

Kansas Register

Ron Thornburgh, Secretary of State

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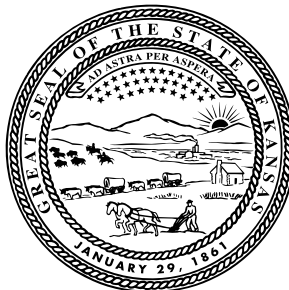
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State of Kansas**Kansas Sentencing Commission****Notice of Meeting**

The Kansas Sentencing Commission will meet from 1:30 to 3:30 p.m. Thursday, May 24, in the Senate Room of the Jayhawk Tower, 700 S.W. Jackson, Topeka. For further information, call (785) 296-0923.

Barbara Tombs
Executive Director

Doc. No. 026561

State of Kansas**Criminal Justice Coordinating Council****Notice of Meeting**

The Kansas Criminal Justice Coordinating Council will meet from 9 to 11 a.m. Thursday, June 14, in the fourth floor conference room of Memorial Hall, 120 S.W. 10th Ave., Topeka. For further information, call (785) 296-0923.

Barbara Tombs
Executive Director

Doc. No. 026562

State of Kansas**Department of Administration
Division of Architectural Services****Request for Qualifications for
Commissioning Services**

The Kansas State Capitol is in the first of four phases of preservation and renovation design and requires a commissioning services (Cx) engineering firm to assist the state and architect. The Cx will provide, but not be limited to, design review; participate in value engineering; develop commissioning plan and full commissioning specifications for mechanical, electrical, plumbing, controls and life safety systems; document that specified components and systems have been installed, started up properly and operationally tested; train state personnel; and furnish project operations and maintenance documents for the entire project.

If interested, please submit an original and six copies (seven total) of your qualifications, history of Cx similar projects, and relevant information that will describe your ability to meet the needs of the preservation and renovation of the State Capitol. Submittals shall be brief, clear and concise. Additional scope of work outline and information may be requested by contacting William D. Groth, Statehouse Architect, Division of Facilities Management, (785) 296-0155, fax 296-3456, or e-mail at bill.groth@state.ks.us.

Submittals shall be mailed to Gary Grimes, Deputy Director, Division of Architectural Services, 1020 S. Kansas Ave., Topeka, 66612-1311. Submittal shall be received before 5 p.m. May 25.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 026577

Heartland Works, Inc.**Request for Proposals**

Heartland Works, Inc. is accepting bids for the purchase of group health/dental, life and disability insurance. To receive a Request for Proposals including all specifications, contact the Heartland Works office at 1035 S.W. Topeka Blvd., Topeka, 66612, (785) 234-0500. A pre-bid conference will be conducted at 1 p.m. Wednesday, May 16, at the address above. Bids must be received by 3 p.m. June 4. All interested companies are encouraged to submit proposals.

Kris Kitchen
Executive Director

Doc. No. 026581

State of Kansas**Department of Administration
Division of Architectural Services****Notice of Commencement of
Negotiations for Architectural Services**

Notice is hereby given of the commencement of negotiations for architectural services for a new State Security Hospital to replace the existing one at Larned State Hospital (LSH). The new facility will be located on the LSH grounds. This will be a secure facility with 250 beds broken down into three residential communities, each consisting of three living units. Included will be Allied Clinical Services and an Infirmary Unit serving both the Security Hospital and LSH. Present funding is for design only; construction funds are expected to be requested in fiscal year 2003. The estimated construction cost is \$42 million.

For information regarding the scope of services, contact Gary LaShell, Architectural Consultant, SRS Facilities Management, (785) 296-3771.

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, 1020 S. Kansas Ave., Topeka, 66612-1311, (785) 296-8899. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. May 25.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 026559

State of Kansas

Department of Revenue

Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Revenue Rulings, Memorandums, Property Valuation Division Directives, Q&As, Information Guides and Notices published by the Department of Revenue for April 2001. Copies can be obtained by accessing the Policy Information Library located on the Internet at www.ink.org/public/kdor or by calling the Office of Policy and Research at (785) 296-3081.

Private Letter Rulings

- P-2001-023 Design services for the layout of existing or new offices.
- P-2001-028 Leasebacks.
- P-2001-029 Repair/service work in Kansas upon tools and machinery from Missouri customers.
- P-2001-030 Performance of clock maintenance.
- P-2001-031 Motor vehicle sales and leases.
- P-2001-032 Towing and winching services; unlocking vehicles, changing tires and jump starts.
- P-2001-033 Ingredients or component parts.
- P-2001-034 Repairs, installations, improvements, materials purchased for a grain storage facility or a grain milling operation adjacent or connected to a grain storage facility.
- P-2001-035 Extended warranties for material and labor services to repair air conditioning systems for residential customers.
- P-2001-037 Museum qualifications and purchases.
- P-2001-038 Cable television installation.

Opinion Letters

- O-2001-013 Sales in Kansas to Kansas residents arranged by a representative of a California company.
- O-2001-014 Watch repair services and sales of repair parts.

Final Written Determination

No new publications

Revenue Rulings

No new publications

Notices

No new publications

Memorandums

Motor Fuel Tax Historical environmental assurance fees from 1990 to present.

Property Valuation Division Directives

No new publications

Q&As

No new publications

Information Guides

No new publications

Stephen Richards
Secretary of Revenue

Doc. No. 026563

State of Kansas

Law Enforcement Training Commission

Notice of Meeting

The Kansas Law Enforcement Training Commission will meet at 11 a.m. Wednesday, June 13, at the Kansas Law Enforcement Training Center, located 12 miles southeast of Hutchinson, south of K-96 at the Hutchinson Air Base Industrial Tract (HABIT), the former Naval Air Station, or 1 mile west and 1 mile south of Yoder. The meeting is open to the public.

Darrell Wilson
Chairperson

Doc. No. 026565

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, May 24, in the conference room in the offices of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue approximately \$10,000,000 principal amount of Housing Development Revenue Bonds for BTC Royal Ridge, LP, National Consulting Alliance, Inc. The bonds will be issued, pursuant to K.S.A. 74-8901 *et seq.*, to finance the costs of acquisition and renovation of an existing 345-unit apartment complex to be operated as Royal Ridge Apartments and related improvements and equipment to be used for public housing purposes (the project). The project is being financed for BTC Royal Ridge, LP, National Consulting Alliance, Inc. or an affiliated entity (the developer). Royal Ridge Apartments will be a 345-unit multifamily housing complex located at 7350 State Avenue in Kansas City, Wyandotte 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, 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.

Jack H. Brier
President

Doc. No. 026548

State of Kansas

Social and Rehabilitation Services

Request for Proposals

The Department of Social and Rehabilitation Services announces the release of a request for proposals by Rehabilitation Services of Integrated Service Delivery to fund innovative or expanded programs and/or services for individuals with disabilities. The services must have a measurable vocational/employment outcome. It is anticipated that multiple projects will be funded based upon the quality ranking of the proposals received. This would be a one-time funding opportunity for up to two years, whereas the agency will need to find alternate funding to continue the program/service. The department reserves the right to not fund any projects, and the number funded will be based on the quality of the applications and the amount of funds available.

A pre-bid conference to provide information to potential bidders will be conducted from 10 a.m. to noon May 14 at the Salina Social and Rehabilitation Services Office, 901 Westchester Drive, Salina. To sign up for the session and request any special needs, contact Mike Ahlers at (785) 826-5320 (Voice) or (785) 826-5396 (TTY), or Jaryl S. Perkins at (785) 267-5301 (Voice) or (785) 267-0352 (TTY). A copy of the RFP also may be obtained by calling the Rehabilitation Services Central Office at (785) 267-5301 or your local Rehabilitation Services chief. Complete proposals must be received not later than 5 p.m. Thursday, May 31.

Janet Schalansky
Secretary of Social and
Rehabilitation Services

Doc. No. 026564

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, May 24, in the offices of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bonds for the projects numbered below in the respective maximum principal amounts. Each bond will be issued to assist the respective borrower named below (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 projects shall be located as shown:

Project No. 000487—Maximum Principal Amount: \$101,250. Owner/Operator: Clark C. and Peggy Cox. Description: Acquisition of 147 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the Northeast Quarter of Section 3, Township 1, Range 20, Phillips County, Kansas, approximately 3.5 miles north and 1 mile west of Long Island.

Project No. 000489—Maximum Principal Amount: \$97,461.93. Owner/Operator: Craig M. and Kelly Harries. De-

scription: Acquisition of 100 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the North ½ of the Southwest ¼ and the West ½, South ½, South ½ of the Northwest ¼ of Section 14, Township 1 South, Range 6 East, Marshall County, Kansas, approximately 4.5 miles north, 1 mile west and .5 mile north of Herkimer.

Project No. 000492—Maximum Principal Amount: \$81,200. Owner/Operator: Jeff Jones. Description: Acquisition of 308 acres of grassland and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the East ½ of Section 15 North, Brown Township 25, Range 19 West, approximately 3 miles south of Kinsley, Kansas, on Highway 183.

Project No. 000494—Maximum Principal Amount: \$112,000. Owner/Operator: Casey Frazier. Description: Acquisition of 160 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the Northwest ¼ of Section 20, South 33, West 3, Chicaskia Township, Sumner County, Kansas, approximately 6 miles south of Milan on Milan Road.

Project No. 000495—Maximum Principal Amount: \$117,472.08. Owner/Operator: Eric C Gerstner. Description: Acquisition of 160 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the Southeast Quarter of Section 1, Center Township, Marshall County, Kansas, approximately 2 miles east of Home, 2 miles south to Matador Road, and .5 mile east.

Project No. 000496—Maximum Principal Amount: \$135,000. Owner/Operator: Aaron E. Peters. Description: Acquisition of 280 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at Section 36, Salt Creek Township, Lincoln County, Kansas, approximately .5 mile north, 2 miles west and 1 mile south of Ada.

Each 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 bonds will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bonds when they become due.

All individuals who appear at the hearing will be given an opportunity to express their views, 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.

Any individual affected by any of the above-described projects 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 said project. A local hearing, if requested, would be conducted in the county where the project in question is located.

Jack H. Brier
President

Doc. No. 026549

State of Kansas

Department of Administration

Public Notice

Under requirements of K.S.A. 2000 Supp. 65-34,117(c), records of the Division of Accounts and Reports show the unobligated balances are \$3,593,515.28 in the underground petroleum storage tank release trust fund and \$964,583.48 in the aboveground petroleum storage tank release trust fund at April 30, 2001.

Dan Stanley
Secretary of Administration

Doc. No. 026557

State of Kansas

Secretary of State

Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of April 2001 for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

Domestic Corporations

Accounts Receivable Services, Inc., Salina, KS.
Admax, Inc., Wichita, KS.
Aero Sales, Inc., Lake Quivira, KS.
Aged Body Shop, Inc., Topeka, KS.
Airtex, Inc., De Soto, KS.
Alhall, Inc., Wichita, KS.
Alley Construction, Inc., Douglass, KS.
Ames Oil Co., Inc., Great Bend, KS.
Amusement Industry Finance Corporation, Wichita, KS.
Anilas Chapter of the American Business Women Association, Salina, KS.
Arnold's Antiques, Inc., Wathena, KS.
Associated Health Service, Inc., Wichita, KS.
Associated Orthopedics, P.A., Shawnee Mission, KS.
Banbury Auction & Real Estate, Inc., Pratt, KS.
Bartlett Container Corporation, Inc., Lenexa, KS.
Benton Excavating & Grading, Inc., Emporia, KS.
Bergosh Buchanan and Associates, Ltd., Kansas City, MO.
Bi-State Contracting Inc., Overland Park, KS.
Branson Construction, Inc., Wichita, KS.
Brian the Plumber, Inc., Prairie Village, KS.
Carnick & Rainsberger Advisors, Inc., Colorado Springs, CO.
Cavan Corporation, Kansas City, MO.
Chance Engineering, Inc., Wichita, KS.
Chance Rides, Inc., Wichita, KS.
Classic Exploration, Inc., Wichita, KS.
Community Networks Support, Inc., Kansas City, KS.
Curtis Machine Company, Inc., Dodge City, KS.
D and J Enterprises, Inc., Osage City, KS.
Dalton's Flowers, Inc., Overland Park, KS.
Dell-Ray Investments, Inc., McPherson, KS.
Downtown Muffler, Inc., Topeka, KS.
Dunagan Iron Works, Inc., Scott City, KS.
Electronics Sales & Service, Inc., Wichita, KS.
Engineered Systems & Equipment, Inc., Caney, KS.
Enviro Services, Inc., El Dorado, KS.

F. S. Katz Head & Neck, P.A., Shawnee Mission, KS.
Feltner, Inc., Lyndon, KS.
Four Star Installation, Incorporated, Lake Weatherby, MO.
G & R Miller Farms, Inc., Garden City, KS.
Gasser & Stephens, Inc., Overland Park, KS.
Global Graphics, Inc., Fort Myers, FL.
Global Management Services, L.L.C., Oklahoma City, OK.
Graphics Systems, Inc., Wichita, KS.
Greylock Health Corporation of Independence Lodge, LP, Topeka, KS.
Greylock Health Corporation of Independence Terrace, L.P., Topeka, KS.
Greylock Health Corporation of Topeka, L.P., Topeka, KS.
H.M.S., Louisburg, Inc., Overland Park, KS.
Heineken Electric Co., Inc., Beloit, KS.
J. Walters Construction Co., Inc., Kansas City, KS.
James P. Snyder, D.C., P.C., Kansas City, MO.
John Frew Enterprises, Inc., Overland Park, KS.
K & C Trucking, Inc., Overland Park, KS.
K.C. Quik, Inc., King of Prussia, PA.
Kansas State Bowling Association, Topeka, KS.
Labor Line Corporation, Norton, KS.
Labor Source, LLC, Kansas City, MO.
Lady Brown Construction L.L.C., Lansing, KS.
Langhofer Financial Group, Inc., Wichita, KS.
Legal X-Press, Inc., Wichita, KS.
Livingston's, Inc., Topeka, KS.
Luttrell Construction Company, Inc., Olathe, KS.
Lytton's, Inc., Wichita, KS.
Mangelsdorf & Company, Inc., Spring Hill, KS.
Mary D. Brown, Inc., Leawood, KS.
Medical Holdings, Inc., Dallas, TX.
Meisel, Incorporated, Lakin, KS.
Mel Raskin & Associates, Inc., Overland Park, KS.
Metal-Craft Tool & Die Company, Wichita, KS.
Midwest Business Management Inc., Overland Park, KS.
Mission Center, Inc., Topeka, KS.
Mothers of Multiples of Southcentral Kansas, Inc., Wichita, KS.
Myriad Enterprises, Inc., Olathe, KS.
Neo Distribution, L.L.C., Topeka, KS.
New Star Excavating Inc., Olathe, KS.
New Star Excavation, Inc., Olathe, KS.
New Star, Inc., Olathe, KS.
Northstar Productions, Inc., Kansas City, KS.
Nu-Way Services, Inc., Shawnee, KS.
OCM Lease Corporation, Overland Park, KS.
Palmer Companies, Inc., Topeka, KS.
Proclean Services, Inc., Haysville, KS.
Professional Reproductions of Missouri, Inc., King of Prussia, PA.
Promotional Resources Organizations, Inc., Lenexa, KS.
Quik Print of Baton Rouge, Inc., King of Prussia, PA.
Quik Print, Inc., King of Prussia, PA.
R. M. Fisher Plumbing & Heating Inc., Lenexa, KS.
Raymond Marsee & Son Foundation Repair, Inc., Prairie Village, KS.
Richard J. Robinson, Inc., Wichita, KS.
Ron Mears Appreciated Advertising, Inc., Shawnee Mission, KS.
Sam Dunn Oil Co., Inc., Kansas City, KS.
Scandia Resort Group Ltd., Shawnee Mission, KS.
Simply Elegant, Ltd., Wichita, KS.
Smith Foods, Inc., Joplin, MO.
Smitty's Refrigeration, Inc., Wichita, KS.
Solon Concepts Inc., Hutchinson, KS.
Spider, Inc., Wichita, KS.
Stephen A. Appelbaum, Ph.D., P.A., Overland Park, KS.
Stubbs Development Company, L.L.C., Topeka, KS.
Sunburst Tanning Company, Overland Park, KS.

Super Stinker, Inc., Wichita, KS.
 Superior Office Snacks, Inc., Olathe, KS.
 Swimwear Solution, Inc., Overland Park, KS.
 Syntro Zeon, L.C., Lenexa, KS.
 Telegram Publishing Company, Inc., Garden City, KS.
 The L. J. Bruner Construction Company, Inc., Kansas City, MO.
 The Midplains Investment Corp., Junction City, KS.
 The Syracuse Journal, Inc., Syracuse, KS.
 The Virtual Best, Inc., Hoisington, KS.
 TMW Investments, Inc., Wichita, KS.
 Total Entertainment, Inc., Fredonia, KS.
 Triad Services, L.L.C., Kansas City, KS.
 Turk Management, Inc., Leawood, KS.
 United Schools of America, Inc., Wichita, KS.
 V. Hamm's, Inc., Hays, KS.
 Vaughn-Krannawitter, Inc., Colby, KS.
 Via Christi Medical Management, Inc., Wichita, KS.
 W. E. Mowery, M.D., Chartered, Salina, KS.
 Washington County Abstract Co., Inc., Washington, KS.
 Waymire's Inc. of Leavenworth, Leavenworth, KS.
 Wesley Farms, Inc., Salina, KS.
 Western Fuel & Supply Company, Inc., Coffeyville, KS.
 Wishbone, LLC, Overland Park, KS.
 Wolf Oil Co., Inc., Wellington, KS.
 Wordsmith, Inc., Overland Park, KS.

Foreign Corporations

A-C Equipment Services, Corp., Milwaukee, WI.
 ACS Telecommunication Systems, Inc., Warminster, PA.
 AIH Services, Inc., Kansas City, MO.
 Air Conditioning Company, Inc., Glendale, CA.
 Amelco Properties, Inc., Gardena, CA.
 Aramark Executive Management Services USA, Inc., Philadelphia, PA.
 Associated California State Insurance Agencies, Burlingame, CA.
 Baltimore Aircoil Company, Inc., Jessup, MD.
 Bankruptcy Protection Center, P.C., Blue Springs, MO.
 Besco Electrical-Heating & Cooling, Inc., Raytown, MO.
 BFI Medical Waste, Inc., Houston, TX.
 Burlingame Industries, Inc., Greensboro, NC.
 C. M. C. Production Galvanizers, Inc., Kansas City, KS.
 Campbell Pest Control, Inc., Joplin, MO.
 Champions of the West, Inc., San Diego, CA.
 Check Technology Corporation, Minnetonka, MN.
 Cherry Hill Photo Enterprises, Cherry Hill, NJ.
 Columbia Telecommunications, Inc., Baton Rouge, LA.
 Commnet Paging Inc., Englewood, CO.
 Computer Cable Connection, Inc., Bellevue, NE.
 Concur Technologies, Inc., Redmond, WA.
 Conexant Systems, Inc., Newport Beach, CA.
 Consumer Insurance Services of America, Inc., Beverly, MA.
 Contour Seats, Inc., Allentown, PA.
 Copeland Corporation, Sidney, OH.
 Country Milk Producers, Inc., Mt. Grove, MO.
 Craftmatic of 10,000 Lakes, Inc., Mendota Heights, MN.
 Crawler Parts, Inc., Pearl, MS.
 CRG International, Inc., Atlanta, GA.
 Cyber Data Processing, Inc., Wilmington, DE.
 Dadco Diversified, Inc., Eau Claire, WI.
 DSI Transports, Inc., Houston, TX.
 EC Company, Portland, OR.
 Ecogard, Inc., Lexington, KY.
 Edwin S Nichols Explorations Inc., Meridian, TX.
 Epco Carbondioxide Products, Inc., Monroe, LA.
 Equipment Marketing and Sales Co., Kansas City, MO.
 ERC Properties of Oklahoma, Inc., Fort Smith, AR.
 ERC Properties, Inc., Fort Smith, AR.
 ESPN Regional Television, Inc., Charlotte, NC.
 Express Stops of Lee's Summit, Inc., Lee's Summit, MO.
 F.E. Moran, Inc. Special Hazard Systems, Northbrook, IL.
 Falcon Financial, LLC, Dover, DE.
 First Heartland Capital, Inc., St. Peters, MO.
 First Mortgage Investment Co., Shawnee, KS.
 First Union Auto Finance, Inc., Topeka, KS.
 Gerber Pet Food International Inc., Marietta, GA.
 GPI Transport, Inc., York, NE.
 Grosse Pointe Capital Corporation, San Diego, CA.
 Hanifen, Imhoff Inc., Denver, CO.
 Hypower Inc., Fort Lauderdale, FL.
 Internet Telephone Company, Irvine, CA.
 ISP Channel, Inc., San Francisco, CA.
 Kansas City No. 1, L.L.C., St. Louis, MO.
 Krupp Polysius Corp., Atlanta, GA.
 Lead Machine Inc., Cheyenne, WY.
 Libbey-Owens-Ford Co., Toledo, OH.
 Liebert Global Services, Inc., Worthington, OH.
 Marler Enterprises, Inc., Tulsa, OK.
 Materials Packaging Corporation, Overland Park, KS.
 Matsushita Electric Corporation of America, Secaucus, NJ.
 Medcath Diagnostics, LLC, Charlotte, NC.
 Merit Sales and Marketing, Inc., Lee's Summit, MO.
 Midwest Heating & Cooling, Inc., Kansas City, MO.
 Mortgage Capital Resource Corporation, Riverside, CA.
 Mycon General Contractors, Inc., McKinney, TX.
 PDA Software Services, Inc., Branchville, NJ.
 Pioneer Aluminum, Inc., Los Angeles, CA.
 Porta-McCurdy Development Company, L.L.C., St. Louis, MO.
 Presnell Associates, Inc., Louisville, KY.
 QCP Incorporated, San Diego, CA.
 R.L. Meisel Corp., Lakin, KS.
 Reclaimed Resources—Colorado, Inc., Brighton, CO.
 Riverside Ag Service, Inc., Faucett, MO.
 Robert Bailey Electric, Inc., Conway, AR.
 Ross Rae, Inc., Evanston, WY.
 Royal Alliance Associates, Inc., New York, NY.
 Ruby P. Lee Corporation, Dothan, AL.
 RWC, Inc., Westfield, MA.
 Schult Operating Company, Middlebury, IN.
 Selzee, Inc., Fresno, CA.
 Skyjack Equipment, Inc., Atlantic, IA.
 Spartan Communications, Inc., Spartanburg, SC.
 Spinteknology, Inc., Las Vegas, NV.
 Staffsource Employer Services, Inc., Houston, TX.
 Sterling-Graham, Inc., Oklahoma City, OK.
 Steve Pereff HVAC, Inc., Tulsa, OK.
 Stornet, Inc., Englewood, CO.
 The Concrete Doctor, Inc., Lincolnshire, IL.
 The RBA Group, Inc., Engineers, Architects and Planners, Morristown, NJ.
 The Wesbell Group of Companies, Inc., Wilmington, DE.
 Thyssenkrupp Elevator Corporation, Horn Lake, MS.
 Total Fire Protection, Inc., Brandon, SD.
 Transmedia Restaurant Company, Inc., North Miami, FL.
 Truman Arnold Companies, Texarkana, TX.
 Tyco International (US) Inc., Boca Raton, FL.
 U-Save Auto Rental of America, Inc., Hanover, MD.
 United Food Service Inc., Phoenix, AZ.
 Wolland, Inc., Gainesville, FL.
 Wright & Wilhelmy Company, Omaha, NE.

