most highly qualified (not less than three, not more than five) and invite them to attend an individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand and will be expected to discuss, in some detail, their approach to this project and the personnel to be assigned to the project. Firms not selected to be short listed will be notified by letter.

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct discussions with the firms invited to the individual interview conferences. The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

Project No. 106 K-7324-01
Statewide

The scope of services is to review and update Volume 3 of the current KDOT Design Manual (Drainage). The revised manual will become Part C of KDOT's new design manual. The existing hydrologic and hydraulic procedures shall be reviewed, evaluated and updated to be consistent with current practice and to provide practical guidance for typical drainage applications. The manual shall include a section for the design of storm sewers and discussion on the use of computer programs. Recommendations from recent K-TRAN research studies shall also be evaluated for incorporation into the manual. The updated manual shall be in standard international (SI) units and in a format specified by KDOT. The project manager is Jim Richardson; however, the KCE/KDOT Manual Labor Team will assist with oversight and review. The construction estimate is \$150,000.

Project No. 75-63 K-7315-01
Montgomery County

The scope of services is to prepare a conceptual study report to outline possible improvements on US-75 from the Oklahoma state line to north of Independence. The report should address the critical design issues, controlling features, alignment alternatives and comparative project costs. Potential social, environmental and right-of-way issues should be identified and analyzed. Corridor preservation techniques should be considered to maintain the needed access

until the project can be programmed for construction. The road and bridge squad leaders are Rex Fleming and Terry Fleck, respectively. The study estimate is \$200,000.

Project No. 77-58 K-7322-01
Marshall County

The scope of services is to prepare a conceptual study report to outline possible improvements of the Big Blue River Bridge (013) east of Blue Rapids. The report should address the critical design issues, controlling features, alignment alternatives and comparative project costs. Potential social, environmental and right-of-way issues should be identified and analyzed. Corridor preservation techniques should be considered to maintain the needed access until the project can be programmed for construction. The road and bridge squad leaders are Rex Fleming and Terry Fleck, respectively. The study estimate is \$200,000.

The scope of services includes providing for the discovery phase on the following projects. The discovery phase is intended to provide information about the project that might impact its cost, scope or schedule. At the completion of the discovery phase, KDOT will determine whether to proceed with the design services.

Project No. 135-87 K-7332-01
Sedgwick County

The scope of services is to provide for the reconstruction of I-135 from Pawnee Street to the beginning of the viaduct south of Douglas Street in Wichita. The road and bridge squad leaders are Richard Adams and Richard Elliott. The estimated construction cost is \$2,481,000.

Project No. 44-39 K-0371-01
Harper County

The scope of services is to provide for the replacement of Bluff Creek Drainage (037), Rock Creek (038), Silver Creek Drainage (047), and Silver Creek (039), east of Anthony. The road and bridge squad leaders are Robert Hirt and Gary Chan. The estimated construction cost is \$2,481,000.

Project No. 7-6 K-7335-01
Project No. 54-6 K-7336-1
Bourbon County

The scope of services is to provide for the replacement of the Little Osage River Bridge (033) on K-7 and the Walnut Creek Bridge (003) on US-54. The road and bridge squad leaders are Richard Adams and Robert Reynolds. The estimated construction cost is \$1,251,000.

It is KDOT's policy to use the following criteria as the basis for selection of the consulting engineering firms:

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

E. Dean Carlson
Secretary of Transportation

Doc. No. 022825

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Office of Construction and Maintenance, KDOT, Topeka, or at the Wichita Airport Hilton, until 2 p.m. September 16 and then publicly opened:

District One—Northeast

Douglas—56-23 K-5486-01—Ninth Street east to 3rd Street in Baldwin City, 0.5 mile (0.8 kilometer), grading and surfacing. (State funds)

Douglas-Osage—106 K-7196-01—U.S. 56, from the Douglas-Osage county line east to the junction of U.S. 59; U.S. 56, from the south junction of K-31 northeast to the Osage-Douglas county line; K-31, from the south junction of U.S. 56 south to the junction of K-170, 40 miles (64.4 kilometers), sealing. (State funds)

Jackson—75-43 K-6693-01—Acceleration and deceleration lanes for new entrance to the Holton Community Hospital, 0.2 mile (0.4 kilometer), grading and surfacing. (State funds)

Jackson—75-43 K-6693-01—U.S. 75, 1.2 miles (1.9 kilometers) north of K-16, 0.3 mile (0.4 kilometer), grading and surfacing. (State funds)

Jefferson—44 C-2277-01—County road 3.5 miles (5.6 kilometers) north and 4.7 miles (7.6 kilometers) west of Valley Falls, then north 0.2 mile (0.3 kilometer), bridge replacement. (Federal funds)

Johnson—46 N-0075-01—Intersection of K-7 and Spruce Street in Olathe, traffic signals. (Federal funds)

Lyon—50-56 K-7309-01—U.S. 50, from the Lyon-Chase county line east to the west city limits of Emporia, 7 miles (11.3 kilometers), pavement marking. (State funds)

Shawnee—24-89 K-2094-01—U.S. 24, Bridge 80, Old Soldier Creek 0.3 mile (0.5 kilometer) east of Rochester Road, grading, bridge and surfacing. (Federal funds)

Shawnee—470-89 K-4470-01—I-470, west of Martin Drive east to Topeka Blvd. 0.7 mile (1.1 kilometers), grading, bridge and surfacing. (Federal funds)

Shawnee-Jefferson—4-106 K-7307-01—K-4, from the junction of U.S. 24 in Shawnee County northeast to the junction of U.S. 59 in Jefferson County, 29.4 miles (47.3 kilometers), pavement marking. (State funds)

Wabaunsee—70-99 K-5628-01—I-70, from K-99 east to 0.3 mile (0.5 kilometer) west of the junction of K-138, 5.5 miles (8.9 kilometers), pavement reconstruction. (Federal funds)

Wabaunsee—4-99 K-7310-01—K-4, 3.2 miles (5.1 kilometers) west of the Wabaunsee-Shawnee county line, east 2.8 miles (4.5 kilometers), pavement marking. (State funds)

Wyandotte—70-105 K-5658-03—I-70, intercity viaduct in Kansas City 0.3 mile (0.5 kilometer) west of the Missouri state line, bridge repair. (State funds)

District Two—Northcentral

Chase—50-9 K-6599-01—U.S. 50, 2 miles (3.2 kilometers) west of the Chase-Lyon county line, east 2 miles (3.2 kilometers), pavement marking. (State funds)

Washington—36-101 K-5383-01—U.S. 36, from the east city limits of Washington east to the 2-lane/4-lane highway, 9 miles (14.5 kilometers), grading, bridge and surfacing. (Federal funds)

District Four—Southeast

Anderson—59-2 K-6876-01—Maple Street and 4th Avenue in the City of Garnett, traffic signals. (State funds)

Montgomery—160-63 K-6627-01—U.S. 160, Bridge 020, Verdigris River, bridge overlay. (State funds)

Montgomery—75-63 K-6628-01—U.S. 75, Bridge 008 over 20th Street in Independence, bridge overlay. (State funds)

District Five—Southcentral

Sedgwick—81-87 C-3094-01—83rd Street at the Arkansas River 0.5 mile (0.8 kilometer) west of Derby, 0.2 mile (0.4 kilometer), grading, bridge and surfacing. (Federal funds)

District Six—Southwest

Finney—28 U-1471-01—Mary Street from Taylor Avenue to VFW Road in Garden City, grading and surfacing. (Federal funds)

Ford—400-29 K-7096-01—U.S. 400, from the north city limits of Ford southeast to the Ford-Kiowa county line, 12.5 miles (20.2 kilometers), sealing. (State funds)

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

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

E. Dean Carlson
Secretary of Transportation

Doc. No. 022817

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. September 22 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."

Applications for Certificate of Public Service:

Ag Valley Cooperative Non Stock, North Highway 136, Edison, NE 68936; MC ID No. 154474; William Barker, Attorney; General commodities (except household goods and hazardous materials).

Bottiger Trucking, Inc., 204 Lincoln, Denton, KS 66017; MC ID No. 156374; Clyde Christey, Attorney; General commodities (except household goods and hazardous materials).

David Buehne, dba Buehne Oil Co., 11705 U.S. Hwy. 50, Wright, KS 67882; MC ID No. 150558; General commodities (except household goods).

Clark Bros. Transfer, Inc., 900 N. 1st, Norfolk, NE 68701; MC ID No. 101641; Frank Taylor, Jr., Attorney; General commodities (except household goods and hazardous materials).

Diaker Oil, Inc., 348 Broadway, Cottonwood Falls, KS 66845; MC ID No. 124434; General commodities (except household goods).

Mark Dill, 1063 Road 135, #M, Emporia, KS 66801; MC ID No. 156400; General commodities (except household goods and hazardous materials).

Eagle Freight Services, Inc., 860 Thomas Drive, Bensenville, IL 60106; MC ID No. 204057; General commodities (except household goods).

James K. Inland Trucking, Route 2, Box 387, Liberal, KS 67901; MC ID No. 156213; General commodities (except household goods and hazardous materials).

Steven Lawrence, dba Lawrence Trucking, 347 Old 40, Solomon, KS 67480; MC ID No. 156214; Clyde Christey, Attorney; General commodities (except household goods and hazardous materials).

Dan Leoffler, dba Leoffler Trucking, 20105 Road 32, Stratton, CO 80836; MC ID No. 155457; General commodities (except household goods and hazardous materials).

Application for Contract Carrier Permit:

Hays Home Delivery Services, Inc., 3930 W. 20th St. South, #35, Wichita, KS 67217; MC ID No. 156212; John Jandera, Attorney; General commodities (except hazardous materials and Classes A and B explosives).

Application for Extension of Certificate of Public Service:

Steve Brown, dba Brown Trucking, 216 N. Elm, Johnson, KS 67855; MC ID No. 127424; General commodities (except household goods, hazardous materials and salt water).

Application for Abandonment of Certificate of Public Service:

K & J Trucking, Inc., 1110 Jefferson, Hebron, NE 68370-1952; MC ID No. 121872.

Jacquelyn S. Miller
Administrator
Transportation Division

Doc. No. 022862

State of Kansas

Office of the Governor

Executive Order No. 98-6

Authorizing Executive Branch

Employees to Participate in HealthCheck '98-99

WHEREAS, the State of Kansas Employees Health Care Commission in developing and providing for the implementation of a health benefits program has established HealthQuest, a state-wide health promotion program; and

WHEREAS, one of the main components of the HealthQuest program is HealthCheck '98-99, a health risk appraisal program; and

WHEREAS, health risk appraisals can provide state employees with a means to understand their health status and take positive action in improving their health and fitness; and

WHEREAS, state employees are a valuable asset for the State of Kansas and the state has an interest in aiding in employee health and fitness; and

WHEREAS, HealthCheck '98-99 provides the opportunity to save state employees and state taxpayers money by reducing future health care costs;

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby authorize paid leave under K.A.R. 1-9-9 for executive branch state employees who desire to take advantage of HealthCheck '98-99, provided that employees obtain approval from their supervisor concerning when the appointment time can be scheduled. I further hereby direct executive branch agencies to reimburse private mileage pursuant to regulations for employees who travel to obtain authorized HealthCheck '98-99 services, as follows: mileage reimbursement of 50 miles to 200, miles round trip maximum or 25 to 100 miles one way. Mileage under 50 miles round trip will not be reimbursable for this purpose.

This document shall be filed with the Secretary of State as Executive Order No. 98-6 and shall become effective immediately.

Dated August 19, 1998.

Bill Graves
Governor
Attest: Ron Thornburgh
Secretary of State

Doc. No. 022843

State of Kansas

Advisory Committee on Hispanic Affairs

Notice of Meeting

The Kansas Advisory Committee on Hispanic Affairs (KACHA), an entity of the Kansas Department of Human Resources, will conduct a board meeting from 1 to 3 p.m. Friday, September 4, at Hyde Park United Methodist Church, 228 Ellis, Wichita. The purpose of the meeting is to discuss details of the upcoming Hispanic Law and Justice Day, new staff, the KACHA open house, and a partnership with the University of Kansas Lied Center. The public is invited to attend.

Wayne L. Franklin
Secretary of Human Resources

Doc. No. 022854

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-98-114/115

Name and Address of Applicant	Legal Description	Receiving Water
Alan and Susan Abram 2616 S.E. 30th Columbus, KS 66725	E/2 of Section 28, T33S, R24E, Cherokee County	Neosho River

Kansas Permit No. A-NECK-F020

This is an existing facility for 54,000 turkeys (972 animal units).

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.

Name and Address of Applicant	Legal Description	Receiving Water
Phillip A. and Angela D. Roth 2699 N.E. Lawton Road Columbus, KS 66725	SE/4 of Section 28, T32S, R24E, Cherokee County	Neosho River

Kansas Permit No. A-NECK-F021

This is a renewal of an existing permit for 33,000 (594 animal units) of turkeys.

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-98-104/106

Name and Address of Applicant	Waterway	Type of Discharge
Kansas 4-H Foundation 5405 W. Hwy. K157 Junction City, KS 66441	Smoky Hill River via Lyon Creek via unnamed tributary	Treated domestic wastewater

Kansas Permit No. C-SH45-0001

Federal Permit No. KS0118443

Legal: NE¼, S5, T14S, R5E, Dickinson County

Facility Name: Rock Springs 4-H Center

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The facility consists of an Imhoff tank followed by a sand filter. Effluent is disinfected by chlorination during the summer months. 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
Midland Quarry Co. P.O. Box 361 Atchison, KS 66002	Missouri River via Walnut Creek via unnamed tributary	Quarry dewatering and stormwater

Kansas Permit No. I-MO01-PO06

Federal Permit No. KS0089222

Legal: NW¼, S30, T6S, R21E, Atchison County

Facility Name: Midland Quarry Company—East Quarry

Facility Description: The proposed action is to reissue a permit for the discharge of wastewater from an existing quarry operation. This is a limestone quarrying and crushing operation with no washing. The only discharge is quarry pit dewatering and uncontaminated stormwater runoff. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
Utilicorp United, Inc. P.O. Box 75 Pueblo, CO 81002-0075	Arkansas River via Dry Walnut Creek wastewater and via unnamed tributary	Treated process stormwater

Kansas Permit No. I-UA16-PO02

Federal Permit No. KS0080012

Legal: SE¼, T19S, R14W, Barton County

Facility Name: Arthur Mullergren Power Station, Great Bend, Kansas

Facility Description: The proposed action is to reissue an existing permit for operation of an existing peaking gas fired steam electric power generating station treating primarily process wastewater. Steam generating electric units #1 and #2 are permanently retired. Unit #3 is on standby and an auxiliary boiler is used for space heating the plant. Waste waters consisting of cooling tower blowdown, boiler blowdown, and floor drains are discharged to Dry Walnut Creek. When no unit is operating, cooling water (potentially treated with chlorine) is still discharged to Dry Walnut Creek. Roof drains and stormwater run-off are directed to a stormwater retention pond via sludge pits prior to discharge to Dry Walnut Creek. Sludge pits shall be properly closed by December 31, 2000. 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.

Public Notice No. KS-ND-98-028

Name and Address of Applicant	Legal Location	Type of Discharge
White Memorial Camp 1271 S. 1050 Road Council Grove, KS 66846	SW¼, S34, T15S, R8E, Morris County	Nonoverflowing

Kansas Permit No. C-NE17-NO01

Facility Location: Council Grove Lake

(continued)

Facility Description: The proposed action is to issue a new permit for operation of a new two-cell wastewater treatment lagoon system treating domestic wastewater. This nondischarging wastewater lagoon system shall be fully constructed and operational by February 1, 1999. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Public Notice No. KS-EG-98-018/019

In accordance with K.A.R. 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 the continued use of the wells described below within the State of Kansas.

Name and Address of Applicant

IMC Salt Inc.
1800 Carey Blvd.
Hutchinson, KS 67501

Well Location

Well Identification #103
KS Permit No. KS-03-155-142

SE $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, S17, T23S, R5W,
Reno County
550' fsl and 1380' fel from SE
corner of Section

Well Identification #104
KS Permit No. KS-03-155-143

SW $\frac{1}{4}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$, S17, T23S, R5W,
Reno County
585' fsl and 1060' fel from SE
corner of Section

Description: The facility is a salt production plant. The fluid to be injected is fresh water and weak brine only.

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 October 3 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-98-114/115, KS-98-104/106, KS-ND-98-028, and KS-EG-98-018/019) 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. 022868

State of Kansas

State Emergency Response Commission

Notice of Meeting

The Kansas State Emergency Response Commission will meet at 9 a.m. Thursday, September 10, at the State Defense Building, Room 11, 2800 S. Topeka Blvd., Topeka. All interested individuals and organizations are invited to attend.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 022846

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 operating permit. Legg Company, Inc. has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of hazardous air pollutants and particulate matter less than 10 microns were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Legg Company, Inc., Halstead, owns and operates a rubber belt manufacturing facility located at 325 E. 10th, Halstead.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE south central district office, 130 S. Market, sixth floor, Wichita. To obtain or review the proposed permit and supporting documentation, contact Donald J. Law, (785) 291-3271, at the KDHE central office, or David Butler, (316) 337-6020, at the KDHE south central district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Donald J. Law, 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 October 5.

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 October 5 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 022865

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 operating permit. Coastal Field Services Company has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 *et seq.* The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Coastal Field Services Company, Houston, Texas, owns and operates a natural gas compressor station located at Section 9, Township 33 South, Range 43 West, Morton County.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review 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 A. 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 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 October 5.

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 October 5 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has 45 days after receipt of the proposed Class I operating permit within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA within 60 days after the expiration of the 45-day review period to review the permit. Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, U.S. EPA, Region VII, Air

Permitting and Compliance Branch, 726 Minnesota Ave., Kansas City, KS 66101, (913) 551-7097, to determine when the 60-day petition period commences.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 022867

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 operating permit. Landoll Corporation has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Landoll Corporation, Marysville, owns and operates a farm machinery and equipment manufacturing facility located at 1700 May Street and 1900 North Street, Marysville.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE northeast district office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documentation, contact Rasha Allen, (785) 296-1693, at the KDHE central office, or Pat Simpson, (785) 842-4600, at the KDHE northeast district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rasha Allen, 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 October 5.

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 October 5 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 022866

(Published in the Kansas Register September 3, 1998.)

Summary Notice of Bond Sale
City of Overbrook
Osage County, Kansas
\$395,000

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

2013	25,000
2014	25,000
2015	30,000
2016	30,000
2017	30,000
2018	30,000

Sale Particulars

Subject to the terms and conditions of the complete official notice of bond sale dated September 3, 1998, of the City of Overbrook, Kansas, in connection with the issuance of the city's General Obligation Bonds, Series 1998, sealed, written bids will be received at the office of the city clerk at City Hall, P.O. Box 288, 406 Maple St., Overbrook, KS 66524, until 5:30 p.m. Wednesday, September 9, 1998, for the purchase of the bonds. All bids will be publicly opened, read aloud and tabulated on said date and at the time the governing body holds its regularly scheduled meeting at 7 p.m., and will thereafter be immediately considered and acted upon by the governing body of the city.

No oral or auction bids for the bonds will be considered, and no bid for less than the entire principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bids will be accepted only on the official bid forms that have been prepared for the public bidding on the bonds, which may be obtained from the city clerk. Each bid for the bonds must be accompanied by a good faith deposit in the form of a qualified financial surety bond or certified or cashier's check drawn on a bank located within the United States, each made payable to the order of the city and in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds in the principal amount of \$395,000 are to be dated September 1, 1998, and will be issued as fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds.

Interest on the bonds will be payable semiannually on April 1 and October 1 in each year, commencing April 1, 1999.

The Series 1998 Bonds will mature serially on October 1 as follows:

Maturity	Amount
1999	\$10,000
2000	10,000
2001	10,000
2002	10,000
2003	15,000
2004	15,000
2005	15,000
2006	15,000
2007	20,000
2008	20,000
2009	20,000
2010	20,000
2011	20,000
2012	25,000

Certain of the bonds are subject to redemption prior to their maturities as provided in the complete official notice of bond sale.

Security for the Bonds

The bonds and the interest thereon will constitute general obligations of the city and the full faith, credit and resources of the city will be pledged to the payment thereof. The city is obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly printed, executed and registered, will be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or before October 9, 1998, at such bank or trust company or other qualified depository in the State of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere will be made at the expense of the successful bidder.

Legal Opinion

The bonds will be sold subject to the legal opinion of Jonathan P. Small, Chartered, Topeka, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be furnished and paid for by the city and delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

Financial Matters

The total equalized assessed valuation of the taxable tangible property within the city for computation of bonded debt limitations for the year 1998 is \$3,935,471.

The total general obligation bonded indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$415,000.

Additional Information

For additional information regarding the city, the bonds and the public sale, interested parties are invited to contact the city clerk at the address and telephone number shown below, or bond counsel, Jonathan P. Small, 800 S.W. Jackson, Suite 808, Topeka, KS 66612, (785) 234-3686.

Dated September 1, 1998.

City of Overbrook, Kansas
 Cheryl L. Brown, City Clerk
 City Hall
 406 Maple St.
 P.O. Box 288
 Overbrook, KS 66524
 (785) 665-7328
 Fax (785) 665-7543

Doc. No. 022872

(Published in the Kansas Register September 3, 1998.)