Ron Thornburgh
 Secretary of State

Doc. No. 026554

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, commissions, and county officials are included in the Kansas Directory, published by the Secretary of State. The directory also is available on the Secretary of State's Web site at www.kssos.org.

The following appointments were recently filed with the Secretary of State:

Abstracters' Board of Examiners

Theresa Frazier, 1226 2200th St., Iola, 66749. Term expires June 30, 2002. Succeeds Roger Hannaford.

Michael Ryan, 416 Garfield St., Clay Center, 67432. Term expires June 30, 2004. Succeeds Robert Keesee.

S. Lee Stutzman, P.O. Box 339, Manhattan, 66502. Term expires June 30, 2003. Reappointed.

Citizens' Utility Ratepayer Board

Gene L. Merry, 700 Neosho St., Burlington, 66839. Term expires June 30, 2005. Reappointed.

Francis X. Thorne, 608 4-H Road, Leavenworth, 66048. Term expires June 30, 2005. Reappointed.

Nancy L. Wilkens, 5251 Wakarusa, Great Bend, 67530. Term expires June 30, 2005. Reappointed.

Kansas Commission on National and Community Service

Kathleen Clausung, 2701 Westdale Road, Berryton, 66409. Term expires March 24, 2004. New position.

Michael D. Faler, 4818 S.E. Croco Road, Berryton, 66409. Term expires April 18, 2003. New position.

Jacquelyn K. Feist, 1609 C Ave., Dodge City, 67801. Term expires March 24, 2004. Reappointed.

Martha Gabehart, 1430 S.W. Topeka Blvd., Topeka, 66612. Term expires March 24, 2004. Reappointed.

Jeff LaCroix, 12091 Hays St., Overland Park, 66213. Term expires March 24, 2004. Reappointed.

Julie Mann, 2632 S.E. 37th St., Topeka, 66605. Term expires March 24, 2003. Succeeds Claudia Mendoza.

Aaron J. Pirner, 5131 W. 29th, Wichita, 67228. Term expires March 24, 2004. Succeeds LoRenda Bradley.

State Board of Nursing

Laura Jenó, 2526 21st St., Great Bend, 67530. Term expires June 30, 2002. Succeeds Carol Maynard, resigned.

Board of Examiners in Optometry

Larry D. Stoppel, 318 C St., Box 155, Washington, 66968. Term expires April 20, 2004. Reappointed.

State Board of Veterinary
Medical Examiners

Dr. Thomas M. Jernigan, 1223 Old U.S. 56 Highway, Council Grove, 66846. Term expires June 30, 2005. Reappointed.

Ron Thornburgh
Secretary of State

Doc. No. 026553

State of Kansas

Attorney General

Notice of Available Grant Funding

Grant funds are available from the Federal Victims of Crime Act (VOCA) for the federal year of October 1, 2001 through September 30, 2002, to eligible applicants of new grant projects. The purpose of this grant program is to fund public and private not-for-profit agencies that provide direct assistance to crime victims. For the purposes of this grant program, a crime victim is a person who has suffered physical, sexual and emotional harm as a result of the commission of a crime. Direct services are defined as efforts that (1) respond to the emotional and physical needs of crime victims; (2) assist primary and secondary victims of crime to stabilize their lives after a victimization; (3) assist victims to understand and participate in the criminal justice system; and (4) provide victims of crime with a measure of safety such as boarding-up windows and replacing or repairing locks, etc.

Priority shall be given to victims of sexual assault, spousal abuse and child abuse. Thus, a minimum of 10 percent of each federal fiscal year grant (30 percent total) will be allocated to each of these categories of crime victims. An additional 10 percent of each VOCA grant will be allocated to victims of violent crime (other than "priority" category victims) who were "previously underserved." VOCA crime victim assistance grant funds can be used to enhance or expand services and cannot be used to supplant state and local funds that would otherwise be available for crime victim services.

There is a match requirement of a minimum of 20 percent cash or in-kind match of the total VOCA grant project (VOCA grant award plus match). The exception is the subgrantees that are Native American tribes/organizations located on reservations. Whether new or existing, their match requirement is 5 percent cash or in-kind match of the total VOCA grant project (VOCA grant award plus match).

Grant applications may be obtained by contacting the office of the Kansas Attorney General, 2nd Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, 66612-1597, (785) 368-7063 or (800) 828-9745. Applications also may be accessed via the Internet at www.ink.org/public/ksag. This is to obtain a printed copy only. Applications cannot be submitted on-line.

All grant applications are to be postmarked by Friday, June 8. No applications will be accepted after that date.

Carla J. Stovall
Attorney General

Doc. No. 026547

State of Kansas

Department of Health
and Environment

Notice Concerning Proposed RCRA Permit

The Kansas Department of Health and Environment and the U.S. Environmental Protection Agency, Region 7, are providing notice of intent to issue a Resource Conservation and Recovery Act (RCRA) permit to TPI Petroleum Inc. (TPI), a wholly-owned subsidiary of Ultramar Diamond Shamrock, for the continued care and remediation of its refinery property in Arkansas City, Kansas. Although refinery operations have ceased at the site, TPI is responsible under the RCRA for the continued remediation and monitoring of the facility, located at 1400 N. M St., Arkansas City.

The facility obtained interim status as a hazardous waste treatment and storage facility in November 1980 and was assigned the following EPA identification number: KSD087418695. On November 16, 1987, the facility was issued a permit for the treatment of hazardous and nonhazardous wastes in a Land Treatment Unit and to initiate the corrective action requirements of the 1984 Hazardous and Solid Waste Amendments (HSWA). The renewal RCRA permit requires TPI to complete closure of the Land Treatment Unit and provide post-closure care and monitoring for #1 Surface Impoundment, #2 Surface Impoundment, #3A Aerated Lagoon, and Land Treatment Unit. In addition, the renewal permit requires the owner of the TPI facility to conduct corrective measures to address the soil and groundwater contamination at the facility. During the term of the renewal permit, TPI is subject to inspection by the KDHE and the EPA to determine compliance with the requirements of the permit.

In October 1985, the State of Kansas received final authorization from the EPA to implement its own hazardous waste management program in lieu of the federal program, except for the portions covered by the 1984 Hazardous and Solid Waste Amendments (HSWA). The KDHE portion of the permit (Part I) will be issued under the authority of K.S.A. 65-3431 (i) and 65-3431 (s), and the EPA portion of the permit (Part II) will be issued under the authority of sections 3002 (b), 3004 (u) and (v), and 3005 of the RCRA.

Part I of the permit will require TPI to complete the closure activities for the Land Treatment Unit in accordance with the approved Closure Plan. In addition, this permit requires TPI to perform post-closure care for the #1 Surface Impoundment, #2 Surface Impoundment, #3A Aerated Lagoon, and the Land Treatment Unit; groundwater monitoring and corrective action for the waste management area for the facility located at Arkansas City, Kansas, in accordance with the conditions of the permit. The EPA portion (Part II) of the joint permit will address the corrective action requirements of HSWA.

The permit application, draft permit, related information and all data submitted by the applicant, as part of the administrative record, are available for public review from May 14-June 29, Monday through Friday, at the following locations:

Arkansas City Public Library
200 E. 5th
Arkansas City, 67005
Contact: Carole Dibben
(620) 442-1280

Kansas Department of Health and Environment
Bureau of Waste Management -
Hazardous Waste Permits Section
Building 740, Forbes Field
Topeka, 66620-0001
Contact: Mostafa Kamal
(785) 296-1609

U.S. Environmental Protection Agency
Region VII - RCAP Branch
901 N. 5th
Kansas City, KS 66101
Contact: Ken Herstowski
(913) 551-7159
Toll Free 1-800-223-0425

An informal public meeting and public hearing will be held in conjunction with the public comment period. The informal public meeting will be from 1:30-4:30 p.m., and the public hearing will be at 7 p.m., June 20 in the Earl Wright Community Room, Cowley County Community College, 125 S. 2nd, Arkansas City. The informal public meeting will provide an opportunity to discuss the draft permit and related issues with representatives from the KDHE and the EPA. The public hearing will provide a chance for the public to give formal comments on the draft permit and the application. Oral and written comments may be submitted at the hearing. Written comments related to this permit action should be submitted to Mostafa Kamal (KDHE) or Ken Herstowski (EPA) at the above addresses, postmarked not later than June 29.

After consideration of all comments received, the KDHE secretary and EPA regional administrator will make a final permit decision. Notice will be given to the applicant, to all persons who submitted written comments, to those who commented at the public hearing and to those who requested notice of the final permit decision. If none of the comments received during the public comment period results in revisions to the draft permit, the permit will become effective immediately upon its issuance. If comments received during the public comment period result in revisions, the permit will become effective 30 days after service of notice of the final decision or at a later date, if a review is requested under 40 CFR 124.19.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026558

State of Kansas

Department of Wildlife and Parks

Public Notice

The Kansas Department of Wildlife and Parks has reached agreement for the purchase of a tract of land in Montgomery County. The parcel consists of 420 acres (SE/4 of Sec 11; SW/4 & SW/4SE/4 of Sec 12; E/2NE/4NE/4 & N/2NW/4NE/4NE/4 of Sec 14; and part of the N/2 of Sec 13; all in T32S-R14E). This tract was appraised at \$189,000 and will be purchased for \$189,000. This tract will be part of the Elk City Wildlife Area and will remain on the county tax rolls.

Steve A. Williams
Secretary of Wildlife and Parks

Doc. No. 026555

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment has prepared a draft National Pollutant Discharge Elimination System permit for the City of Coffeyville, Kansas, to discharge treated domestic wastewater into the Verdigris River.

The proposed permit is based upon an average discharge flow of 4.0 MGD into the Verdigris River. This wastewater treatment facility is a mechanical treatment plant consisting of a grit removal, primary clarification, trickling filters, intermediate clarification and final clarification. Sludge is treated in anaerobic sludge digestion. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform and pH. Monitoring for total Kjeldahl nitrogen, nitrate, nitrite, total phosphorus, dissolved oxygen and effluent flow also will be required. The chronic whole effluent toxicity and heavy metals testing will be required annually. A priority pollutant scan will be required to be performed at least once during the life of the permit. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit.

Copies of the city's application, draft permit, fact sheets and other pertinent documents may be requested by contacting the Kansas Department of Health and Environment, TSS - Permit Clerk, Bureau of Water, Forbes Field, Building 283, Topeka, 66620. Appropriate copying charges will be assessed for each request.

Persons wishing to comment on the draft permit must submit written statements to the address above by June 9.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026569

State of Kansas

Department of Health
and Environment

Notice of Hearing

The Kansas Department of Health and Environment has prepared a draft Kansas Water Pollution Control Permit, M-LA19-OO02, for the City of Park City wastewater treatment facility. The proposed permit also is public noticed in this edition of the Kansas Register (Public Notice No. KS-01-055). Based upon anticipating significant public interest concerning this project, a public meeting and public hearing have been scheduled in conjunction with the public notice of the draft permit.

The public meeting on KDHE's intention to issue the draft permit has been scheduled for 7 p.m. Wednesday, June 13, in the City Council Chambers, City Hall, 6110 N. Hydraulic Ave., Park City. The public hearing will immediately follow the public meeting, starting not later than 7:45 p.m. The public hearing will continue until all comments are received and the hearing is closed by the hearing officer. Comments may be provided in oral and/or written form. All interested parties will be given a reasonable opportunity to present their views orally during the hearing. The hearing officer may place a time limit of five minutes on oral presentations to assure all parties have an opportunity to be heard.

This proposed wastewater treatment facility expansion for the City of Park City will increase the design flow from 1.08 MGD to 2.16 MGD. This proposed permit imposes water-quality based effluent limitations for biochemical oxygen demand, ammonia, fecal coliform and dissolved oxygen. It retains the existing limitations for total suspended solids and pH. The limitations for total suspended solids and pH are based on standard secondary wastewater treatment requirements. The permit also requires monitoring for total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen and discharge flow. The chronic whole effluent toxicity and heavy metals testing will be required annually. A priority pollutant scan will be required to be performed at least once during the life of the permit.

Persons wishing to comment on the draft permit must submit written statements to the address below or may provide oral and/or written statements at the hearing. Comments provided to KDHE by June 13 or such later date as set by the hearing officer at the hearing will be considered by the secretary of KDHE in making a final decision concerning this permit issuance.

Additional information can be obtained by contacting the Kansas Department of Health and Environment, Attn: Permit Clerk, Bureau of Water-TSS, Forbes Field, Building 283, Topeka, 66620, (785) 296-5519, fax (785) 296-5509.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the draft permit in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the permit clerk.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026572

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment has received an application for permit modification to construct and operate a new construction and demolition (C/D) waste disposal area at the existing City of Wichita (Brooks) municipal solid waste landfill. The proposed C/D waste disposal area will be located primarily over a former municipal solid waste disposal area that has received final cover. The final elevations of the C/D waste disposal area will be no higher than the final elevations of the previously permitted municipal solid waste disposal areas. The City of Wichita is the owner of the property. The C/D waste disposal area will cover approximately 15 acres and is the first of three proposed consecutive phases totaling approximately 72 acres (Phases 2 and 3 are not detailed in the current application, and therefore will require additional permit modifications prior to development of those C/D waste disposal areas in the future).

The C/D waste disposal areas will be constructed in conformance with state solid waste regulations currently being developed for this type of landfill. Based on current waste projections, the C/D waste disposal areas will have a total capacity to receive waste for approximately 20 years. The C/D waste disposal areas will be located within the boundary of the existing permitted site, in the NW¼ of Section 25 and the NE¼ of Section 26, Township 26 South, Range 1 West. Brooks Landfill is located at 4100 N. West Street, Wichita. KDHE is providing public notice of its intent to amend the municipal solid waste permit to allow construction and operation of the Phase 1 C/D waste disposal area.

A copy of the administrative record, which includes the draft permit, permit application, engineering drawings and all information regarding this permit action, is available for public review from May 14-June 15 during normal business hours, Monday through Friday, at the following locations:

Kansas Department of Health and Environment
Bureau of Waste Management
Solid Waste Permits Section
Forbes Field, Building 740
Topeka, 66620
Contact: Paul Graves
(785) 296-1596

City of Wichita
Public Works Department
Natural Resources Division
455 N. Main, 8th Floor
Wichita, 67202
Contact: Joseph Pajor
(316) 268-4356

Anyone wishing to comment on the solid waste landfill permit modification should submit written statements postmarked not later than June 15 to Paul Graves of KDHE (at the address listed above). In addition, an informational meeting and public hearing will be held, in conjunction with the public comment period, on Thursday, May 31, at the Sedgwick County Extension Education Center, Sunflower Room, 7001 W. 21st Street North

(southeast corner of 21st and Ridge Road), Wichita. The informational meeting will begin at 6 p.m. At the informational meeting, KDHE staff will be present in an informal setting to respond to questions from concerned individuals regarding the C/D waste disposal area. At 7 p.m., immediately following the informational meeting, a public hearing will be held. The hearing will provide a format for individuals to make formal comments, which will be recorded by KDHE. KDHE will subsequently respond to all formal comments in writing.

After consideration of all formal comments received at the public hearing and all written comments received during the public notice period, KDHE will make a final decision on whether to issue the permit. Notice of the decision will be given to the applicant, to anyone who submitted written comments during the comment period, to those who commented during the public hearing and to those who requested notice of the final permit decision.

Clyde D. Graeber
Secretary of Health and Environment

Doc. No. 026576

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 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 and/or permit applications have been received for discharges to the waters of the United States and the State of Kansas for the class of discharges 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.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

Public Notice No. KS-AG-01-120/134
Pending Permits for Confined Feeding Facilities

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Midwest Feeders, Inc., SE/4 of Section 24, T24S, R29W, NE/4 of Section 25, T24S, R29W N/2 of Section 19, T24S, R28W, Gray County, Upper Arkansas River Basin.

Kansas Permit No. A-UAGY-C005 Federal Permit No. KS0115169
This is a new permit for an expanding facility for 49,000 head (49,000 animal units) of beef cattle weighing greater than 700 pounds.

(continued)

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

Compliance Schedule: Permeability tests shall be conducted on the earthen wastewater retention structure(s). Should any structure not meet the permeability requirements, additional sealing will be required. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Garden City Truck Wash P.O. Box 1341 Garden City, KS 67846	SE/4 of Section 3, T24S, R33W, Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-T001

This is a renewal permit for an existing truck wash facility for a maximum of 50 trailers per week.

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

Name and Address of Applicant	Legal Description	Receiving Water
Grunder Truck Wash 122 S. Main St. John, KS 67576	SE/4 of Section 21, T25S, R14W, Stafford County	Lower Arkansas River Basin

Kansas Permit No. A-ARSF-T001

This is a renewal permit for an existing livestock truck wash facility.

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

Compliance Schedule: The manure/waste management plan developed and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Warren Wheeler 2904 Wellman Road Lawrence, KS 66044	NE/4 of Section 13, T11S, R19E, Jefferson County	Kansas River Basin

Kansas Permit No. A-KSJF-M007

This is a renewal permit for an existing facility for 115 head of dairy cows (161 animal units).

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

Compliance Schedule: A manure/waste management plan for the facility shall be developed. A plan shall be submitted to the department within six months following permit issuance and will become part of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Feldkamp Farms, "North Farm" Route 1, Box 103 Centralia, KS 66415	N/2 of the SE/4 of Section 31, T3S, R12E, Nemaha County	Big Blue River Basin

Kansas Permit No. A-BBNM-S006

This is a permit renewal of a current permit for an existing facility for 730 head (292 animal units) of swine greater than 55 pounds and 1,160 head (116 animal units) of swine 55 pounds or less, for a total of 408 animal units.

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

Compliance Schedule: The manure/waste management plan most recently approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Feldkamp Farms, "South Farm" Route 1, Box 103 Centralia, KS 66415	NE/4 of Section 6, T4S, R12E, Nemaha County	Big Blue River Basin

Kansas Permit No. A-BBNM-S045

This is a permit renewal of a current permit for an existing facility for 1,700 head (680 animal units) of swine greater than 55 pounds.

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

Compliance Schedule: The manure/waste management plan most recently approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Holthaus Feedlot Route 1, Box 10 Centralia, KS 66415	W/2 of the SW/4 of Section 2, T4S, R11E, Nemaha County	Big Blue River Basin

Kansas Permit No. A-BBNM-B001

This is a permit renewal of a current permit for an existing facility for 990 head (495 animal units) of cattle less than 700 pounds.

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

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Randall Yost 413 29th Ave. Moundridge, KS 67107	SE/4 of Section 11, T21S, R1W, McPherson County	Little Arkansas River Basin

Kansas Permit No. A-LAMP-S026

This is a renewal permit for an existing facility for 2,440 head (976 animal units) of swine and a modification to reflect the use of the existing partially enclosed unit.

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

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Circle U Ranch 6243 W. 1100 Road Centerville, KS 66014	NW/4 of Section 34, T21S, R22E, Linn County	Marais des Cygnes River Basin

Kansas Permit No. A-MCLN-S013

This is a renewal permit for an existing facility for a maximum of 1,500 head (600 animal units) of swine greater than 55 pounds.

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

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Richard L. Poor 4532 S.W. 100th St. Chetopa, KS 67336	NE/4 of Section 21, SE/4 of Section 16, T34S, R22E, Cherokee County	Neosho River Basin

Kansas Permit No. A-NECK-F025

This is a renewal permit for an existing facility for a maximum of 54,000 head (972 animal units) of turkeys.

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

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Rick Daniels 17620 Meade Road Erie, KS 66733	NW/4 of Section 11, T28S, R19E, Neosho County	Neosho River Basin

Kansas Permit No. A-NENO-M005
This is a renewal permit for an existing facility for a maximum of 70 head (98 animal units) of mature dairy cattle.

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

Compliance Schedule: Dewatering equipment shall be obtained within six months after issuance of the permit. A manure/waste management plan for the facility shall be developed. A plan shall be submitted to the department within six months following permit issuance and will become part of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
William Rhodes 7621 Wellman Road McLouth, KS 66054	NE/4 of Section 14, T10S, R19E, Jefferson County	Kansas River Basin

Kansas Permit No. A-KSJF-M002
This is a renewal permit for an existing facility for 90 head of dairy cows (126 animal units).

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

Compliance Schedule: A manure/waste management plan for the facility shall be developed. A plan shall be submitted to the department within six months following permit issuance and will become part of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Mellies Hog Farm 1128 27th Road Morganville, KS 67468	SW/4 of Section 23, NW/4 of Section 26, T6S, R2E, Clay County	Republican River Basin

Kansas Permit No. A-LRCY-S037
This permit is for renewal and modification of an existing facility for 1,625 head (372 animal units) of cattle and swine.

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

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Steven D. Miller Farms 1222 E. Plains Road Agra, KS 67621	NW/4 of Section 23, T3S, R16W, Phillips County	Solomon River Basin

Kansas Permit No. A-SOPL-B008
This is a new permit for an existing facility, reflecting a change in operation from swine to 300 head (150 animal units) of cattle weighing 700 pounds or less.

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

Compliance Schedule: Dewatering equipment shall be obtained within six months after issuance of the permit. The manure/waste management plan approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Premium Pork, Inc. Route 1, Box 160 Kensington, KS 66951	NE/4 of Section 35, S/2 of Section 25, T1S, R16W, Phillips County	Solomon River Basin

Kansas Permit No. A-SOPL-H002 Federal Permit No. KS0082198
This is a permit renewal for an existing facility for a maximum capacity of 4,521 head (1,808.4 animal units) of swine weighing greater than 55 pounds, and 2,720 head (272 animal units) of swine weighing 55 pounds or less, for a total maximum capacity of 7,241 head (2,080.4 animal units).