**Summary Notice of Bond Sale
Shawnee County, Kansas
\$1,440,000***

General Obligation Bonds, Series 1998-D

(General obligation bonds payable from unlimited ad valorem taxes)

2008	70,000
2009	70,000
2010	75,000
2011	80,000
2012	85,000
2013	85,000
2014	90,000
2015	95,000
2016	100,000
2017	100,000
2018	105,000

Sale Particulars

Subject to the terms and conditions of the complete official notice of sale and the preliminary official statement, both dated September 3, 1998, of Shawnee County, Kansas, in connection with the issuance of the county's General Obligation Bonds, Series 1998-D, sealed, written bids will be received at the office of the county clerk at the Shawnee County Courthouse, 200 S.W. 7th, Topeka, KS 66603, until 11 a.m. Monday, September 14, 1998, for the purchase of bonds. All bids will be publicly opened, read aloud and tabulated on said date and at said time and will thereafter be immediately considered and acted upon by the governing body of the county.

No oral or auction bids for the bonds will be considered, and no bids for less than the entire principal amount of the bonds will be considered.

Bids will be accepted only on the official bid forms that have been prepared for the public bidding on the bonds, which may be obtained from the county clerk. Each bid for the the bonds must be accompanied by a good faith deposit in the form of a qualified financial surety bond or certified or cashier's check drawn on a bank located within the United States, each made payable to the order of the county and in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds in the approximate amount of \$1,440,000* are to be dated September 1, 1998, and will be issued as fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payment of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds.

Interest on the bonds will be payable semiannually on March 1 and September 1 in each year, commencing March 1, 1999.

The bonds will mature serially on September 1 as follows:

Maturity	Amount*
1999	\$ 45,000
2000	45,000
2001	50,000
2002	50,000
2003	55,000
2004	55,000
2005	60,000
2006	60,000
2007	65,000

Certain of the bonds are subject to redemption prior to their maturities as provided in the complete official notice of sale and preliminary official statement.

Payment of Principal and Interest

The Kansas State Treasurer will serve as the bond registrar and paying agent for the bonds, and the principal of the bonds will be payable upon surrender at the paying agent's principal offices in the City of Topeka, Kansas. Interest will be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Security for the Bonds

The bonds and the interest thereon will constitute general obligations of the county and the full faith, credit and resources of the county will be pledged to the payment thereof. The county is obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the county for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly prepared, executed and registered, will be furnished and delivered in book-entry form only at the expense of the county through the facilities of the Depository Trust Company, New York, New York, on or before October 10, 1998.

Legal Opinion

The bonds will be sold subject to the legal opinion of Jonathan P. Small, Chartered, Topeka, Kansas, bond counsel, whose fees will be paid by the county. Bond counsel's approving legal opinion as to the validity of the bonds will be furnished and paid for by the county and delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of sale and preliminary official statement for a discussion of tax exemption and other legal matters.)

Financial Matters

The total equalized assessed valuation of the taxable tangible property within the county for computation of bonded debt limitations for the year 1998 is \$1,106,255,011.

The total general obligation bonded indebtedness of the county as of the date of the bonds, including the bonds being sold, is \$67,915,000. The county also has temporary notes outstanding in the amount of \$4,818,000. Of the outstanding temporary notes the county will redeem \$1,822,261 from the proceeds of the bonds and other funds available to the county.

Additional Information

For additional information regarding the county, the bonds and the public sale, interested parties are invited

(continued)

to contact the county clerk at the address and telephone number shown below.

Dated September 3, 1998.

Cynthia A. Beck
County Clerk
200 S.E. 7th
Topeka, KS 66603
(785) 233-8200, Ext. 4111
Fax (785) 291-4912

*Subject to change based upon special assessments paid.

Doc. No. 022873

(Published in the Kansas Register September 3, 1998.)

Summary Notice of Bond Sale
City of Olathe, Kansas
\$7,445,000*
General Obligation Refunding and
Improvement Bonds
Series 192
and
\$293,400
General Obligation Bonds
(Taxable Under Federal Law)
Series 193

(General obligations payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of sale and preliminary official statement, sealed bids will be received by the city treasurer of the City of Olathe, Kansas, on behalf of the governing body at the Municipal Building, 126 S. Cherry, Olathe, KS 66061, on Tuesday, September 15, 1998, for the purchase of \$7,445,000* principal amount of General Obligation Refunding and Improvement Bonds, Series 192, and \$293,400 principal amount of General Obligation Bonds (Taxable Under Federal Law), Series 193 (collectively referred to as the bonds). Bids for both series of bonds will be opened at noon local time on that day. No bid will be considered of less than 99 percent of the principal amount of the bonds and accrued interest to the date of delivery.

Bond Details

The bonds will consist of fully registered certificated bonds in the denomination of \$5,000 or any integral multiple thereof, except one Series 193 Bond maturing in 1999 will be in the denomination of \$8,400 or any integral multiple of \$5,000 in excess thereof. Bonds shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated October 1, 1998, and will become due annually on October 1, beginning October 1, 1999, in the years as follows:

Series 192

Year	Principal Amount *
10/01/99	\$ 170,000
10/01/00	1,580,000
10/01/01	1,580,000
10/01/02	170,000
10/01/03	510,000
10/01/04	520,000
10/01/05	345,000
10/01/06	350,000
10/01/07	300,000
10/01/08	300,000
10/01/09	310,000
10/01/10	315,000
10/01/11	315,000
10/01/12	320,000
10/01/13	220,000
10/01/14	140,000

Series 193

Year	Principal Amount
10/01/99	\$23,400
10/01/00	30,000
10/01/01	30,000
10/01/02	30,000
10/01/03	30,000
10/01/04	30,000
10/01/05	30,000
10/01/06	30,000
10/01/07	30,000
10/01/08	30,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold, and interest will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 1999. The Kansas State Treasurer, Topeka, Kansas, will be the paying agent and bond registrar for the bonds.

Good Faith Deposit

Each bid for a series of the bonds shall be accompanied by a good faith check in the form of a cashier's or certified check or a financial surety bond in the amount of 2 percent of the principal amount of the bonds of such series.

Adjustment of Issue Size

The city has reserved the right to increase or decrease the total principal amount of the Series 192 Bonds in order to properly structure the escrow account for the bonds to be refunded (see explanation under the heading "Adjustment of Issue Size" in the notice of sale).

Delivery

The city will pay for preparing the bonds. The city will deliver the bonds in book-entry form only through the facilities of Depository Trust Company, New York, New York, on or before October 14, 1998.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations is \$597,037,615. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold and

outstanding temporary notes, is \$81,813,400, and the total general obligation indebtedness of the city as of December 31, 1997, for debt limitation purposes was \$32,196,106.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from Kevin Hammeke, the city's Director of Financial Services, (913) 782-2600; or the city's financial advisor, Piper Jaffray Inc., Kansas City, Missouri, Attention: Dennis Mitchell, (816) 360-3072.

Dated August 18, 1998.

City of Olathe, Kansas
 Kevin Hammeke
 Olathe City Treasurer
 Municipal Building
 126 S. Cherry
 Olathe, KS 66061

* Subject to change as provided under "Adjustment of Issue Size."

Doc. No. 022860

(Published in the Kansas Register September 3, 1998.)

Summary Notice of Bond Sale
City of Ottawa, Kansas
\$2,327,000*
General Obligation Bonds
Series 1998

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated September 1, 1998, sealed bids will be received by the city clerk of the City of Ottawa, Kansas, on behalf of the governing body at City Hall, 101 S. Hickory St., Ottawa, until 10 a.m. September 16, 1998, for the purchase of \$2,327,000* 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 one bond in the denomination of \$7,000.* The bonds will be dated October 1, 1998, and will become due on March 1 in the years as follows:

Maturity	Principal Amount*
March 1	
1999	\$187,000
2000	195,000
2001	205,000
2002	215,000
2003	225,000
2004	235,000
2005	245,000

2006	260,000
2007	275,000
2008	285,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 1999. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$46,540 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about October 5, 1998, 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 1997 is \$51,558,385. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$7,944,916.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Logan Riley Carson & Kaup, L.C., Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (785) 229-3615, or from bond counsel, Logan Riley Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated August 27, 1998.

City of Ottawa, Kansas
 By Scott Bird
 City Hall
 101 S. Hickory St.
 Ottawa, KS 66067-2347

* Subject to change.

Doc. No. 022851

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:

Monday, September 14, 1998

33246

Hutchinson Correctional Facility—Cleaning chemicals and supplies

33255

Department of Health and Environment—Laboratory services to conduct microgravimetric analysis of PM 2.5 filter elements

33256

University of Kansas Medical Center—Diagnostic and therapeutic drug screening items

Tuesday, September 15, 1998

33245

Kansas State University—Cellular telephone service

Wednesday, September 16, 1998

33247

All agencies of the State of Kansas—Telecommunications cable

Thursday, September 17, 1998

8125

Department of Administration, Division of Information Systems and Communications—330 GB DASD subsystem (Iceberg-XE3)

8128

Kansas Department of Wildlife and Parks—Mobile and portable radios, various locations

Monday, September 21, 1998

33244

Kansas Department of Transportation—Automotive lubricants

Tuesday, September 22, 1998

A-8589

Parsons State Hospital and Training Center—Reroof cafeteria

A-8619

Kansas State University—Removal of back-up generator fuel oil storage tank

Wednesday, September 23, 1998

A-8669

Adjutant General's Department—Armory reroof, Smith Center

A-8670

Adjutant General's Department—Armory reroof, Ottawa

A-8671

Adjutant General's Department—Partial Armory reroof, Fort Scott

A-8672

Adjutant General's Department—Partial Armory reroof, Coffeyville

A-8673

Adjutant General's Department—Partial armory reroof, Emporia

Thursday, September 24, 1998

A-8076

University of Kansas—Renovation and addition, School of Education, Joseph R. Pearson Hall

Thursday, October 8, 1998

33254

University of Kansas—Food products

John T. Houlihan
Director of Purchases

Doc. No. 022853

(Published in the Kansas Register September 3, 1998.)

**Notice of Redemption of Bonds
City of Wakefield, Kansas
Industrial Revenue Bonds
Series A, 1979**

Notice is hereby given that the City of Wakefield, Kansas (the issuer), has called for redemption, pursuant to Ordinance No. 1090 of the issuer authorizing the above-described bonds, and will redeem and pay on October 1, 1998, prior to the stated maturity bonds numbered 65, 68, 71, 72, 83, 84, 90, 97 and 99 of the above-described series maturing on October 1, 2000.

Bonds numbered 65, 68, 71, 72, 83, 84, 90, 97 and 99 maturing on October 1, 2000, will be redeemed and paid, in accordance with the requirements of the ordinance, by payment on said date of the principal thereof at a redemption price of 100 percent of the principal amount thereof, together with accrued interest thereon to the date of redemption. All of the bonds called for redemption and payment will be due and payable on October 1, 1998, and will cease to bear interest from and after October 1, 1998. The principal amount of bonds to be redeemed is \$45,000.

Payment of the bonds called for redemption will be made upon presentation and surrender of said bonds by mail or in person at the First National Bank and Trust Company of Junction City, 702 N. Washington, Junction City, KS 66441.

Withholding of 31 percent of gross redemption proceeds of any payment within the United States may be required by the Interest and Dividend Tax Compliance Act of 1983, as amended, unless the fiscal agent has the correct taxpayer identification number (social security or employer identification number) or exemption certificate of the payee. Please furnish a properly completed W-9 or exemption certificate or equivalent when presenting your securities.

Dated August 24, 1998.

City of Junction City, Kansas
By The First National Bank and Trust
Company of Junction City, Kansas
As Fiscal Agent

Doc. No. 022847

(Published in the Kansas Register September 3, 1998.)

**NOTICE OF PARTIAL REDEMPTION
TO THE HOLDERS OF**

FINNEY COUNTY, KANSAS
Single Family Mortgage Revenue
Bonds, 1980 Series A
Serial Maturities due October 1, 1999
through October 1, 2001
and Term Bonds due October 1, 2009
Dated January 1, 1980

NOTICE IS HEREBY GIVEN, that pursuant to Section 3.01 of the Trust Indenture dated as of January 1, 1980, \$360,000 principal amount of Bonds has been drawn pro rata between maturities and by lot within each maturity, for redemption at par on October 1, 1998.

Coupon bonds for \$5,000 denominations, called in full, bearing CUSIP No. 318037, in whole or in part, and the principal amount to be redeemed are as follows:

*CUSIP No: 318037AT5, 8.5000%, Due: 10/01/1999
Redemption Price: 100.00%, Total Amount Called: \$15,000

Registered Bonds called in the amount of \$5,000 each:

R 428 R 592 R1 591

*CUSIP No: 318037AU2, 8.7500%, Due: 10/01/2001
Redemption Price: 100.00%, Total Amount Called: \$45,000

Bearer Bonds called in the amount of \$5,000 each:

1388 1450 1512 1520 1524 1528 1569 1599 1615

*CUSIP No: 318037AV0, 8.9500%, Due: 10/01/2009
Redemption Price: 100.00%, Total Amount Called: \$300,000

Bearer Bonds called in the amount of \$5,000 each:

1742 1793 1845 1862 1866 2009 2044 2062 2097 2161 2568
2570 2572 2825 2946 3006 3230 3232 3330

Registered Bonds called in the amount indicated below:

R 324.....\$5,000 R1 265\$10,000 R1 517.....\$15,000
R1 586.....\$165,000 R1 590\$10,000

Coupon Bonds with the October 1, 1998 and all subsequent coupons attached, and Registered Bonds called in full or in part should be presented to:

<u>If by Mail:</u>	<u>If by Mail:</u>	<u>If by Hand or</u>
<u>(Registered Bonds)</u>	<u>(Bearer Bonds)</u>	<u>Overnight Mail:</u>
U.S. Bank Trust	U.S. Bank Trust	U.S. Bank Trust
National Association	National Association	National Association
Corporate Trust Services	Corporate Trust Services	Corporate Trust Services
P. O. Box 64111	P. O. Box 64452	180 East Fifth Street
St. Paul, MN 55164-0111	St. Paul, MN 55164-0452	4th Fl. Bond Drop Window
		St. Paul, MN 55101

(612) 973-5800

To assure prompt payment of the redemption price, bond certificates should be sent, unendorsed, approximately two weeks before October 1, 1998 to above address. Sending certificates by registered mail is suggested.

Where a fully Registered Bond is redeemed in part, a new fully Registered Bond for the unredeemed portion will be issued and returned without charge. Interest on the Bonds or portion of Bonds called for redemption will cease to accrue on October 1, 1998.

IMPORTANT NOTICE

Under the Interest and Dividend Tax Compliance Act of 1983 as amended by the Energy Policy Act of 1992, 31% will be withheld if tax identification number is not properly certified.

**The Trustee shall not be held responsible for the selection or use of the CUSIP number, nor is any representation made as to its correctness indicated in the Redemption Notice. It is included solely for convenience of the Holders.*

FINNEY COUNTY, KANSAS
BY U. S. BANK TRUST NATIONAL ASSOCIATION

f/k/a FIRST TRUST NATIONAL ASSOCIATION,
Successor Trustee

September 3, 1998

Doc. No. 022859

State of Kansas

Department of Administration

Permanent Administrative
Regulations

Article 2.—DEFINITIONS

1-2-46. Length of service. (a) "Length of service" shall mean total time worked in the classified service or unclassified service, including time spent on an appointment to a position pursuant to K.S.A. 75-2935(1)(i), and amendments thereto. Length of service shall exclude the following:

- (1) Time worked as a temporary employee;
 - (2) time worked as a student employed by any board of regents institution;
 - (3) time worked as a resident worker in any social and rehabilitation services institution or the Kansas commission on veteran's affairs; or
 - (4) time worked as an inmate.
- (b) Time spent on military leave, or time off while receiving workers compensation wage replacement for loss of work time, shall be considered to be time worked in the classified or unclassified service. Time on leave while receiving workers compensation wage replacement for a disability attributable to state employment before May 1, 1983, shall not be credited.

(c) Within educational institutions under the control and supervision of the state board of regents or the state board of education, time spent on leave of absence, imposed by the employer based on employment customs arising from an academic or school calendar requiring less than a full calendar year of service, shall be considered to be time worked in the classified service. However, length of service based on leave of absence shall not be transferable to other state agencies. For the purposes of layoff, employees of these institutions shall be credited only for actual time worked.

(d)(1) Length of service for computing vacation and sick leave accrual rates and for layoff or compensation purposes shall not be recalculated using prior versions of this regulation for employees who have no break in service.

(2) Length of service for determining vacation and sick leave accrual rates and for layoff or compensation purposes for an individual returning to state service shall be the amount of length of service on record as of December 17, 1995, or the date the individual left state service, whichever date is later.

(e) Authorized leave without pay over 30 days shall not count toward length of service. However, authorized leave without pay for 30 days or less shall not be considered a break in service.

(f) Increased rates of vacation leave earnings based on length of service shall not be retroactive.

(g) For purposes of leave accrual, layoff, and longevity bonus pay, the length of service of any retiree returning to state service shall be reduced to zero and calculated on the same basis as a new hire. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended,

(continued)

T-87-52, Dec. 19, 1986; amended May 1, 1987; amended Dec. 27, 1993; amended Dec. 17, 1995; amended Sept. 18, 1998.)

1-2-77. Retiree. "Retiree" means an employee who, at the time the person terminates employment with the state, receives retirement benefits under the Kansas public employees retirement system, the Kansas retirement system for judges, the Kansas police and fireman's retirement system, correctional employee's retirement system per K.S.A. 74-4914e, or regent's institution employee's retirement system per K.S.A. 74-4925. (Authorized by K.S.A. 75-3706; implementing K.S.A. 20-2608, K.S.A. 1997 Supp. 74-4914 and K.S.A. 75-5517; effective Sept. 18, 1998.)

Article 5.—COMPENSATION

1-5-9. Pay of temporary employee. (a) Except as provided in subsection (b), the pay of each temporary employee shall be step 1 of the pay grade to which the classification is assigned.

(b) If higher beginning pay is authorized for a new hire, pursuant to K.A.R. 1-5-8, any temporary employee may be hired at the higher beginning pay, at the option of the appointing authority.

(c) Nothing herein shall prevent the appointing authority from hiring the candidate at a step in the pay grade lower than permitted by subsection (b).

(d) No person hired on a temporary basis shall be eligible for any step increase during the period of temporary employment. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-2938, and K.S.A. 75-2945; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended, T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989; amended Dec. 17, 1995; amended Sept. 18, 1998.)

1-5-10. Pay of employee rehired by reinstatement or reemployment. (a) Any person hired by reinstatement may be paid at the same step of the pay grade for the class to which the employee is reinstated as the step on which the employee was previously paid for the class that serves as the basis for the employee's eligibility for reinstatement. When an employee to be reinstated has exceptional qualifications and the agency cannot hire the person at the previous step, the agency's appointing authority may approve beginning pay at a higher step in the pay grade. Exceptional qualifications shall be based on the former employee's education, training, experience, skills, and other qualifications directly related to the vacant position.

(1) When a higher step in the pay grade has been established as the beginning pay for new hires to the class pursuant to K.A.R. 1-5-8 due to lack of candidates, the agency shall hire the employee at the higher beginning pay.

(2) Nothing in this subsection shall prevent a person from accepting reinstatement at a step lower than that on which the person was being paid in the class that serves as the basis for the employee's eligibility for reinstatement.

(b) The pay increase date for any person who is reinstated shall be governed by the time-on-step requirement

of the step to which reinstated. Time-on-step in a previous position shall not count towards the time-on-step requirement.

(c)(1) Any person who is reemployed to the same class from which the person was laid off, or to a class with the same pay grade as that class, shall be paid at the same step of the pay grade as the step on which the person was being paid on the date the person was laid off, or any lower step of the pay grade.

(2) Any person who is reemployed to a class with a pay grade lower than the class from which the person was laid off shall be paid at one of the following rates:

(A) the same pay rate (dollar amount) as the rate the person was being paid immediately before being laid off, if the rate is on a step in the lower pay grade. If that rate is within the pay grade for the class but not on a step, the person may be paid at the next lower step, or the next higher step. However, in no case shall the person be paid above the maximum step of the lower pay grade; or

(B) a lower pay rate (dollar amount) than the person was being paid immediately before being laid off.

(d) In determining the pay increase date for any person who is reemployed to the class from which the person was laid off, to a class with the same pay grade as that class, or to a class with a pay grade lower than that class, the length of time the employee had spent on the last pay step immediately before the date the person was laid off shall count toward the time-on-step requirement. If the pay increase date for this person is less than six months after the date of reemployment, the agency may use the person's last performance review rating before layoff or may give a new performance review rating in determining the person's eligibility for a pay step increase, as provided in K.A.R. 1-5-19b. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-2938, and 75-2948 and K.S.A. 75-3746; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended, T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989; amended Dec. 17, 1995; amended Sept. 18, 1998.)

1-5-14. Pay of employee upon transfer. An employee who is transferred may be paid at the same step as the step on which the employee was paid before the transfer. An employee may transfer to a lower step within the pay grade, if this is agreed upon by the employee and the appointing authority. The length of time that the incumbent has spent on the previous step shall count toward the time-on-step requirement for computing the pay increase date. If an employee is transferred to a trainee class with an abbreviated pay grade in lieu of layoff, the employee may be paid at the employee's present rate of pay if the rate of pay does not exceed the maximum pay rate for the pay grade to which the trainee class is assigned. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-2938 and 75-3746; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1987; amended Dec. 17, 1995; amended Sept. 18, 1998.)

1-5-15. Pay of employee upon demotion. (a) Each employee who is demoted, in accordance with applicable

regulations, whether voluntarily or for disciplinary reasons, shall be paid at the same step of the pay grade for the lower class as the step on which the employee was being paid in the higher class, or at any higher step as long as there is a decrease in the rate of compensation.

(b)(1) Any employee accepting a voluntary demotion may be paid at a step of the new pay grade that does not result in a decrease in rate under any of the following conditions:

(A) The position must be filled expeditiously for effective government.

(B) The employee has exceptional qualifications for the new position.

(C) The action is in the best interest of state service.

(D) The action is in lieu of a layoff.

(E) The employee is returning to work in accordance with the state "return to work" program.

(F) The employee is accepting an accommodation in accordance with the Americans with disabilities act, 42 U.S.C., § 12101 et seq., and amendments thereto.

(G) The employee is demoted to a trainee class with an abbreviated pay grade in lieu of layoff. In this case, the employee may be paid at the employee's present rate of pay if the rate of pay does not exceed the maximum pay rate for the pay grade to which the trainee class is assigned.

(2) The voluntary demotion shall not be within the same organizational unit as defined in the agency's layoff plan, except in the case of any of the following:

(A) A voluntary demotion taken in lieu of a layoff;

(B) return to work in accordance with the state "return to work" program; or

(C) an accommodation in accordance with the Americans with disabilities act, 42 U.S.C., § 12101 et. seq., and any amendments thereto.

(c) Nothing in this regulation shall prevent a demotion being made to a step in the pay grade lower than permitted by this regulation, if agreed upon in writing by the employee and appointing authority. However, a promotional employee who is demoted pursuant to K.S.A. 75-2944, as amended, shall be paid on a step no lower than the same step of the pay grade for the lower class as the step that the employee was on immediately before the promotion.

(d) The pay increase date for any employee demoted for disciplinary reasons shall be governed by the time-on-step requirement of the step to which demoted. The pay increase date for any employee who takes a voluntary demotion shall be unchanged if the employee did not receive a pay step increase on the date of the demotion.

(e) An employee who takes a voluntary demotion may also receive a pay step increase on the same date if eligible for this increase.

(f) The provisions of K.A.R. 1-5-10, rather than this regulation, shall apply when a former permanent employee who was separated from the service for more than 30 days is reinstated to a class with a lower pay grade. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-2938; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1983; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended March 20, 1989; amended Jan. 6,

1992; amended Dec. 27, 1993; amended Nov. 21, 1994; amended Dec. 17, 1995; amended May 31, 1996; amended Sept. 18, 1998.)

Article 6.—RECRUITING AND STAFFING

1-6-22a. Training classes. (a) Certain classes of positions may be designated by the director as training classes, including those classes of positions within federally approved apprenticeship programs. Each person employed in a training class shall be in training status and not in probationary or permanent status. The training period served for a training class established pursuant to this regulation shall not be less than six months or more than 24 months from the date of employment, unless there are statutory training requirements that can be met in less than six months.

(b) The appointing authority may dismiss a trainee at any time pursuant to K.A.R. 1-10-6(g), except as follows.

(1) If a trainee was promoted from a classified position in which an employee held permanent status, the provisions regarding dismissal or demotion of probationary employees in K.S.A. 75-2944, as amended, shall be applied.

(2) If an employee who was demoted or transferred to a trainee position is terminated for reasons other than personal conduct, the employee shall be accorded the right to a position in the class in which the employee held permanent status immediately before the trainee position.

(c) The period served by an employee in a training class shall not be counted as part of the probationary period in case of subsequent employment in a regular position.

(d) Upon meeting the minimum qualifications for the applicable class, and satisfactory performance of the job duties, responsibilities, and training requirements of the position, each employee in a training class shall be placed in the applicable class as a probationary employee and serve a probationary period as established by K.A.R. 1-7-4. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-3746; effective Dec. 27, 1993; amended Nov. 21, 1994; amended Dec. 17, 1995; amended May 31, 1996; amended Sept. 18, 1998.)

1-6-30. Reinstatement. Each employee with permanent status who separates from state service in good standing may for a period of one year from the date of separation apply for, and may be certified as a candidate for, any vacancies open to state employees only, and may be rehired as a reinstatement. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1983; amended Dec. 17, 1995; amended Sept. 18, 1998.)

Article 9.—HOURS; LEAVES; EMPLOYEE-MANAGEMENT RELATIONS

1-9-23. Shared leave. (a)(1) Each employee in a regular position may be eligible to receive or donate shared leave as provided in this regulation.

(2) Shared leave may be granted to an employee if the employee or a family member as defined in K.A.R. 1-9-5(e)(2) meets these criteria.

(continued)

(A) The employee or family member is experiencing a serious, extreme or life-threatening illness, injury, impairment, or physical or mental condition that has caused, or is likely to cause, the employee to take leave without pay or terminate employment.

(B) The illness, injury, impairment, or condition keeps the employee from performing regular work duties.

(b)(1) An employee shall be eligible to receive shared leave if these conditions are met:

(A) The employee has exhausted all paid leave available for use, including vacation leave, sick leave, and compensatory time credits.

(B) The employee has at least six months of continuous service.

(2) An employee shall be eligible to donate vacation leave or sick leave to another employee if these conditions are met:

(A) The donation of vacation leave does not cause the accumulated vacation leave balance of the donating employee to be less than 80 hours.

(B) The donation of sick leave does not cause the accumulated sick leave balance of the donating employee to be less than 480 hours.

(c)(1) When requesting shared leave, or at any time during the use of shared leave, any employee may be required by the appointing authority to provide a physician's statement or other medical evidence necessary to establish that the illness, injury, impairment, or physical or mental condition of the employee or family member is serious, extreme, or life threatening and keeps the employee from performing regular work duties. If the employee fails to provide the required evidence, the use of shared leave may be denied or terminated by the appointing authority.

(2)(A) The appointing authority shall determine whether or not the employee meets the initial eligibility requirements in paragraph (b)(1) and, if applicable, whether or not the employee would be caring for an individual who meets the definition of a family member. The appointing authority shall then determine if the illness or injury meets the conditions set forth in paragraph (a)(2) of this regulation.

(B) Shared leave may be denied if it is determined that the requesting employee has a history of leave abuse.

(C) Any employee who is receiving workers compensation shall not be eligible to receive shared leave.

(D) The appointing authority may grant all or a portion of the time requested. The decision by the appointing authority to approve or deny the request shall be final and not subject to appeal to the civil service board.

(d) Employees shall not be notified of the need for shared leave until the request for shared leave has been approved by the appointing authority. No employee shall be coerced, threatened, intimidated, or financially induced into donating leave for purposes of the shared leave program.

(e)(1) Shared leave may be used only for the duration of the serious, extreme, or life-threatening illness, injury, impairment, or physical or mental condition for which it was collected. When an employee is granted shared leave due to the employee's illness or injury, the maximum duration of the shared leave shall be six months from the

date the employee began using the shared leave. After six months, if the employee does not meet the conditions for long-term disability payments, shared leave may be extended for up to an additional six months. When the shared leave is granted due to the illness or injury of a family member, the maximum duration of the shared leave shall be 12 months from the date the employee began using the shared leave. Shared leave shall not be transferable to any employee other than the employee for which it was requested and donated.

(2) Shared leave may be applied retroactively for a time not to exceed two pay periods. Written notification of each instance in which shared leave is applied retroactively shall be given to the director.

(3) The employee shall no longer be eligible to receive shared leave for a particular occurrence if any of these conditions is met:

(A) The illness, injury, impairment, or condition improves so that it is no longer serious, extreme, or life threatening, and the employee is no longer prevented from performing regular work duties.

(B) The recipient terminates or retires.

(C) The family member's illness, injury, impairment, or physical or mental condition is no longer serious, extreme, or life threatening, and the employee is no longer prevented from performing regular work duties.

The employee shall be determined to no longer be prevented from performing regular work duties when the physician states the employee is able to return to work or when the employee has returned to work for 20 continuous working days.

(4) Any unused portion of the shared leave shall be prorated among all donating employees based on the original amount and type of donated leave. Shared leave shall not be returned to donating employees in increments of less than one full hour or to any person who has left state service.

(f)(1) Shared leave shall be paid according to the receiving employee's regular rate of pay by the receiving employee's agency. The rate of pay of the donating employee shall not be used in figuring the amount of shared leave the requesting employee receives.

(2) Shared leave shall be donated in full-hour increments. (Authorized by K.S.A. 75-3706, 75-3747, and 75-5549; implementing K.S.A. 75-2925, 75-3707, 75-3746, and 75-5549; effective, T-1-7-23-92, July 23, 1992; effective Sept. 14, 1992; amended July 26, 1993; amended, T-1-9-19-94, Sept. 19, 1994; amended Nov. 21, 1994; amended Dec. 17, 1995; amended May 31, 1996; amended Sept. 18, 1998.)

1-9-25. Alcohol and controlled substances test for employees in commercial driver positions. (a) The provisions of 49 C.F.R. Part 382, as in effect on February 15, 1994, and 49 C.F.R. Part 40, as in effect on February 15, 1994, and amendments to Part 40, as published in 59 Fed. Reg. 42,996 (1994), are hereby adopted by reference.

(b) Any employee in a commercial driver position may be required to submit to an alcohol or controlled substances test in accordance with the federal omnibus transportation employees act of 1991, 49 U.S.C. Appx. § 2717, based upon reasonable suspicion of illegal con-

trolled substance use or alcohol abuse by that employee or for the purposes of random testing, post-accident testing, return-to-duty testing, or follow-up testing.

(c) For the purposes of this regulation, "safety-sensitive functions" means any duty required of an employee in a commercial driver position during the following periods:

(1) All time spent waiting to be dispatched at a state plant, terminal, facility, or other state property or on any public property, unless the driver has been relieved from duty by the agency;

(2) all time spent inspecting equipment as required by 49 C.F.R. 392.7 and 392.8, as in effect on February 15, 1994, or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;

(3) all driving time as defined in 49 C.F.R. 395.2, as in effect on February 15, 1994;

(4) all time, other than driving time, spent in or upon any commercial motor vehicle, except time spent resting in a sleeper berth;

(5) all time spent loading or unloading a vehicle, supervising or assisting in the unloading or loading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or giving or receiving receipts for shipments loaded or unloaded;

(6) all time spent performing the driver requirements relating to accidents as set out in 49 C.F.R. 392.40 and 392.41, as in effect on February 15, 1994; and

(7) all time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

(d)(1) Each agency shall require each of its employees in commercial driver positions to submit to an alcohol or a controlled substances test when the agency has reasonable suspicion of illegal controlled substance use or alcohol abuse by that employee. Reasonable suspicion shall be based on a judgment supported by specific, contemporaneous, articulable observations regarding the employee's behavior, appearance, speech, or body odor. This testing may be conducted under these conditions:

(A) Only if the observations are made by a supervisor or other state official trained in accordance with 49 C.F.R. 382.603; and

(B) for alcohol testing, only if the observations are made during, just preceding, or just after the period of the work day in which the employee is performing a safety-sensitive function.

(2) Each employee in a commercial driver position shall be subject to random testing for alcohol and controlled substances. Random testing for alcohol and controlled substances shall be unannounced, and each employee in a commercial driver position shall have an equal chance of being selected for testing each time selections for testing are made. The number of employees selected for random testing each year shall be based on the percentage established by the federal highway administration under 49 C.F.R. 382.305. The process used to randomly select employees to be tested shall be a scientifically valid method. Random alcohol testing shall be conducted only during, just preceding, or just after the period of the work day in which the employee is performing a safety-sensitive function.

(3) (A) Each employee in a commercial driver position who is involved in an accident shall be tested for alcohol and controlled substances if either of these conditions is met:

(i) The employee was performing a safety-sensitive function with respect to the vehicle, and the accident involved the loss of human life.

(ii) The employee was issued a citation under state or local law for a moving traffic violation arising from the accident. The post-accident testing shall be performed as soon as practicable following the accident.

(B) For purposes of this regulation, an accident means an incident involving a commercial motor vehicle in which there is a fatality, an injury treated away from the scene, or a vehicle required to be towed from the scene.

(C) The driver shall remain available for testing and refrain from consuming alcohol for eight hours or until the driver undergoes a post-accident alcohol test. If the driver is not available, the agency may consider the driver to have refused to be tested. If the alcohol test is not administered within two hours following the accident, the employer shall maintain on file a record stating the reasons the test was not promptly administered. If the alcohol test is not administered within eight hours, the agency shall cease attempts to administer the test and shall prepare and maintain the same record. If the controlled substances test is not administered within 32 hours, the agency shall cease attempts to administer the test and shall prepare and maintain on file a record stating the reasons the test was not promptly administered.

(4) Each employee who is in a commercial driver position and who has violated one or more of the provisions of 49 C.F.R. Part 382, Subpart B, shall not return to duty requiring the performance of a safety-sensitive function until the employee undergoes a return-to-duty alcohol test with results indicating an alcohol breath content of less than 0.02 grams of alcohol per 210 liters of breath, a controlled substances test with a verified negative result, or both, as appropriate.

(5) Each employee in a commercial driver position who violates one or more of the provisions of 49 C.F.R. Part 382, Subpart B, and who is identified by a substance abuse professional as needing assistance in resolving problems associated with alcohol or controlled substances, shall be subject to unannounced follow-up controlled substances testing, alcohol testing, or both, following the employee's return to duty. This follow-up testing shall consist of at least six tests in the first 12 months following the driver's return to duty. Alcohol testing shall be performed only before, immediately after, or while performing a safety-sensitive function.

(e) State agencies may ask a current employee in a commercial driver position to submit to alcohol and controlled substances tests under the provisions of paragraphs (d)(1) through (5) as a condition of employment. Refusal to comply with these requirements shall be considered the equivalent of receiving a confirmed positive result for referral or disciplinary actions.

(f)(1) Each employee required to submit to alcohol or controlled substances tests shall be notified of that requirement in writing. Each employer shall provide to

(continued)

each current employee in a commercial driver position detailed materials containing information identified below in paragraph (f)(2). These materials shall be provided before the start of alcohol and controlled substances testing by the agency, and to each employee subsequently hired or transferred into a commercial driver position.

(2) The information provided to each employee in a commercial driver position shall include the following:

(A) The identity of the person designated by the agency to answer drivers' questions about the materials;

(B) the categories of drivers who are subject to the provisions of this regulation;

(C) sufficient information about the safety-sensitive functions performed by those drivers to make clear which periods of the work day the driver is required to be in compliance with this regulation;

(D) specific information concerning driver conduct that is prohibited by this regulation and Subpart B of 49 C.F.R. Part 382;

(E) the circumstances under which a driver will be tested for alcohol or controlled substances under this regulation;

(F) the procedures that will be used to test for the presence of alcohol and controlled substances, protect the driver and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver;

(G) the requirement that each driver submit to alcohol and controlled substances tests administered in accordance with this regulation;

(H) an explanation of what constitutes a refusal to submit to an alcohol or controlled substances test and the attendant consequences;

(I) the consequences for drivers found to have violated 49 C.F.R. 382, subpart B, including the requirement that the driver be removed immediately from safety-sensitive functions, and the referral, evaluation, and treatment procedures under 49 C.F.R. 382.605;

(J) the consequences for drivers found to have an alcohol concentration of 0.02 grams per 210 liters of breath or greater but less than 0.04 grams;

(K) information regarding post-accident procedures and instructions necessary for the employee to be able to comply with the post-accident testing requirements; and

(L) information concerning the following:

(i) The effects of the use of alcohol and controlled substances on an individual's health, work, and personal life;

(ii) signs or symptoms of an alcohol or a controlled substances problem, whether the driver's own problem or that of a coworker; and

(iii) available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation, referral to the state employee assistance program, referral to management, or a combination of these steps.

(g) Procedures and testing personnel used in collecting, analyzing, and evaluating test samples shall meet the standards established by the director in accordance with 49 C.F.R., Part 40.

(h) In accordance with 49 C.F.R. 40.25(f)(10)(ii)(E), any employee who receives a confirmed positive result on a controlled substances test may request a retest by

the original or a different laboratory on the second half of the original specimen, within 72 hours of being notified of the positive test result.

(i) (1) An alcohol test shall be considered "positive" when the alcohol concentration is 0.04 grams of alcohol per 210 liters of breath or greater. However, if the breath alcohol content is 0.02 grams of alcohol per 210 liters of breath or greater and less than 0.04 grams of alcohol, the employee shall not be allowed to perform safety-sensitive functions until a 24-hour period has elapsed, in accordance with 49 C.F.R. 382.505. The agency shall not take action against the employee based solely on a test required by 49 C.F.R. Part 382 with a test result of less than 0.04 grams of alcohol.

(2) A permanent employee who receives a confirmed "positive" controlled substances test result or an alcohol test result with a concentration of 0.04 or greater or who violates any provision of 49 C.F.R. Part 382, Subpart B shall be removed from safety-sensitive functions until the employee has met these requirements:

(A) Been evaluated by a substance abuse professional;

(B) completed treatment, if required by the substance abuse professional; and

(C) taken a return-to-duty alcohol test, controlled substances test, or both, as determined by the substance abuse professional, with results below 0.02 grams of alcohol per 210 liters of breath and a negative result for controlled substances.

(3) An employee shall not be subject to dismissal solely on the basis of a confirmed positive test result or a violation of any other provision of 49 C.F.R. 382, Subpart B if the employee has not previously had a confirmed positive result or the equivalent or other violation and the employee successfully completes an appropriate and approved alcohol and controlled substance assessment and any recommended education or treatment program, as provided in paragraph (i)(2). However, the employee shall be subject to dismissal in accordance with K.S.A. 75-2949f, and amendments thereto, if the employee has previously had a confirmed "positive" result or the equivalent or other violation or if the employee fails to successfully complete an appropriate and approved alcohol and controlled substance assessment and recommended education and treatment program as prescribed by the substance abuse professional. This regulation shall not preclude the agency appointing authority from proposing disciplinary action in accordance with K.S.A. 75-2949d, and amendments thereto, and K.A.R. 1-10-6 for other circumstances that occur in addition to a confirmed "positive" result and that are normally grounds for discipline.

(4) Any probationary employee who violates any provision of 49 C.F.R. Part 382, Subpart B and any employee who is on probation, other than for a promotional appointment, at the time the employee was given written notice of an appointment for an alcohol or controlled substances test and who has a confirmed positive result shall be subject to dismissal pursuant to K.A.R. 1-10-6.

(j) Any employee who intentionally tampers with a sample provided for alcohol or controlled substances testing, violates chain-of-custody or identification procedu-

res or falsifies a test result shall be subject to dismissal pursuant to K.S.A. 75-2949f, and amendments thereto.

(k) If disciplinary action is warranted under the provisions of this regulation, the employee shall be afforded due process in accordance with K.S.A. 75-2949, and amendments thereto, and K.A.R. 1-10-6.

(l) (1) Individual results and medical information shall be considered confidential and shall not be disclosed publicly. Each employee shall be granted access to the employee's information upon written request to the director, in accordance with 49 C.F.R. 382.405.

(2) (A) Each agency shall be responsible for maintaining strict security and confidentiality of the alcohol and controlled substances records in that agency. Access to these records shall be restricted to the following personnel:

(i) The agency personnel officer, the agency appointing authority, the secretary of administration, the director, or any of their respective designees;

(ii) persons in the supervisory chain of command;

(iii) the agency legal counsel; or

(iv) the department of administration legal counsel.

(B) Further access to these records shall not be authorized without the express consent of the director. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-3746 and 75-3707; effective, T-1-1-26-95, Jan. 26, 1995; effective May 30, 1995; amended Sept. 18, 1998.)

1-9-26. Pre-duty controlled substances testing for employees in positions assigned commercial driver functions. (a) The provisions of 49 C.F.R. Part 382, as in effect on February 15, 1994, and 49 C.F.R. Part 40, as in effect on May 1, 1995, and amendments to Part 40, as published in 59 Fed. Reg. 42,996 (1994), are hereby adopted by reference.

(b) For purposes of this regulation, the term "safety-sensitive function" shall be as defined in K.A.R. 1-9-25(c).

(c) When an agency assigns duties to an existing, filled position that would result in the position becoming a commercial driver position, the incumbent employee in the position shall be subject to a controlled substances test and the provisions of 49 C.F.R. 382.413 regarding release of alcohol and controlled substances test information by previous employers.

(d) Each employee who is an incumbent in a position to which commercial driver functions are assigned shall be informed of the provisions of subsections (c) and (g) through (i) of this regulation in writing and shall sign a statement agreeing to participate in the testing before administration of the tests. The appointing authority shall advise each employee required to submit to controlled substances testing under this regulation of the following aspects of the testing program:

(1) The methods of controlled substances testing that may be used;

(2) the substances that may be identified;

(3) the consequences of a refusal to submit to a controlled substances test or of a confirmed positive result; and

(4) the reasonable efforts utilized by the state to maintain the confidentiality of results and any medical information that may be provided.

(e) Procedures and testing personnel used in collecting, analyzing, and evaluating test samples shall meet the

standards established by the director in accordance with 49 C.F.R. Part 40.

(f) In accordance with 49 C.F.R. 40.25(f)(10) (ii)(E), any employee who receives a confirmed positive result on a controlled substances test may request a retest by the original or a different laboratory on the second half of the original specimen within 72 hours of being notified of the positive test result.

(g) If an incumbent employee fails to participate in the required controlled substances test, refuses to sign the written authorization required under subsection (d) of this regulation, or refuses to provide written authorization for release of alcohol and controlled substances test information by previous employers, the employee shall not begin performing the safety-sensitive functions. A subsequent refusal to participate in the required testing or to sign the written authorization shall be grounds for discipline under K.S.A. 75-2949f, and amendments thereto.

(h) (1) If an incumbent employee receives a confirmed positive controlled substances test result, the employee shall not perform any safety-sensitive functions until the employee has completed the steps listed below:

(A) Been evaluated by a substance abuse professional;

(B) completed treatment, if required by the substance abuse professional; and

(C) taken a subsequent alcohol test, controlled substances test, or both, as determined by the substance abuse professional, with results below 0.02 grams of alcohol per 210 liters of breath and a negative result for controlled substances.