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

Public Notice No. KS-01-053/059

Name and Address of Applicant	Waterway	Type of Discharge
Coffeyville, City of P.O. Box 498 Coffeyville, KS 67337	Verdigris River	Treated Domestic Wastewater

Kansas Permit No. M-VE09-001 Federal Permit No. KS0050733
Legal: SE¼, S12, T35S, R16E, Montgomery County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform and pH. Monitoring for total phosphorus, total Kjeldahl nitrogen, nitrate, nitrite, dissolved oxygen and effluent flow also will be required. In addition, the permittee is required to conduct a chronic whole effluent toxicity test and a priority pollutant scan. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the 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
Hill City, City of 205 N. Pomeroy Hill City, KS 67642	Solomon River via South Fork Solomon River	Treated Domestic Wastewater

Kansas Permit No. M-SO19-001 Federal Permit No. KS0116882
Legal: SE¼, S13, T8S, R23W, Graham County

Facility Description: The proposed action is to modify and reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The purpose of the modification was to update the permit to the current requirements. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform and pH. Monitoring for effluent flow also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the 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
Park City, City of 6110 N. Hydraulic Park City, KS 67219-2499	Little Arkansas River via Main Branch Chisholm Creek	Treated Domestic Wastewater

Kansas Permit No. M-LA19-002 Federal Permit No. KS0089176
Legal: SE¼, S17, T26S, R1E, Sedgwick County

Facility Description: The proposed action is to modify and reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. This permit modification consists of a planned plant expansion that will increase the

(continued)

plant's design flow from 1.08MGD to 2.16MGD. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform and pH. Monitoring for chlorides, nitrates, nitrites, Kjeldahl nitrogen, phosphorus and flow also will be required. In addition, the permittee is required to conduct a chronic whole effluent toxicity test and a priority pollutant scan. The permit requirements are pursuant to the 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
Caylor Coal Company, Inc. P.O. Box 368 Ottawa, KS 66067	Marais des Cygnes River via Rock Creek	Pit Dewatering and Uncontaminated Stormwater Runoff

Facility Name: Ottawa Quarry
Kansas Permit No. I-MC31-PO08 Federal Permit No. KS0095036
Legal: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and E $\frac{1}{4}$ of SE $\frac{1}{4}$ of, S6, T17S, R20E, Franklin County
Facility Description: The proposed action is to issue a new permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the 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
Coffeyville, City of P.O. Box 1629 Coffeyville, KS 67337	Verdigris River via Various Tributaries	Process Wastewater

Kansas Permit No. I-VE09-PO04 Federal Permit No. KS0080039
Facility Name: Coffeyville Municipal Power Plant
Facility Location: 605 Santa Fe, Coffeyville, KS 67337
Facility Description: The proposed action is to reissue an existing permit for a discharge of process wastewater. This facility is a standby natural gas fired electrical generating station used for peaking and emergency power. Wastewater from the facility consists of cooling tower and boiler blowdown discharges. The proposed permit includes limits for total suspended solids, oil and grease, total residual chlorine and pH. Monitoring of temperature and effluent flow also will be required. In addition, the permittee is required to conduct a chronic whole effluent toxicity test. The permit requirements are pursuant to the 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
Goodyear Tire & Rubber Company P.O. Box 1069 Topeka, KS 66601	Kansas River via Soldier Creek	Process Wastewater, Cooling Water and Stormwater Runoff

Kansas Permit No. I-KS72-PO02 Federal Permit No. KS0001643
Legal: NE $\frac{1}{4}$, S13, T11S, R15E, Shawnee County
Facility Description: The proposed action is to reissue an existing permit for the discharge of process wastewater, cooling water and stormwater runoff. This facility is engaged in the manufacture of truck, off the road and specialty tires that comes under the federal effluent guidelines under 40 CFR Part 428 - Rubber Manufacturing Point Source Category, Subpart A - Tire and Inner Tube Plants Subcategory. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, oil and grease, total zinc and pH. Monitoring for ammonia, fecal coliform, temperature and effluent flow also will be required. In addition, the permittee is required to conduct a chronic whole effluent toxicity test. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, KAR 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
N.R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Blue River via Pit Mill Creek	Pit Dewatering and Uncontaminated Stormwater Runoff

Facility Name: Koehler Quarry #34
Kansas Permit No. I-BB21-PO01 Federal Permit No. KS0117315
Legal: NE $\frac{1}{4}$, S8, T2S, R4E, Washington County

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the 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-PT-01-011/012

Name and Address of Applicant	Receiving Facility	Type of Discharge
Boehringer Ingelheim Vetmedica, Inc. 2621 N. Belt Highway St. Joseph, MO 64506-2002	Elwood MWWTP	Processed Wastewater

Facility Name: Boehringer Ingelheim Vetmedica, Inc.
Kansas Permit No. P-MO05-OO02
Facility Address: 15th and Oak St., Elwood, KS 66024

Facility Description: The proposed action is to reissue a pretreatment permit for an existing facility. This facility formulates and packages animal health products including solid dosage forms, sterile injectable antibiotics and oral solutions. They produce ear tags for cattle and dogs, containing dichlorvos. Process wastewater from the Pharmaceutical and Specialty Products building includes equipment washwater, floor wash and cleanup water. The proposed permit includes limits for acetone, n-amyl-acetate, ethyl acetate, isopropyl acetate, methylene chloride, dichlorvos, total cyanide and pH. Process wastewater is treated before being released to the city sanitary sewer. The permit limits are pursuant to state and federal pretreatment requirements.

Name and Address of Applicant	Receiving Facility	Type of Discharge
Great Plains Manufacturing, Inc. 1525 E. North Salina, KS 67401	Abilene MWWTP	Processed Wastewater

Kansas Permit No. P-SH01-OO01
Facility Address: 1100 N.W. 8th, Abilene, KS 67410

Facility Description: The proposed action is to modify and reissue a pretreatment permit for a facility. This permit's modification is the addition of a new outfall. This facility manufactures various types of landscape equipment including mowers, tillers, cutters and seeders. Steel parts are welded, phosphated and painted to produce the final product. The conversion coating (phosphating) operation consists of an automatic four-stage washing system. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide, and pH. Process wastewater is treated before being released to the city sanitary sewer. The permit limits are pursuant to state and federal pretreatment requirements.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Shonda Domme for agricultural permits or ap-

plications, or to the permit clerk for all other permits, at the 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 regarding the draft permit or application notice postmarked or received on or before June 9 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-01-120/134, KS-01-053/059, KS-PT-011/012) and name of applicant/application as listed when preparing comments.

If no objections are received during the public notice period regarding any proposed permit, the Secretary of Health and Environment will issue the final determination regarding issuance or denial of the proposed permit. If response to this notice indicates significant public interest, a public hearing may be held in conformance with K.A.R. 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.

For agricultural permits and applications, a copy of the permit application, supporting documentation and a KDHE-developed fact sheet, if appropriate, is available for review at the appropriate district office:

- Northwest District Office, 2301 E. 13th, Hays, 67601-2651, (785) 625-5664
- North Central District Office, 2501 Market Place, Salina, 67401-7699, (785) 827-9639
- Northeast District Office, 800 W. 24th, Lawrence, 66046-4417, (785) 842-4600
- Southwest District Office, 302 W. McArtor Road, Dodge City, 67801-6098, (316) 225-0596
- South Central District Office, 130 S. Market, 6th Floor, Wichita, 67202-3802, (316) 337-6020
- Southeast District Office, 1500 W. 7th, Chanute, 66720, (316) 431-2390

Application information and components of plans and specifications for all new facilities and for expansions of existing swine facilities may be reviewed on the Internet at <http://www.kdhe.state.ks.us/feedlots/stindex.html>.

For all other proposed permits, the draft permit(s), 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 offices of the Kansas Department of Health and Environment, Bureau of Water.

Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays. These 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.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026573

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 2000 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

Effective 5-7-01 through 5-13-01

Term	Rate
1-89 days	4.48%
3 months	3.66%
6 months	3.75%
1 year	3.87%
18 months	4.07%
2 years	4.20%

Derl S. Treff
Director of Investments

Doc. No. 026546

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced April 25-May 2 by the 2001 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at ink.org/public/legislative.

House Bills

HB 2590. An act concerning public safety officers; relating to administration of educational benefits for dependents of such officers; amending K.S.A. 75-4364 and repealing the existing section; also repealing K.S.A. 75-4364, as amended by section 1 of 2001 House Bill No. 2189, by Committee on Appropriations.

HB 2591. An act relating to annual reports; concerning economic development incentive effectiveness; amending K.S.A. 2000 Supp. 74-8017 and repealing the existing section; also repealing K.S.A. 2000 Supp. 74-8017, as amended by section 1 of 2001 House Bill No. 2219, by Committee on Appropriations.

HB 2592. An act relating to mineral severance tax; concerning the time of payment thereof; amending K.S.A. 79-4220 and 79-4221 and repealing the existing sections, by Committee on Appropriations.

HB 2593. An act concerning the Kansas development finance authority; authorizing the sale of certain state tobacco settlement receipts by the state; creating the great plains tobacco settlement financing corporation as an affiliate of the Kansas development finance authority; authorizing the issuance of bonds payable from tobacco asset payments; amending K.S.A. 38-2101 and 74-8909 and K.S.A. 2000 Supp. 74-8904 and 74-8905 and repealing the existing sections, by Committee on Appropriations.

HB 2594. An act concerning social and rehabilitation services; relating to the sale of certain real estate; disposition of proceeds; amending K.S.A. 2000 Supp. 75-3365, as amended by section 383 of 2001 Senate Bill No. 15, and repealing the existing section, by Committee on Appropriations.

HB 2595. An act amending the Kansas mortgage business act; amending K.S.A. 2000 Supp. 9-2201, as amended by section 2 of 2001 House Bill No. 2481 and repealing the existing section, by Committee on Appropriations.

HB 2596. An act concerning the uniform fine schedule for traffic infractions; increasing the amount of fines; amending K.S.A. 2000 Supp. 8-2118 and 74-7336 and repealing the existing sections, by Committee on Appropriations.

(continued)

HB 2597, An act concerning state moneys; providing for the reconciliation of amendments to certain sections of the Kansas Statutes Annotated; amending K.S.A. 75-4221, as amended by section 1 of 2001 House Bill No. 2169, 79-32,105, as amended by section 4 of 2001 Senate Bill No. 44 and 79-41a03, as amended by section 1 of 2001 Senate Bill No. 42 and K.S.A. 2000 Supp. 9-1111b, as amended by section 41 of 2001 Senate Bill No. 15, 9-1804, as amended by section 14 of 2001 House Bill No. 2482, 65-3424b, as amended by section 245 of 2001 Senate Bill No. 15, 65-3424d, as amended by section 246 of 2001 Senate Bill No. 15, 65-3424k, as amended by section 6 of 2001 House Bill No. 2131, 66-1,139a, as amended by section 273 of 2001 Senate Bill No. 15, 79-3425, as amended by section 454 of 2001 Senate Bill No. 15, 79-3620, 79-3620, as amended by section 10 of this act, 79-3710, 79-3710, as amended by section 12 of this act and repealing the existing sections; also repealing K.S.A. 17-7515, as amended by section 66 of 2001 Senate Bill No. 15, 65-770, as amended by section 225 of 2001 Senate Bill No. 15, 72-6505, as amended by section 292 of 2001 Senate Bill No. 15, 79-32,105, as amended by section 448 of 2001 Senate Bill No. 15 and 79-41a03, as amended by section 463 of 2001 Senate Bill No. 15 and K.S.A. 2000 Supp. 2-1011, as amended by section 9 of 2001 Senate Bill No. 15, 8-1,112, as amended by section 30 of 2001 Senate Bill No. 15, 9-1111b, as amended by section 8 of 2001 House Bill No. 2482, 9-1804, as amended by section 45 of 2001 Senate Bill No. 15, 65-708a, as amended by section 223 of 2001 Senate Bill No. 15, 65-750, as amended by section 224 of 2001 Senate Bill No. 15, 65-3424b, as amended by section 3 of 2001 House Bill No. 2131, 65-3424d, as amended by section 4 of 2001 House Bill No. 2131, 65-3424k, as amended by section 247 of 2001 Senate Bill No. 15, 66-1,139, as amended by section 272 of 2001 Senate Bill No. 15, 66-1,139a, as amended by section 15 of 2001 House Bill No. 2291, 66-1a01, as amended by section 275 of 2001 Senate Bill No. 15, 79-3425, as amended by section 1 of 2001 House Bill No. 2011, 79-3620, as amended by section 16 of 2001 Substitute for House Bill No. 2005, 79-3620, as amended by section 460 of 2001 Senate Bill No. 15, 79-3710, as amended by section 18 of 2001 Substitute for House Bill No. 2005, and 79-3710, as amended by section 461 of 2001 Senate Bill No. 15, by Committee on Appropriations.

HB 2598, An act concerning reduction of salaries of certain state officers and employees; relating to computation of retirement benefits for such officers and employees; amending K.S.A. 74-49,115 and repealing the existing section, by Committee on Appropriations.

HB 2599, An act concerning wildlife and parks; relating to commercial guide services; concerning reports of disposition of certain prosecutions; amending K.S.A. 32-964 and 32-1054 and K.S.A. 2000 Supp. 21-4619 and repealing the existing sections; also repealing K.S.A. 32-964, as amended by section 2 of 2001 House Bill No. 2098, K.S.A. 32-1054, as amended by section 3 of 2001 House Bill No. 2098, and K.S.A. 2000 Supp. 21-4619, as amended by section 1 of 2001 House Bill No. 2098, by Committee on Appropriations.

HB 2600, An act reconciling amendments to certain statutes; amending K.S.A. 38-1502, 38-1503, 38-1583, 45-221, K.S.A. 2000 Supp. 12-192, 60-304, 61-4001, 65-5812, K.S.A. 2000 Supp. 8-128, as amended by section 1 of 2001 Senate Bill No. 73, K.S.A. 2000 Supp. 19-101a, as amended by section 14 of 2001 Substitute for House Bill No. 2005, K.S.A. 25-205, as amended by section 1 of 2001 Senate Bill No. 125, K.S.A. 25-1122, as amended by section 9 of 2001 Senate Bill No. 125, K.S.A. 25-2309, as amended by section 1 of 2001 Senate Bill No. 63, K.S.A. 25-2320, as amended by section 2 of 2001 Senate Bill No. 63, K.S.A. 25-3602, as amended by section 2 of 2001 Senate Bill No. 107, and K.S.A. 32-988, as amended by section 2 of 2001 Senate Bill No. 148; also repealing K.S.A. 38-1502d, 38-1503a, 38-1583a, 45-221e, 45-221f, K.S.A. 2000 Supp. 12-192c, 20-367b, 60-304a, 61-1803, 61-1807, 61-2501, 65-5812a, K.S.A. 2000 Supp. 8-128, as amended by section 1 of 2001 House Bill No. 2144, K.S.A. 2000 Supp. 19-101a, as amended by section 3 of 2001 House Bill No. 2068, K.S.A. 25-205, as amended by section 1 of 2001 Senate Bill No. 127, K.S.A. 25-1122, as amended by section 4 of 2001 Senate Bill No. 127, K.S.A. 25-2309, as amended by section 5 of 2001 Senate Bill No. 127, K.S.A. 25-2320, as amended by section 12 of 2001 Senate Bill No. 127, K.S.A. 25-3602, as amended by section 7 of 2001 Senate Bill No. 127, K.S.A. 32-988, as amended by section 1 of 2001 Senate Bill No. 147, and K.S.A. 32-1001, as amended by section 1 of 2001 Senate Bill No. 86, by Committee on Appropriations.

HB 2601, An act concerning the lottery; abolishing the lottery commission; transferring the powers and duties of the lottery; amending K.S.A. 74-8702, as amended by section 5 of 2001 House Bill No. 2038, 74-8706, as amended by section 2 of 2001 House Bill No. 2038, 74-8714, 74-8716 and 74-8720 and K.S.A. 2000 Supp. 74-8705, as amended by

section 4 of 2001 House Bill No. 2038, 74-8707, as amended by section 3 of 2001 House Bill No. 2038, 74-8710, as amended by section 6 of 2001 House Bill No. 2038, and 74-8723, as amended by section 1 of 2001 House Bill No. 2038 and repealing the existing sections; also repealing K.S.A. 2000 Supp. 74-8709, by Committee on Appropriations.

HB 2602, An act concerning agriculture; relating to noxious weeds; county discount program; amending K.S.A. 2-1333 and repealing the existing section, by Committee on Agriculture.

House Concurrent Resolutions

HCR 5033, A concurrent resolution urging the President and the Congress of the United States to increase funding for special education from an average federal share of 15% nationwide to the 40% level authorized by the Individuals with Disabilities Education Act.

House Resolutions

HR 6020, A resolution congratulating and commending Roger Myers.

HR 6021, A resolution congratulating and commending Lt. j.g. Jeff Vignery.

Senate Bills

SB 363, An act making and concerning appropriations for the fiscal years ending June 30, 2001, June 30, 2002, and June 30, 2003; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending K.S.A. 75-2319 and K.S.A. 2000 Supp. 79-2959, as amended by section 167 of 2001 Senate Bill No. 57, 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, 79-3425i, as amended by section 169 of 2001 Senate Bill No. 57, 79-34,147, as amended by section 170 of 2001 Senate Bill No. 57, and 82a-953a and repealing the existing sections, by Committee on Ways and Means.

SB 364, An act concerning fees for certificate of title fees; amending K.S.A. 2000 Supp. 8-135, 8-135a, 8-139, 8-145, as amended by section 27 of 2001 Senate Bill No. 15, 8-170, 8-171, 8-198 and 74-2013 and repealing the existing sections, by Committee on Ways and Means.

SB 365, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; employer contributions; amending K.S.A. 2000 Supp. 74-4927 and 74-4927f and repealing the existing sections, by Committee on Ways and Means.

SB 366, An act concerning health care provider insurance; amending K.S.A. 40-3401, 40-3403 and 40-3414 and repealing the existing sections, by Committee on Ways and Means.

SB 367, An act concerning counties; relating to the procedure for the incorporation thereof; amending K.S.A. 15-123 and repealing the existing section, by Committee on Ways and Means.

Senate Resolutions

SR 1846, A resolution congratulating and commending Johnson County Community College athletes.

SR 1847, A resolution congratulating and commending Roger Myers.

SR 1848, A resolution congratulating and commending Robert and Donna Talkington.

SR 1849, A resolution congratulating and commending Emily Bloss.

SR 1850, A resolution congratulating and commending the St. Thomas Aquinas High School girls basketball team and Coach Rick Hertzell for winning the 2001 Class 6A girls state basketball championship.

SR 1851, A resolution congratulating and commending Lt. j.g. Jeffrey Vignery.

SR 1852, A resolution congratulating and commending Kansas Peace Officers.

SR 1853, A resolution congratulating and commending the Kansas Bureau of Investigation's Kansas' Most Wanted program.

SR 1854, A resolution congratulating and commending the Topeka High School Marine Corps Junior ROTC drill team.

SR 1855, A resolution commending the Kansas City Interfaith Council and the Center for Religious Experience and Study for sponsoring The Gifts of Pluralism.

SR 1856, A resolution congratulating and commending James W. Woods for his many years of service to the Kansas Senate.

SR 1857, A resolution congratulating and commending Robert P. Sigman.

Doc. No. 026545

State of Kansas

Kansas, Inc.

Notice of Meeting

The Kansas, Inc. Technical Advisory Committee for Strategic Planning will meet from 10 a.m. to 3 p.m. Monday, May 14, at the Pozez Education Center, Centennial Room C, 1505 S.W. 8th, Topeka. The meeting is open to the public. For further information, call (785) 296-1460.

Charles R. Ranson
President

Doc. No. 026582

State of Kansas

Information Network of Kansas

Notice of Meeting

The Information Network of Kansas Board of Directors will meet at 2 p.m. Thursday, May 17, in the offices of the Kansas Technology Enterprise Corporation, second floor conference room, 214 S.W. 6th, Topeka. The meeting is open to the public. For additional information, call (785) 296-1460.

Leroy Gattin
Chairman

Doc. No. 026583

State of Kansas

Kansas Insurance Department

Permanent Administrative
Regulations

Article 1.—GENERAL

40-1-30. (Authorized by K.S.A. 40-103; implementing K.S.A. 40-222, 40-225; effective Feb. 15, 1977; amended May 1, 1986; revoked May 25, 2001.)

40-1-42. **Diskette filing and filing quarterly financial statements.** (a) Each insurance company, fraternal benefit society, health maintenance organization, and nonprofit dental service corporation that does business in this state and files a statement of its condition on the preceding December 31 on a form prescribed by the national association of insurance commissioners shall, pursuant to the requirements of K.S.A. 40-225 and amendments thereto, submit the statement of its condition by electronically readable means to the national association of insurance commissioners on January 1 of each year or within 60 days thereafter.

(b) Each insurance company, fraternal benefit society, health maintenance organization, and nonprofit dental service corporation organized under the laws of this state and either licensed or operating in any other state shall file quarterly statements of its condition on the preceding March 31, June 30, and September 30 on a form prescribed by the national association of insurance commissioners.

(1) Each quarterly statement shall be prepared in accordance with the instructions, accounting practices, and procedures prescribed and adopted from periodically by the national association of insurance commissioners and

any additions or amendments that the commissioner of insurance requires.

(2) Each such insurance company, fraternal benefit society, health maintenance organization, and nonprofit dental service corporation shall submit the quarterly statement of its condition by electronically readable means to the national association of insurance commissioners within 45 days after the end of the respective reporting periods. (Authorized by K.S.A. 1999 Supp. 40-225 and K.S.A. 40-103; implementing K.S.A. 1999 Supp. 40-225; effective Jan. 24, 1997; amended May 25, 2001.)

40-1-43. **Reinsurance trust instruments.** (a) Any trust that is used by an insurer, organized under the laws of this state, to demonstrate compliance with K.S.A. 40-221a(b)(1) and (3), and amendments thereto, shall be established in a form approved by the commissioner. The trust instrument shall include all of the following provisions:

(1) Entry of the final order of any court of competent jurisdiction in the United States will make contested claims valid and enforceable.

(2) Legal title to the assets of the trust will be vested in the trustee for the benefit of the grantor's United States ceding insurers, their assigns, and successors in interest.

(3) The commissioner will have the power to examine the trust.

(4) The trust will remain in effect for as long as the assuming group or insurer has outstanding obligations under reinsurance agreements subject to the trust.

(5) On or before February 28 of each year, a written report prepared by the trustees will be sent to the commissioner of insurance containing the following:

(A) The balance in the trust;

(B) a listing of the trust's investments at the end of the preceding year; and

(C) a certification of the termination date of the trust, or a certification that the trust will not expire before the following December 31.

(b) Each amendment to the trust shall be reviewed and approved by the commissioner before that amendment becomes effective.

(c) The provisions in subsections (a) and (b) above shall not apply to a domestic title insurance company subject to the provisions of K.S.A. 40-1107a and amendments thereto. (Authorized by K.S.A. 1999 Supp. 40-221a and K.S.A. 40-103; implementing K.S.A. 1999 Supp. 40-221a; effective Jan. 24, 1997; amended May 25, 2001.)

Article 12.—SALE OF STOCK

40-12-1. (Authorized by K.S.A. 40-103, 40-205; implementing K.S.A. 40-209a; effective Jan. 1, 1966; amended May 1, 1980; amended May 1, 1986; revoked May 25, 2001.)

Kathleen Sebelius
Kansas Insurance Commissioner

Doc. No. 026575

State of Kansas

Commission on Veterans' Affairs

Notice of Meeting

The Kansas Commission on Veterans' Affairs will meet at 1 p.m. Friday, May 18, in Timmerman Hall at the Kansas Veterans' Home in Winfield. The public is invited to attend. For further information, call (785) 296-3976.

Stoney Wages
Executive Director

Doc. No. 026551

State of Kansas

Department of Education

Permanent Administrative
Regulations

Article 37.—PARENTS AS TEACHERS GRANTS

91-37-2. **Parent education program grant application.** (a) Any board seeking a parent education program grant shall submit an application to the state board. Each application shall include the following information:

(1) The name and number of the district or, if the application is being made by a consortium of districts, the name of the interlocal agency or school district which will receive grant funds and administer the program and a listing of participating districts;

(2) the mailing address and phone number of the district or interlocal agency administering the grant;

(3) the name and signature of the superintendent or interlocal agency director; and

(4) the name, title, address, phone number and signature of the person who will be responsible for directing the program for the district or interlocal agency.

(b) Applications shall be submitted to the state board by the date specified on the application form. (Authorized by K.S.A. 72-3605; implementing K.S.A. 72-3604; effective Aug. 5, 1991; amended May 25, 2001.)

91-37-3. **Parent education program plan.** (a) Each board applying for a parent education program grant shall submit a parent education program plan to the state board with the application required by K.A.R. 91-37-2. The plan shall include the following information:

(1) An abstract;

(2) a general description of the program;

(3) proposed program outcomes;

(4) proposed program activities;

(5) a method for evaluation of the program; and

(6) a budget.

(b) The abstract shall provide the following information:

(1) The name and the number of the applying district or interlocal agency; and

(2) the name, address, and phone number of the contact person for the program.

(c) The general description shall include the following information:

(1) The specific needs that have been identified and an indication of how the proposed plan addresses those needs;

(2) an overview of the proposed program;

(3) specific plans for recruiting parents to the program; and

(4) the manner in which the proposed program coordinates with existing programs in the district or districts.

(d) The program outcomes shall indicate the general outcome that is expected to be accomplished by implementation of the proposed plan during the first year. Also, specific measurable outcomes, written in product-oriented terms, shall be stated for the program after three to five years of operation.

(e) Program activities shall be stated in brief, descriptive terms. Each activity that is to be conducted to implement the plan shall be described.

(f) The evaluation section shall indicate the process by which implementation will be documented and the method by which achievement of program outcomes will be assessed.

(g) The budget section shall indicate, in detail, how state and local funds are to be spent. (Authorized by K.S.A. 72-3605; implementing K.S.A. 72-3604; effective Aug. 5, 1991; amended May 25, 2001.)

91-37-4. **Parent education program reports.** (a) Each board that is awarded a parent education program grant shall submit a statistical and financial mid-year report to the state board that shall include information from July 1 through December 1. Each such report shall include the following information:

(1) The date services began;

(2) the number of families and children participating;

(3) a description of progress made toward accomplishing intended outcomes;

(4) an indication of any problems with the program; and

(5) an itemized statement of expenditures of state and local funds.

(b) Mid-year reports shall be submitted to the state board by the date specified on the mid-year report form.

(c) Each board that is awarded a parent education program grant shall submit a statistical and financial end-of-the-year report that shall include information from the preceding July 1 to the state board. This report shall contain the following information:

(1) The information required for the mid-year report;

(2) an evaluation of the program's effectiveness as indicated by a parent satisfaction survey;

(3) the results of the evaluation of the program; and

(4) an itemized statement of expenditures of state and local funds.

(d) End-of-the-year reports shall be submitted to the state board by the date specified on the end-of-the-year report form.

(e) Each board awarded a parent education program grant shall submit any other reports that are requested by the state board. (Authorized by K.S.A. 72-3605; implementing K.S.A. 72-3604; effective Aug. 5, 1991; amended May 25, 2001.)

Andy Tompkins
Commissioner of Education

Doc. No. 026580

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, 66612, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

Tuesday, May 22, 2001

03275

Statewide—Packaging Items

A-9207

Osawatomie State Hospital—Corridor Upgrade for Code Compliance, George A. York School

Wednesday, May 23, 2001

03285

Statewide—Basic Clothing

03293

Department of Transportation, Statewide—Rock Salt for Ice and Snow Removal

03300

Department of Wildlife and Parks—Aggregate (Atchison, Brown, Nebo State Fishing Lakes and Benedictine Bottoms Wildlife Area)

A-9126

Wichita State University—Carpet Replacement, Various Buildings

Thursday, May 24, 2001

03265

Kansas State University—Moving and Storage of Library Materials

Tuesday, May 29, 2001

03296

University of Kansas Medical Center—Telemedicine Videoconferencing System

Wednesday, May 30, 2001

03281

Fort Hays State University—Design and Install Video Studio Equipment for Capture, Editing and Production

A-9030

Department of Transportation—Tuckpoint and Concrete Repair, Salina

A-9112

University of Kansas—Repair Brick and Tuckpoint, Carruth O’Leary Hall

A-9181

University of Kansas—Window Repair, Moore Hall

Thursday, May 31, 2001

A-8945

Pittsburg State University—Parking Lot, Locust and Ford

A-9080

Beloit Juvenile Correctional Facility—Electrical Service Upgrade, Various Buildings

A-9205

Kansas State University—Reroof, Pittman Building

A-9229

Topeka Correctional Facility—Replace Domestic Water Service

Tuesday, June 5, 2001

03292

Kansas State University—Frozen Foods, Canned Goods and Miscellaneous Groceries

Request for Proposals

Tuesday, May 22, 2001

03252

Livescan Fingerprint System for the Topeka Juvenile Correctional Facility

Thursday, May 24, 2001

03289

Legal Services for the State Board of Regents

Friday, June 1, 2001

03274

Prescription Benefit Manager-Audit for the Health Care Commission

Tuesday, June 12, 2001

03302

Computer Seat Management Services for the Department of Social and Rehabilitation Services

John T. Houlihan
Director of Purchases

Doc. No. 026579

State of Kansas

Department of Health
and Environment

Permanent Administrative
Regulations

Article 15.—APPLICATION FOR PERMITS;
DOMESTIC WATER SUPPLY

28-15-35. **Conditions of accreditation.** (a) Definitions.

(1) “Accreditation” means the issuance of a document by the secretary attesting to the fact that a laboratory meets the minimum requirements specified in K.A.R. 28-15-35, 28-15-36, 28-15-36a, and 28-15-37. For the purpose of this article 15, the terms accreditation and certification are equivalent.

(2) “Accredited” means a laboratory that meets all of the requirements for accreditation as specified in K.A.R. 28-15-35, 28-15-36, 28-15-36a, and 28-15-37.

(3) “Accrediting authority” means a territorial, state, federal, or international governmental agency that has re-

(continued)

sponsibility and accountability for environmental laboratory accreditation and that grants accreditation.

(4) "Analyst" means a person who performs the analytical methods and associated techniques and who is responsible for applying required laboratory practices and other pertinent quality controls to meet the required level of quality.

(5) "Clean water act" or "CWA" means U.S. public law 92-500, as in effect on October 18, 1972, which governs water pollution control programs.

(6) "Denial" means the department's refusal to accredit a laboratory after submission of an application.

(7) "Department" means the Kansas department of health and environment.

(8) "EPA" means the U.S. environmental protection agency.

(9) "Field laboratory" means any Kansas environmental laboratory performing compliance analyses limited to one or more of the following parameters:

- (A) Chlorine;
- (B) dissolved oxygen;
- (C) hydrogen ion (pH);
- (D) sulfite;
- (E) temperature; or
- (F) turbidity.

(10) "Interim accreditation" means accreditation issued for either of the following:

(A) An additional parameter utilizing a technology not previously inspected by the laboratory accreditation officer and for which the laboratory meets all other accreditation requirements including acceptable proficiency testing studies, if available; or

(B) a field laboratory before inspection.

(11) "Laboratory" means a legally identifiable facility performing environmental analyses in a controlled and scientific manner.

(12) "Laboratory accreditation officer" means any person determined by the department to have adequate credentials to evaluate laboratories supplemented by successful completion of the EPA drinking water laboratory accreditation officers' training course, nationally approved assessor training courses, and refresher training courses.

(13) "Laboratory director" means a person whose functions are to direct technical personnel and evaluate the quality of test procedures performed in the laboratory.

(14) "Parameter" means any chemical or physical substance for which analysis is performed.

(15) "Parametric group" means organic compounds for which analysis is performed by utilizing a single method.

(16) "Proficiency testing sample" or "PT" means a sample the composition of which is unknown to the analyst. The PT samples are used to test whether or not the laboratory can produce analytical results within performance limits determined by the department.

(17) "Reciprocity" means department recognition of the validity of the accreditation granted by another accrediting authority, in order to issue Kansas accreditation based upon the evaluation conducted by that accrediting authority.

(18) "Resource conservation and recovery act" or "RCRA" means U.S. public law 93-580, as in effect on January 2, 1975, which governs solid and hazardous waste programs.

(19) "Revocation" means the withdrawal of a laboratory's accreditation.

(20) "Safe drinking water act" or "SDWA" means U.S. public law 93-523, as in effect on December 16, 1974, which governs drinking water programs.

(21) "Secretary" means the secretary of the Kansas department of health and environment.

(22) "Suspension" means the temporary removal of a laboratory's accreditation for a period of time that shall not exceed six months.

(23) "Supplemental accreditation" means accreditation based upon state-of-the-art technology for which the EPA has not given method approval and for which monitoring is required by the department.

(b) The requirements for applying for and maintaining accreditation shall be as follows:

(1) A complete application shall be made on forms provided by the department.

(2) Each laboratory, to maintain uninterrupted accreditation, shall file an application for renewal at least 60 calendar days before the current accreditation expires.

(3) Each applicant shall be subject to payment of fees as specified in K.A.R. 28-15-37.

(4) When applications are submitted by accredited laboratories requesting accreditation for additional parameters, the expiration date for the additional accreditation shall be the same date indicated on the certificate currently in effect for that laboratory. Additional fees shall be assessed for each additional parameter or parametric group as specified in K.A.R. 28-15-37.

(c) Scope of accreditation. Laboratories may be accredited for any of the following:

(1) Drinking water (SDWA);

(2) wastewater (CWA);

(3) solid and hazardous waste (RCRA); or

(4) field laboratory. Accreditation of field laboratories shall be limited to parameters specified in paragraph (a)(9) of this regulation.

(d) On-site assessment.

(1) Each on-site assessment of a laboratory shall be conducted by a laboratory accreditation officer at a frequency established by the secretary, but at a minimum of at least once every two years. Each on-site assessment shall be conducted to determine whether the laboratory meets the minimum requirements for accreditation as specified in K.A.R. 28-15-35 and 28-15-36.

(2) Each on-site assessment of a field laboratory shall be conducted by a laboratory accreditation officer at a frequency established by the secretary, but at a minimum of at least once every three years. On-site assessments shall be conducted to determine whether the laboratory meets the minimum requirements for accreditation as specified in K.A.R. 28-15-35 and 28-15-36a.

(3) Additional on-site assessments may also be performed to resolve problems indicated by deficiencies from proficiency testing, deficiencies from prior on-site assessments, or changes that an accredited laboratory

makes in location, personnel, or methodology. Other on-site assessments may be conducted to resolve complaints.

(4) If deficiencies are identified during the on-site assessment, a deficiency report shall be submitted to the laboratory by the department. The laboratory shall respond to the deficiency report with corrective action within 30 days of receiving the deficiency report. If corrective action is considered not acceptable by the laboratory accreditation officer, the laboratory shall have an additional 30 days after notification of nonacceptance to submit a revised plan for corrective action. Failure to comply with this requirement shall result in denial or suspension of accreditation as established in paragraphs (g)(1) and (g)(3) of this regulation.

(e) Proficiency testing. For initial and continuing accreditation, each laboratory, excluding field laboratories, shall participate in proficiency testing studies obtained from a proficiency test provider recognized by the department.

(1) For initial accreditation, the laboratory shall meet the following requirements:

(A) Successfully complete two proficiency testing studies out of the three most recent rounds attempted; and

(B) schedule proficiency testing studies at least 30 days apart and no more than six months apart. A result shall be considered unacceptable if the laboratory reports values for a parameter outside of the acceptance limits established by the department.

(2)(A) For continuing accreditation, the laboratory shall meet the following requirements:

(i) Participate in proficiency testing studies twice per year at the times scheduled by the department; and

(ii) maintain a performance history of at least two acceptable proficiency testing studies out of the three most recent studies. A result shall be considered unacceptable when either the laboratory reports values outside of the acceptance limits established by the department or the laboratory fails to participate in scheduled studies.

(B) Failure to maintain the acceptable performance history as specified in paragraph (e)(2)(A)(ii) shall result in suspension of all methods related to the affected parameter.

(C) A laboratory may elect to analyze a remedial proficiency testing sample outside of the scheduled studies after obtaining unacceptable results. The remedial sample shall be considered part of the laboratory's corrective action. The result shall count as part of the historical two-out-of-three performance criteria. If the result from the remedial sample is unacceptable, the laboratory shall be subject to suspension of all methods related to the affected parameter.

(3) After loss of accreditation of a parameter due to nonacceptable performance, the laboratory shall complete two acceptable proficiency testing studies out of the three most recent studies attempted for the failed parameter before accreditation may be reinstated. These studies shall be scheduled at least 30 days apart and no more than six months apart.

(4) Additional PT requirements for accreditation under the SDWA. For accreditation under the SDWA, for a parameter by multiple test methods, at least once per year

the laboratory shall also demonstrate successful performance for each test method for which it seeks or maintains accreditation. Each laboratory may analyze and report multiple method specific results for the same parameter from one of the two PT samples analyzed each year.

(5) Proficiency test providers shall report laboratory results for proficiency test samples in a format approved by the department.

(f) Notification of accreditation.

A certificate shall be issued by the secretary to each laboratory satisfactorily meeting all requirements of K.A.R. 28-15-35, 28-15-36, 28-15-36a, and 28-15-37. The parameters or parametric groups for which the laboratory is accredited shall be noted. An accreditation number shall be assigned to each accredited laboratory and shall be included on the certificate. The certificate shall be issued for a 12-month period. The accreditation period may vary from the 12-month period for administrative reasons.

(g) Denial, suspension, or revocation of accreditation.

(1) Denial of accreditation. Each laboratory accreditation shall be denied in part or in total for any of the following reasons:

(A) Failure to submit a complete application;

(B) failure to meet the personnel requirements as specified in K.A.R. 28-15-36 and K.A.R. 28-15-36a;

(C) failure to successfully analyze and report proficiency testing samples as required by the department;

(D) failure to demonstrate to the laboratory accreditation officer that the laboratory meets the required standards for accreditation, based upon an on-site assessment;

(E) failure to respond to the deficiency report with acceptable corrective action after an on-site assessment within the time period established in paragraph (d)(4) of this regulation;

(F) failure to implement corrective action;

(G) misrepresentation or omission of material facts;

(H) denial of entry during normal business hours for an on-site assessment; or

(I) failure to pay the required fees as established in K.A.R. 28-15-37.

(2) Accreditation after denial.

(A) Accreditation shall not be granted until a laboratory has demonstrated to the laboratory accreditation officer that the deficiencies that caused the denial have been corrected.

(B) If the laboratory is not successful in correcting the deficiencies that caused the denial, the laboratory shall wait six months before submitting a new application.

(C) After denial of accreditation in part, the laboratory shall reapply for accreditation of the affected parameters. After denial of accreditation in total, the laboratory shall submit a complete application to the department.

(3) Suspension of accreditation. Any accredited laboratory's accreditation may be suspended in part or in total for the following reasons:

(A) Failure to notify the laboratory accreditation officer in writing within 30 days of changes in ownership, laboratory personnel, laboratory location, or methods that involve a change in technology or instrumentation; or

(continued)

(B) failure to successfully analyze and report proficiency testing samples as required by the department.

(4) Accreditation after suspension.

(A) Accreditation after suspension shall not be granted until a laboratory has demonstrated to the laboratory accreditation officer that the deficiencies that caused suspension have been corrected.

(B) After suspension of accreditation in part, the laboratory shall reapply for accreditation of the affected parameters. After suspension of accreditation in total, the laboratory shall submit a complete application to the department.

(C) If the laboratory does not correct the deficiencies that caused the suspension within six months, the laboratory accreditation shall be revoked in part or in total.

(5) Revocation of accreditation.

(A) An accreditation may be revoked in part or in total if it is determined that there has been any of the following:

(i) Failure to maintain compliance with K.A.R. 28-15-35, 28-15-36, 28-15-36a, and 28-15-37.

(ii) reporting, as official compliance data, any parameter or analytical result for which accreditation has not been obtained;

(iii) failure to respond to the deficiency report with acceptable corrective action after an on-site assessment;

(iv) failure to respond to the deficiency report after an on-site assessment within the time period established in paragraph (d)(4) of this regulation; or

(v) failure to implement corrective action after an on-site assessment.

(B) An accreditation may be revoked in total if it is determined that there has been the following:

(i) Misrepresentation or omission of material facts;

(ii) failure to participate in proficiency testing studies as required by the department;

(iii) denying entry to a laboratory accreditation officer during the laboratory's working hours; or

(iv) conviction of charges relating to the falsification of any report relating to a laboratory analysis.

(6) Accreditation after revocation.

(A) After revocation, accreditation shall not be granted until a laboratory has corrected the reason for revocation and has met all the requirements of the revocation order.

(B) After revocation of accreditation in part, the laboratory shall reapply for accreditation of the affected parameters. After revocation of accreditation in total, the laboratory shall submit a complete application to the department.

(h) Analytical results obtained after an accreditation has been suspended or revoked shall not be submitted to the department as official compliance data.

(i) Reciprocity.

(1) Establishment of reciprocity for the accreditation of laboratories located outside the state of Kansas. Laboratories located outside of the state of Kansas that perform laboratory services as specified in K.S.A. 65-163 through 65-171t, and amendments thereto, and K.A.R. 28-15-35, 28-16-28b, 28-16-63, and 28-31-4 may be accredited by the department, if the laboratory is accredited by an accrediting authority recognized by the department.

(2) Each out-of-state laboratory shall submit an application to the department with a copy of the current certificate issued by the primary accrediting authority or authorities, and the accreditation fees specified in K.A.R. 28-15-37.

(3) Laboratories located outside of Kansas shall not be approved as field laboratories.

(4) The laboratory shall be accredited only for the requested parameters for which it holds accreditation from its primary accrediting authority or authorities. The laboratory shall be accredited by the department for only parameters and methods included in the Kansas scope of accreditation.

(5) In lieu of reciprocity, out-of-state laboratories may apply for and receive accreditation from the department if the following criteria are met:

(A) The laboratory is located within 25 miles of the Kansas border;

(B) the laboratory is performing laboratory services for its own company facility located within the state of Kansas to comply with K.S.A. 65-163 through 65-171t, and amendments thereto, and K.A.R. 28-15-25, 28-16-28b, 28-16-63, and 28-31-4; and

(C) the laboratory meets all other requirements for accreditation as specified in this regulation.

(j) Laboratory withdrawal of accreditation. Each laboratory may withdraw its application for accreditation at any time during the accreditation process. Each laboratory may withdraw from accreditation at any time during the accreditation period. In both cases, each laboratory shall notify the department in writing. The fees submitted to the department up to the time of the notification shall not be refunded, as specified in K.A.R. 28-15-37. (Authorized by K.S.A. 65-1,109a; implementing K.S.A. 65-1711, K.S.A. 65-1,109a, K.S.A. 1999 Supp. 65-3406 and 65-3431, and K.S.A. 65-34,105; effective, E-79-14, June 23, 1978; effective May 1, 1979; amended May 1, 1983; amended May 1, 1986; amended May 1, 1988; amended Jan. 24, 1994; amended May 25, 2001.)

28-15-36. Requirements for accreditation of laboratories other than field laboratories. The minimum requirements for approval of environmental laboratories shall be those listed in "standards for accreditation of environmental laboratories," published April 2001 by the department and hereby adopted by reference. (Authorized by K.S.A. 65-1,109a; implementing K.S.A. 65-1711, K.S.A. 65-1,109a, K.S.A. 1999 Supp. 65-3406 and 65-3431, and K.S.A. 65-34,105; effective, E-79-14, June 23, 1978; effective May 1, 1979; amended May 1, 1983; amended May 1, 1986; amended May 1, 1988; amended Jan. 24, 1994; amended May 25, 2001.)

28-15-36a. Requirements for accreditation of field laboratories. (a) Accreditation of a field laboratory shall be granted only to those laboratories performing environmental analyses limited to one or more of the following parameters:

- (1) Chlorine;
- (2) dissolved oxygen;
- (3) hydrogen ion (pH);
- (4) sulfite;
- (5) temperature; or

- (6) turbidity.
- (b) Personnel. Personnel performing analytical procedures shall meet the following minimum qualifications:
- (1) A high school diploma or equivalent;
 - (2) knowledge of the use of analytical equipment and support equipment used for the analysis of the parameters listed in subsection (a) of this regulation; and
 - (3) one month's experience in performing the analyses being considered for approval.
- (c) Supplies, reagents, standards, and equipment.
- (1) All items necessary for the performance of the analyses shall be available.
 - (2) Reagents and standards shall not exceed their expiration date.
 - (3) Equipment shall be properly maintained and in working order.
 - (4) Automated on-line equipment shall be maintained and calibrated according to manufacturer's instructions. The calibration and maintenance of automated equipment shall be documented.
- (d) Analytical methods. Drinking water samples shall be analyzed in accordance with methods approved by the laboratory accreditation officer as required by the safe drinking water act. Environmental water samples analyzed under the clean water act shall be analyzed in accordance with methods approved by the laboratory accreditation officer as required by the clean water act. Environmental samples analyzed under the resource conservation and recovery act shall be analyzed in accordance with methods approved by the laboratory accreditation officer as required by the resource conservation and recovery act.
- (e) Sample collection and handling. All samples collected for field laboratory analysis shall be analyzed immediately after collection or on-site. Temperature shall be read at the sample site.
- (f) Quality assurance. Each field laboratory shall implement and maintain a detailed, written standard operating procedure for collection, analysis, reporting, and data handling.
- (g) Data handling.
- (1) All records relating to data reported for regulatory compliance purposes shall be retained by the laboratory for at least five years. This requirement shall include the following if applicable:
 - (A) Calibration or standardization information, or both;
 - (B) quality controls, including standards and duplicates;
 - (C) calculations;
 - (D) sampling and analytical information; and
 - (E) reports.
 - (2) The sampling and analytical data to be retained shall include the following:
 - (A) The date, time, and location of sampling and analysis;
 - (B) the name of the person collecting the sample;
 - (C) the name of the analyst; and
 - (D) the type of analysis, method utilized, and results.
- (h) Each field laboratory shall notify the accreditation officer in writing within 30 days of changes in analytical equipment, personnel, facility location, facility name, or

facility ownership. If changes in personnel take place, the field laboratory shall be responsible for the placement of individuals meeting the qualifications requirements specified in subsection (b) of this regulation. (Authorized by K.S.A. 65-1,109a; implementing K.S.A. 65-1711, K.S.A. 65-1,109a, K.S.A. 1999 Supp. 65-3406 and 65-3431, and K.S.A. 65-34,105; effective Jan. 24, 1994; amended May 25, 2001.)