(2) An incumbent employee with permanent status in a position to which commercial driver functions are assigned shall not be subject to dismissal solely on the basis of a confirmed positive test result if the employee successfully completes an appropriate and approved alcohol and controlled substance assessment and any recommended education or treatment program, as provided in paragraph (h)(1). However, the employee shall be subject to dismissal in accordance with K.S.A. 75-2949f, and amendments thereto, if the employee has previously had a confirmed "positive" result or the equivalent, if the employee committed some other violation, or if the employee fails to successfully complete an appropriate and approved alcohol and controlled substance assessment and recommended education and treatment program, as prescribed by the substance abuse professional. This regulation shall not preclude the agency appointing authority from proposing disciplinary action in accordance with K.S.A. 75-2949d, and amendments thereto, and K.A.R. 1-10-6 for other circumstances that occur in addition to a confirmed "positive" result and that are normally grounds for discipline.

(3) Any employee who was on probation, other than for a promotional appointment, at the time the employee was given notice of the assignment of commercial driver functions to the employee's position and written notice of the controlled substances testing requirement and who has a confirmed positive result shall be subject to dismissal pursuant to K.A.R. 1-10-6.

(4) An alcohol test shall be considered "positive" when the alcohol concentration is 0.04 grams of alcohol per 210

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liters of breath or greater. However, if the breath alcohol content is 0.02 grams of alcohol or greater and less than 0.04 grams of alcohol, the employee shall not begin performing safety-sensitive functions until a 24-hour period has elapsed; in accordance with 49 C.F.R. 382.505.

(i) The provisions of paragraphs (h)(1) and (2) relating to a confirmed positive test shall apply if the information obtained from a prior employer under 49 C.F.R., 382.413 indicates that, within the preceding two years, both of the following have occurred:

(1) The employee violated any of the provisions of 49 C.F.R. Part 382, Subpart B.

(2) The employee failed to complete the requirements for returning to work under 49 C.F.R. 382.605, including an evaluation by a substance abuse professional, a return-to-duty alcohol test, controlled substances test, or both, and completion of any rehabilitation or treatment program prescribed by the substance abuse professional.

(j) Any employee who intentionally tampers with a sample provided for alcohol or controlled substances testing, violates chain-of-custody or identification procedures, or falsifies a test result shall be subject to dismissal pursuant to K.S.A. 75-2949f, and amendments thereto.

(k) If disciplinary action is warranted based on the provisions of this regulation, the appointing authority shall afford the employee due process in accordance with K.S.A. 75-2949, and amendments thereto, and K.A.R. 1-10-6.

(l) (1) Individual results and medical information shall be considered confidential and shall not be disclosed publicly. Each employee shall be granted access to the employee's information upon written request to the director, in accordance with 49 C.F.R. 382.405.

(2) (A) Each agency shall be responsible for maintaining strict security and confidentiality of the alcohol and controlled substance testing records in that agency. Access to these records shall be restricted to the following individuals:

(i) The agency personnel officer, the agency appointing authority, the secretary of administration, the director, or any of their respective designees;

(ii) persons in the supervisory chain of command;

(iii) the agency legal counsel; or

(iv) the department of administration legal counsel.

(B) Further access to these records shall not be authorized without the express consent of the director. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-3746 and 75-3707; effective, T-1-1-26-95, Jan. 26, 1995; effective May 30, 1995; amended June 20, 1997; amended Sept. 18, 1998.)

Article 10.—GUIDANCE AND DISCIPLINE

1-10-6. Dismissal, suspension, or demotion. (a) The dismissal, suspension, or demotion of an employee with permanent status on grounds of deficiencies in work performance shall be in accordance with the provisions of K.S.A. 75-2949 and K.S.A. 75-2949e, and amendments thereto. Subject to the provisions of K.S.A. 75-2949e and amendments thereto, two consecutive performance review ratings of less than satisfactory may be utilized as a basis for dismissal, suspension, or demotion of the employee. However, if for good of the service, the appointing authority can show that the employee was adequately

counseled, two unsatisfactory performance reviews shall not be required for dismissal, suspension, or demotion of the employee.

(b) The dismissal, suspension, or demotion of an employee with permanent status on grounds of personal conduct detrimental to the state service shall be in accordance with the provisions of K.S.A. 75-2949 and K.S.A. 75-2949f, and amendments.

(c) An exempt employee shall not be suspended for a period that is less than the employee's workweek of seven consecutive 24-hour periods or multiples of this workweek unless the suspension is in good faith for an infraction of a safety rule of major significance. In the case of a suspension for an infraction of a safety rule of major significance, the agency shall request and receive prior written approval of the director.

(d) When an employee with permanent status appeals a dismissal, suspension, or demotion to the state civil service board, the appeal procedure shall be in accordance with the provisions of K.S.A. 75-2929d, and amendments thereto.

(e) Any probationary employee, other than an employee on probation due to a promotion from a position in which the employee had permanent status, may be dismissed by the appointing authority at any time during the probation period.

(f) Dismissal, suspension, or demotion of any probationary employee on probation due to a promotion from a position in which the employee had permanent status shall be conducted in accordance with K.S.A. 75-2944(b), and amendments thereto.

(g) Any trainee employee, other than a trainee employee with previous permanent status, may be dismissed by the appointing authority at any time during the training period. Dismissal, suspension, or demotion of any trainee employee with previous permanent status shall be in accordance with K.S.A. 75-2944(b), and amendments thereto.

(h) Any temporary employee may be dismissed by the appointing authority at any time. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-2949d and 75-2944; effective, E-82-14, July 1, 1981; effective May 1, 1982; amended Dec. 27, 1993; amended May 3, 1996; amended Sept. 18, 1998.)

Daniel R. Stanley
Secretary of Administration

Doc. No. 022857

State of Kansas

Social and Rehabilitation Services

Permanent Administrative Regulations

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

30-5-70. Payment of medical expenses for eligible recipients. (a) Payment for covered services shall be made only to those providers participating in the pro-

gram pursuant to K.A.R. 30-5-59. The only exceptions shall be pursuant to K.A.R. 30-5-65.

(b) Each program recipient shall be eligible for the payment of specific medical expenses as follows:

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

(2) payment of premiums of health maintenance organizations that are approved by the agency or premiums of group health plans offered by the recipient's employer if the agency has determined that this plan is cost-effective;

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

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

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

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

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

(1) Payment for a particular medical expense shall be denied if it is determined that any one of these conditions is met:

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

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

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

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

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

(F) The service is cosmetic, pioneering, or experimental, or is a result of complications related to these procedures.

(G) The service is related to transplant procedures that are not covered by the medicaid/medikan program.

(H) The service was provided by a provider not designated as a lock-in provider for any recipient who is locked into designated providers due to abuse, unless the provider has a written referral from a designated provider or unless the service was an emergency service.

(I) The service was provided by a provider not designated as the primary care case manager for any recipient who is enrolled in the primary care case manager program, unless the provider has a written referral from the designated provider or unless the service was an emergency service.

(J) The service was covered in a health maintenance organization plan for any recipient enrolled in a health maintenance organization.

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

(L) The service exceeds the limitations defined by the program policies.

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

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

(B) emergency services rendered outside the state;

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

(D) services provided by independent laboratories; and

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

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

(d) Payment for medical services shall be made, at the discretion of the secretary, when it has been determined that an agency administrative error has been made.

(e) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 1997 Supp. 39-708c and K.S.A. 1997 Supp. 39-709; effective May 1, 1981; amended, E-82-11, June 17, 1981; mod-

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ified, L. 1982, ch. 469, May 1, 1982; amended, T-84-8, March 29, 1983; amended May 1, 1983; amended, T-84-9, March 29, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-15, July 1, 1986; amended, T-87-44, Jan. 1, 1987; amended May 1, 1987; amended, T-88-10, May 1, 1987; amended May 1, 1988; amended July 1, 1989; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990; amended, T-30-8-9-91, Aug. 30, 1991; amended Oct. 28, 1991; amended May 1, 1992; amended Nov. 2, 1992; amended May 3, 1993; amended July 19, 1996; amended Oct. 1, 1998.)

30-5-78. Scope of and reimbursement for home- and community-based services for persons with head injury trauma. The scope of home- and community-based services for persons with head injury trauma shall consist of those services provided under the authority of the applicable federally approved model waiver to the Kansas medicaid state plan. (a) Recipients of services provided pursuant to this waiver shall be capable of benefiting from rehabilitation by demonstrating improvement.

(b) Home- and community-based services shall be provided in accordance with a plan of care written by a case manager. Before the development of any plan to provide services, the need for services shall be determined by an individualized assessment of the prospective recipient by a provider enrolled in the program.

(c) Mandatory services shall include the following:

(1) Case management services, up to a maximum of 116 hours per calendar year; and

(2) transitional living skills training, up to a maximum of seven four-hour days per week.

(d) Optional services may include one or more of the following:

(1) Rehabilitation therapies consisting of any of the following:

- (A) Occupational therapy;
- (B) physical therapy;
- (C) speech-language therapy;
- (D) cognitive therapy;
- (E) behavioral therapy; or
- (F) substance abuse therapy;

(2) personal services, with prior authorization by the case manager; or

(3) medical equipment, supplies, and home modification not otherwise covered under the Kansas medicaid state plan, with prior authorization by the case manager.

(e) Reimbursement for home- and community-based services for persons with head injury trauma shall be based upon reasonable fees as related to customary charges, except that no fee shall be paid in excess of the range maximum.

(f) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 1997 Supp. 39-708c; effective, T-30-8-9-91, Aug. 30, 1991; effective Oct. 28, 1991; amended Oct. 1, 1998.)

**Article 63.—DEVELOPMENTAL DISABILITIES—
LICENSING PROVIDERS OF COMMUNITY
SERVICES**

30-63-1. Definitions. (a) Words and phrases used in this article shall have the same meanings as set forth

in K.S.A. 39-1803, and amendments thereto. In addition, the following terms shall have the meaning ascribed to them in this regulation.

(1) "Agent" means any individual utilized by a provider to carry out any activity done by that provider, whether being paid or serving as a volunteer.

(2) "Commissioner" means the commissioner of mental health and developmental disabilities.

(3) "Commission" means the division of mental health and developmental disabilities within the department of social and rehabilitation services.

(4) "Department" means the department of social and rehabilitation services.

(5) "Person" means an individual with a developmental disability.

(6) "Provider" means a community services provider or any other entity required to be licensed pursuant to this article.

(7) "Services" means community services.

(8) "Support network" means the one or more individuals selected by a person or by the person and the person's guardian, if one has been appointed, to provide assistance and guidance to that person in understanding issues, making plans for the future, or making complex decisions.

(b) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 75-3307b and K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-63-10. License required; exceptions. (a) Any individual, group, association, corporation, local government department, or local quasi-government agency providing services to persons 18 years of age or older in need of services greater than those provided in a boarding care home as defined in K.S.A. 39-923(a)(8), and amendments thereto, shall be licensed in accordance with the provisions of this article, except when those services are provided in or by any of the following:

(1) In a medical care facility, as defined and required to be licensed in K.S.A. 65-425, et seq.;

(2) in a nursing facility, nursing facility for mental health, intermediate care facility for the mentally retarded, assisted living facility, or residential health care facility, or in a home plus setting, as defined and required to be licensed in K.S.A. 39-923, et seq.;

(3) by a home health agency, as defined and provided for the licensing of in K.S.A. 65-5101, et seq.; or

(4) in a manner so that the services constitute in-home services, funded under the home- and community-based services/mental retardation waiver, provided in compliance with all of the following conditions:

(A) The services are directed and controlled by an adult receiving services, the parent or parents of a minor child receiving services, or the guardian of an adult receiving services.

(B) The person directing and controlling the services selects, trains, manages, and dismisses the person or persons providing the services, and coordinates payment.

(C) The person directing and controlling the services owns, rents, or leases the whole or a portion of the home in which services are provided.

(D) If any person providing services also lives in the home in which services are provided, there is a written agreement specifying that the person receiving services will not be required to move from the home if there is any change in who provides services, and that any person chosen to provide services will be allowed full and reasonable access to the home in order to provide services.

(E) The person receiving services does not receive services in a home otherwise requiring a license pursuant to these regulations.

(F) Any person providing services is at least 16 years of age, or at least 18 years of age if a sibling of the person receiving services, unless an exception to this requirement has been granted by the commission, based upon the needs of the person receiving services.

(G) Any person providing services receives at least 15 hours of prescribed training, or the person directing and controlling the services has provided written certification to the community developmental disability organization (CDDO) that sufficient training to meet the person's needs has been provided.

(H) The person directing and controlling the services has chosen case management from the CDDO or an agency affiliated with the CDDO. That case management may be limited, at the choice of the person directing and controlling the services, to reviewing the services on a regular basis to ensure the person's needs are met, annual reevaluation of continued eligibility for funding, and development of the person's plan of care.

(I) The person directing and controlling the services cooperates with the CDDO's quality assurance committee and allows review of the services as deemed necessary by the committee to ensure that the person's needs are met. In addition, the person directing and controlling the services cooperates with the commission and allows monitoring of the person's services to ensure that the case manager and the CDDO's quality assurance committee have adequately reviewed and determined that the person's needs are met.

(J) The person directing and controlling the services agrees to both of the following:

(i) If it is determined by the CDDO or the commission that the person receiving services is or may be at risk of imminent harm to the person's health, safety, or welfare, the person directing and controlling the services shall correct the situation promptly.

(ii) If the situation is not so corrected, after notice and an opportunity to appeal, funding for the services shall not continue.

(b) Any license issued pursuant to this article shall be valid only for the provider named on the license. Any substantial change of control or ownership of a corporation previously licensed pursuant to this article shall void that license and shall require a reapplication for licensure.

(c) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 75-3307b and K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-63-13. Compliance reviews; mediation; enforcement actions; emergency orders. (a) At any time deemed necessary by the commissioner, a licensed pro-

vider may be reviewed by the commission to ensure continuing compliance with the requirements of this article.

(b) If a finding indicates that the licensed provider is not in compliance, the provider shall be given by the commissioner a written copy of the finding setting out each specific deficiency and a notice of the provider's right to seek mediation of any dispute regarding the finding.

(c) If the provider disagrees with any finding made by the commission, the provider may request mediation, in writing, within 14 days of receipt of the finding. An independent entity shall be selected by the commissioner and the provider to serve as the mediator, unless the parties are not able to agree upon a mediator, in which case an independent mediator shall be designated by the secretary. The mediator shall assist the parties in attempting to come to an agreement on the following:

- (1) The nature and extent of any noncompliance;
- (2) any course of corrective actions necessary to bring the provider into compliance; and
- (3) a time limit within which the provider shall have to come into compliance.

(d) (1) Written notice may be issued by the commissioner to the provider of a determination of noncompliance under any of the following circumstances.

- (A) The provider does not request mediation.
- (B) Mediation does not resolve the issues.
- (C) The commission finds that the provider has not complied with the requirements of this article by the deadline established in a mediated agreement or a deadline that has been extended by the commissioner for good cause.

(2) If the commissioner issues written notice to the provider of a determination of noncompliance in accordance with paragraph (d)(1), a written plan of correction from the provider shall be required by the commissioner, to be submitted within 14 days of receipt of the notice.

(3) If the commissioner determines that the provider has failed to satisfactorily comply with the plan of correction within 30 days of the date of the plan, or within a deadline that has been extended by the commissioner for good cause, any or all of the following enforcement actions may be imposed:

(A) Civil penalties in an amount not to exceed \$125.00 per day for each violation from the date specified by the commissioner within the notice until the provider comes into compliance. The date specified by the commissioner may be any date from or after 45 days following the date of the commissioner's notice requiring a plan of correction;

(B) an order that the provider shall cease providing specified services and shall make all necessary arrangements to have any person or persons then receiving services transferred to another provider. The order may include provisions requiring the provider to continue the provision of those or other services until the transfer can be accomplished. The order shall remain in effect until the provider comes into compliance;

(C) suspension or revocation of the provider's license as provided for in K.A.R. 30-63-14.

(e) A provider may appeal any enforcement action taken to the administrative appeals section pursuant to article seven of these regulations.

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(f) If the commission additionally finds that the provider's noncompliance creates a situation of imminent danger to the health, safety, or welfare of any person or persons, an emergency order may be issued by the commissioner, making any provisions that the commissioner deems necessary for the immediate protection of the health, safety, or welfare of the person or persons. Written notice of any emergency order shall be given to the provider and shall specify the following:

- (1) The actions that the provider shall take;
- (2) the reason the commissioner has determined an emergency order is needed; and
- (3) notice that the provider will be given an emergency hearing regarding the emergency order by the administrative appeals section pursuant to article seven of these regulations if the provider makes a written request for a hearing within 15 days after receiving the order.

(g) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 75-3307b and K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-63-20. Mandated requirements. (a) In order to be eligible to be licensed as a provider, an applicant shall demonstrate that the applicant either complies with or can and will comply with all of the requirements of this article.

(b) For good cause shown by an applicant, or by any person being served or proposed to be served by that applicant, one or more of the specific requirements of this article may be waived by the commissioner, and some other requirement or requirements that may be proposed by the applicant or person may be substituted by the commissioner, as long as the waiver or substitution would neither jeopardize the health, safety, or well-being of any person or persons served or proposed to be served by the applicant, nor substantially deviate from meeting the intent or purpose of the requirement or requirements being waived.

(c) Attainment of national accreditation by an applicant, or the recommendation of a local quality assurance committee recognized by the commissioner, shall be considered by the commissioner in determining compliance by the applicant with any one or more of the requirements of this article.

(d) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 75-3307b and K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-63-21. Person-centered support planning; implementation. (a) The provider shall prepare a written person-centered support plan for each person served that shall meet these requirements:

(1) Be developed only after consultation with the following:

- (A) The person;
- (B) the person's legal guardian, if one has been appointed; and
- (C) other individuals from the person's support network as the person or the person's guardian chooses;

(2) contain a description of the person's preferred lifestyle, including describing the following:

- (A) In what type of setting the person wants to live;
- (B) with whom the person wants to live;
- (C) what work or other valued activity the person wants to do;

(D) with whom the person wants to socialize; and
(E) in what social, leisure, religious, or other activities the person wants to participate;

(3) list and describe the necessary activities, training, materials, equipment, assistive technology, and services that are needed to assist the person to achieve the person's preferred lifestyle;

(4) describe how opportunities of choice will be provided, including specifying means for the following:

(A) Permitting the person to indicate the person's preferences among options presented to the person, by whatever communication methods that person may possess, including a description of the effective communication methods utilized by the person;

(B) providing the necessary support and training to allow the person to be able to indicate the person's preferences, including a description of any training and support needed to fully participate in the planning process and other choice making; and

(C) assisting the person or the person's guardian to understand the negative consequences of choices the provider knows the person might make and that may involve risk to that person;

(5) describe when it is necessary to do so, to the person and the person's support network, how the preferred lifestyle might be limited because of imminent significant danger to the person's health, safety, or welfare based on an assessment of the following:

(A) The person's history of decision-making, including any previous experience or practice the person has in exercising autonomy, and the person's ability to learn from the natural negative consequences of poor decision-making;

(B) the possible long- and short-term consequences that might result to the person if the person makes a poor decision;

(C) the possible long- and short-term effects that might result to the person if the provider limits or prohibits the person from making a choice; and

(D) the safeguards available to protect the person's safety and rights in each context of choices;

(6) prioritize and structure the delivery of services toward the goal of achieving the person's preferred lifestyle;

(7) contribute to the continuous movement of the person towards the achievement of the person's preferred lifestyle. In evaluating this outcome, the provider may include assessments made by professionals and shall perform either of the following:

(A) Include consideration of the expressed opinions of the person, the person's legal guardian, if one has been appointed, and other individuals from the person's support network; or

(B) account for the following:

(i) The financial limitations of the person and the provider;

(ii) the supports and training needed, offered, and accepted by the person; and

(iii) matters identified in paragraph (a)(5). Next best options may be considered as responsive if the person cannot specifically have what the person prefers due to limitations identified by this methodology; and

(8) be approved, in writing, by the person or the person's guardian, if one has been appointed. Requirements for approval from or consultation with the person's guardian shall be considered to have been complied with if the provider documents that it has taken reasonable measures to obtain this approval or consultation and that the person's guardian has failed to respond.

(b) Whenever two or more providers provide services to the same person, the providers shall work together to prepare a single person-centered support plan. Each provider shall be responsible for the preparation and implementation of any portion of the plan relating to its services. The person, the guardian if one has been appointed, a member of the person's support network, or a provider shall take the lead coordination role in preparation of the plan, and a designation of that person or entity shall be noted in the plan.

(c) The provider shall regularly review and revise the plan, by following the same procedures as set out above, whenever necessary to reflect any of the following:

- (1) Changes in the person's preferred lifestyle;
- (2) achievement of goals or skills outlined within the plan; or
- (3) any determination made according to the methodology provided for in paragraph (a)(7) above that any service being provided is unresponsive.

(d) The provider shall deliver services to the person only in accordance with the person's person-centered support plan.

(e) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 75-3307b and K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-63-22. Individual rights and responsibilities.

(a) A provider shall at all times encourage and assist each person served to understand and exercise the person's individual rights and to assume the responsibilities that accompany these rights.