28-15-37. **Fees.** (a) The environmental laboratory accreditation application fee shall be \$150.00 for each scope of accreditation.

(b) The fees specified in subsection (a) of this regulation shall be submitted with the application forms provided by the Kansas department of health and environment.

(c) Upon receipt and approval of the application, a statement of accreditation fees shall be calculated and issued to the laboratory, by the department, as follows:

(1) For each scope of accreditation, excluding field laboratory accreditation, the annual fee shall be \$30.00 for each individual parameter and \$50.00 for each parametric group to a maximum of \$800.00.

(2) The fee for microbiology shall be \$200.00.

(3) The fee for biomonitoring shall be \$200.00.

(4) For field laboratory certification, the fee for each parameter shall be \$90.00.

(d) A fee of \$50.00 shall be assessed for each parameter and parametric group for each scope of accreditation requested as an addition during the accreditation period. This fee shall be assessed in addition to any maximum limit.

(e) (1) The accreditation fee for laboratories accredited by reciprocity shall be as follows:

(A) \$275.00 for each scope of accreditation if the laboratory requests one to 10 parameters or parametric groups, or both;

(B) \$600.00 for each scope of accreditation if the laboratory requests 11 to 20 parameters or parametric groups, or both; and

(C) \$1,000.00 for each scope of accreditation if the laboratory requests more than 20 parameters or parametric groups, or both.

(2) All fees shall be submitted with the application forms provided by the department.

(3) An additional fee of \$50.00 shall be assessed for each parameter and parametric group for each scope of accreditation requested as an addition during the accreditation period.

(f) All fees shall be remitted in full before the issuance of the certificate. Fees shall not be refunded except in the case of overpayment. Payment of fees shall be made to the Kansas division of health and environmental laboratory. (Authorized by and implementing K.S.A. 65-1,109a; effective, E-79-14, June 23, 1978; effective May 1, 1979; amended May 1, 1986; amended Jan. 24, 1994; amended May 25, 2001.)

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026527

State of Kansas

Department of Administration

Permanent Administrative
Regulations

Article 5.—COMPENSATION

1-5-8. **Beginning pay.** (a) Each new hire and each rehire not based on a reemployment or reinstatement shall be paid at the minimum step of the pay grade for the class.

(b) New hires and rehires not based on a reemployment or a reinstatement may be paid at higher steps in the pay grade only under the following circumstances:

(1) If an agency has an eligible candidate with exceptional qualifications directly related to the vacant position and the agency cannot employ the person at the minimum step, the appointing authority may approve beginning pay for the individual at a higher step in the pay grade. Exceptional qualifications shall be based on the candidate's education, training, experience, skills, and other qualifications.

(2) If there is a lack of candidates for a class of positions available for employment at the minimum step, one or more appointing authorities may request that the director establish some higher step in the pay grade as the beginning pay for new hires and for rehires not based on a reemployment or a reinstatement in the class. Authorization for the higher beginning pay may be given to a designated agency or agencies, to all agencies, or for a particular geographical area. Unless an earlier expiration date is specified, the authorization shall expire on the last day of the last payroll period chargeable to the fiscal year during which the authorization was granted.

(A) When an agency uses an authorization granted under paragraph (b)(2), the agency shall, except as provided below, raise the pay of each incumbent in the class who is being paid at a lower step to the higher beginning pay.

(B) If the authorization granted under paragraph (b)(2) is only for a particular geographical area, the agency shall not raise the pay of incumbents in other geographical areas.

(C) Each agency that has positions in the class or geographical area authorized for a higher beginning pay shall be notified of the authorization by the director. Each increase to a higher step given to an incumbent because the agency uses a higher beginning pay under paragraph (b)(2) shall be effective at the beginning of the next pay period. The length of time that the incumbent has spent on the previous step of the pay grade shall count toward the time-on-step requirement for the new step.

(3) An appointing authority may pay a temporary employee at a higher step in the pay grade if the candidate has exceptional qualifications directly related to the position or has former permanent status in the same class or another class at the same or higher pay grade.

(c) In a manner prescribed by the director, the appointing authority shall report to the director each hire above the minimum step made by the appointing authority as provided in this regulation.

(d) The beginning pay for any unclassified employee hired into a position in the classified service shall be de-

termined in accordance with the provisions of this regulation. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-2938 and K.S.A. 75-3746; 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 May 1, 1987; amended Dec. 17, 1995; amended Oct. 24, 1997; amended, T-1-1-30-01, Feb. 4, 2001; amended May 25, 2001.)

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

(b) At the option of the appointing authority, any temporary employee may be hired at a step higher than the minimum step as provided in K.A.R. 1-5-8.

(c) Nothing in this regulation shall prevent the appointing authority from hiring the candidate at a step in the pay grade lower than that 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; amended, T-1-1-30-01, Feb. 4, 2001; amended May 25, 2001.)

1-5-19b. **Individual pay step increases.** (a) Each employee whose latest performance review rating in the preceding 12-month period is at least satisfactory shall receive a pay step increase as provided by subsections (b) and (c) of this regulation, except as otherwise ordered by the governor.

(b) Each employee who is on the minimum step or the second step of a pay grade shall receive a one-step pay increase after six full months on that step of the pay grade.

(c) Each employee who is on the third step of a pay grade or any higher step, except the maximum step, shall receive a one-step pay increase after 12 full months on that step of the pay grade. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-2938; effective May 1, 1983; 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, T-1-1-30-01, Feb. 4, 2001; amended May 25, 2001.)

1-5-19c. **Effect of pay grade changes on pay.** (a) If the governor has assigned a class of positions to a higher pay grade, each employee in that class shall be placed on the step of the higher pay grade that is the same rate, in dollar amount, as the current rate paid to the employee.

(b) If the employee is being paid a dollar amount below the minimum step of the higher pay grade, an increase shall be made to the minimum step.

(c) In all cases, the length of time that the employee has spent on the step of the previous pay grade shall count toward the time-on-step requirement for comput-

ing the next pay increase date. If the number of months accumulated is greater than the number of months required for a step increase, the employee shall be granted one or more step increases, and any unused months shall count toward the next pay increase. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-2938 and K.S.A. 75-2938a; effective May 1, 1983; 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 Oct. 24, 1997; amended, T-1-1-30-01, Feb. 4, 2001; amended May 25, 2001.)

1-5-20. **Individual pay decreases.** (a)(1) The appointing authority may reduce the pay of any employee one step by reason of a less than satisfactory rating according to a current performance review. Such a decrease shall not result in a pay rate below the minimum step of the pay grade. Approval of the director shall be required for more than one of these reductions in any 12-month period.

(2) Following a pay decrease, the employee's pay increase date shall be governed by the time-on-step requirement of the new step, except that the pay may be in-

creased to the step from which it was reduced in any later payroll period, if the employee's subsequent rating is satisfactory.

(b) If the governor has assigned a class of positions to a lower pay grade, each employee in the class shall continue to be paid at the same pay rate, in dollar amount, as the current rate paid to the employee. The length of time the employee has spent on the step of the previous pay grade shall count toward the time-on-step requirement for computing the pay increase date. If the employee's current salary is above the new pay grade, the employee shall not receive a salary increase until the time that an increase may be made within the new pay grade. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-2938, K.S.A. 75-2938a, and K.S.A. 75-3746; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1982; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended Dec. 17, 1995; amended, T-1-1-30-01, Feb. 4, 2001; amended May 25, 2001.)

Dan Stanley
Secretary of Administration

Doc. No. 026556

(Published in the Kansas Register May 10, 2001.)

**Summary Notice of Bond Sale
Unified School District No. 302
Ness County, Kansas (Smoky Hill)
\$450,000
General Obligation School Building Bonds
Series 2001
(General obligation bonds payable from
unlimited ad valorem taxes)**

2006	45,000
2007	50,000
2008	50,000
2009	50,000
2010	55,000
2011	60,000

Bids

Subject to the notice of bond sale dated April 19, 2001, sealed, facsimile and electronic bids will be received by the clerk of Unified School District No. 302, Ness County, Kansas (Smoky Hill) (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at the office of the Board of Education, 311 W. Odgen, P.O. Box 248, Ransom, KS 67572-0248, and in the case of electronic bids, through Thomson Financial Municipals Group BiD-COMP/PARITY electronic bid submission system, until 5 p.m. May 21, 2001, for the purchase of \$450,000 principal amount of General Obligation School Building Bonds, Series 2001. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 2001, and will become due on September 1 in the years as follows:

Year	Principal Amount
2002	\$20,000
2003	35,000
2004	40,000
2005	45,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2002.

Optional Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$9,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 13, 2001, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2000 is
(continued)

\$9,973,187. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$450,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (785) 731-2434, fax (785) 731-2235; or from the financial advisor, Ranson & Associates, Inc., 250 N. Rock Road, Suite 150, Wichita, KS 67206-2241, Attention: Stephen E. Shogren, (316) 681-3123, fax (316) 681-3147.

Dated April 19, 2001.

Unified School District No. 302
Ness County, Kansas (Smoky Hill)

Doc. No. 026578

(Published in the Kansas Register May 10, 2001.)

**Summary Notice of Bond Sale
City of Atchison, Kansas
\$9,965,000
General Obligation Water and
Sewer System Bonds
Series 2001-A**

**(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated May 7, 2001, sealed, facsimile and electronic bids will be received by the clerk of the City of Atchison, Kansas (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at 515 Kansas Ave., Atchison, KS 66002, and in the case of electronic bids, through Thomson Financial Municipals Group BiDCOMP/PARITY electronic bid submission system, until 2 p.m. May 21, 2001, for the purchase of \$9,965,000 principal amount of General Obligation Water and Sewer System Bonds, Series 2001-A. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 1, 2001, and will become due on September 1 in the years as follows:

Year	Principal Amount
2002	\$205,000
2003	350,000
2004	370,000
2005	390,000
2006	410,000
2007	430,000

2008	450,000
2009	470,000
2010	490,000
2011	505,000
2012	535,000
2013	810,000
2014	850,000
2015	890,000
2016	935,000
2017	985,000
2018	890,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2002.

Book-Entry-Only System

The bonds will be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$199,300 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 7, 2001, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2000 is \$54,191,752. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$14,470,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the director of finance, (913) 367-5500, fax (913) 367-3654; or from the financial advisor, George K. Baum & Company, Twelve Wyandotte Plaza, 120 W. 12th, Kansas City, MO 64105, Attention: David Arteberry or Kyle Patino, (816) 474-1100, fax (816) 283-5326.

Dated May 7, 2001.

City of Atchison, Kansas

Doc. No. 026568

(Published in the Kansas Register May 10, 2001.)

**Summary Notice of Bond Sale
Leavenworth County, Kansas
\$3,500,000
Taxable General Obligation Bonds
Series 2001-B
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the official notice of bond sale and preliminary official statement dated May 11, 2001, sealed, facsimile and electronic bids will be received by the county clerk of Leavenworth County, Kansas (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body of the county at the Leavenworth County Courthouse, 300 Walnut, Leavenworth, KS 66048, and in the case of electronic bids, through Thomson Financial Municipals Group BiDCOMP/PARITY electronic bid submission system, until 11 a.m. Monday, May 21, 2001, for the purchase of \$3,500,000 principal amount of Taxable General Obligation Bonds, Series 2001-B. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will 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 June 1, 2001, and will become due on September 1, in the years as follows:

Year	Principal Amount
2002	\$195,000
2003	275,000
2004	295,000
2005	315,000
2006	335,000
2007	360,000
2008	385,000
2009	415,000
2010	445,000
2011	480,000

The bonds will be subject to mandatory and optional redemption prior to maturity as provided in the official notice of bond sale and preliminary official statement.

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2002.

Paying Agent and Bond Registrar

The Kansas State Treasurer, Topeka, Kansas, is designated as the paying agent and bond registrar.

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 qualified financial surety bond in the amount of \$70,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered to the facilities of the Depository Trust Company, New York, New York, without cost to the successful bidder within 45 days after the date of sale.

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the county for the year 2000 is \$379,392,250. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$20,175,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the county clerk, (913) 684-0404, or from the financial advisor, U.S. Bancorp Piper Jaffray, 4600 Madison Ave., Suite 1200, Kansas City, MO 64112-3025, (816) 360-3074, Attn: Greg Vahrenberg.

Dated May 11, 2001.

Leavenworth County, Kansas
Linda A. Scheer, County Clerk
Leavenworth County Courthouse
300 Walnut
Leavenworth, KS 66048

Doc. No. 026574

(Published in the Kansas Register May 10, 2001.)

**Summary Notice of Bond Sale
Wichita County, Kansas
\$2,105,741
General Obligation Bonds, Series 2001
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated April 17, 2001, sealed, facsimile and electronic bids will be received by the clerk of Wichita County, Kansas (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at the Wichita County Courthouse, 206 S. 4th, Leoti, KS 67861-0968, and in the case of electronic bids, through Thomson Financial Municipals Group BiDCOMP/PARITY electronic bid submission system, until 11 a.m. May 21, 2001, for the purchase of \$2,105,741 principal amount of General Obligation Bonds, Series 2001. No bid of less than 100 percent of the principal amount

(continued)

of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$5,741 (or such amount added to \$5,000 or any integral multiple thereof). The bonds will be dated May 15, 2001, and will become due on September 1 in the years as follows:

Year	Principal Amount
2002	\$ 15,741
2003	50,000
2004	70,000
2005	75,000
2006	75,000
2007	80,000
2008	85,000
2009	95,000
2010	100,000
2011	105,000
2012	110,000
2013	115,000
2014	120,000
2015	125,000
2016	130,000
2017	135,000
2018	145,000
2019	150,000
2020	160,000
2021	165,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2002.

Optional Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$42,114.82 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 13, 2001, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2000 is

\$29,999,330. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$2,605,741.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (620) 375-2731, fax (620) 375-4350; or from the financial advisor, Ranson & Associates, Inc., Wichita, Kansas, Attention: Stephen E. Shogren, (316) 681-3123, fax (316) 681-3147.

Dated April 17, 2001.

Wichita County, Kansas

Doc. No. 026567

State of Kansas

Social and Rehabilitation Services Department on Aging

Notice of Proposed Nursing Facility Medicaid Rates for State Fiscal Year 2002, Methodology for Calculating Proposed Rates, and Rate Justifications; Notice of Intent to Amend the Medicaid State Plan Request for Comments; and Notice of Intent to Publish Final Rates

Under the Medicaid program, 42 U.S.C. 1396 et seq., the State of Kansas pays nursing facilities, nursing facilities for mental health, and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The Secretary of Aging administers the Medicaid nursing facility services payment program on behalf of the Secretary of Social and Rehabilitation Services. As required by 42 U.S.C. 1396a(a)(13), as amended by Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the Budget Director for the Kansas Department of Social and Rehabilitation Services (SRS) and the Secretary of the Kansas Department on Aging (KDOA) are publishing the proposed Medicaid per diem rates for Medicaid-certified nursing facilities for state fiscal year 2002, the methodology underlying the establishment of the proposed nursing facility rates, and the justifications for those proposed rates. SRS and KDOA also are providing notice of the state's intent to submit proposed amendments to the Medicaid State Plan to the U.S. Department of Health and Human Services' Health Care Financing Administration (HCFA) on or before September 30, 2001.

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

In general, the state uses a prospective, cost-based, facility-specific rate-setting methodology to calculate nursing facility Medicaid per diem rates, including the rates proposed in this notice. The state's rate-setting methodology is contained primarily in the following described

documents and authorities and in the exhibits, attachments, regulations, or other authorities referenced in them:

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

1. Attachment 4.19D, Part I, Subpart C, Exhibit C-1, inclusive;

2. Attachment 4.19D, Part I, Subpart E; and

3. Attachment 4.19D, Part I, Subpart F.

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

Because of the large number of pages needed to reprint all the documents and authorities and the materials incorporated into them by reference, only the text of those portions of the Medicaid State Plan identified above are reprinted in this notice. Those Medicaid State Plan provisions set out in this notice appear in the versions that the state currently intends to submit to HCFA as proposed Medicaid State Plan amendments on or before September 30, 2001. The proposed Medicaid State Plan amendments that the state ultimately submits to HCFA may differ from the versions contained in this notice.

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

Secretary of Aging
 New England Building, 2nd Floor
 503 S. Kansas Ave.
 Topeka, KS 66603-3404
 Fax (785) 296-0767

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

Narrative Explanation of Nursing Facility Reimbursement Formula

The narrative explanation of the nursing facility (NF) and NF-Mental Health (NF-MH) reimbursement formula is divided into nine sections. The sections are:

- Cost Reports
- Rate Determination
- Retroactive Rate Adjustments
- Case Mix Payment System
- Reimbursement Limitations
- Real and Personal Property Fee
- Incentive Factor
- Inflation Factors
- Rate Effective Date

Cost Reports

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

reimbursable/non-resident related cost center so that total operating expenses can be reconciled to the providers accounting records.

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

Calendar Year End Cost Reports:

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

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

Projected Cost Reports:

The filing of projected cost reports are limited to: 1) newly constructed facilities; 2) existing facilities new to the program; 3) new providers when the rate of the previous provider places the residents care at risk and the rate is less than the statewide average; or 4) a provider re-entering the program who has not actively participated or billed services for 24 months or more. The requirements are found in Exhibit A-5 (K.A.R. 30-10-17).

NOTE: Effective December 29, 1995, the provision for a new provider to file a projected cost report in accordance with number 3 above is revoked. The projected cost report is desk reviewed by agency auditors. Rates from the projected cost reports are subject to upper payment limits.

Historical Cost Report Covering Projected Cost Report Period or the First Year of Operation of a New Provider:

The cost report requirements are found in Exhibit A-5 (K.A.R. 30-10-17).

Rate Determination

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

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

(continued)

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

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

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

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

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

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

Retroactive Rate Adjustments

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

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

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

And three, when a new provider, through an arms-length transaction, is reimbursed the rate of the prior pro-

vider and files a historic cost report for the first 12 months of operation, a settlement is made based on the difference between the interim rate and the rate from the historic cost report. Please note the change below on January 3, 1994.

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

Effective January 3, 1994:

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

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

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

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

Case Mix Payment System

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

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

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

Each resident's case mix classification will be determined using the Resource Utilization Group, Version III (RUG III) classification system and the most current MDS assessment, for the appropriate time period, in the data-

base for this resident. From this classification, the numeric value or CMI will be determined. Resident assessments that cannot be classified will be assigned the lowest CMI for the state.

Once each resident has been classified, a case mix normalization process will be performed annually. The purpose of this process is to set the mean CMI for the state to a value of one (1). In order to accomplish this calculation, the case mix indices for all residents in the state are totaled and divided by the number of residents. The value determined in this calculation will then be divided into each resident's CMI. This will result in the table showing the normalized numeric value for each RUGs classification. See Exhibit C-2, Page 8. The average CMI for the state will equal one (1).

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

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

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

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

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

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

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

Health Care per diem cost or their facility specific, CMI adjusted, upper payment limit.

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

Case Mix Implementation January 1, 1994:

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

Case Mix System Beginning July 1, 1994:

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

Reimbursement Limitations

Period:

The upper payment limits are in effect from July 1 through June 30, unless otherwise specified by a state plan amendment.

Upper Payment Limitations:

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

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

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

The compensation paid to owners and related parties shall be allocated to the appropriate cost center for the type of service performed. Each cost center has an expense line for owner/related party compensation. There also is a cost report schedule titled, "Statement of Owners and Related Parties." This schedule requires information concerning the percent of ownership (if over 5%), the time spent in the function, the compensation, and a description of the work performed for each owner and/or related

(continued)

party. Any salaries reported in the Plant Operating, Room and Board or Health Care cost centers in excess of the Kansas Civil Service based salary chart are transferred to the administrative cost center where the excess is subject to the Owner/Related Party/Administrator/Co-Administrator per diem compensation limit.

The Schedule C is an array of non-owner administrator and co-administrator salaries. The schedule includes the most current historic cost reports in the data base from all active nursing facility providers. The salary information is not adjusted for inflation. The per diem data is calculated using an 85% minimum occupancy level for those providers in operation for more than 12 months. The Schedule C for the owner/related party/administrator/co-administrator per diem compensation limit is the first schedule run during the annual limitation setting.

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

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

Cost Center Limits:

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

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

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

costs from the midpoint of each provider's cost report period to the latest quarterly DRI Index for the Schedule B processing.

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

Certain costs are exempt from the inflation application when setting the upper payment limits. They include administrators and co-administrator salaries, owner/related party compensation, interest expense, and real and personal property taxes.

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

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

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

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

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

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

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

The property fee resulted in a calculation of a provider-specific plant operating limit. The Total Property limit is

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

	Total Property Cost Limit for Limitation Period
Minus:	<u>Property Allowance Included in Property Fee</u>
Equal:	Plant Operating Cost Center Limit for Limitation Period

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

Case Mix Adjustment Effective January 1, 1994:

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

Real and Personal Property Fee

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

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

Property Allowance:

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

Property Value Factor:

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

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

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

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

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

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

Incentive Factor

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

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

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

The Schedule E summarizes all expense lines from the Administration cost center and the Plant Operating cost

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center, less property taxes. The ownership costs are excluded from the array so that both older facilities (with relatively lower ownership costs) and newer facilities (with relatively higher ownership costs) can benefit from the incentive factor through efficient operations. The Room and Board and Health Care cost centers are excluded from the incentive factor calculation so that providers are not rewarded for cost efficient operations with regard to costs that may jeopardize the direct care of the residents.

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

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

Inflation Factors

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

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

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

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

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

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

Rate Effective Date

Rate effective dates are determined in accordance with Exhibit A-7 (K.A.R. 30-10-19). The rate may be revised for

an add-on reimbursement factor (i.e., rebased property fee or 24-hour nursing), desk review adjustment or field audit adjustment.

A.2 Attachment 4.19D, Part I, Subpart E:

Reimbursement Rates When Two or More Nursing Facilities Merge Under One License

The Kansas Department of Health and Environment (KDHE) instituted a policy wherein if two nursing facilities meet certain policy criteria, KDHE will issue one license for two facilities. Subpart E will explain the methods and standards for establishing payment rates when two or more facilities are merged under one license.

Merged Facilities in Operation Over 12 Months and With Rates From Calendar Year Cost Reports

Providers who have participated in the Medicaid program for 12 months or longer are required to file a calendar year Nursing Facility Financial and Statistical Report (cost report). The cost report is used to determine the rate that is effective the following July 1. The following is how the rates will be determined for two or more nursing facilities that are merged on one license and that have been paid Medicaid rates based on the submission of the calendar year cost reports.

Initial Rates:

When multiple facilities are joined on one license, each facility will continue to receive the Medicaid reimbursement rate that was set for each facility. The rates are based on the latest cost report filing. If each facility had filed a calendar year cost report for a rate for the following July 1, they would continue to be paid the separate rates that were effective July 1 following the merger. The provider will bill the fiscal agent using the provider numbers specific to each facility.

For example, two facilities combined under one license on June 1, 1998. Each facility will be paid their separate rates for June 1998 services based on the calendar year 1996 cost reports filed for each. They will be paid their separate rates for services beginning July 1998 through June 1999, based on the calendar year 1997 cost reports filed for each facility.

Subsequent Rates:

The provider will file one cost report for the facilities under one license for the calendar year following the merger. The calendar year end cost report will be for 12 months. The cost report will consist of the individual operations of each facility for the first part of the calendar year and the combined operations, after the merger, for the remaining part of the calendar year. This calendar year cost report will be used to set one rate for the facilities under one license on the following July 1. At that time, all but one of the provider numbers will be deactivated and the remaining provider number will be used for the multiple facilities.

For example, two facilities combined under one license on June 1, 1998. The provider will be required to file one cost report for the period January 1 through December 31, 1998. The cost report will consist of the individual operations of each facility through May 31st and the combined operations of the two from June 1 through Decem-

ber 31, 1998. The cost report will be used to establish one rate for the two nursing facilities effective July 1, 1999.

Merged Facilities When One or More is not on Calendar Year Cost Reporting

A cost report may be filed for a period other than the calendar year when one of the following criteria is met:

- There is a recognized change of providers.
- A newly constructed facility enters the program.
- A facility that has been out of the Medicaid program for two years re-enters.
- A facility, which never participated in the Medicaid program, enters.

In these situations, the cost report covers the first 12 months of operation, which may not coincide with the calendar year. For example, a recognized change of provider is effective March 1, 1998. The first cost report would cover the period from March 1, 1998 through February 28, 1999. The cost report submission would be used to determine the Medicaid rate until the subsequent cost report is filed for the calendar year 1999. The calendar year 1999 submission would determine a rate effective July 1, 2000.

Initial Rates:

When multiple facilities are joined on one license and one or more has a cost report submission on other than a calendar year, each facility will continue to receive the Medicaid reimbursement rate that was set for each facility. The rates are based on the latest cost report filing. The provider will bill the fiscal agent using the provider numbers specific to each facility.

For example, two facilities combined under one license on June 1, 1998. Facility A has been filing calendar year cost reports and will be paid a separate rate for June 1998 services based on the calendar year 1996 cost report. Facility A will be paid a separate rate for services beginning July 1998 through June 1999, based on the calendar year 1997 cost report.

Facility B was recognized as a change of provider on March 1, 1998. Facility B received the previous provider's rate based on the calendar year 1996 cost report filed by the previous provider. Facility B will continue to receive rates based on the calendar year 1996 cost report until the first cost report is filed for the period from March 1, 1998 through February 28, 1999. The rate from the first cost report will be effective March 1, 1999. The cost report will be used to set a new rate on July 1, 1999, when the new upper payment limits, incentive ranges and inflation factors are applied.

Subsequent Rates:

The provider will file one cost report for Facilities A and B for the first common calendar year reporting following the merger and the first cost report is filed for Facility B. The calendar year end cost report will be for 12 months. The cost report will consist of the individual operations of each facility for the first part of the calendar year and the combined operations, after the merger, for the remaining part of the calendar year. This calendar year cost report will be used to set one rate for the facilities under one license on the following July 1st. At that time, all but one of the provider numbers will be deacti-

vated and the remaining provider number will be used for the multiple facilities.

Facility A will be required to file a calendar year cost report for the period January 1 through December 31, 1998. The cost report will set the rate for July 1, 1999. Facility B will be required to file a 12-month cost report for the period from March 1, 1998 through February 28, 1999 for new rates.

The first combined cost report for facilities A and B will be for calendar year 1999. It will consist of the individual operations of each facility through February 28, 1999 and the combined operations of the two from March 1 through December 31, 1999. The cost report will be used to establish one rate for the two nursing facilities effective July 1, 2000. At that time, all but one of the provider numbers will be deactivated and the remaining provider number will be used for the multiple facilities.

Merged Facilities When One or More Files a Cost Report for the Period Ended December 31 for a Rate Effective on January 1

A cost report will be filed for a period ended December 31 when a change is within one month of the calendar year end and one of the following criteria is met:

- There is a recognized change of providers.
- A newly constructed facility enters the program.
- A facility that has been out of the Medicaid program for two years re-enters.
- A facility, which never participated in the Medicaid program, enters.

The provider files a 12-month historic cost report on the calendar year end if the change above was effective January 1. If the change were effective February 1, an eleven-month cost report would be filed for the period ended on December 31. If a change was effective on December 1, a thirteen-month cost report would be filed for the period ended on the following December 31. The rate effective date of the cost report would be January 1.

The three scenarios below will explain how the rates will be determined if two facilities merged and one or more of the facilities met one of the four criteria above and filed a cost report for a period ended on December 31.

Scenario One: Provider files 12-Month Cost Report Ending on December 31 for a January 1 Rate:

Two facilities combine under one license on June 1, 1998. Facility A has been filing calendar year cost reports for rates. Facility B was recognized as a change of provider on January 1, 1998.

Initial Rates:

Facility A will be paid a separate rate for June 1998 services based on the calendar year 1996 cost report. It will be paid a separate rate for services beginning July 1998 through June 1999, based on the calendar year 1997 cost report.

Facility B received the previous provider's rate for January through December 1998, based on the calendar year 1996 cost report filed by the previous provider. Facility B will continue to receive rates based on the calendar year

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1996 cost report until the first cost report is filed for the period from January 1, 1998 through December 31, 1998.

Subsequent Rates:

The provider will file a cost report for Facility B for the 12-month period ended December 31, 1998. The cost report would reflect only that facility's first year of operation and would be used to set a rate for January 1, 1999.

The provider will file another combined 12-month cost report for Facilities A and B for calendar year 1998. This calendar year cost report will be used to set one rate for the facilities under one license on July 1, 1999. At that time, all but one of the provider numbers will be deactivated and the remaining provider number will be used for the multiple facilities.

Scenario Two: Provider files 11-Month Cost Report Ending on December 31 for a January 1 Rate:

Two facilities combine under one license on June 1, 1998. Facility A has been filing calendar year cost reports for rates. Facility B was recognized as a change of provider on February 1, 1998.

Initial Rates:

Facility A will be paid a separate rate for June 1998 services based on the calendar year 1996 cost report. It will be paid a separate rate for services beginning July 1998 through June 1999, based on the calendar year 1997 cost report.

Facility B received the previous provider's rate for February through December 1998, based on the calendar year 1996 cost report filed by the previous provider. Facility B will continue to receive rates based on the calendar year 1996 cost report until the first cost report is filed for the 11-month period from February 1, 1998 through December 31, 1998.

Subsequent Rates:

Since the change of provider in Facility B is effective February 1, 1998, the first cost report will be filed for the 11-month period from February 1, 1998 to December 31, 1998. The cost report would reflect only that facility's operation for the 11-month period and would be filed to set a rate for January 1, 1999.

A second combined cost report would be filed for both Facilities A and B for calendar year 1998. It would reflect 12 months of operation for Facility A and 11 months of operation for Facility B. The combined cost report would be used to set a rate for July 1, 1999. At that time, all but one of the provider numbers will be deactivated and the remaining provider number will be used for the multiple facilities.

Scenario Three: Provider Files 13-Month Cost Report Ending on December 31 for a January 1 Rate:

Two facilities combine under one license on June 1, 1998. Facility A has been filing calendar year cost reports for rates. Facility B was recognized as a change of provider on December 1, 1997.

Initial Rates:

Facility A will be paid a separate rate for June 1998 services based on the calendar year 1996 cost report. It will be paid a separate rate for services beginning July 1998 through June 1999, based on the calendar year 1997 cost report.

Facility B received the previous provider's rate from December 1997 through December 1998, based on the calendar year 1996 cost report filed by the previous provider. Facility B will continue to receive rates based on the calendar year 1996 cost report until the first cost report is filed for the 13-month period from December 1, 1997 through December 31, 1998.

Subsequent Rates:

Since the change of provider in Facility B is effective December 1, 1997, the first cost report will be filed for the 13-month period from December 1, 1997 to December 31, 1998. The cost report would reflect only that facility's operation for the 13-month period and would be filed to set a rate for January 1, 1999.

A second combined cost report would be filed for both Facilities A and B for calendar year 1998. It would reflect 12 months of operation for both Facilities A and B (not a 13-month period for Facility B). The combined cost report would be used to set a rate for July 1, 1999. At that time, all but one of the provider numbers will be deactivated and the remaining provider number will be used for the multiple facilities.

Combined Calendar Year Cost Report for Nursing Facilities Merged Under One License:

The cost reports will be for the full 12-month calendar year except if the 11-month cost report period applies. The number of beds, resident days, Medicaid days and Medicare days will be the total for the facilities merged under one license. All changes in the number of beds during the calendar year will need to be reflected for the merged facilities.

The working trail balances for the merged facilities will need to be combined to fill out the schedules in the cost report. Schedule A, Expense Statement, shall reflect the total staff hours and the total direct and indirect expenditures for the merged facilities. The total revenue and related revenue offsets in Schedule G, Revenue Statement, shall be the total for the merged facilities. For part of the calendar year, the working trail balance may reflect the independent operations for each facility and then following the merger the working trail balance may be consolidated. The working trail balances shall reconcile to the applicable cost report schedules. A schedule that lists all general ledger accounts grouped by cost report line number shall be submitted with the combined cost report.

Resident Days Used In Denominator

The greater of the actual resident days reported for the merged facilities or days calculated at the 85% minimum occupancy will be used in the denominator of the rate calculation. If the 85% occupancy rule does not apply during the first 12 months of operation of a facility, then actual days will be used for that facility for the period that the rule does not apply. A merged facility is not treated as being in the first 12 months of operation if the provider had operated the independent facilities previously. If only one of the facilities did not have the 85% occupancy rule applied then the provider will need to report the number of beds and resident days separate for that facility so that the available bed days for the merged facilities can be determined.

Real and Personal Property Fee (Property Fee) for Merged Facilities

The data elements in the most current property fee for each facility will be merged to determine the combined property fee for the facilities merged under one license. The resident days reflected in the Real and Personal Property Fee Component summary for each facility will be totaled. For example, if Facility A has 10,000 resident days reflected and Facility B has 15,000 days, the total days will be 25,000.

Each of the four expense components (interest, depreciation, rent/lease and amortization of leasehold improvements) will be summed for the facilities merged. The total of the four expense components will then represent the total property fee expenses for the merged facilities.

The property allowance will be based on the weighted-average of the merged facilities. For example, Facility A has a property allowance of \$4.00 per day and the current Real and Personal Property Fee Component line reflects 10,000 resident days, and Facility B has a property allowance of \$5.00 per day and 15,000 resident days. The weighted-average property allowance will be \$4.60 ($\$4 \times 10,000 \text{ days} + \$5 \times 15,000 = \$115,000/25,000 \text{ total days} = \4.60).

The value factor will be based on the Medicare per diem property allowance ranges if all or part of the merged facilities are certified to participate in the Medicare skilled nursing facility program. If none of the merged facilities is Medicare certified, then the Nursing Facility per diem ranges are used. In the example above, if one of the facilities was Medicare certified, the value factor would be \$.34 for a total property fee of \$4.94. If both facilities were not Medicare certified, the property value factor would be zero and the total property fee would be \$4.60.

Resident Assessments and Case Mix Index

The resident assessment database, based on the minimum data set (MDS), for the facilities merged under one license will be combined beginning with the first quarter after the merger. The facilities will continue to receive separate rates until after the common calendar year cost report is received for a July 1 rate. However, the case mix index will be the same for the facilities when determining rates after the MDS data base for each facility are merged in the first quarter after the facilities are under a combined license.

Rates for Facilities Under One License if They Later Decide to Go Back to Separate Licenses

Cost Reports and Rates:

If two or more facilities merge under one license and later decide to go back to individual licenses, they will keep the merged rate until a calendar year cost report can be filed for a July 1 rate. For example, if two facilities that were merged under one license decide to have separate licenses on September 1, 1999, the two facilities will be required to submit separate calendar year 1999 cost reports for each facility. The provider shall document how costs and revenues are allocated to each of the facilities during the period the financial statements were combined.

When the two facilities are under separate licenses, the provider number that was deactivated when the facilities merged will be reactivated. Initially, both facilities will have the same rate. The calendar year 1999 cost report will be used to determine rates for each facility on July 1, 2000.

Real and Personal Property Fees

If two or more facilities that are merged under one license later decide to split and have individual licenses within five years, the old property fees will be reassigned to the individual facilities. The additional allowance for a property fee rebasing after the property fees were combined would be added to the individual property allowances after the facilities split. The two facilities used in the combining of property fees above had a property fee of \$4.60. As an example, if a property fee rebasing took place later that added \$.50, the property fee will be \$5.10. If Facilities A and B split before five years, the property fee for Facility A will be \$4.50 ($\$4.00 + \$.50$) and the property fee for Facility B will be \$5.50 ($\$5.00 + \$.50$).

If the facilities decide to split and go back to individual licenses after five years, each facility will continue to have the same property fee as determined when they merged.

Resident Assessments and Case Mix Index

If the two facilities later decide to split into separate licenses, the MDS database will be maintained for the individual facilities beginning the first quarter after the facilities have separate licenses.

A.3 Attachment 4.19D, Part I, Subpart F: Reimbursement for Nursing Facilities With Over 199 Beds

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

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

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

1. They are required to submit the uniform Nursing Facility Financial and Statistical Report in accordance with Exhibit A-5 (K.A.R. 30-10-17). The treatment of allowable and non-allowable costs are consistent for all NFs, regardless of size.
2. The per diem rates are determined by applying the 85% minimum occupancy rule, administrator/co-administrator/owner/related party compensation limits, inflation factors and the incentive factors, as applied to all NFs, regardless of size.
3. The rates are held to the upper payment limits for the Administration, Property, and Room and Board cost centers. They are not held to the upper payment limit for the Health Care cost center.
4. The property reimbursement (real estate interest, depreciation, lease and amortization of leasehold improvements) is based on the real and personal property fee. The overall property limit established for NFs with less than

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200 beds is applied to these facilities. The payment methodology is not reasonably expected to result in an increase in payments based solely on a change of ownership in excess of what would be allowed for any other NF.

5. The payment rate cannot exceed the private pay rate for comparable services. The related requirements in Exhibit A-6 (K.A.R. 30-10-18) shall be followed.
6. The rates are not expected to pay more in the aggregate for NF services than the amount that the agency estimates would be paid under the Medicare principles of reimbursement.
7. Rates for the facilities are determined at least annually based on submissions of the uniform cost report.

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

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

Administration:	Median Cost + 15%	\$15.78 per day
Property:	Median Cost + 30% (Plant Operating)	\$12.32 per day
Room & Board:	Median Cost + 30%	\$24.77 per day
Health Care (for a Case Mix Index of 1.0):	Median Cost + 25%	\$67.15 per day

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

B. Case Mix Index. These proposed rates are based upon each nursing facility's average Case Mix Index (CMI) calculated with a cutoff date of April 1, 2001, using the July 1, 2001, normalized table. In Section II.C, below, each nursing facility's average CMI is listed beside its proposed per diem rate. In accordance with the methodology described above, the final rates (to be published after the public comment period) will be based upon each nursing facility's average CMI calculated with a cutoff date of May 1, 2001.

C. Proposed Nursing Facility Per Diem Rates and CMI

Facility Name	City	Proposed Daily Rate	CMI
Abilene Nursing Center	Abilene	80.30	0.93
Infinia at Abilene, Inc.	Abilene	61.29	0.92
Alma Manor	Alma	110.92	0.91
Andover Health Care Center	Andover	94.96	1.21
Anthony Community Care Center	Anthony	99.16	0.88
Arkansas City Presbyterian Manor	Arkansas City	107.96	1.19
Medicalodge East Healthcare Center	Arkansas City	115.55	1.32
Medicalodge Post Acute & Rehab Center	Arkansas City	110.80	0.94
Infinia at Arma	Arma	104.50	1.50
Ashland Health Center - LTCU	Ashland	97.22	1.00
Atchison Senior Village	Atchison	93.97	0.92
Cray Manor	Atchison	94.55	0.95
Dooley Center	Atchison	95.50	0.75
Medicalodge of Atchison	Atchison	100.15	1.18
Attica Long Term Care	Attica	94.47	0.99
Atwood Good Samaritan Center	Atwood	94.78	0.88
Augusta Medical Complex	Augusta	74.57	0.90
Lake Point Nursing Center	Augusta	88.72	0.92
Baldwin Care Center	Baldwin City	89.93	0.97
Quaker Hill Manor	Baxter Springs	86.67	0.91
Spring Valley Care Center	Baxter Springs	92.41	1.12
Belleville Health Care Center	Belleville	88.49	1.16
Republic County Hospital-LTCU	Belleville	109.27	0.96
Ridgeview Manor	Belleville	87.05	0.93
Hilltop Lodge Nursing Home	Beloit	84.96	0.89
Mitchell County Community Hospital	Beloit	101.41	0.98
Centers for LTC of Bonner Springs	Bonner Springs	95.90	1.08
Hill Top House	Bucklin	89.19	0.95
Buhler Sunshine Home, Inc.	Buhler	103.19	1.01
Santa Fe Trails Nursing Home	Burlingame	83.55	1.12
Life Care Center of Burlington	Burlington	94.04	1.06
Beverly Health & Rehab of Caldwell	Caldwell	80.85	0.91
Caney Nursing Center	Caney	68.62	0.85
Shiloh Manor of Canton, Inc.	Canton	90.36	0.92
Cedar Vale Nursing Center	Cedarvale	73.04	0.81
Eastridge Nursing Home	Centralia	94.63	0.87
Applewood Rehabilitation	Chanute	65.88	0.67
Heritage Health Care Center	Chanute	79.72	0.96
Park Place Healthcare & Rehab Center	Chanute	91.28	0.98
Chapman Valley Manor	Chapman	84.33	0.96
Cheney Golden Age Home Inc.	Cheney	91.97	0.88
Sunny Acres of Cherryvale	Cherryvale	98.28	0.94
Chetopa Manor	Chetopa	76.73	1.30
The Shepherd's Center	Cimarron	94.53	1.03
Clay Center Presbyterian Manor	Clay Center	116.37	0.99
Medicalodge of Clay Center	Clay Center	97.52	0.95
Ninnescah Manor	Clearwater	102.97	0.97
Community Care Inc.	Clifton	67.81	0.85
Park Villa Nursing Home	Clyde	80.75	0.88
Coffeyville Regional Medical Center	Coffeyville	159.18	2.09
Medicalodge East of Coffeyville	Coffeyville	96.63	1.12
Windsor Place	Coffeyville	94.45	1.34
Citizens Medical Center	Colby	116.66	0.95
Lantern Park Manor	Colby	77.44	0.95
Pioneer lodge	Coldwater	86.31	0.88
Medicalodge of Columbus	Columbus	110.72	1.07
Riverside Health Care	Colwich	103.30	0.93
Beverly Health & Rehab of Concordia	Concordia	85.64	0.90
Mt Joseph Senior Community, Inc.	Concordia	96.82	1.00
Sunset Nursing Center	Concordia	99.03	1.13
Spring View Manor	Conway Springs	80.76	0.88
Chase County Nursing Home	Cottonwood Falls	91.04	1.43
Twin Lake Healthcare Center	Council Grove	82.08	1.12
Hilltop Manor	Cunningham	79.35	0.87
Westview Manor, Inc.	Derby	92.74	0.98
Grouse Valley Manor	Dexter	84.67	0.85
Lane County Hospital - LTCU	Dighton	105.39	0.82
Dodge City Good Samaritan Center	Dodge City	104.95	1.06
Manor of the Plains	Dodge City	104.06	0.94
Trinity Manor	Dodge City	103.64	0.94
Medicalodge of Douglass	Douglass	100.70	1.02
Downs Nursing Center	Downs	87.31	1.04
Country Care Home	Easton	80.80	0.87
Edwardsville Convalescent Center	Edwardsville	105.24	1.18
Edwardsville Manor	Edwardsville	85.90	0.89
Parkway Care Home	Edwardsville	92.69	1.20
Beverly Health & Rehab of El Dorado	El Dorado	83.61	0.96
Lakepoint Nursing Center-El Dorado	El Dorado	89.64	0.96
Morton County Hospital	Elkhart	105.65	0.94
Woodhaven Care Center	Ellinwood	85.32	1.01
Ellis Good Samaritan Center	Ellis	91.78	1.01
Ellsworth Good Sam Village-Villa Grace	Ellsworth	109.68	1.02