(b) Each person served shall be guaranteed the same rights afforded to individuals without disabilities. These rights may be limited only by provisions of law or court order, including guardianship, conservatorship, power of attorney or other judicial determination. These rights shall include the following:

- (1) Being free from physical or psychological abuse or neglect, and from financial exploitation;
- (2) having control over the person's own financial resources;
- (3) being able to receive, purchase, have, and use the person's personal property;
- (4) actively and meaningfully making decisions affecting the person's life;
- (5) having privacy;
- (6) being able to associate and communicate publicly or privately with any person or group of people of the person's choice;
- (7) being able to practice the religion or faith of the person's choice;

(8) being free from the inappropriate use of a physical or chemical restraint, medication, or isolation as punishment, for the convenience of a provider or agent, in conflict with a physician's orders or as a substitute for treatment, except when physical restraint is in furtherance of the health and safety of the person;

(9) not being required to work without compensation, except when the person is living and being provided services outside of the home of a member of the person's family, and then only for the purposes of the upkeep of the person's own living space and of common living areas and grounds that the person shares with others;

(10) being treated with dignity and respect;

(11) receiving due process; and

(12) having access to the person's own records, including information about how the person's funding is accessed and utilized, and what services were billed for on the person's behalf.

(c) A provider shall train each agent regarding these rights. In addition, a provider shall offer training at least quarterly regarding these rights and effective ways to exercise them to each person served, to the guardian if one has been appointed, and to the person's parent and other individuals from each person's support network.

(d) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 75-3307b and K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-63-23. Medications; restrictive interventions; behavioral management committee. (a) A provider shall take proactive and remedial actions to ensure appropriate, effective, and informed use of medications and other restrictive interventions to manage behavior or to treat diagnosed mental illness. These actions shall be taken before the provider initiates the use of any medication or other restrictive intervention to manage behavior, unless the needs of the person served clearly dictate otherwise and the provider documents that need. Otherwise, these actions shall be taken promptly following the initiation of, or any change in, the use of any medication or other restrictive intervention to manage behavior or to treat diagnosed mental illness.

(b) These proactive and remedial actions shall include all the following:

(1) Safeguards, which shall include initial and ongoing assessment and responsive modifications that may be needed to ensure and document the following, in consultation with the person, the person's guardian, and the person's support network:

(A) All other potentially effective, less restrictive alternatives have been tried and shown ineffective; or a determination using best professional clinical practice indicates that less restrictive alternatives would not likely be effective;

(B) positive behavior programming, environmental modifications and accommodations, and effective services from the provider are present in the person's life;

(C) voluntary, informed consent has been obtained from the person or the person's guardian if one has been appointed, after a review of the risks, benefits, and side

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effects, as to the use of any restrictive interventions or medications; and

(D) medications are administered only as prescribed, and no "PRN" (provided as needed) medications are utilized without both the express consent of the person or the person's guardian if one has been appointed, and per usage approval from the prescribing physician or another health care professional designated by the person or the person's guardian if one has been appointed;

(2) management, which shall include initial and ongoing assessment and responsive modifications that may be needed to ensure and document the following:

(A)(i) When restrictive intervention or medication is being used to manage specific behaviors, those behaviors are documented as to the frequency and objective severity of occurrence;

(ii) the provider periodically reviews and reports to the person, the person's guardian if one has been appointed, the person's support network, and the physician prescribing any medication to manage behavior, the frequency and objective severity of the specific behaviors, and the effectiveness of the restrictive intervention or medication and any side effects experienced from any medication used to manage specific behaviors, in conjunction with safeguard measures; and

(iii) the provider recommends to the person, the person's guardian if one has been appointed, the person's support network, and the physician prescribing any medication to manage behavior, reducing the use of the restrictive intervention or medication being used to manage specific behaviors, when appropriate, based upon the documented effectiveness of those efforts in conjunction with safeguard measures; or

(B) when medication is used to treat specifically diagnosed mental illness, the medication has been prescribed and is being managed by a psychiatrist who is periodically provided information regarding the effectiveness of and any side effects experienced from the medication. The prescription and management may be by a physician, rather than a psychiatrist, only when requested and agreed to by the person or the person's guardian if one has been appointed, and when based upon the documented need of the person; and

(3) review by a behavior management committee established by the provider, which shall meet these criteria:

(A) Be made up of a selected number of persons served, guardians of persons served, family members of persons served, interested citizens, and providers, at least 1/3 of whom shall be otherwise unassociated with the provider; and

(B) periodically review the use of medications and other restrictive interventions to manage behavior or to treat diagnosed mental illness, to ensure that the provisions of this regulation are met and to report to the provider each instance in which the committee determines that any provision of this regulation has not been met. The provider shall immediately correct any instance of noncompliance reported by the behavior management committee.

(c) Requirements for consent from or consultation with the person's guardian shall be considered to have been complied with if the provider documents that it has taken

reasonable measures to obtain the consent or consultation and that the person's guardian has failed to respond.

(d) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 75-3307b and K.S.A. 1997 Supp. 39-1801, et seq.; effective Aug. 23, 1996; amended Oct. 1, 1998.)

30-63-24. Individual health. (a) A provider shall assist each person served, as necessary, in obtaining the medical and dental services to which the person has access and that may be required to meet the person's specific health care needs, including the following:

(1) Scheduling and receiving preventative examinations and physicals;

(2) practicing for obtaining emergency services;

(3) developing individualized procedures for the administration of medications and other treatments, including training for self-medication or administration; and

(4) obtaining necessary supports, including adaptive equipment, and speech, hearing, physical, or occupational therapies, as appropriate.

(b) Non-licensed personnel shall administer medications and perform nursing tasks or activities in conformance with the provisions of K.S.A. 65-1124, and amendments thereto.

(c) A provider shall train staff who shall be responsible to implement the service provider's written policies and procedures for carrying out medication administration, including the following:

(1) Self-administration by any person;

(2) medication checks and reviews;

(3) emergency medical procedures; and

(4) any other health care task.

(d) Whenever two or more providers provide services to the same person, the providers shall work together to meet the health care needs of the person. The person, the guardian if one has been appointed, a member of the person's support network, or a provider may take the lead coordination role, and a designation of that person or entity shall be noted in the person-centered support plan.

(e) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 75-3307b and K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-63-25. Nutrition assistance. (a) Except when a provider is providing services to a person living in the home of a member of that person's family, the provider shall assist each person served in obtaining daily access to a well-balanced, nutritious diet consistent with the provisions of K.A.R. 30-63-21 regarding opportunities of choice. If a person being served lives in the home of a family member, a provider shall assist that person similarly with any meals provided outside of that home setting.

(b) A provider that serves a person meals shall serve each modified or special diet meal in a form consistent with both the person's needs and desires and any medical directions with regard thereto.

(c) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 75-3307b and K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-63-28. Abuse; neglect; exploitation. (a) Whenever any agent of a provider suspects that abuse, neglect, or exploitation is or has taken place, that agent shall immediately take appropriate action to ensure that any specifically involved person or persons and all others are protected while an investigation is conducted.

(b) Each agent shall exercise any authority that the agent has for the purpose of the prevention of abuse, neglect, or exploitation of each person served.

(c) A provider shall regularly conduct training and take other steps to ensure that any agent, person, parent, guardian, and any other individual from each person's support network is advised about how to contact the appropriate state agency charged with providing adult protective services whenever abuse, neglect, or exploitation is suspected or witnessed.

(d) The provider shall immediately report any incident of suspected abuse, neglect, or exploitation of which the provider has become aware to the appropriate state agency charged with providing adult protective services. Any agent shall immediately report any incident of suspected abuse, neglect, or exploitation, in either manner:

(1) Directly to the appropriate state agency; or

(2) in accordance with the provider's written policy for reporting an incident. A provider shall inform each agent that any report of an incident of suspected abuse, neglect, or exploitation may be made directly or anonymously to the appropriate state agency, shall ensure that each agent has ready access to the phone number for making any report, and shall take no steps to interfere with an agent making any report directly or anonymously.

(e) Each agent shall fully cooperate with any state agency conducting an investigation resulting from a report of abuse, neglect, or exploitation.

(f) A provider shall not employ any individual who is known by a provider to have had a conviction for or a prior employment history of abuse, neglect, or exploitation of children or vulnerable adults.

(g) A provider shall adhere to all laws, regulations, and procedures related to the reporting of, protecting from, and correcting the cause of abuse, neglect, or exploitation.

(h) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 75-3307b and K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-63-30. Physical facilities. (a) A provider shall maintain each site in which services are provided to any person and that is owned, leased, or made available by contract to be operated by a provider, any employee or board member of a provider, or any entity owned or controlled by a provider, a provider's employee or a provider's board member, so that the site shall meet these requirements:

(1) Have appropriate fire and safety equipment that is in good repair and is kept on site and readily accessible;

(2) not have any combustible or flammable materials kept in an unsafe location;

(3) be kept clean and well maintained;

(4) be kept safe and secure;

(5) have furniture and equipment in good repair and working order;

(6) be capable of maintaining a comfortable temperature and adequate ventilation;

(7) have adequate lighting;

(8) be free of insect and rodent infestation;

(9) have main routes of travel that are kept free of obstacles and stored materials;

(10) have appropriate assistive devices and any necessary structural modifications so that the facility meets the needs of persons with physical disabilities;

(11) be sufficiently sized to meet the living space needs of the person or persons residing there as well as the additional space needs of staff working within the premises, specifically including appropriate space or spaces for the following:

(A) Meal preparation;

(B) dining;

(C) sleeping;

(D) bathing, toileting, and hand washing;

(E) recreation and day living; and

(F) storage of personal items; and

(12) meet the needs of each person being served, consistent with the preferred lifestyle of the person or persons; and

(13) be in compliance with all applicable fire and life safety, health, sanitation, and occupancy codes.

(b)(1) A provider shall monitor each facility in which services are provided, but that is not included in subsection (a) above, to determine whether or not the facility meets these requirements:

(A) Is maintained in compliance with all applicable fire and life safety, health, sanitation, and occupancy codes; and

(B) is of sufficient size and is equipped and stocked to permit the provider to provide the necessary services, activities, and training required by the person-centered support plan of any person being served at that site.

(2) If the provider is made aware of circumstances that create a violation of any fire and life safety, health, sanitation, or occupancy code, or that place a person's health, safety, or welfare in imminent danger, or if the provider determines that the facility fails to meet any required standard as specified by any person's person-centered support plan, the provider shall perform the following:

(A) Notify the person's support network of the nature of the deficiency; and

(B) implement any necessary corrective action by appropriate means, including any appropriate revisions to the person's person-centered support plan.

(c) Each facility intended to accommodate eight or more persons or in which eight or more persons are living shall be licensed by the Kansas department of health and environment as a lodging establishment pursuant to K.S.A. 36-501, et seq., and amendments thereto.

(d) A provider shall maintain each facility used for job training or production work in compliance with any applicable occupational health or safety code or regulation, including any provisions applicable to any equipment or machinery located or used within that facility.

(e) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 75-

(continued)

3307b and K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

**ARTICLE 64.—DEVELOPMENTAL DISABILITIES—
COMMUNITY DEVELOPMENTAL DISABILITY
ORGANIZATIONS (CDDOs)**

30-64-12. Application for approval of a proposal to establish a new community developmental disability organization or to realign the service area of one or more existing CDDOs; requirements. (a) Anyone proposing the establishment of a new CDDO, or the realignment of the service area of any existing CDDO, shall apply for approval of the proposal to the commissioner in writing. The application shall include the following:

- (1) A description of the service area or areas to be created;
- (2) a copy of the establishing resolution or resolutions adopted pursuant to K.S.A. 19-4001, and amendments thereto, by the affected board or boards of county commissioners;
- (3) a statement of the problems thought to exist with the current structure of community services for persons with developmental disabilities within that service area or areas and how the new or realigned CDDO or CDDOs will address those problems;
- (4) a description of what specific services the new or realigned CDDO or CDDOs will provide;
- (5) a plan for how any other services needs of the proposed service area will be met;
- (6) a description of the planned structure of governance, organization, staffing, and fiscal management procedures that will be used by the new or realigned CDDO;
- (7) a long-range financial plan detailing how the new or realigned CDDO proposes to finance itself during the initial five-year period;
- (8) a statement of the anticipated fiscal and service impacts that this new or realigned CDDO will have on all other affected service areas of the state;
- (9) an endorsement of the proposal by the governing board or boards and chief executive officer or officers of any affected existing CDDOs, or an explanation of why an endorsement has not or cannot be obtained; and
- (10) written comments received from the public and a summary of public comments made at a public hearing held for the purpose of receiving comments concerning the proposal. The commission shall have been consulted in advance of this public hearing, and approval of the process to be used for obtaining public comments shall have been given by the commission. Any process for obtaining public comments shall contain a method for notifying all existing CDDOs and licensed community service providers that operate in the service area or areas to be affected by the proposal.

(b) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 19-4001 and K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-64-22. Implementation responsibilities of CDDOs. (a) Each contracting CDDO shall perform the following:

- (1) Implement the approved service area procedures provided for in K.A.R. 30-64-21;
- (2) collect and report to the secretary, in a manner specified by the commission, all information requested by the commission including the following:
 - (A) Information required by the basic assessment and services information system (BASIS);
 - (B) copies of the plans of care detailing home- and community-based services to be provided to persons served by that program;
 - (C) copies of independent financial audits obtained by the CDDO, as well as any management letters generated as a result of the audits; and
 - (D) any other information or records the CDDO has that the commission needs in order to monitor how services are provided in the CDDO's service area;
- (3) organize a council of community members as provided for in K.A.R. 30-64-31;
- (4) organize a local committee on quality assurance as provided for in K.A.R. 30-64-27;
- (5) ensure that all services are provided in a manner that meets these requirements:
 - (A) Provides to all persons equal access to services, including to persons currently residing in any ICF/MR or institution but referred to the CDDO for possible services;
 - (B) provides that each person receiving or applying for community services, and that person's guardian if one has been appointed, receives information at least annually, communicated in a format appropriate for the person to understand, regarding the following:
 - (i) The types of community services available in the person's service area and information concerning the providers of those services; and
 - (ii) the rights of persons served pursuant to the developmental disabilities reform act and implementing regulations, the content of which shall be approved by the commission;
 - (C) enables a person or the person's guardian, if one has been appointed, to choose the person's community service provider; and
 - (D) promotes the efficient delivery of services within the service area; and
- (6) ensure that each community service provider entering into an affiliating agreement with the CDDO and operating within the CDDO's service area abides by the procedures applicable to that service area as established by the CDDO pursuant to K.A.R. 30-64-21. In meeting this requirement, the CDDO may establish a procedure that would allow the CDDO to refuse to enter into an affiliating agreement with any community service provider under any of these circumstances:
 - (A) If the provider refuses to accept a reimbursement rate for services to be provided which is at least equal to that established by the secretary to apply to the CDDO;
 - (B) if the provider has established a pattern of failing or refusing to abide by the service area procedures established by the CDDO pursuant to K.A.R. 30-64-21; or
 - (C) if the CDDO demonstrates to the satisfaction of the secretary that being required to enter into the affiliating agreement would seriously jeopardize the CDDO's ability to fulfill its responsibilities either under these regulations or pursuant to its contract with the secretary.

(b) The effective date of this regulation shall be on and after October 1, 1998. (Authorized by and implementing K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-64-23. Single point of application, determination, and referral. (a) Each contracting CDDO shall develop and implement a means by which the CDDO shall become the single point of application, eligibility determination, and referral for persons desiring to receive community services within the service area of that CDDO. Procedures shall be established for the following:

(1) Distributing, completing, accepting, and processing the uniform statewide application for community services, as published by the commission;

(2) determining if the applicant meets the definitional criteria to be considered a person with a developmental disability as defined in K.S.A. 39-1803, and amendments thereto;

(3) informing a person of the types and availability of community services provided within the service area and of the licensed providers and community service providers who have requested that their names be provided, existing within the service area and how the licensed providers may be contacted;

(4) assisting a person in deciding which community services the person may wish to obtain or would accept within the next year from the date of the person's application;

(5) assisting a person in accessing the community services of the person's choice; and

(6) maintaining a list of persons who have made application to the CDDO for community services and have been determined eligible, and allowing access to the names of those persons who have not requested that their names be kept confidential by the community service providers in the service area who have entered into affiliation agreements with the CDDO.

(b) Each contracting CDDO shall require any employees or agents of the CDDO who perform the functions of eligibility determination to be trained as prescribed by the commissioner.

(c) Each contracting CDDO shall require any employees or agents of the CDDO who perform the functions of processing applications for service or referral of persons for service to complete a training program that meets these criteria:

(1) Is developed by the CDDO and approved by the CDDO council of community members;

(2) includes topics regarding the following:

(A) Types of community services available in the service area and information concerning the providers of those services; and

(B) potential referral contacts for persons who are determined not to be eligible for services; and

(3) is offered in a manner and frequency to ensure that employees or agents of the CDDO who perform the duties required by subsection (a) are competent.

(d) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-64-24. Case management. (a) Each contracting CDDO shall develop and implement a means by which case management shall be provided to each person receiving services and requesting case management. A person choosing case management may select that service from the person's CDDO or any affiliate. Case management shall assist the person and the person's support network to identify, select, obtain, coordinate, and use both paid services and natural supports that may be available to enhance the person's independence, integration, and productivity consistent with the person's capabilities and preferences as outlined in the person's person-centered support plan. Case management shall include the following:

(1) Assessment, including an ongoing process for the determination of a person's preferred lifestyle, the person's current and potential strengths, and the resources that are available to the person, through both formal and informal evaluation methods;

(2) support planning, with the participation of the person's support network, including the development, updating, and reviewing of the person's person-centered support plan, based upon assessment information, and assistance to the person in being knowledgeable about the types and availability of community services and support options, in receiving information regarding the rights of persons served pursuant to the developmental disabilities reform act and implementing regulations, the content of which shall be approved by the commission, and in obtaining the community services and supports of the person's choice;

(3) support coordination, including arranging for and securing supports outlined in the person's person-centered support plan, and the development of natural community support systems;

(4) advocacy, including pursuing means for gaining access to needed services and entitlements, and seeking modification of service systems when necessary to increase the accessibility to those systems by the person; and

(5) assisting transition and portability, including the planning of and arranging for services to follow the person when the person moves between any of the following:

(A) From school to the adult world;

(B) from an institution to community alternatives;

(C) from one kind of service setting to another kind of service setting;

(D) from one provider to another provider; or

(E) from one service area to another service area.

(b)(1) Case management shall be provided by case managers who shall meet these requirements:

(A) Be selected to provide case management by the person being served, or by the person's guardian, if one has been appointed;

(B) not provide any other direct service to any person except case management;

(C) not be supervised by anyone responsible for the provision or supervision of direct services to any person; and

(D) have the following:

(continued)

(i) A minimum of six months' experience in the field of developmental disabilities services; and

(ii) a bachelor's degree or additional experience in the field, which may be substituted for the degree at the rate of six months of experience for each semester.

(2) In addition to the requirements in (b)(1), each case manager shall meet these requirements:

(A) Complete a training program that is developed by the provider providing the case management services described to the CDDO council of community members and approved by the CDDO, and specifies the following:

(i) The content of training;

(ii) the manner in which and frequency with which training is delivered;

(iii) the way in which competency will be determined and demonstrated to the CDDO;

(iv) information regarding the various paid services and natural supports that enhance a person's independence, integration and productivity, consistent with the person's person-centered support plan;

(v) information regarding health and safety, including behavior management practices; abuse, neglect, and exploitation prevention and response; and individual rights and responsibilities; and

(vi) any information specified by the commissioner.

(3) Each case manager providing case management shall carry a caseload of not more than 25 persons. If a provider hires more than one case manager, then the total number of the cases carried by all of the provider's case managers shall average to not more than 25 persons per case manager.

(c) The CDDO shall develop and implement procedures to impose consequences for failure to adequately perform case management duties, or failure to comply with any of the requirements of this regulation.

(d) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-64-25. Uniform access to services. (a) Each contracting CDDO shall implement a plan, developed in coordination with the CDDO's affiliates, that results in services being offered and provided in a way that does not discriminate against any person because of the severity of each person's disability.

(1) The plan may require all community service providers to serve all persons regardless of the severity of each person's disability.

(2) The plan may allow individual community service providers to specialize in services, if all persons are offered appropriate services without regard to the severity of each person's disability.

(b) The plan shall not require any community service provider to accept more persons than the community service provider can effectively serve. If all community service providers are at their maximum capacity, the CDDO shall, pursuant to K.S.A. 39-1805(b), assist in establishing new community service providers.

(c) Notwithstanding these provisions, any CDDO that contracts with its affiliates and by mutual agreement provides its affiliates with financial consideration in excess

of that required to be provided by the commission may require its affiliates to develop and make available appropriate services for any eligible person.

(d) Notwithstanding these provisions, a CDDO may refuse to serve a person who is determined by the secretary to be inappropriate for community services because the person presents a clear and present danger to self or to the community.

(e) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-64-27. Quality assurance. (a) Each contracting CDDO shall ensure the quality of the services being provided to persons being served by the CDDO or by an affiliate. Ensuring quality shall include providing for on-site monitoring by a local committee made up of persons served, their families, guardians, interested citizens, and providers. The type and intensity of on-site review shall be determined by the local committee and shall include at least a determination of all of the following:

(1) Services that are paid for are delivered.

(2) Services that are delivered are paid for in accordance with the terms of any agreement or contract in force, including any payment requirement that the person being served or a third party acting on behalf of the person being served has the responsibility to meet.

(3) Services are being provided in a manner meeting applicable requirements provided for in article 63.

(4) The CDDO or affiliate is affording the person being served all of the person's legally protected rights.

(5) The CDDO or affiliate meets both of these requirements:

(A) Is reporting any suspicions of abuse, neglect, or exploitation to the appropriate state agency; and

(B) has corrected or is actively in the process of correcting the cause of any confirmed violation.

(b) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-64-28. Continuity and portability of services. (a) Each contracting CDDO shall ensure both of the following:

(1) That each person who has applied for, accepted, and begun receiving community services continues to receive services consistent with the person's person-centered support plan, as long as state or federal funding support for those services continues, or until the person or the person's legal guardian, if one has been appointed, requests that services be discontinued; and

(2) that if the person moves from one service area to another and wants to continue receiving community services, the level of state and federal financial support utilized to provide services and supports for that person is transferred to the person's new service area.

(b) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-64-29. Gatekeeping. (a) Each request for admission to an ICF/MR or state institution shall be submitted to the CDDO responsible for the county in which the person is currently residing. The CDDO shall implement a procedure to review each request for admission to an ICF/MR or state institution. The procedure shall result in the following:

(1) Determining whether or not the person requesting admission has a developmental disability and is eligible for ICF/MR services using procedures and standards specified by the commission;

(2) determining if ICF/MR placement is consistent with the person's preferred lifestyle as determined consistent with K.A.R. 30-63-21;

(3) informing the person, the person's family, and the person's guardian if one has been appointed, of all services or supports that are available or could be made available within 90 days in or near the person's home county, and of the person's rights pursuant to the developmental disabilities reform act and implementing regulations, the content of which shall be approved by the commission;

(4) offering to provide or arranging to provide these services or supports; and

(5) providing the commission with the results of items stipulated in (a)(1) through (a)(4) of this subsection for each person who requests admission to an ICF/MR or state institution, using forms specified by the commission, within 15 days of receiving information necessary to determine eligibility and preferred lifestyle.

(b) As described in this subsection, the CDDO shall implement a procedure to, at least annually, review the persons living in ICFs/MR and state institutions. The procedure shall result in all of the following:

(1) The CDDO whose service area includes the county in which the ICF/MR or state institution is located meets these requirements:

(A) Collecting information about the persons living in ICFs/MR and state institutions and submitting this data to the commission using standards, forms, and procedures specified by the commission; and

(B) making a determination regarding what the person's home county is and providing the CDDO whose service area includes the person's home county of the person's name and address, and the name and address of the person's family and guardian, if one has been appointed.

(2) The CDDO whose service area includes the person's home county informs the person, the person's family, and the person's guardian, if one has been appointed, of all services or supports that are available or could be made available in or near the person's home county, and of the person's rights pursuant to the developmental disabilities reform act and implementing regulations, the content of which shall be approved by the commission.

(3) The CDDO whose service area includes the person's home county provides or arranges to provide these services or supports if the person or the person's guardian, if one has been appointed, chooses them.

(c) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-64-31. Council of community members. (a) A council of community members organized pursuant to K.A.R. 30-64-22(a)(3) shall meet these criteria:

(1) Consist of a selected number of individuals, a majority of whom shall be made up of representatives from each of the following two categories:

(A) Persons with a developmental disability; and

(B) family members or guardians of a person with a developmental disability;

(2) include representatives from the following:

(A) The CDDO; and

(B) affiliates of the CDDO;

(3) not have served more than two consecutive three-year terms as members of the council;

(4) have the right to express opinions and make suggestions and recommendations to the governing board of the CDDO concerning any services issue, including the following:

(A) The types of services being offered by the various providers within the service area; and

(B) the manner in which those services are being provided;

(5) be responsible for the development and implementation of the dispute resolution procedures required by the provisions of K.A.R. 30-64-32; and

(6) meet at least quarterly and at other times as necessary to fulfill the council's responsibilities for dispute resolution pursuant to the provisions of K.A.R. 30-64-32.

(b) For purposes of initial organization of the council, the CDDO shall appoint each member to the council. Thereafter, the selection of successor members of the council shall be determined pursuant to the bylaws or procedures agreed to and adopted by the council. Those bylaws or procedures shall stipulate a process whereby consumer, family member, or guardian council members are chosen by an election by consumers, family members, and guardians following nominations by individuals residing in the service area.

(c) In order for a quorum to exist at any meeting of the council, at least 51 percent of those council members present and qualified to vote shall meet the provisions of both paragraphs (1) and (2) below:

(1) Be any of the following:

(A) Persons being served;

(B) family members of persons being served; or

(C) legal guardians of persons being served; and

(2) not also be either of the following:

(A) An employee or paid consultant to any provider or CDDO; or

(B) a member of the board of directors of any provider or CDDO.

(d) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

30-64-32. Dispute resolution. (a) Each contracting CDDO shall implement the dispute resolution procedures as developed by the council of community members pursuant to the provisions of K.A.R. 30-64-31(a)(3) and this regulation.

(continued)

(b) The procedures shall allow for persons being served by the CDDO, or by an affiliate of the CDDO, a means for resolving disputes that may arise between the following:

- (1)(A) The person;
(B) the person's legal guardian, if one has been appointed; or
(C) other individuals from the person's support network; and
(2)(A) The CDDO;
(B) an affiliate; or
(C) any other component of the community services system.

(c) These procedures shall provide a means for resolving a dispute between any community service providers.

(d) The procedures shall provide for either of the following:

- (1)(A) Opportunity for the intervention into the dispute by a mediator who has no decision-making authority and is impartial to the issues being discussed; and

(B) a mechanism whereby any fees charged by the mediator can be shared equally between the parties to the mediation, but with a provision that a person shall not be denied mediation services solely because of an inability to pay the applicable fee; or

(2) a process that affords a person an avenue of appeal meeting these criteria:

- (A) Initially internal to the provider; and
(B) subsequently external to the provider.

(e) This regulation shall take effect on and after October 1, 1998. (Authorized by and implementing K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

Rochelle Chronister
Secretary of Social and
Rehabilitation Services

Doc. No. 022842

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

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 1-2-8 to 1-63-2.

AGENCY 4: DEPARTMENT OF AGRICULTURE

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 4-7-213 to 4-17-1c.

AGENCY 7: SECRETARY OF STATE

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 7-19-1 to 7-19-7.

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 9-2-1 to 9-30-3.

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 10-20-2 to 10-20-4.

AGENCY 16: ATTORNEY GENERAL

Table with 3 columns: Reg. No., Action, Register. Lists regulation 16-9-1.

AGENCY 17: STATE BANKING DEPARTMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulation 17-22-1.

AGENCY 25: DEPARTMENT OF AGRICULTURE (KANSAS STATE GRAIN INSPECTION)

Table with 3 columns: Reg. No., Action, Register. Lists regulation 25-5-1.

AGENCY 26: DEPARTMENT ON AGING

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 26-1-7 to 26-10-1.

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 28-1-2 to 28-4-553.

28-4-554 Revoked V. 16, p. 1248
 28-4-555 Revoked V. 16, p. 1248
 28-4-556 Amended V. 16, p. 1248
 28-4-557 through
 28-4-563 Revoked V. 16, p. 1249
 28-4-565 Amended V. 16, p. 1249
 28-4-566 Revoked V. 16, p. 1249
 28-4-567 Revoked V. 16, p. 1249
 28-4-569 Amended V. 16, p. 1249
 28-4-570 Revoked V. 16, p. 1250
 28-4-571 Revoked V. 16, p. 1250
 28-4-572 Revoked V. 16, p. 1250
 28-5-2 Amended V. 16, p. 1355
 28-5-6 Amended V. 16, p. 1355
 28-5-7 Amended V. 16, p. 1355
 28-5-9 Amended V. 16, p. 1355
 28-4-525 through
 28-4-529 Revoked V. 17, p. 1149
 28-15-50 through
 28-15-65 New V. 16, p. 1596-1599
 28-19-7 Revoked V. 16, p. 1599
 28-19-16a Amended V. 16, p. 1599
 28-19-70 Amended V. 17, p. 588
 28-19-79 New V. 16, p. 584
 28-19-200 New V. 16, p. 1601
 28-19-201 New V. 16, p. 1605
 28-19-202 Amended V. 17, p. 122
 28-19-517 Amended V. 17, p. 144
 28-19-546 Amended V. 17, p. 144
 28-19-561 Amended V. 17, p. 144
 28-19-562 Amended V. 17, p. 145
 28-19-563 Amended V. 17, p. 146
 28-19-564 New V. 17, p. 589
 28-19-720 Amended V. 16, p. 823
 28-19-721 through
 28-19-727 New V. 16, p. 1773, 1774
 28-19-735 Amended V. 16, p. 823
 28-19-750 Amended V. 16, p. 823
 28-24-2 Amended V. 16, p. 2024
 28-24-4 Amended V. 16, p. 2024
 28-24-10 Amended V. 16, p. 2024
 28-24-13 Amended V. 16, p. 2024
 28-24-14 Amended V. 16, p. 2024
 28-29-12 Amended V. 17, p. 1026
 28-29-27 Amended V. 17, p. 1026
 28-29-28 Amended V. 16, p. 1427
 28-29-28a New V. 16, p. 1427
 28-29-29 Amended V. 16, p. 1427
 28-29-29a New V. 16, p. 1428
 28-29-30 Amended V. 16, p. 1428
 28-29-31 Amended V. 16, p. 1429
 28-29-32 Amended V. 16, p. 1431
 28-29-33 Amended V. 16, p. 1431
 28-29-34 through
 28-29-36 Revoked V. 16, p. 1432
 28-29-98 Amended V. 17, p. 1097
 28-29-98 Amended V. 17, p. 1087
 28-29-108 Amended V. 17, p. 1027
 28-29-109 New V. 17, p. 1031
 28-31-10a Amended V. 16, p. 1048
 28-33-12 Amended V. 16, p. 1608
 28-39-144 Amended V. 16, p. 177
 28-39-145 Amended V. 16, p. 179
 28-39-146 Amended V. 16, p. 181
 28-39-147 Amended V. 16, p. 181
 28-39-148 Amended V. 16, p. 182
 28-39-149 Amended V. 16, p. 183
 28-39-150 Amended V. 16, p. 184
 28-39-151 Amended V. 16, p. 184
 28-39-152 Amended V. 16, p. 185
 28-39-153 Amended V. 16, p. 187
 28-39-154 Amended V. 16, p. 187
 28-39-155 Amended V. 16, p. 188
 28-39-156 Amended V. 16, p. 188
 28-39-157 Amended V. 16, p. 189
 28-39-158 Amended V. 16, p. 190
 28-39-159 Amended V. 16, p. 192
 28-39-160 Amended V. 16, p. 192
 28-39-161 Amended V. 16, p. 192
 28-39-162 Amended V. 16, p. 193
 28-39-162a Amended V. 16, p. 194
 28-39-162b Amended V. 16, p. 199
 28-39-162c Amended V. 16, p. 200
 28-39-163 Amended V. 16, p. 204
 28-39-240 through
 28-39-256 New V. 16, p. 206-213

28-52-2 New V. 17, p. 168
 28-52-3 New V. 17, p. 168
 28-52-4 New V. 17, p. 168
 28-68-3 Amended V. 17, p. 547
 28-70-1 New V. 17, p. 168
 28-70-2 New V. 17, p. 168
 28-70-3 New V. 17, p. 169
 28-71-1 through
 28-71-12 New V. 17, p. 959-964

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-2-17	New	V. 16, p. 1174, 1553
30-4-34	Amended	V. 16, p. 251
30-4-35	Amended	V. 16, p. 1001
30-4-35w	Revoked	V. 16, p. 251
30-4-39	Amended	V. 17, p. 932
30-4-40	Amended	V. 16, p. 1513
30-4-41	Amended	V. 16, p. 251
30-4-41w	Revoked	V. 16, p. 252
30-4-50	Amended	V. 17, p. 933
30-4-50w	Revoked	V. 16, p. 252
30-4-52	Amended	V. 17, p. 933
30-4-52w	Revoked	V. 16, p. 252
30-4-53	Revoked	V. 16, p. 252
30-4-53w	Revoked	V. 16, p. 252
30-4-54	Amended	V. 17, p. 933
30-4-54w	Revoked	V. 16, p. 252
30-4-55	Amended	V. 17, p. 934
30-4-55w	Revoked	V. 16, p. 253
30-4-58	Revoked	V. 16, p. 253
30-4-58w	Revoked	V. 16, p. 253
30-4-59	Amended	V. 16, p. 253
30-4-59w	Revoked	V. 16, p. 253
30-4-60w	Revoked	V. 16, p. 253
30-4-61	Amended	V. 16, p. 253
30-4-61w	Revoked	V. 16, p. 253
30-4-63	Revoked	V. 16, p. 253
30-4-63w	Revoked	V. 16, p. 254
30-4-64	Amended	V. 17, p. 934
30-4-64w	Revoked	V. 16, p. 255
30-4-65w	Revoked	V. 16, p. 255
30-4-70	Amended	V. 17, p. 935
30-4-70w	Revoked	V. 16, p. 256
30-4-71	Revoked	V. 16, p. 256
30-4-71w	Revoked	V. 16, p. 256
30-4-72	Revoked	V. 16, p. 256
30-4-72w	Revoked	V. 16, p. 256
30-4-73	Revoked	V. 16, p. 256
30-4-74	Revoked	V. 16, p. 256
30-4-74w	Revoked	V. 16, p. 256
30-4-78	Revoked	V. 16, p. 256
30-4-80	Amended	V. 16, p. 256
30-4-85a	Revoked	V. 16, p. 256
30-4-90	Amended	V. 16, p. 1514
30-4-90w	Revoked	V. 16, p. 259
30-4-95	Amended	V. 16, p. 259
30-4-96	Amended	V. 16, p. 1517
30-4-100	Amended	V. 16, p. 260
30-4-100w	Revoked	V. 16, p. 260
30-4-101	Amended	V. 16, p. 260
30-4-102	Amended	V. 16, p. 261
30-4-105	Revoked	V. 16, p. 261
30-4-105w	Revoked	V. 16, p. 261
30-4-106	Amended	V. 16, p. 1517
30-4-106w	Revoked	V. 16, p. 262
30-4-107	Amended	V. 16, p. 1518
30-4-108	Amended	V. 16, p. 262
30-4-109	Amended	V. 16, p. 1518
30-4-109w	Revoked	V. 16, p. 263
30-4-110	Amended	V. 17, p. 936
30-4-110w	Revoked	V. 16, p. 264
30-4-111	Amended	V. 17, p. 937
30-4-111w	Revoked	V. 16, p. 265
30-4-112	Amended	V. 16, p. 1518
30-4-112w	Revoked	V. 16, p. 265
30-4-113	Amended	V. 16, p. 1519
30-4-113w	Revoked	V. 16, p. 266
30-4-120	Amended	V. 16, p. 266
30-4-120w	Revoked	V. 16, p. 266
30-4-122a	Revoked	V. 16, p. 266
30-4-130	Amended	V. 16, p. 266
30-4-130w	Revoked	V. 16, p. 268
30-4-140	Amended	V. 17, p. 938
30-4-140w	Revoked	V. 16, p. 268
30-5-58	Amended	V. 16, p. 1003
30-5-64	Amended	V. 16, p. 1008
30-5-80	Revoked	V. 16, p. 1010

30-5-88	Amended	V. 17, p. 938
30-5-94	Amended	V. 16, p. 1520
30-5-101	Amended	V. 16, p. 1010
30-5-107	Amended	V. 16, p. 1520
30-5-109	Amended	V. 16, p. 1010
30-5-118a	Amended	V. 16, p. 1010
30-5-300	Amended	V. 17, p. 300
30-5-307	Amended	V. 16, p. 1016
30-5-309	New	V. 16, p. 1016
30-5-310	New	V. 17, p. 302
30-6-34	Amended	V. 16, p. 268
30-6-35	Amended	V. 16, p. 1017
30-6-35w	Revoked	V. 16, p. 268
30-6-41	Amended	V. 16, p. 268
30-6-41w	Revoked	V. 16, p. 269
30-6-50w	Revoked	V. 16, p. 269
30-6-52	Amended	V. 17, p. 939
30-6-52w	Revoked	V. 16, p. 269
30-6-53w	Revoked	V. 16, p. 269
30-6-54	Amended	V. 17, p. 940
30-6-54w	Revoked	V. 16, p. 270
30-6-55	Amended	V. 16, p. 270
30-6-55w	Revoked	V. 16, p. 270
30-6-56w	Revoked	V. 16, p. 270
30-6-59	Amended	V. 16, p. 270
30-6-59w	Revoked	V. 16, p. 270
30-6-60w	Revoked	V. 16, p. 270
30-6-65	Amended	V. 17, p. 940
30-6-65w	Revoked	V. 16, p. 271
30-6-70	Amended	V. 17, p. 941
30-6-70w	Revoked	V. 16, p. 271
30-6-72	Revoked	V. 16, p. 271
30-6-72w	Revoked	V. 16, p. 271
30-6-73	Revoked	V. 16, p. 271
30-6-77	Amended	V. 16, p. 1521
30-6-77w	Revoked	V. 16, p. 272
30-6-78w	Revoked	V. 16, p. 272
30-6-79	Revoked	V. 16, p. 272
30-6-81w	Revoked	V. 16, p. 272
30-6-82	Amended	V. 16, p. 1522
30-6-82w	Revoked	V. 16, p. 272
30-6-85w	Revoked	V. 16, p. 272
30-6-86w	Revoked	V. 16, p. 272
30-6-87w	Revoked	V. 16, p. 272
30-6-94w	Revoked	V. 16, p. 272
30-6-103	Amended	V. 17, p. 941
30-6-103w	Revoked	V. 16, p. 272
30-6-105	Revoked	V. 16, p. 272
30-6-105w	Revoked	V. 16, p. 272
30-6-106	Amended	V. 16, p. 1522
30-6-106w	Revoked	V. 16, p. 274
30-6-107w	Revoked	V. 16, p. 274
30-6-108	Amended	V. 16, p. 274
30-6-109	Amended	V. 16, p. 1524
30-6-109w	Revoked	V. 16, p. 276
30-6-110	Amended	V. 16, p. 276
30-6-110w	Revoked	V. 16, p. 277
30-6-111	Amended	V. 17, p. 942
30-6-111w	Revoked	V. 16, p. 278
30-6-112	Amended	V. 17, p. 943
30-6-112w	Revoked	V. 16, p. 278
30-6-113	Amended	V. 16, p. 1527
30-6-113w	Revoked	V. 16, p. 279
30-6-140	Amended	V. 16, p. 279
30-6-150w	Revoked	V. 16, p. 280
30-7-65	Amended	V. 16, p. 280
30-7-100	Amended	V. 16, p. 280
30-10-2	Amended	V. 17, p. 944
30-10-14	Amended	V. 17, p. 1168
30-10-209	Amended	V. 17, p. 1168
30-26-1	Revoked	V. 16, p. 899
30-26-1a	New	V. 16, p. 899
30-26-2	Revoked	V. 16, p. 899
30-26-4	Revoked	V. 16, p. 899
30-26-7	Revoked	V. 16, p. 899
30-46-10	Amended	V. 16, p. 1553

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-1-1	Revoked	V. 16, p. 1250
36-1-1a	Revoked	V. 16, p. 1251
36-1-2	Revoked	V. 16, p. 1251
36-1-3	Revoked	V. 16, p. 1251
36-1-8	Revoked	V. 16, p. 1251
36-1-9	Revoked	V. 16, p. 1251
36-1-10	Revoked	V. 16, p. 1251
36-1-26	Revoked	V. 16, p. 1251

(continued)

36-1-27	Revoked	V. 16, p. 1251
36-1-35 through 36-1-38	New	V. 16, p. 1251-1255
36-35-1	Revoked	V. 16, p. 1256
36-39-1	Amended	V. 16, p. 1078
36-39-2	Amended	V. 16, p. 1078
36-39-3	Amended	V. 16, p. 1078
36-39-6	Amended	V. 16, p. 1080

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-19	Amended	V. 16, p. 685
40-1-45	New	V. 17, p. 1211
40-2-21	Revoked	V. 16, p. 972
40-2-24	New	V. 16, p. 482
40-2-25	New	V. 16, p. 1988
40-2-26	New	V. 16, p. 1988
40-3-5	Amended	V. 16, p. 686
40-3-26	Amended	V. 16, p. 686
40-3-27	Amended	V. 16, p. 686
40-3-49	Amended	V. 16, p. 686
40-4-36	Amended	V. 17, p. 689
40-4-41c	Amended	V. 16, p. 686
40-7-20a	Amended	V. 16, p. 483
40-7-21	Amended	V. 16, p. 484
40-8-7	Amended	V. 16, p. 687
40-9-118	Amended	V. 17, p. 1033
40-10-2	Amended	V. 16, p. 1626
40-10-10	Amended	V. 16, p. 1626

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-12-601	Amended	V. 17, p. 424

AGENCY 45: KANSAS PAROLE BOARD

Reg. No.	Action	Register
45-9-2	Amended	V. 17, p. 143

AGENCY 47: DEPARTMENT OF HEALTH AND ENVIRONMENT (MINED-LAND CONSERVATION AND RECLAMATION)