Facility Name	City	Proposed Daily Rate	CMI	Facility Name	City	Proposed Daily Rate	CMI
Good Samaritan Center - Villa Hope	Ellsworth	97.09	0.89	Golden Plains	Hutchinson	102.57	1.09
Emporia Presbyterian Manor	Emporia	110.59	1.07	Hutchinson Good Samaritan Center	Hutchinson	105.30	1.08
Emporia Rehabilitation Center	Emporia	65.70	1.06	Oakwood Rehabilitation Center	Hutchinson	80.37	1.17
Holiday Resort of Emporia	Emporia	90.89	0.99	Ray E. Dillon Living Center	Hutchinson	106.08	1.09
Vintage Manor	Emporia	88.39	0.92	Wesley Towers	Hutchinson	120.93	1.06
Enterprise Estates Nursing Center	Enterprise	79.16	0.95	Glenwood Estate	Independence	76.96	0.94
Heritage Village-Eskridge	Eskridge	76.29	0.68	Manor Nursing Home	Independence	77.18	1.01
Eudora Nursing Center	Eudora	85.86	0.89	Mercy Health System of Kansas, Inc.	Independence	85.77	1.44
Medicalodge of Eureka	Eureka	108.51	1.12	The Lodge at Independence	Independence	94.25	0.99
Florence Health Care	Florence	70.12	0.83	Pleasant View Home	Inman	102.52	0.86
Fort Scott/Marmaton Valley	Fort Scott	80.58	1.02	Windsor Place at Iola, LLC	Iola	81.05	1.25
Medicalodge of Ft. Scott	Fort Scott	111.00	1.03	Cheyenne Lodge, Inc.	Jamestown	72.74	0.99
Mercy Hospital Of Kansas - Ft. Scott	Fort Scott	107.39	1.00	Hodgeman Co Health Center-LTCU	Jetmore	114.52	0.96
Fowler Nursing Home	Fowler	93.19	0.83	Stanton County Hospital-LTCU	Johnson	107.52	0.81
Frankfort Community Care Home, Inc.	Frankfort	90.96	1.02	Junction City Good Samaritan Center	Junction City	96.24	1.33
Beverly Health & Rehab of Fredonia	Fredonia	88.14	1.24	Valley View Professional Care Center	Junction City	83.13	0.91
Sunset Manor, Inc	Frontenac	79.70	1.03	Alzheimer's Center of Kansas City	Kansas City	115.30	0.99
Galena Nursing & Rehabilitation	Galena	78.95	1.05	Kansas City Presbyterian Manor	Kansas City	128.05	1.14
Garden Valley Retirement Village	Garden City	103.54	1.12	Medicalodge East of Kansas City	Kansas City	115.70	0.96
Terrace Garden Care Center	Garden City	104.43	1.19	Medicalodge Post Acute Center	Kansas City	116.67	1.24
Centers for Long Term Care of Gardner	Gardner	97.58	1.65	The Manor of Kansas City	Kansas City	97.91	1.13
Medicalodge of Gardner	Gardner	102.39	0.90	Infinia at Kensington	Kensington	63.23	0.82
Anderson County Hospital	Garnett	102.04	1.04	The Wheatlands	Kingman	87.10	0.92
Golden Heights Living Center	Garnett	90.61	0.94	Medicalodge of Kinsley	Kinsley	104.93	0.89
The Heritage	Girard	78.06	1.15	Kiowa Hospital District Manor	Kiowa	94.56	0.87
The Nicol Home, Inc.	Glasco	91.02	0.82	Rush Co. Memorial Hospital	La Crosse	90.90	0.93
Medicalodge of Goddard	Goddard	114.58	1.45	Rush County Nursing Home	La Crosse	104.02	1.04
Bethesda Home	Goessel	109.89	0.91	High Plains Retirement Village	Lakin	117.92	1.18
Sherman Co. Good Samaritan Center	Goodland	99.16	1.03	Colonial Manor — Lansing	Lansing	89.83	1.17
Central Kansas Medical Center, SNF/NF	Great Bend	119.55	1.15	Larned Healthcare & Living Center	Larned	79.08	0.95
Cherry Village	Great Bend	91.82	0.94	Brandon Woods, Inc.	Lawrence	105.46	1.06
Integrated Health Services of Great Bend	Great Bend	95.46	1.06	Colonial Manor-Lawrence	Lawrence	100.38	1.17
Washington Cnty Hosp. Dist.#1/Hanover	Hanover	93.50	0.87	Lawrence Presbyterian Manor	Lawrence	128.05	1.15
Friendship Manor Rehab Ctr of Haviland	Haviland	68.06	0.59	Leavenworth Co Convalescent Infirmary	Leavenworth	81.72	1.03
Hays Good Samaritan Center	Hays	99.34	1.13	Medicalodge of Leavenworth	Leavenworth	109.84	1.11
Hays Medical Center	Hays	160.80	2.52	Delmar Gardens of Lenexa	Lenexa	99.25	1.27
St. John's of Hays	Hays	94.31	0.95	Leonardville Nursing Home	Leonardville	74.69	0.91
Prestige Rehab & Nursing Center	Haysville	105.04	1.12	Golden Acres Nursing Home	Leoti	120.34	1.00
Herington Municipal Hospital	Herington	98.66	1.57	Liberal Good Samaritan Center	Liberal	98.02	0.87
Lutheran Home, Inc.	Herington	82.76	0.93	Lincoln County Hospital LTCU	Lincoln	114.72	0.95
Schowalter Villa	Hesston	115.71	0.96	Mid-America Health Center of Lincoln	Lincoln	86.81	1.01
Maple Heights of Hiawatha	Hiawatha	96.40	0.93	Bethany Home Association	Lindsborg	100.95	0.83
Oak Ridge Acres	Hiawatha	70.37	1.07	Linn Community Nursing Home	Linn	77.08	0.89
Highland Care Center	Highland	91.14	1.10	Sandstone Heights	Little River	83.96	0.91
Dawson Place, Inc.	Hill City	84.79	0.90	Logan Manor Community Health Services	Logan	79.11	0.86
Hillsboro Community Medical Center	Hillsboro	98.21	0.87	Louisburg Care Center	Louisburg	98.89	1.11
Parkside Homes, Inc.	Hillsboro	99.56	0.92	Beverly Health & Rehab of Lucas	Lucas	87.49	0.88
Hoisington Rehabilitation Center	Hoisington	79.76	0.84	Lyons Good Samaritan Center	Lyons	96.35	0.86
Holton Manor	Holton	73.86	0.84	Madison Manor, Inc.	Madison	89.66	0.85
Jackson Co. Nursing Home, Inc.	Holton	84.15	0.96	Meadowlark Hills Retirement Community	Manhattan	125.36	1.12
Tri County Manor Living Center	Horton	73.68	0.92	St. Joseph Senior Community, Inc.	Manhattan	97.58	1.01
Howard Twilight Manor	Howard	89.10	1.01	Stoneybrook Retirement Community	Manhattan	100.51	1.11
Sheridan County Hospital	Hoxie	95.73	0.97	Wharton Manor	Manhattan	108.44	1.00
Pioneer Manor	Hugoton	110.51	0.95	Jewell County Hospital	Mankato	103.35	0.88
Pinecrest Nursing Home	Humboldt	76.00	0.88				

(continued)

Facility Name	City	Proposed Daily Rate	CMI	Facility Name	City	Proposed Daily Rate	CMI
Marion Manor	Marion	86.11	1.04	Riverview Manor, Inc.	Oxford	87.55	0.97
St. Luke Living Center	Marion	92.27	0.89	Country Haven Nursing Center	Paola	104.29	1.11
Riverview Estates, Inc.	Marquette	81.28	0.91	Medicalodge of Paola	Paola	82.28	0.63
Cambridge Place	Marysville	89.51	1.09	Elmhaven East	Parsons	69.39	1.03
Community Memorial Healthcare, Inc.	Marysville	81.87	0.89	Elmhaven West	Parsons	73.78	1.02
Infinia at McPherson	McPherson	105.00	0.99	Parsons Good Samaritan Center	Parsons	93.17	1.05
The Cedars, Inc.	McPherson	101.27	0.93	Parsons Presbyterian Manor	Parsons	106.92	0.94
Lone Tree Compassionate Care Center	Meade	103.98	0.90	Peabody Community Living Center	Peabody	100.88	1.04
Cedar Crest Manor	Medicine Lodge	88.89	0.95	Westview Manor of Peabody	Peabody	65.88	0.62
Trinity Lutheran Manor	Merriam	120.41	1.09	Phillips County Hospital LTCU	Phillipsburg	110.40	0.98
Minneapolis Good Samaritan Center	Minneapolis	100.08	1.00	Phillips County Retirement Center	Phillipsburg	77.73	0.82
Ottawa County Hospital-LTCU	Minneapolis	62.41	0.91	Beverly Rehabilitation Center	Pittsburg	90.58	1.05
Minneola Nursing Home	Minneola	93.37	0.92	Medicalodge North of Pittsburg	Pittsburg	98.77	0.97
Elk Manor Home	Moline	80.41	0.99	Medicalodge South of Pittsburg	Pittsburg	106.05	1.08
Bethel Home, Inc.	Montezuma	102.72	0.98	Mt. Carmel Medical Center	Pittsburg	181.30	2.05
Moran Manor	Moran	78.71	0.93	Rooks County Home	Plainville	95.00	0.91
Crystal Care Center of Mound City	Mound City	79.38	1.00	Friendship Manor of Pratt	Pratt	86.09	1.10
Memorial Home for the Aged	Moundridge	112.07	0.98	Pratt Regional Medical Center	Pratt	97.21	0.89
Moundridge Manor, Inc.	Moundridge	80.27	0.78	Prescott Country View Nursing Hospital	Prescott	70.77	0.86
Mt. Hope Nursing Center	Mt. Hope	93.09	0.84	Protection Valley Manor	Protection	71.37	0.80
Villa Maria, Inc.	Mulvane	104.03	0.94	Gove County Medical Center	Quinter	103.63	0.92
Beverly Health & Rehab of Neodesha	Neodesha	87.12	0.84	Grisell Memorial Hosp Dist #1-LT	Ransom	113.52	0.99
Golden Keys Nursing Home	Neodesha	66.23	0.85	Richmond Care Center	Richmond	77.99	0.83
Ness County Hospital Dist.#2	Ness City	102.09	0.88	Lakepoint Nursing&Rehab Ctr of Rose Hill	Rose Hill	79.21	0.91
Bethel Care Centre	Newton	106.73	0.98	Rossville Valley Manor	Rossville	109.14	0.95
Friendly Acres, Inc.	Newton	112.00	0.99	Gatewood Care Center	Russell	68.83	0.67
Kansas Christian Home	Newton	113.59	0.92	Wheatland Nursing & Rehab Center	Russell	90.27	1.11
Newton Presbyterian Manor	Newton	115.94	0.98	Apostolic Christian Home	Sabetha	82.31	1.02
Manorcare Health Services of Wichita	North Wichita	101.90	1.17	Sabetha Manor	Sabetha	85.96	0.98
Andbe Home, Inc.	Norton	97.97	0.86	Center for LTC of Salina	Salina	91.33	1.24
Village Villa	Nortonville	83.60	1.06	Holiday Resort of Salina	Salina	103.66	1.10
Norwich Health Care Center	Norwich	84.87	0.79	Kenwood View Nursing Center	Salina	87.60	0.97
Oakley Manor	Oakley	70.84	2.04	Salina Presbyterian Manor	Salina	108.34	0.96
Decatur Co. Good Samaritan Center	Oberlin	90.32	0.91	Shalimar Health Center	Salina	68.66	1.01
Decatur County Hospital	Oberlin	86.22	0.84	Smokey Hill Rehabilitation Center	Salina	96.98	0.99
Centers for Long Term Care of Olathe	Olathe	99.77	1.03	Windsor Estates	Salina	96.30	1.14
Johnson County Nursing Center	Olathe	116.79	0.96	Satanta Dist. Hosp. LTCU	Satanta	119.67	0.99
Olathe Good Samaritan Center	Olathe	120.45	1.11	Park Lane Nursing Home	Scott City	98.76	0.88
Royal Terrace Nrsng. & Rehab. Center	Olathe	104.43	1.19	Pleasant Valley Manor	Sedan	76.04	1.08
Villa St. Francis	Olathe	118.83	1.23	Sedgwick Healthcare Center	Sedgwick	99.93	1.27
Golden Acres	Onaga	86.72	0.92	Country View Estates Care Home	Seneca	77.29	0.93
Osage Nursing & Rehabilitation Center	Osage City	86.44	1.14	Crestview Manor	Seneca	62.61	0.99
Peterson Nursing Home	Osage City	77.87	1.11	Prairie Manor Good Samaritan Center	Sharon Springs	88.58	0.88
Life Care Center of Osawatomie	Osawatomie	113.26	1.24	Sharonlane Nursing Home	Shawnee	106.24	1.15
Parkview Care Center	Osborne	92.38	0.91	Shawnee Gardens Nursing Center	Shawnee	114.28	1.10
Hickory Pointe Care & Rehab Ctr	Oskaloosa	93.22	1.02	Infinia at Smith Center	Smith Center	85.82	1.12
Infinia at Oswego	Oswego	106.04	1.13	Smith County Memorial Hosp-LTCU	Smith Center	93.84	0.87
Village Manor	Ottawa	91.36	1.09	Mennonite Friendship Manor, Inc.	South Hutchinson	111.87	1.05
Brookside Manor	Overbrook	98.26	0.96	Beverly Hlth & Rehab-Spring Hill	Spring Hill	100.77	0.97
Delmar Gardens of Overland Park	Overland Park	109.72	1.30	St. Francis Good Samaritan Ctr	St. Francis	97.83	0.92
Garden Terrace at Overland Park	Overland Park	108.76	0.98	Leisure Homestead at St. John	St. John	80.98	0.92
Indian Creek Nursing Center	Overland Park	109.37	1.14	St. Mary's Manor	St. Mary's	93.09	0.98
Manorcare Hlth Services of Overland Park	Overland Park	96.87	1.04	Prairie Mission Retirement Village	St. Paul	94.55	0.97
Overland Park Manor	Overland Park	120.05	1.10	Leisure Homestead at Stafford	Stafford	72.89	0.94
Specialty Hospital of Overland Park	Overland Park	119.91	1.06	Sterling Presbyterian Manor	Sterling	95.85	0.93
Villa Saint Joseph	Overland Park	116.31	1.03	Solomon Valley Manor	Stockton	92.95	1.00
				Hamilton Co. Hospital-LTCU	Syracuse	101.95	0.82
				Tonganoxie Nursing Center	Tonganoxie	99.77	1.01

Facility Name	City	Proposed Daily Rate	CMI
Aldersgate Village	Topeka	123.10	1.05
Brewster Place	Topeka	116.69	1.14
Brighton Place North	Topeka	63.01	0.58
Countryside Health Center	Topeka	75.18	0.63
Eventide Convalescent Center, Inc.	Topeka	86.32	0.84
Fairlawn Heights Nursing Center	Topeka	108.25	0.92
IHS Highland Park	Topeka	102.20	0.91
IHS of Brighton Place	Topeka	70.01	0.64
Indian Trails Manor	Topeka	65.02	0.69
Infinia at Central Topeka	Topeka	114.45	1.15
Lexington Park Nursing and Post Acute Center	Topeka	126.57	1.14
Manorcare Health Services of Topeka	Topeka	99.30	1.18
McCrite Plaza Health Center	Topeka	108.35	1.08
Plaza West Care Center, Inc.	Topeka	121.03	1.32
Rolling Hills Health Center	Topeka	104.49	1.26
Southgate Village Life Care Center	Topeka	79.57	1.11
The United Methodist Home for the Aged	Topeka	110.24	0.89
Topeka Convalescent Center	Topeka	96.31	1.14
Topeka Healthcare Center	Topeka	99.79	1.46
Topeka Presbyterian Manor Inc.	Topeka	121.46	1.04
Westwood Manor	Topeka	94.52	1.00
Woodland Health Center	Topeka	80.83	0.92
Greeley County Hospital, LTCU	Tribune	109.29	0.88
Western Prairie Care Home	Ulysses	113.38	0.92
Valley Health Care Center	Valley Falls	78.23	0.66
St. John's Rest Home of Victoria	Victoria	84.11	0.85
The Lutheran Home — Wakeeney	Wakeeney	81.66	0.81
Trego Co. Lemke Memorial LTCU	Wakeeney	110.02	0.94
Heritage Village-Wakefield	Wakefield	80.67	1.09
Valley Vista Good Samaritan Center	Wamego	97.64	1.14
The Centennial Homestead, Inc.	Washington	67.35	0.83
Colonial Manor — Wathena	Wathena	86.85	1.09
Sunset Manor	Waverly	109.70	0.86
Beverly Health & Rehab of Wellington	Wellington	86.80	1.07
Cedar View Good Samaritan Center	Wellington	99.36	0.98
Wellsville Manor Care Center	Wellsville	99.19	1.05
Westy Community Care Home	Westmoreland	84.65	0.96
Wheat State Manor	Whitewater	106.13	0.93
Cameo Care Center	Wichita	96.63	0.83
Catholic Care Center Inc.	Wichita	104.47	1.03
Homestead Health Center, Inc.	Wichita	104.56	0.91
Horizon Specialty Hospital	Wichita	112.75	1.20
IHS of Wichita	Wichita	120.40	1.12
Infinia at Wichita	Wichita	110.74	0.95
Kansas Masonic Home	Wichita	118.92	1.12
Lakewood Heights Nursing Center	Wichita	93.46	1.12
Life Care Center of Wichita	Wichita	109.99	1.37
Lincoln East	Wichita	95.53	0.88
Medicalodge of Wichita	Wichita	133.28	1.25
Meridian Nursing & Rehab Center	Wichita	96.29	0.96
Sandpiper Bay Health & Retirement Center	Wichita	109.42	1.02
The Health Care Center at Larksville	Wichita	119.02	0.98
Wichita Healthcare & Rehab Center	Wichita	114.15	0.99

Facility Name	City	Proposed Daily Rate	CMI
Wichita Presbyterian Manor	Wichita	122.33	1.05
Wilson Nursing Home	Wilson	87.68	1.22
Jefferson Co. Memorial Hospital-	Winchester	91.60	0.89
Cumbernauld Village, Inc.	Winfield	110.05	0.97
Good Samaritan Village-Winfield	Winfield	106.96	0.85
Walnut Hill Nursing Center, Inc.	Winfield	82.35	0.80
Winfield Rest Haven, Inc.	Winfield	83.99	0.92
Twin Oaks Health Care	Yates Center	84.25	0.92

III. Justifications for the Proposed Rates

1. The proposed rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan, which has been used, in essentially the same form, to set nursing facility rates for more than seven years.
2. The proposed rates are calculated according to a methodology that satisfies the requirements of K.S.A. 39-708c(x) and the Department of Social and Rehabilitation Services regulations in K.A.R. Article 30-10 implementing that statute.
3. The state's studies project that the proposed rates:
 - a. Would result in payment, in the aggregate, of 96.62% of the Medicaid day weighted average inflated allowable nursing facility costs state-wide; and
 - b. Would result in a maximum allowable rate of \$121.05; the total average allowable cost is \$106.31.
 - c. Estimated average rate July 1, 2001 \$96.00
 Average payment rate July 1, 2000 \$91.43
 Amount of change \$4.57
 Percent of change 5.00%
4. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase by approximately \$21 million.
5. The state estimates that the proposed rates would continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general population. The state's studies indicate:
 - a. Service providers operating a total of 320 nursing facilities (representing 97% of all the licensed nursing facilities in Kansas) participate in the Medicaid program, while an additional 46 hospital-based long-term care units also are certified to participate in the Medicaid program;
 - b. there is at least one Medicaid-certified nursing facility and/or nursing facility for mental health, or Medicaid-certified hospital-based long-term care unit, in each of the 105 counties in Kansas;
 - c. the statewide average occupancy rate for nursing facilities participating in Medicaid is 87.3%;
 - d. the statewide average Medicaid occupancy rate for participating facilities is 55.1%, which is a slight increase from the prior year; and
 - e. the proposed rates would cover 98.55% of the estimated Medicaid health care costs incurred by participating nursing facilities statewide.

(continued)

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

IV. Request for Comments; Request for Copies

The state requests providers, beneficiaries and their representatives, and other concerned Kansas residents to review and comment on the proposed rates, the methodology used to calculate the proposed rates, and the justifications for the proposed rates. Persons and organizations wishing to submit comments must mail, deliver or fax their signed, written comments before the close of business on Friday, June 1, 2001, to:

Bill McDaniel
 Director Nursing Facility and CARE Program
 Kansas Department on Aging
 New England Building, Second Floor
 503 S. Kansas Ave.
 Topeka, KS 66603-3404
 Fax (785) 296-0256

Persons and organizations wishing to submit comments on the proposed amendments to the Medicaid State Plan must mail, deliver or fax their signed, written comments before the close of business on Monday, July 2, 2001, to the same address set out above.

V. Notice of Intent to Publish Final Rates

The state intends to publish final Medicaid nursing facility per diem rates, the methodology used to calculate the final rates, and the justifications for those final rates in the Kansas Register on June 28, 2001.

VI. Notice of Intent to Amend the Medicaid State Plan

The state intends to submit proposed Medicaid State Plan amendments to HCFA on or before September 30, 2001.