Reg. No.	Action	Register
47-1-1	Revoked	V. 16, p. 585
47-1-3	Amended	V. 16, p. 585
47-1-4	Revoked	V. 16, p. 585
47-1-8	Amended	V. 16, p. 585
47-1-9	Amended	V. 16, p. 586
47-1-10	Revoked	V. 16, p. 586
47-1-11	Amended	V. 16, p. 586
47-2-14	Revoked	V. 16, p. 586
47-2-21	Amended	V. 16, p. 586
47-2-53	Amended	V. 17, p. 1108
47-2-53a	Amended	V. 16, p. 586
47-2-58	Amended	V. 16, p. 586
47-2-64	Amended	V. 16, p. 586
47-2-67	Amended	V. 16, p. 587
47-2-74	Amended	V. 16, p. 587
47-2-75	Amended	V. 17, p. 1108
47-3-1	Amended	V. 16, p. 587
47-3-2	Amended	V. 16, p. 588
47-3-3a	Amended	V. 16, p. 588
47-3-42	Amended	V. 17, p. 1109
47-4-14a	Amended	V. 16, p. 590
47-4-15	Amended	V. 16, p. 595
47-4-16	Amended	V. 16, p. 598
47-4-17	Amended	V. 16, p. 598
47-5-5a	Amended	V. 17, p. 1110
47-5-16	Amended	V. 16, p. 601
47-6-1	Amended	V. 16, p. 601
47-6-2	Amended	V. 16, p. 601
47-6-3	Amended	V. 16, p. 601
47-6-4	Amended	V. 17, p. 1112
47-6-6	Amended	V. 17, p. 1112
47-6-7	Amended	V. 16, p. 602
47-6-8	Amended	V. 17, p. 1113
47-6-9	Amended	V. 16, p. 603
47-6-10	Amended	V. 16, p. 603
47-7-2	Amended	V. 17, p. 1113
47-8-9	Amended	V. 17, p. 1113
47-8-11	Amended	V. 16, p. 604
47-9-1	Amended	V. 17, p. 1114
47-9-2	Amended	V. 16, p. 607
47-9-4	Amended	V. 16, p. 607
47-10-1	Amended	V. 16, p. 608
47-11-8	Amended	V. 16, p. 608
47-12-4	Amended	V. 16, p. 608

47-13-4	Amended	V. 16, p. 609
47-13-5	Amended	V. 16, p. 609
47-13-6	Amended	V. 16, p. 610
47-14-7	Amended	V. 16, p. 610
47-15-1a	Amended	V. 16, p. 610
47-15-3	Amended	V. 16, p. 611
47-15-4	Amended	V. 16, p. 611
47-15-7	Amended	V. 16, p. 611
47-15-8	Amended	V. 16, p. 611
47-15-15	Amended	V. 16, p. 612
47-15-17	Amended	V. 16, p. 612
47-16-1 through 47-16-8	Amended	V. 16, p. 612-614
47-16-6	Amended	V. 17, p. 1117
47-16-9	Amended	V. 17, p. 1117
47-16-10	Amended	V. 17, p. 1117
47-16-11	Amended	V. 17, p. 1117

AGENCY 48: DEPARTMENT OF HUMAN RESOURCES—EMPLOYMENT SECURITY BOARD OF REVIEW

Reg. No.	Action	Register
48-1-4	Amended	V. 17, p. 628

AGENCY 49: DEPARTMENT OF HUMAN RESOURCES

Reg. No.	Action	Register
49-49-1	Amended	V. 16, p. 1120

AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-2-25a through 50-2-25e	New	V. 16, p. 1047

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

Reg. No.	Action	Register
51-1-22	Revoked	V. 17, p. 628
51-2-4	Amended	V. 17, p. 628
51-2-5	Amended	V. 17, p. 629
51-3-1	Amended	V. 17, p. 629
51-3-5	Amended	V. 17, p. 629
51-3-5a	Amended	V. 17, p. 629
51-3-6	Amended	V. 17, p. 630
51-3-8	Amended	V. 17, p. 630
51-3-17	Revoked	V. 17, p. 631
51-4-1	Revoked	V. 17, p. 631
51-7-5	Revoked	V. 17, p. 631
51-7-6	Revoked	V. 17, p. 631
51-7-8	Amended	V. 17, p. 631
51-8-2 through 51-8-7	Revoked	V. 17, p. 631
51-8-9	Revoked	V. 17, p. 631
51-8-10	Revoked	V. 17, p. 631
51-9-5	Amended	V. 17, p. 632
51-9-7	Amended	V. 16, p. 1329
51-9-10	Amended	V. 17, p. 632
51-9-11	Amended	V. 17, p. 632
51-9-12	New	V. 17, p. 632
51-9-13	New	V. 17, p. 633
51-9-14	New	V. 17, p. 634
51-10-6	Amended	V. 17, p. 634
51-12-2	New	V. 17, p. 635
51-13-1	Amended	V. 17, p. 635
51-15-2	Amended	V. 17, p. 635
51-17-2	New	V. 17, p. 635
51-18-2	Amended	V. 17, p. 636
51-18-3 through 51-18-6	New	V. 17, p. 637
51-19-1	Amended	V. 17, p. 637
51-21-1	Amended	V. 17, p. 637
51-24-1	Amended	V. 17, p. 637
51-24-2	Revoked	V. 17, p. 637
51-24-7	Revoked	V. 17, p. 637

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-1-104	New	V. 16, p. 436
60-2-101	Amended	V. 16, p. 437
60-2-102 through 60-2-108	New	V. 16, p. 437-440

60-3-106	Amended	V. 16, p. 440
60-3-106a	Amended	V. 17, p. 357
60-3-107	Amended	V. 17, p. 357
60-3-112	New	V. 17, p. 357
60-4-101	Amended	V. 17, p. 358
60-7-109	New	V. 17, p. 358
60-7-110	New	V. 17, p. 358
60-8-101	Amended	V. 17, p. 358
60-9-105	Amended	V. 17, p. 358
60-9-106	Amended	V. 17, p. 359
60-9-107	Amended	V. 17, p. 360
60-11-119	Amended	V. 17, p. 361
60-11-120	New	V. 17, p. 361
60-11-121	New	V. 17, p. 361
60-15-101 through 60-15-104	Amended	V. 17, p. 1321-1323
60-16-101	Amended	V. 17, p. 796
60-16-102	Amended	V. 17, p. 796

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-3-10	Amended	V. 16, p. 1250

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-4-3	Amended	V. 17, p. 1270
65-5-6	Amended	V. 16, p. 300
65-5-9	New	V. 16, p. 249
65-5-10	New	V. 16, p. 250
65-10-1	Amended	V. 16, p. 1176

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended	V. 17, p. 102
66-10-1	Amended	V. 17, p. 102

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1b	Amended	V. 17, p. 1107
68-1-1f	Amended	V. 16, p. 1176
68-1-2a	New	V. 16, p. 1176
68-2-5	Amended	V. 16, p. 1177
68-2-9	Amended	V. 16, p. 1177
68-2-20	Amended	V. 17, p. 1167
68-7-12	Amended	V. 17, p. 170
68-11-1	Amended	V. 17, p. 1107
68-20-15a	Amended	V. 16, p. 1177
68-20-16	Amended	V. 17, p. 1107

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-15-1 through 69-15-30	New	V. 16, p. 1281-1288

AGENCY 70: BOARD OF VETERINARY MEDICAL EXAMINERS

Reg. No.	Action	Register
70-1-1	Amended	V. 16, p. 173
70-1-6	New	V. 16, p. 441
70-2-1	Revoked	V. 16, p. 173
70-2-2	Revoked	V. 16, p. 173
70-2-3	Revoked	V. 16, p. 173
70-4-1 through 70-4-7	Revoked	V. 16, p. 173
70-4-8	New	V. 16, p. 441
70-4-9	New	V. 16, p. 443
70-4-10	New	V. 16, p. 443
70-5-1	Amended	V. 16, p. 173
70-7-1	New	V. 16, p. 173
70-8-1	New	V. 16, p. 174
70-9-1	New	V. 16, p. 1289
70-10-1	New	V. 16, p. 175

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-1-3	Amended	V. 16, p. 1742
71-1-16	Revoked	V. 16, p. 1742
71-1-17	Revoked	V. 16, p. 1742
71-1-19	New	V. 16, p. 1742
71-3-3	Revoked	V. 16, p. 1742
71-5-3	Amended	V. 16, p. 1742
71-5-4	Amended	V. 16, p. 1742

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-1-5	Revoked	V. 16, p. 1119
74-1-6	New	V. 16, p. 1119
74-2-1	Amended	V. 16, p. 1119
74-12-1	Amended	V. 16, p. 1120

AGENCY 75: CONSUMER CREDIT COMMISSIONER

Reg. No.	Action	Register
75-6-24	Amended	V. 17, p. 738
75-6-26	Amended	V. 16, p. 1912

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-2-1	Amended	V. 16, p. 1938
81-3-2	Amended	V. 16, p. 1939
81-5-8	Amended	V. 16, p. 1939
81-5-9	Revoked	V. 16, p. 1939
81-5-13	New	V. 16, p. 1939
81-5-14	New	V. 16, p. 1940

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-103a	Amended	V. 16, p. 1332
82-3-120	Amended	V. 16, p. 1332
82-3-120a	New	V. 16, p. 1332
82-3-123	Amended	V. 16, p. 1333
82-3-129	Revoked	V. 16, p. 1333
82-3-130	Amended	V. 16, p. 1333
82-3-136	Amended	V. 16, p. 1333
82-3-141	Revoked	V. 16, p. 1333
82-3-304	Amended	V. 16, p. 1333
82-3-308	Revoked	V. 16, p. 1334
82-3-309	Revoked	V. 16, p. 1334
82-3-312	Amended	V. 16, p. 1334
82-3-313	Revoked	V. 16, p. 1334
82-3-500 through 82-3-504	Revoked	V. 16, p. 1334
82-3-800 through 82-3-804	New	V. 17, p. 362, 363

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-3	Amended	V. 16, p. 1669, 1704
86-1-5	Amended	V. 17, p. 246
86-1-11	Amended	V. 16, p. 1669, 1705
86-2-8	Amended	V. 16, p. 1670, 1706
86-3-25	Revoked	V. 16, p. 1670, 1706
86-3-26	New	V. 16, p. 1670, 1706
86-3-27	New	V. 16, p. 1672, 1707
86-3-28	New	V. 16, p. 1672, 1707

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-2-1	Amended	V. 17, p. 1087
88-3-1	Amended	V. 17, p. 1087
88-3-2	Amended	V. 17, p. 1087
88-3-5	Revoked	V. 17, p. 1088
88-3-9	Amended	V. 17, p. 208
88-3-11	Amended	V. 17, p. 1088
88-3-13	New	V. 17, p. 1088

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-5-14	Amended	V. 17, p. 35
91-10-2	Amended	V. 16, p. 409

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-19-1a	Revoked	V. 17, p. 949
92-19-1b	New	V. 17, p. 949
92-19-3	Amended	V. 17, p. 949
92-19-8	Revoked	V. 17, p. 950
92-19-13	Revoked	V. 17, p. 950
92-19-13a	New	V. 17, p. 950
92-19-16	Revoked	V. 17, p. 950
92-19-18	Revoked	V. 17, p. 950
92-19-18a	New	V. 17, p. 950
92-19-19	Revoked	V. 17, p. 950
92-19-25a	Revoked	V. 17, p. 951
92-19-25b	New	V. 17, p. 951
92-19-27a	Revoked	V. 17, p. 952

92-19-30	Amended	V. 17, p. 952
92-19-32	Revoked	V. 17, p. 954
92-19-34	Revoked	V. 17, p. 954
92-19-35	Revoked	V. 17, p. 954
92-19-39	Revoked	V. 17, p. 954
92-19-49	Revoked	V. 17, p. 954
92-19-49a	New	V. 17, p. 954
92-19-66a	Revoked	V. 17, p. 956
92-19-66b	Amended	v. 17, p. 956
92-19-66d	Revoked	V. 17, p. 957
92-19-66e	New	V. 17, p. 957
92-19-68	Revoked	V. 17, p. 959
92-19-78	Revoked	V. 17, p. 959
92-21-18	Revoked	V. 17, p. 959
92-21-21	Revoked	V. 17, p. 959

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

Reg. No.	Action	Register
93-3-1 through 93-3-4	Revoked	V. 17, p. 948
93-4-1	Revoked	V. 17, p. 948
93-4-2 through 93-4-6	New	V. 17, p. 948, 949
93-6-1 through 93-6-6	New	V. 16, p. 1552, 1892

AGENCY 94: BOARD OF TAX APPEALS

Reg. No.	Action	Register
94-2-1 through 94-2-12	Amended	V. 16, p. 1242-1245
94-2-13 through 94-2-18	New	V. 16, p. 1245, 1246
94-3-1	Amended	V. 16, p. 1246
94-3-2	Amended	V. 16, p. 1246

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

Reg. No.	Action	Register
99-25-1	Amended	V. 17, p. 209
99-25-2	Revoked	V. 17, p. 209
99-25-4 through 99-25-8	New	V. 17, p. 209, 210
99-27-1 through 99-27-5	New	V. 17, p. 210-212
99-30-5	Amended	V. 17, p. 212
99-30-6	Amended	V. 17, p. 212
99-31-5	Amended	V. 17, p. 212
99-31-6	Amended	V. 17, p. 213
99-40-7	New	V. 17, p. 213

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-6-2	Amended	V. 16, p. 737
100-11-1	Amended	V. 17, p. 509
100-15-1	Amended	V. 16, p. 1176
100-23-1	Amended	V. 17, p. 299
100-29-1 through 100-29-14	New	V. 16, p. 380-384
100-29-3a	New	V. 17, p. 1323
100-29-7	Amended	V. 17, p. 510
100-34-3	Revoked	V. 16, p. 384
100-34-4	Revoked	V. 16, p. 384
100-35-1	Revoked	V. 16, p. 384
100-35-3	Revoked	V. 16, p. 384
100-35-6	Revoked	V. 16, p. 384
100-35-7	Revoked	V. 16, p. 384
100-36-1	Revoked	V. 16, p. 384
100-37-1	Revoked	V. 16, p. 384
100-37-2	Revoked	V. 16, p. 384
100-38-1	Revoked	V. 16, p. 385
100-39-1	Revoked	V. 16, p. 385
100-40-2	Revoked	V. 16, p. 385
100-42-2	Revoked	V. 16, p. 385
100-46-1	Revoked	V. 16, p. 385
100-46-2	Revoked	V. 16, p. 385
100-46-3	Revoked	V. 16, p. 385
100-46-5	Revoked	V. 16, p. 385
100-46-6	Revoked	V. 16, p. 385
100-47-1	Revoked	V. 16, p. 385

100-49-4	Amended	V. 17, p. 510
100-49-5	Amended	V. 16, p. 1176
100-54-4	Amended	V. 17, p. 510
100-54-7	Amended	V. 16, p. 142
100-55-4	Amended	V. 17, p. 510
100-55-10	Revoked	V. 17, p. 510
100-60-1	Amended	V. 17, p. 510
100-67-1	New	V. 16, p. 1174, 1549
100-69-5	Amended	V. 17, p. 510
100-69-10	New	V. 16, p. 2061

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-13	Amended	V. 16, p. 1672
102-2-2a	Amended	V. 16, p. 1672
102-2-4a	Amended	V. 16, p. 1673
102-2-4b	Amended	V. 16, p. 1674
102-2-5	Amended	V. 16, p. 1675
102-2-6	Amended	V. 16, p. 1675
102-2-8	Amended	V. 16, p. 1676
102-2-9	Amended	V. 16, p. 1678
102-2-10	Amended	V. 16, p. 1678
102-2-11	Amended	V. 16, p. 1678
102-2-12	Amended	V. 16, p. 1679
102-3-1	Revoked	V. 16, p. 1941
102-3-1a	New	V. 16, p. 1941
102-3-2	Amended	V. 16, p. 1680
102-3-3	Revoked	V. 16, p. 1942
102-3-3a	New	V. 16, p. 1942
102-3-4	Revoked	V. 16, p. 1943
102-3-4a	New	V. 16, p. 1943
102-3-5	Revoked	V. 16, p. 1944
102-3-5a	New	V. 16, p. 1944
102-3-6	Revoked	V. 16, p. 1944
102-3-6a	New	V. 16, p. 1944
102-3-7	Revoked	V. 17, p. 426
102-3-7a	New	V. 17, p. 426
102-3-8	Revoked	V. 16, p. 1945
102-3-8a	New	V. 16, p. 1945
102-3-9	Revoked	V. 16, p. 1945
102-3-9a	New	V. 16, p. 1945
102-3-10	Revoked	V. 16, p. 1946
102-3-10a	New	V. 16, p. 1946
102-3-11	Revoked	V. 16, p. 1947
102-3-11a	New	V. 16, p. 1947
102-3-12	Revoked	V. 16, p. 1948
103-3-12a	New	V. 16, p. 1948
102-3-13	Revoked	V. 16, p. 1950
102-4-1	Revoked	V. 16, p. 1950
102-4-1a	New	V. 16, p. 1950
102-4-2	Amended	V. 16, p. 1680
102-4-3	Revoked	V. 16, p. 1951
102-4-3a	New	V. 16, p. 1951
102-4-4	Revoked	V. 16, p. 1953
102-4-4a	New	V. 16, p. 1953
102-4-5	Revoked	V. 16, p. 1954
102-4-5a	New	V. 16, p. 1954
102-4-6	Revoked	V. 16, p. 1954
102-4-6a	New	V. 16, p. 1954
102-4-7a	New	V. 17, p. 318
102-4-8	Revoked	V. 16, p. 1955
102-4-8a	New	V. 16, p. 1955
102-4-9	Revoked	V. 16, p. 1955
102-4-9a	New	V. 16, p. 1955
102-4-10	Revoked	V. 16, p. 1956
102-4-10a	New	V. 16, p. 1956
102-4-11	Revoked	V. 16, p. 1958
102-4-11a	New	V. 16, p. 1958
102-4-12	New	V. 16, p. 1958
102-4-13	New	V. 16, p. 1960
102-5-1	Amended	V. 16, p. 1961
102-5-2	Amended	V. 16, p. 1680
102-5-3	Amended	V. 16, p. 1962
102-5-4	Revoked	V. 16, p. 1963
102-5-4a	New	V. 16, p. 1963
102-5-5	Amended	V. 16, p. 1964
102-5-6	Revoked	V. 16, p. 1964
102-5-6a	New	V. 16, p. 1964
102-5-7	Revoked	V. 17, p. 427
102-5-7a	New	V. 17, p. 427
102-5-8	Amended	V. 16, p. 1965
102-5-9	Amended	V. 16, p. 1965
102-5-10	Amended	V. 16, p. 1966
102-5-11	Amended	V. 16, p. 1967
102-5-12	Amended	V. 16, p. 1967

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 16, p. 651
108-1-2	New	V. 17, p. 462

(continued)

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-2-15	New	V. 16, p. 2063
109-6-2	Amended	V. 16, p. 1708
109-8-1	Amended	V. 16, p. 685

AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING

Reg. No.	Action	Register
110-4-1 through		
110-4-4	Amended	V. 16, p. 1329-1331
110-4-5	New	V. 16, p. 1331

AGENCY 111: KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-3	Amended	V. 17, p. 386
111-1-5	Amended	V. 15, p. 1304
111-2-1	Amended	V. 17, p. 387
111-2-2	Amended	V. 17, p. 387
111-2-2a through		
111-2-2b	New	V. 14, p. 1633, 1634
111-2-2c	Amended	V. 17, p. 738
111-2-2d	Amended	V. 17, p. 739
111-2-2e	Amended	V. 17, p. 739
111-2-4	Amended	V. 17, p. 429
111-2-6	Revoked	V. 13, p. 149
111-2-7	Revoked	V. 10, p. 1210
111-2-13	Revoked	V. 10, p. 881
111-2-14	Amended	V. 14, p. 1634
111-2-15	Revoked	V. 10, p. 881
111-2-16	Revoked	V. 10, p. 1210
111-2-17	Revoked	V. 10, p. 1210
111-2-18	Revoked	V. 11, p. 413
111-2-19	Revoked	V. 11, p. 413
111-2-20 through		
111-2-26	Revoked	V. 13, p. 1401
111-2-27	Revoked	V. 14, p. 972
111-2-28	New	V. 12, p. 1844
111-2-29	Revoked	V. 14, p. 972
111-2-30	Amended	V. 17, p. 991
111-2-31	New	V. 14, p. 170
111-2-32 through		
111-2-42	Revoked	V. 16, p. 448, 449
111-2-43	Amended	V. 16, p. 1807
111-2-44	New	V. 15, p. 288
111-2-45	New	V. 15, p. 288
111-2-46	New	V. 15, p. 624
111-2-47	Amended	V. 16, p. 449
111-2-48	New	V. 15, p. 1055
111-2-49	New	V. 15, p. 1055
111-2-50	New	V. 15, p. 1056
111-2-51	New	V. 15, p. 1440
111-2-52	New	V. 15, p. 1441
111-2-53	New	V. 15, p. 1710
111-2-54	New	V. 15, p. 1920
111-2-55	New	V. 15, p. 1953
111-2-56	New	V. 16, p. 449
111-2-57	New	V. 16, p. 449
111-2-58	New	V. 16, p. 689
111-2-59	New	V. 16, p. 1043
111-2-60	New	V. 16, p. 1209
111-2-61	New	V. 16, p. 1473
111-2-62	Amended	V. 17, p. 739
111-2-63	New	V. 16, p. 1808
111-2-64	New	V. 16, p. 1808
111-2-65	New	V. 16, p. 1883
111-2-66	Amended	V. 17, p. 467
111-2-67	Amended	V. 17, p. 387
111-2-68	New	V. 16, p. 2069
111-2-69	New	V. 16, p. 2070
111-2-70	New	V. 17, p. 388
111-2-71	New	V. 17, p. 389
111-2-72	New	V. 17, p. 430
111-2-73	New	V. 17, p. 467
111-2-74	New	V. 17, p. 739
111-2-75	New	V. 17, p. 991
111-2-76	New	V. 17, p. 1168
111-3-1	Amended	V. 17, p. 389
111-3-6	Amended	V. 12, p. 677
111-3-9	Revoked	V. 11, p. 1793
111-3-10 through		
111-3-31	New	V. 7, p. 201-206

111-3-11	Amended	V. 13, p. 35
111-3-12	Amended	V. 13, p. 1826
111-3-13	Amended	V. 17, p. 1323
111-3-14	Amended	V. 17, p. 391
111-3-16	Amended	V. 9, p. 1566
111-3-19	Revoked	V. 13, p. 1827
111-3-20	Amended	V. 11, p. 1148
111-3-21	Amended	V. 11, p. 1148
111-3-22	Amended	V. 11, p. 1148
111-3-23	Revoked	V. 10, p. 883
111-3-25	Amended	V. 17, p. 392
111-3-26	Amended	V. 11, p. 1149
111-3-27	Amended	V. 11, p. 1149
111-3-29	Revoked	V. 11, p. 1149
111-3-31	Amended	V. 8, p. 209
111-3-32	Amended	V. 10, p. 883
111-3-33	New	V. 7, p. 1434
111-3-34	New	V. 13, p. 149
111-3-35	Amended	V. 17, p. 430
111-3-36	New	V. 13, p. 877
111-3-37	New	V. 13, p. 877
111-4-1 through		
111-4-5	Revoked	V. 12, p. 113
111-4-5a	Revoked	V. 12, p. 113
111-4-6 through		
111-4-15	Revoked	V. 12, p. 113
111-4-66 through		
111-4-77	New	V. 7, p. 207-209
111-4-96 through		
111-4-114	New	V. 7, p. 1606-1610
111-4-100	Amended	V. 14, p. 972
111-4-101 through		
111-4-106	Revoked	V. 16, p. 450
111-4-106a	Revoked	V. 16, p. 450
111-4-107 through		
111-4-114	Revoked	V. 16, p. 450, 451
111-4-153 through		
111-4-160	Revoked	V. 9, p. 1676, 1677
111-4-177 through		
111-4-212	Revoked	V. 9, p. 1677, 1678
111-4-213 through		
111-4-220	Revoked	V. 10, p. 1213
111-4-221 through		
111-4-224	Revoked	V. 10, p. 1585
111-4-225 through		
111-4-228	Revoked	V. 10, p. 1585
111-4-229 through		
111-4-236	Revoked	V. 10, p. 1585, 1586
111-4-237 through		
111-4-240	Revoked	V. 11, p. 413
111-4-241 through		
111-4-244	Revoked	V. 12, p. 1371
111-4-245 through		
111-4-248	Revoked	V. 12, p. 1371
111-4-249 through		
111-4-256	Revoked	V. 12, p. 113, 114
111-4-257 through		
111-4-286	Revoked	V. 11, p. 413, 414
111-4-287 through		
111-4-290	Revoked	V. 12, p. 1371
111-4-291 through		
111-4-300	Revoked	V. 12, p. 114
111-4-301 through		
111-4-307	Revoked	V. 13, p. 1402
111-4-308 through		
111-4-317	Revoked	V. 16, p. 451

111-4-318 through		
111-4-321	Revoked	V. 12, p. 114
111-4-322 through		
111-4-327	Revoked	V. 12, p. 1371
111-4-328 through		
111-4-335	Revoked	V. 12, p. 114
111-4-336 through		
111-4-340	Revoked	V. 16, p. 451
111-4-341	Revoked	V. 11, p. 1473
111-4-341a	Revoked	V. 12, p. 1372
111-4-341b	Revoked	V. 16, p. 451
111-4-341c	Revoked	V. 16, p. 451
111-4-342 through		
111-4-345	Revoked	V. 16, p. 451
111-4-346 through		
111-4-349	Revoked	V. 12, p. 114
111-4-350 through		
111-4-355	Revoked	V. 16, p. 452
111-4-356 through		
111-4-361	Revoked	V. 14, p. 7
111-4-362 through		
111-4-365	Revoked	V. 12, p. 114, 115
111-4-366 through		
111-4-369	Revoked	V. 12, p. 1373
111-4-370 through		
111-4-379	Revoked	V. 14, p. 7, 8
111-4-380 through		
111-4-383	Revoked	V. 12, p. 1664
111-4-384 through		
111-4-387	Revoked	V. 12, p. 1373
111-4-388 through		
111-4-391	Revoked	V. 12, p. 1373
111-4-392 through		
111-4-400	Revoked	V. 16, p. 252
111-4-401 through		
111-4-404	Revoked	V. 12, p. 1373
111-4-405 through		
111-4-413	Revoked	V. 16, p. 452
111-4-414 through		
111-4-428	Revoked	V. 14, p. 8
111-4-429 through		
111-4-432	Revoked	V. 12, p. 1373
111-4-433 through		
111-4-436	Revoked	V. 12, p. 1374
111-4-437 through		
111-4-440	Revoked	V. 12, p. 1374
111-4-441 through		
111-4-444	Revoked	V. 14, p. 8
111-4-445 through		
111-4-448	Revoked	V. 12, p. 1374
111-4-449 through		
111-4-453	Revoked	V. 14, p. 8
111-4-454 through		
111-4-465	Revoked	V. 12, p. 1664, 1665
111-4-466 through		
111-4-469	Revoked	V. 12, p. 1665
111-4-470 through		
111-4-477	Revoked	V. 16, p. 452, 453
111-4-478 through		
111-4-492	Revoked	V. 14, p. 974, 975

111-4-493 through 111-4-496	Revoked	V. 16, p. 453	111-4-873 through 111-4-892	New	V. 15, p. 1181-1186	111-4-1223 through 111-4-1242	New	V. 17, p. 740-745
111-4-497 through 111-4-512	Revoked	V. 14, p. 975	111-4-881 through 111-4-893	Amended	V. 16, p. 1505	111-4-1243 through 111-4-1265	New	V. 17, p. 994-1000
111-4-513 through 111-4-521	Revoked	V. 16, p. 453	111-4-911 through 111-4-918	New	V. 15, p. 1441-1445	111-4-1266 through 111-4-1278	New	V. 17, p. 1169-1172
111-4-522 through 111-4-571	Revoked	V. 14, p. 975-977	111-4-915 through 111-4-918	Amended	V. 15, p. 1475, 1476	111-4-1279 through 111-4-1297	New	V. 17, p. 1326-1331
111-4-572 through 111-4-585	New	V. 13, p. 878-880	111-4-919 through 111-4-941	New	V. 15, p. 1954	111-5-1 through 111-5-23	New	V. 7, p. 209-213
111-4-585 through 111-4-594	Amended	V. 17, p. 991	111-4-942 through 111-4-965	Amended	V. 15, p. 1710-1716	111-5-24 through 111-5-26	Revoked	V. 15, p. 291
111-4-595 through 111-4-607	Amended	V. 17, p. 992	111-4-966 through 111-4-968	New	V. 15, p. 1921-1926	111-5-27 through 111-5-28	Amended	V. 11, p. 415-418
111-4-608 through 111-4-619	Amended	V. 16, p. 1044	111-4-969 through 111-4-971	Amended	V. 15, p. 1954	111-5-29 through 111-5-30	Amended	V. 15, p. 291
111-4-620 through 111-4-631	Amended	V. 17, p. 992	111-4-972 through 111-4-982	Amended	V. 16, p. 341	111-5-31 through 111-5-33	Amended	V. 13, p. 1438
111-4-632 through 111-4-643	Amended	V. 17, p. 992	111-4-983 through 111-4-991	New	V. 15, p. 1954, 1955	111-5-34 through 111-5-35	Amended	V. 16, p. 1814
111-4-644 through 111-4-655	Amended	V. 17, p. 992	111-4-992 through 111-4-1012	New	V. 16, p. 341-344	111-5-36 through 111-5-38	Amended	V. 16, p. 1815
111-4-656 through 111-4-667	Amended	V. 15, p. 883	111-4-1013 through 111-4-1016	New	V. 16, p. 456, 457	111-5-39 through 111-5-44	Amended	V. 16, p. 1815
111-4-668 through 111-4-679	Amended	V. 17, p. 992	111-4-1017 through 111-4-1037	Amended	V. 16, p. 689-694	111-5-45 through 111-5-50	Amended	V. 16, p. 1816
111-4-680 through 111-4-691	Amended	V. 14, p. 1407	111-4-1038 through 111-4-1041	New	V. 16, p. 2016	111-5-51 through 111-5-52	Amended	V. 16, p. 1816
111-4-692 through 111-4-703	Amended	V. 14, p. 1408	111-4-1042 through 111-4-1059	New	V. 16, p. 1080	111-5-53 through 111-5-58	Amended	V. 15, p. 1060
111-4-704 through 111-4-715	Amended	V. 14, p. 1408	111-4-1060 through 111-4-1077	New	V. 16, p. 1045, 1046	111-5-59 through 111-5-64	Amended	V. 16, p. 1817
111-4-716 through 111-4-727	Revoked	V. 14, p. 978	111-4-1078 through 111-4-1083	Amended	V. 16, p. 1081-1085	111-5-65 through 111-5-70	Amended	V. 16, p. 1817
111-4-728 through 111-4-739	Revoked	V. 16, p. 453-455	111-4-1084 through 111-4-1091	New	V. 16, p. 1473	111-5-71 through 111-5-76	New	V. 16, p. 1818
111-4-740 through 111-4-751	New	V. 14, p. 909-914	111-4-1092 through 111-4-1099	Amended	V. 16, p. 1473	111-5-77 through 111-5-82	New	V. 15, p. 1060-1062
111-4-752 through 111-4-763	New	V. 14, p. 978-981	111-4-1100 through 111-4-1107	New	V. 16, p. 1209, 1210	111-5-83 through 111-5-88	Amended	V. 15, p. 1186
111-4-764 through 111-4-775	New	V. 14, p. 1095-1098	111-4-1108 through 111-4-1115	Amended	V. 16, p. 1473	111-5-89 through 111-5-94	Amended	V. 15, p. 1477
111-4-776 through 111-4-787	New	V. 14, p. 1095-1098	111-4-1116 through 111-4-1123	Amended	V. 16, p. 1473	111-5-95 through 111-5-100	New	V. 16, p. 458, 459
111-4-788 through 111-4-799	New	V. 14, p. 1095-1098	111-4-1124 through 111-4-1131	New	V. 16, p. 1473	111-5-101 through 111-5-106	New	V. 16, p. 1085-1087
111-4-800 through 111-4-811	New	V. 14, p. 1095-1098	111-4-1132 through 111-4-1139	Amended	V. 16, p. 1473	111-5-107 through 111-5-112	New	V. 16, p. 1818
111-4-812 through 111-4-823	New	V. 14, p. 1095-1098	111-4-1140 through 111-4-1147	Amended	V. 16, p. 1473	111-5-113 through 111-5-118	Amended	V. 16, p. 1511
111-4-824 through 111-4-835	New	V. 14, p. 1095-1098	111-4-1148 through 111-4-1155	New	V. 16, p. 1506-1511	111-5-119 through 111-5-124	Amended	V. 17, p. 434-437
111-4-836 through 111-4-847	New	V. 14, p. 1408, 1409	111-4-1156 through 111-4-1163	Amended	V. 16, p. 1849	111-5-125 through 111-5-130	Amended	V. 17, p. 474
111-4-848 through 111-4-859	New	V. 14, p. 1502, 1503	111-4-1164 through 111-4-1171	New	V. 16, p. 1849	111-5-131 through 111-5-136	New	V. 17, p. 1331
111-4-860 through 111-4-871	New	V. 14, p. 1502, 1503	111-4-1172 through 111-4-1179	Amended	V. 16, p. 1849	111-5-137 through 111-5-142	New	V. 7, p. 213-217
			111-4-1180 through 111-4-1187	New	V. 16, p. 1849-1851	111-5-143 through 111-5-148	Amended	V. 17, p. 393
			111-4-1188 through 111-4-1195	Amended	V. 16, p. 1849-1851	111-5-149 through 111-5-154	Amended	V. 14, p. 313
			111-4-1196 through 111-4-1203	Amended	V. 16, p. 1849-1851	111-5-155 through 111-5-160	Amended	V. 10, p. 1413
			111-4-1204 through 111-4-1211	New	V. 16, p. 1883-1888	111-5-161 through 111-5-166	Amended	V. 16, p. 1818
			111-4-1212 through 111-4-1219	Amended	V. 17, p. 431	111-5-167 through 111-5-172	Amended	V. 11, p. 1973
						111-5-173 through 111-5-178	Amended	V. 17, p. 1172
						111-5-179 through 111-5-184	Revoked	V. 15, p. 1188
						111-5-185 through 111-5-190	Revoked	V. 12, p. 1263
						111-5-191 through 111-5-196	Revoked	V. 14, p. 313
						111-5-197 through 111-5-202	Revoked	V. 12, p. 1376
						111-5-203 through 111-5-208	Amended	V. 8, p. 212
						111-5-209 through 111-5-214	Amended	V. 8, p. 299
						111-5-215 through 111-5-220	Amended	V. 12, p. 677
						111-5-221 through 111-5-226	Revoked	V. 10, p. 1475
						111-5-227 through 111-5-232	New	V. 13, p. 150
						111-5-233 through 111-5-238	New	V. 13, p. 340
						111-5-239 through 111-5-244	Amended	V. 17, p. 1001
						111-5-245 through 111-5-250	New	V. 13, p. 881
						111-5-251 through 111-5-256	New	V. 13, p. 881
						111-5-257 through 111-5-262	Revoked	V. 13, p. 340
						111-5-263 through 111-5-268	Amended	V. 7, p. 1192, 1193
						111-5-269 through 111-5-274	Amended	V. 8, p. 212
						111-5-275 through 111-5-280	Amended	V. 11, p. 1796
						111-5-281 through 111-5-286	Revoked	V. 13, p. 340
						111-5-287 through 111-5-292		(continued)

111-7-4	Amended	V. 9, p. 1367
111-7-5	Amended	V. 9, p. 986
111-7-6	Amended	V. 9, p. 987
111-7-9	Amended	V. 12, p. 1263
111-7-11	Amended	V. 15, p. 1188
111-7-12 through 111-7-32	New	V. 7, p. 1194-1196
111-7-33 through 111-7-43	New	V. 7, p. 1197, 1198
111-7-33a	New	V. 8, p. 300
111-7-44 through 111-7-54	Revoked	V. 13, p. 340
111-7-46	Amended	V. 11, p. 1152
111-7-54	Amended	V. 11, p. 1511
111-7-55 through 111-7-63	Revoked	V. 10, p. 1217
111-7-60	Amended	V. 10, p. 262
111-7-64 through 111-7-75	New	V. 11, p. 13, 14
111-7-66	Amended	V. 15, p. 1304
111-7-66a	Revoked	V. 13, p. 340
111-7-75 through 111-7-78	Amended	V. 15, p. 1188
111-7-75	Amended	V. 16, p. 1479
111-7-78	Amended	V. 16, p. 1479
111-7-79	Revoked	V. 13, p. 340
111-7-80 through 111-7-83	New	V. 11, p. 1478-1480
111-7-81	Amended	V. 15, p. 1189
111-7-83	Amended	V. 15, p. 1189
111-7-84 through 111-7-93	Revoked	V. 15, p. 291
111-7-94	Revoked	V. 13, p. 340
111-7-95 through 111-7-118	Revoked	V. 15, p. 291, 292
111-7-119 through 111-7-127	New	V. 15, p. 1189-1191
111-7-122	Amended	V. 15, p. 1477
111-7-123	Amended	V. 15, p. 1477
111-7-124	Amended	V. 15, p. 1477
111-7-126	Amended	V. 15, p. 1304
111-7-127	Amended	V. 16, p. 1479
111-7-128	New	V. 15, p. 1446
111-8-1	New	V. 7, p. 1633
111-8-2	New	V. 7, p. 1633
111-8-3	Amended	V. 10, p. 886
111-8-4	New	V. 7, p. 1714
111-8-4a	Revoked	V. 13, p. 1406
111-8-5 through 111-8-13	New	V. 7, p. 1634
111-8-14	New	V. 13, p. 881
111-8-15	New	V. 13, p. 881
111-9-1 through 111-9-12	New	V. 7, p. 1714-1716

111-9-1 through 111-9-13	Revoked	V. 9, p. 1680
111-9-13 through 111-9-18	Revoked	V. 9, p. 1680
111-9-18 through 111-9-25	New	V. 9, p. 699, 700
111-9-30 through 111-9-31	New	V. 10, p. 262
111-9-31 through 111-9-36	New	V. 10, p. 262
111-9-37 through 111-9-48	New	V. 10, p. 1439, 1440
111-9-49 through 111-9-54	New	V. 12, p. 318, 319
111-9-55 through 111-9-60	New	V. 12, p. 1263, 1264
111-9-61 through 111-9-78	New	V. 16, p. 1087-1089
111-9-79 through 111-9-90	New	V. 17, p. 394, 395
111-10-1 through 111-10-9	New	V. 8, p. 136-138
111-10-7	Amended	V. 8, p. 301

AGENCY 112: KANSAS RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-3-21	New	V. 16, p. 1151
112-4-1	Amended	V. 17, p. 511
112-4-22	Amended	V. 17, p. 512
112-4-22a	New	V. 17, p. 512
112-4-23	Amended	V. 17, p. 590
112-4-26	New	V. 16, p. 1152
112-7-7	Amended	V. 17, p. 512
112-10-5	Amended	V. 16, p. 1664
112-10-6	Amended	V. 16, p. 379
112-12-1	Amended	V. 16, p. 1889
112-12-2	Amended	V. 16, p. 1889
112-12-4	Amended	V. 16, p. 1889
112-12-5	Amended	V. 16, p. 1890
112-12-6	Amended	V. 16, p. 1890
112-12-7	Amended	V. 16, p. 1890
112-12-8	Amended	V. 16, p. 1890
112-12-9	Amended	V. 17, p. 213
112-12-10	Amended	V. 16, p. 1891
112-12-13	Amended	V. 16, p. 1891
112-12-14	Amended	V. 16, p. 1891
112-16-6	Amended	V. 16, p. 1469
112-16-11	Amended	V. 17, p. 590
112-16-14	Amended	V. 16, p. 380
112-18-3	Amended	V. 16, p. 1152
112-18-21	Amended	V. 17, p. 60

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-1-1	Amended	V. 16, p. 1469
115-2-1	Amended	V. 16, p. 248
115-2-3	Amended	V. 17, p. 462
115-2-6	New	V. 17, p. 462

115-3-2	Amended	V. 16, p. 1471
115-4-1	Amended	V. 17, p. 463
115-4-3	Amended	V. 16, p. 824
115-4-5	Amended	V. 16, p. 825
115-4-6	Amended	V. 16, p. 826
115-4-7	Amended	V. 17, p. 464
115-4-13	Amended	V. 16, p. 829
115-9-5	Amended	V. 16, p. 1472
115-9-8	New	V. 16, p. 1989
115-14-3	Amended	V. 16, p. 1175
115-14-9	Amended	V. 16, p. 1175
115-15-3	Amended	V. 16, p. 1989
115-15-4	New	V. 16, p. 1990
115-18-7	Amended	V. 16, p. 1991
115-18-12	Amended	V. 17, p. 1086
115-18-13	Amended	V. 16, p. 1472
115-18-14	Amended	V. 16, p. 1991
115-18-15	New	V. 16, p. 1991
115-30-3	Amended	V. 16, p. 249
115-30-6	Amended	V. 16, p. 249

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-2-1	Amended	V. 16, p. 2063
117-2-2	Amended	V. 16, p. 302
117-3-1	Amended	V. 16, p. 2064
117-3-2	Amended	V. 16, p. 2064
117-4-1	Amended	V. 16, p. 2065
117-4-2	Amended	V. 16, p. 2066
117-5-1	Amended	V. 17, p. 465
117-5-2	New	V. 17, p. 465
117-5-3	New	V. 17, p. 465
117-6-1	Amended	V. 16, p. 2066
117-6-3	Amended	V. 16, p. 2067
117-8-1	Amended	V. 17, p. 1167

AGENCY 118: KANSAS STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-3-1 through 118-3-16	New	V. 17, p. 690-693

AGENCY 121: DEPARTMENT OF CREDIT UNIONS

Reg. No.	Action	Register
121-4-1 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

AGENCY 122: POOLED MONEY INVESTMENT BOARD

Reg. No.	Action	Register
122-2-2	Amended	V. 17, p. 10

AGENCY 123: JUVENILE JUSTICE AUTHORITY

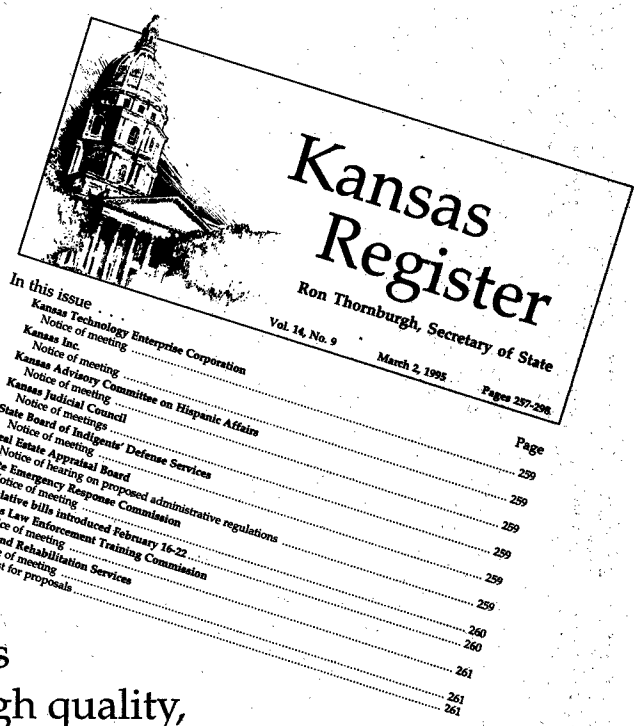
Reg. No.	Action	Register
123-2-1	New	V. 17, p. 36

AGENCY 124: CHILD DEATH REVIEW BOARD

Reg. No.	Action	Register
124-1-1 through 124-1-4	New	V. 16, p. 1819

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