J.G. Scott
 Budget Director
 Department of Social and
 Rehabilitation Services
 Connie Hubbell
 Secretary on Aging

Doc. No. 026566

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. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2000 Volumes of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-5-8	Amended (T)	V. 20, p. 175
1-5-9	Amended (T)	V. 20, p. 176
1-5-19b	Amended (T)	V. 20, p. 176
1-5-19c	Amended (T)	V. 20, p. 176
1-5-24	Amended	V. 19, p. 1337
1-9-23	Amended	V. 19, p. 944
1-18-1a	Amended	V. 19, p. 1719
1-49-1	Amended	V. 19, p. 724

AGENCY 3: KANSAS STATE TREASURER

Reg. No.	Action	Register
3-2-1	New	V. 19, p. 1016
3-2-2	New	V. 19, p. 1016
3-2-3	New	V. 19, p. 1016
3-3-1	New	V. 19, p. 1678

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-3-49	Amended (T)	V. 20, p. 246
4-3-51	New (T)	V. 20, p. 246
4-7-213	Amended	V. 19, p. 117
4-7-214	Amended	V. 19, p. 117
4-7-215	Revoked	V. 19, p. 118
4-7-216	New	V. 19, p. 118
4-8-14a	Amended	V. 19, p. 1679
4-8-27	Amended	V. 19, p. 1679
4-8-28	Amended	V. 19, p. 1680
4-8-29	Amended	V. 19, p. 1680
4-8-32	Amended	V. 19, p. 1680
4-8-34	Amended	V. 19, p. 1680

4-8-41	Amended	V. 19, p. 1680
4-8-42	New	V. 19, p. 1680
4-10-2j	Amended	V. 20, p. 431
4-10-5	Amended	V. 20, p. 430
4-10-5a	New	V. 20, p. 431

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-1-1	Amended	V. 19, p. 1476
5-1-3	through	
5-1-12	New	V. 19, p. 1480-1483
5-2-3	New	V. 19, p. 1484
5-3-1a	New	V. 19, p. 1484
5-3-4b	Amended	V. 19, p. 1484
5-3-4c	New	V. 19, p. 1484
5-3-4d	New	V. 19, p. 1485
5-3-4e	New	V. 19, p. 1485
5-3-5d	Amended	V. 19, p. 1485
5-3-5e	Amended	V. 19, p. 1485
5-3-5g	through	
5-3-5n	New	V. 19, p. 1485, 1486
5-3-11	Amended	V. 19, p. 1486
5-3-16	Amended	V. 19, p. 1490
5-3-19	through	
5-3-28	New	V. 19, p. 1490-1493
5-4-5	New	V. 19, p. 1494
5-4-8	New	V. 19, p. 1494
5-5-1	Amended	V. 19, p. 1495
5-5-6	Amended	V. 19, p. 1495
5-5-13	New	V. 19, p. 1496
5-5-14	New	V. 19, p. 1496
5-5-16	New	V. 19, p. 1496
5-6-3	through	
5-6-15	New	V. 19, p. 1497-1499
5-7-4	Amended	V. 19, p. 1499
5-7-4a	New	V. 19, p. 1500
5-7-5	New	V. 19, p. 1500
5-8-3	New	V. 19, p. 1500
5-8-4	New	V. 19, p. 1501
5-8-6	New	V. 19, p. 1501
5-8-7	New	V. 19, p. 1502
5-8-8	New	V. 19, p. 1502
5-9-11	New	V. 19, p. 1503
5-12-1	through	
5-12-4	New	V. 19, p. 1503, 1504
5-13-1	through	
5-13-11	New	V. 19, p. 1504-1507

5-14-1	through		
5-14-7	New		V. 19, p. 1507-1509
5-21-4	Amended		V. 19, p. 1509
5-21-5	New		V. 19, p. 1510
5-21-8	New		V. 19, p. 1510
5-21-9	New		V. 19, p. 1510
5-23-1	Amended		V. 19, p. 1510
5-23-3	Amended		V. 19, p. 1511
5-23-3a	New		V. 19, p. 1511
5-23-4	Amended		V. 19, p. 1512
5-23-4a	Amended		V. 19, p. 1513
5-23-4b	New		V. 19, p. 1513
5-23-14	New		V. 19, p. 1514
5-23-15	New		V. 19, p. 1514
5-25-4	Amended		V. 20, p. 294
5-40-1	Amended		V. 19, p. 1514
5-40-4	Amended		V. 19, p. 1515
5-40-11	New		V. 19, p. 1515
5-40-14	New		V. 19, p. 1515
5-40-15	New		V. 19, p. 1515
5-40-16	New		V. 19, p. 1515
5-41-1	Amended		V. 19, p. 1516
5-41-6	Amended		V. 19, p. 1516
5-42-3	Revoked		V. 19, p. 1516
5-42-4	New		V. 19, p. 1517
5-45-1	Amended		V. 19, p. 1517
5-45-4	Amended		V. 19, p. 1518
5-45-13	Amended		V. 19, p. 1518
5-45-14	Amended		V. 19, p. 1518
5-45-18	New		V. 19, p. 1518
5-46-1	New		V. 19, p. 1519
5-46-3	New		V. 19, p. 1519
5-46-4	New		V. 19, p. 1520

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-24-2	Amended	V. 20, p. 323
7-25-1	Amended	V. 20, p. 325
7-26-1	Amended	V. 20, p. 325
7-26-2	Amended	V. 20, p. 325
7-28-1	Amended	V. 20, p. 325
7-29-2	Amended	V. 20, p. 325
7-32-1	Amended	V. 19, p. 1269
7-32-2	Amended	V. 19, p. 1269
7-36-4	Amended	V. 20, p. 326
7-38-1	Amended	V. 20, p. 326

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-10-33	New	V. 19, p. 1948
9-14-2	Amended	V. 19, p. 1748
9-15-4	Amended	V. 19, p. 1748

9-15-5 New V. 19, p. 1948

AGENCY 16: ATTORNEY GENERAL

Reg. No. Action Register
16-6-1 Amended V. 19, p. 399

AGENCY 17: STATE BANK COMMISSIONER

Reg. No. Action Register
17-22-1 Amended V. 19, p. 500
17-23-16 Amended V. 19, p. 500

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No. Action Register
28-1-2 Amended V. 19, p. 141
28-1-18 Amended V. 19, p. 141
28-1-26 New V. 19, p. 142
28-4-501 Amended V. 19, p. 422
28-4-503 Amended V. 19, p. 423
28-4-504 Amended V. 19, p. 423
28-4-505 Amended V. 19, p. 423
28-4-513 Amended V. 19, p. 423
28-4-530 Revoked V. 19, p. 423
28-4-531 Revoked V. 19, p. 423
28-10-15 through
28-10-35 Revoked V. 20, p. 322
28-10-37 Revoked V. 20, p. 322
28-10-38 Revoked V. 20, p. 322
28-10-39 Revoked V. 20, p. 322
28-10-75 through
28-10-88 Revoked V. 20, p. 322
28-10-100 through
28-10-108 Revoked V. 20, p. 322
28-16-28b Amended V. 19, p. 1720
28-16-28e Amended V. 19, p. 1723
28-16-57 Revoked V. 20, p. 322
28-16-76 through
28-16-79 Revoked V. 20, p. 322
28-16-82 Revoked V. 20, p. 322
28-17-15 Amended V. 19, p. 1190
28-19-79 Revoked V. 20, p. 492
28-19-202 Amended V. 20, p. 322
28-19-717 New V. 19, p. 1932
28-19-719 New V. 20, p. 492
28-19-729 New V. 19, p. 565
28-19-729a through
28-19-729h New V. 19, p. 566-569
28-29-1100 through
28-29-1107 New V. 19, p. 941-943
28-34-1a Amended V. 20, p. 105
28-34-6a Amended V. 20, p. 106
28-34-9a Amended V. 20, p. 107
28-34-21 Revoked V. 20, p. 323
28-34-26 Revoked V. 20, p. 323
28-34-27 Revoked V. 20, p. 323
28-34-28 Revoked V. 20, p. 323
28-34-30 Revoked V. 20, p. 323
28-34-32b Amended V. 20, p. 107
28-34-50 Amended V. 20, p. 453
28-34-51 Amended V. 20, p. 454
28-34-52 Revoked V. 20, p. 455
28-34-52a New V. 20, p. 455
28-34-52b New V. 20, p. 455
28-34-53 Amended V. 20, p. 456
28-34-54 Amended V. 20, p. 456
28-34-55 Revoked V. 20, p. 457
28-34-55a New V. 20, p. 457
28-34-56 Revoked V. 20, p. 457
28-34-56a New V. 20, p. 457
28-34-57 Amended V. 20, p. 457
28-34-58 Revoked V. 20, p. 458
28-34-58a New V. 20, p. 458
28-34-59 Revoked V. 20, p. 459
28-34-59a New V. 20, p. 459
28-34-60 Revoked V. 20, p. 459
28-34-60a New V. 20, p. 459
28-34-61 Revoked V. 20, p. 460
28-34-61a New V. 20, p. 460
28-34-62a Amended V. 20, p. 460
28-34-75 through
28-34-93 Revoked V. 20, p. 323
28-34-94a Revoked V. 20, p. 323

28-38-18 through
28-38-23 Amended V. 19, p. 1078-1080
28-38-26 Amended V. 19, p. 1081
28-38-28 Amended V. 19, p. 1081
28-38-29 Amended V. 19, p. 1081
28-38-30 New V. 19, p. 1082
28-39-410 Revoked V. 20, p. 323
28-59-1 through
28-59-5 Amended V. 20, p. 295, 296
28-59-5a Amended V. 20, p. 297
28-59-6 Amended V. 20, p. 297
28-59-7 Amended V. 20, p. 298
28-59-8 Amended V. 20, p. 298
28-61-1 through
28-61-10 Amended V. 20, p. 298-303
28-61-11 New V. 20, p. 304
28-68-1 Amended V. 19, p. 1934
28-68-2 Amended V. 19, p. 1934
28-68-3 Amended V. 19, p. 1935
28-68-6 Amended V. 19, p. 1936
28-72-51 through
28-72-54 New V. 19, p. 989, 990

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No. Action Register
30-4-50 Amended V. 19, p. 1548
30-4-64 Amended V. 20, p. 490
30-5-59 Amended V. 19, p. 1548
30-5-64 Amended V. 19, p. 1549
30-5-81 Amended V. 19, p. 1587
30-5-108 Amended V. 20, p. 491
30-5-309 Amended V. 19, p. 988
30-10-21 Amended V. 19, p. 1550

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No. Action Register
36-2-3 Revoked V. 19, p. 1449
36-2-4 Revoked V. 19, p. 1449
36-2-6 Revoked V. 19, p. 1449
36-2-8 through
36-2-13 Revoked V. 19, p. 1449
36-15-23 Revoked V. 19, p. 1622
36-34-1 Revoked V. 19, p. 1622

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No. Action Register
40-1-46 New V. 20, p. 573
40-3-26 Amended V. 19, p. 303
40-3-27 Revoked V. 19, p. 680
40-3-32 Amended V. 19, p. 303
40-3-45 Amended V. 19, p. 303
40-3-49 Amended V. 19, p. 303
40-4-35 Amended V. 19, p. 1853

AGENCY 49: DEPARTMENT OF HUMAN RESOURCES

Reg. No. Action Register
49-45-1 through
49-45-4 Amended V. 19, p. 504
49-45-4a New V. 19, p. 504
49-45-5 through
49-45-9 Amended V. 19, p. 504
49-45-20 through
49-45-28 Amended V. 19, p. 504, 505
49-45-29 through
49-45-34 New V. 19, p. 505
49-45a-1 Amended V. 19, p. 505
49-45a-2 through
49-45a-27 Revoked V. 19, p. 506
49-46-1 Amended V. 19, p. 506
49-47-1 Amended V. 19, p. 507
49-47-1a New V. 19, p. 507
49-47-1b New V. 19, p. 507
49-47-2 Amended V. 19, p. 507
49-48-1 Amended V. 19, p. 508
49-49-1a New V. 19, p. 508

49-50-1 through
49-50-4 Amended V. 19, p. 509, 510
49-50-6 through
49-50-15 Amended V. 19, p. 510-513
49-50-17 through
49-50-20 Amended V. 19, p. 513, 514
49-50-21 New V. 19, p. 514
49-50-22 New V. 19, p. 515
49-51-1 Amended V. 19, p. 515
49-51-2 Amended V. 19, p. 515
49-51-3 Amended V. 19, p. 515
49-51-3a New V. 19, p. 516
49-51-6 through
49-51-12 Amended V. 19, p. 516-518
49-51-14 Revoked V. 19, p. 518
49-52-5 through
49-52-9 Amended V. 19, p. 518-520
49-52-11 Amended V. 19, p. 520
49-52-13 Amended V. 19, p. 520
49-52-14 Amended V. 19, p. 521
49-52-15 Revoked V. 19, p. 521
49-52-16 New V. 19, p. 521
49-52-17 New V. 19, p. 521
49-54-1 through
49-54-3 Revoked V. 19, p. 521

AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT

Reg. No. Action Register
50-1-2 Amended V. 20, p. 137
50-1-3 Amended V. 20, p. 138
50-1-4 Amended V. 20, p. 138
50-2-1 Amended V. 20, p. 139
50-2-3 Amended V. 20, p. 139
50-2-9 Revoked V. 20, p. 140
50-2-12 Amended V. 20, p. 140
50-2-17 Amended V. 20, p. 140
50-2-18 Amended V. 20, p. 140
50-2-19 Amended V. 20, p. 140
50-2-21 Amended V. 20, p. 141
50-2-26 Amended V. 20, p. 143
50-3-1 through
50-3-5 Amended V. 20, p. 143-145
50-4-2 Amended V. 20, p. 146

AGENCY 60: BOARD OF NURSING

Reg. No. Action Register
60-4-101 Amended V. 20, p. 449
60-6-101 Amended V. 19, p. 344
60-7-102 Amended V. 20, p. 449
60-7-108 Amended V. 20, p. 449
60-8-101 Amended V. 20, p. 449
60-9-105 Amended V. 20, p. 449
60-9-106 Amended V. 20, p. 450
60-11-101 Amended V. 19, p. 344
60-11-103 Amended V. 19, p. 345
60-11-104a Amended V. 19, p. 346
60-11-106 Amended V. 19, p. 346
60-11-108 Revoked V. 19, p. 346
60-11-119 Amended V. 20, p. 451
60-13-101 Amended V. 20, p. 451
60-16-104 Amended V. 20, p. 451
60-17-101 through
60-17-111 New V. 19, p. 346-350

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No. Action Register
63-1-3 Amended V. 19, p. 2024
63-1-4 Amended V. 19, p. 2024
63-1-5 Amended V. 19, p. 2025
63-1-6 Amended V. 19, p. 2025
63-1-12 Amended V. 19, p. 2025
63-2-7 Amended V. 19, p. 2025
63-2-10 Amended V. 19, p. 2026
63-2-11 Amended V. 19, p. 2026
63-2-12 Amended V. 19, p. 2026
63-3-17 Amended V. 19, p. 2027
63-3-18 Amended V. 19, p. 2027
63-3-20 Amended V. 19, p. 2027
63-5-1 Amended V. 19, p. 2028

(continued)

63-6-1	Amended	V. 19, 0. 2028
63-6-2	Amended	V. 19, p. 2028
63-6-3	Amended	V. 19, p. 2029
63-6-6	Amended	V. 19, p. 2029

**AGENCY 65: BOARD OF EXAMINERS
IN OPTOMETRY**

Reg. No.	Action	Register
65-5-6	Amended	V. 19, p. 839

**AGENCY 66: BOARD OF TECHNICAL
PROFESSIONS**

Reg. No.	Action	Register
66-6-4	Amended	V. 20, p. 102
66-6-6	Amended	V. 19, p. 70
66-7-2	Amended	V. 19, p. 70
66-8-7	New	V. 19, p. 70
66-9-4	Amended	V. 19, p. 71
66-9-6	New	V. 19, p. 71
66-10-1	Amended	V. 20, p. 103
66-10-4	Amended	V. 20, p. 103
66-10-11	Amended	V. 20, p. 104
66-10-12	Amended	V. 20, p. 104
66-10-13	Amended	V. 20, p. 104
66-11-4	New	V. 19, p. 72
66-12-1	Amended	V. 19, p. 72
66-14-1	Amended	V. 19, p. 72
66-14-6	Amended	V. 19, p. 72
66-14-10	Amended	V. 20, p. 104

**AGENCY 67: BOARD OF HEARING
AID EXAMINERS**

Reg. No.	Action	Register
67-2-4	Amended	V. 19, p. 626
67-3-2	Amended	V. 19, p. 626
67-4-7	Amended	V. 19, p. 626
67-4-10	Amended	V. 19, p. 626
67-4-13	New	V. 19, p. 626
67-5-3	Amended	V. 19, p. 626
67-5-4	Amended	V. 19, p. 626
67-6-4	Amended	V. 19, p. 626
67-7-4	Amended	V. 19, p. 627

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-5-1	Amended	V. 19, p. 501
68-7-11	Amended	V. 19, p. 501
68-7-14	Amended	V. 19, p. 502
68-7-18	Amended	V. 19, p. 503
68-14-8	Amended	V. 19, p. 1830

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-1-20	New	V. 19, p. 573
71-1-21	New	V. 19, p. 573
71-3-8	New	V. 19, p. 1336

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-1-2	Amended	V. 19, p. 1791
74-1-7	New	V. 19, p. 1792
74-2-1	Amended	V. 19, p. 1792
74-2-3	Amended	V. 19, p. 1792
74-2-4	Amended	V. 19, p. 1792
74-3-8	Amended	V. 19, p. 1792
74-4-1	Revoked	V. 19, p. 1792
74-4-1a	New	V. 19, p. 1792
74-4-2a	New	V. 19, p. 1792
74-4-3a	New	V. 19, p. 1793
74-4-4	Amended	V. 19, p. 1793
74-4-7	Amended	V. 19, p. 1793
74-4-10	Amended	V. 19, p. 1793
74-5-2	Amended	V. 19, p. 1793
74-5-202	Amended	V. 19, p. 1794
74-5-203	Amended	V. 19, p. 1794
74-5-205	New	V. 19, p. 1795
74-5-405	Amended	V. 19, p. 1795
74-6-1	Amended	V. 19, p. 1795
74-6-2	Amended	V. 19, p. 1795
74-7-2	Amended	V. 19, p. 1795
74-11-6	Amended	V. 19, p. 1796
74-12-1	Amended	V. 19, p. 1796
74-15-1	New	V. 19, p. 1797
74-15-2	New	V. 19, p. 1797

AGENCY 75: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
75-6-2	Revoked	V. 19, p. 1082
75-6-6	Revoked	V. 19, p. 1082

75-6-24	Revoked	V. 19, p. 1082
75-6-26	Amended	V. 19, p. 1082
75-6-30	New	V. 19, p. 1082
75-6-31	New	V. 19, p. 1083
75-6-32	New	V. 20, p. 175

**AGENCY 82: STATE CORPORATION
COMMISSION**

Reg. No.	Action	Register
82-4-1	Amended	V. 19, p. 1158
82-4-3	Amended	V. 19, p. 1159
82-4-6d	Amended	V. 19, p. 1083
82-4-8a	Amended	V. 19, p. 1084
82-4-8h	New	V. 19, p. 1085
82-4-20	Amended	V. 19, p. 1085
82-4-23	Amended	V. 19, p. 1085
82-4-24a	Amended	V. 19, p. 1085
82-4-27c	Amended	V. 19, p. 1085
82-4-27e	Amended	V. 19, p. 1086
82-4-27f	Revoked	V. 19, p. 1087
82-4-27g	Amended	V. 19, p. 1087
82-4-30a	Amended	V. 19, p. 1087
82-4-31	Amended	V. 19, p. 1087
82-4-32	Amended	V. 19, p. 1087
82-4-33	Amended	V. 19, p. 1087
82-4-35a	Amended	V. 19, p. 1088
82-4-37	Amended	V. 19, p. 1088
82-4-42	Amended	V. 19, p. 1088
82-4-57	Amended	V. 19, p. 1088

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-23-1 through 88-23-6	New	V. 19, p. 41-43

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-26	Revoked	V. 19, p. 1435
91-1-27	Revoked	V. 19, p. 1435
91-1-27a through 91-1-27d	Revoked	V. 19, p. 1435
91-1-28	Revoked	V. 19, p. 1435
91-1-30	Revoked	V. 19, p. 1435
91-1-30a	Revoked	V. 19, p. 1435
91-1-31 through 91-1-35	Revoked	V. 19, p. 1435
91-1-37	Revoked	V. 19, p. 1435
91-1-39 through 91-1-58	Revoked	V. 19, p. 1435, 1436
91-1-60	Revoked	V. 19, p. 1436
91-1-61	Revoked	V. 19, p. 680
91-1-63	Revoked	V. 19, p. 1436
91-1-65	Revoked	V. 19, p. 1436
91-1-67	Revoked	V. 19, p. 1436
91-1-68a through 91-1-68e	Amended	V. 19, p. 1588-1592
91-1-70	Revoked	V. 19, p. 1436
91-1-70b	Revoked	V. 19, p. 1593
91-1-71 through 91-1-83	Revoked	V. 19, p. 1436, 1437
91-1-84a	Revoked	V. 19, p. 1437
91-1-85 through 91-1-91	Revoked	V. 19, p. 1437
91-1-91a	Revoked	V. 19, p. 1437
91-1-92	Revoked	V. 19, p. 1437
91-1-93a	Revoked	V. 19, p. 1437
91-1-101a	Revoked	V. 19, p. 1437
91-1-101b	Revoked	V. 19, p. 1437
91-1-102a	Revoked	V. 19, p. 1437
91-1-104b	Revoked	V. 19, p. 1437
91-1-104c	Revoked	V. 19, p. 1437
91-1-105	Revoked	V. 19, p. 1437
91-1-106	Revoked	V. 19, p. 1437
91-1-106a through 91-1-106m	Revoked	V. 19, p. 1437, 1438
91-1-107a	Revoked	V. 19, p. 1438
91-1-108a	Revoked	V. 19, p. 1438
91-1-108b	Revoked	V. 19, p. 1438
91-1-108c	Revoked	V. 19, p. 1438
91-1-109a	Revoked	V. 19, p. 1438
91-1-110a	Revoked	V. 19, p. 1438

91-1-110c	Revoked	V. 19, p. 1438
91-1-111a	Revoked	V. 19, p. 1438
91-1-112c	Revoked	V. 19, p. 1438
91-1-112d	Revoked	V. 19, p. 1438
91-1-113b	Revoked	V. 19, p. 1438
91-1-114a	Revoked	V. 19, p. 1438
91-1-115a	Revoked	V. 19, p. 1438
91-1-117a	Revoked	V. 19, p. 1438
91-1-118a	Revoked	V. 19, p. 1438
91-1-119a through 91-1-119g	Revoked	V. 19, p. 1438, 1439
91-1-120	Revoked	V. 19, p. 1439
91-1-121	Revoked	V. 19, p. 1439
91-1-122	Revoked	V. 19, p. 1439
91-1-123a	Revoked	V. 19, p. 1439
91-1-125	Revoked	V. 19, p. 1439
91-1-127a	Revoked	V. 19, p. 1439
91-1-128b	Revoked	V. 19, p. 1439
91-1-129a	Revoked	V. 19, p. 1439
91-1-130	Revoked	V. 19, p. 1439
91-1-131	Revoked	V. 19, p. 1439
91-1-132a	Revoked	V. 19, p. 1439
91-1-135a	Revoked	V. 19, p. 1439
91-1-137a	Revoked	V. 19, p. 1439
91-1-138a	Revoked	V. 19, p. 1439
91-1-140a	Revoked	V. 19, p. 1439
91-1-141	Revoked	V. 19, p. 1439
91-1-143	Revoked	V. 19, p. 1439
91-1-144	Revoked	V. 19, p. 1439
91-1-145	Revoked	V. 19, p. 1439
91-1-146a	Amended	V. 19, p. 1593
91-1-146e	Amended	V. 19, p. 1593
91-1-148a	Revoked	V. 19, p. 1439
91-1-149	Revoked	V. 19, p. 1439
91-1-150	Revoked	V. 19, p. 1439
91-1-153	Revoked	V. 19, p. 1439
91-1-200 through 91-1-211	New	V. 19, p. 1439-1449
91-5-14	Amended	V. 20, p. 108
91-12-22	Revoked	V. 19, p. 680
91-12-23	Revoked	V. 19, p. 680
91-12-24a	Revoked	V. 19, p. 680
91-12-25	Revoked	V. 19, p. 680
91-12-27	Revoked	V. 19, p. 680
91-12-28	Revoked	V. 19, p. 680
91-12-30 through 91-12-33	Revoked	V. 19, p. 680
91-12-35 through 91-12-42	Revoked	V. 19, p. 680, 681
91-12-44 through 91-12-69	Revoked	V. 19, p. 681
91-12-71 through 91-12-74	Revoked	V. 19, p. 682
91-22-1a	New	V. 19, p. 682
91-22-2	Amended	V. 19, p. 683
91-22-3	Revoked	V. 19, p. 683
91-22-4	Amended	V. 19, p. 683
91-22-5a	Amended	V. 19, p. 683
91-22-7	Amended	V. 19, p. 683
91-22-8	Revoked	V. 19, p. 683
91-22-9	Amended	V. 19, p. 683
91-22-10 through 91-22-18	Revoked	V. 19, p. 684
91-22-19	Amended	V. 19, p. 684
91-22-21	Revoked	V. 19, p. 684
91-22-22	Amended	V. 19, p. 684
91-22-23	Revoked	V. 19, p. 684
91-22-24	Revoked	V. 19, p. 684
91-22-25	Amended	V. 19, p. 684
91-22-26	Revoked	V. 19, p. 685
91-40-1 through 91-40-5	New	V. 19, p. 685-691
91-40-2	Amended	V. 20, p. 541
91-40-7 through 91-40-12	New	V. 19, p. 692-695
91-40-7	Amended	V. 20, p. 541
91-40-9	Amended	V. 20, p. 542
91-40-10	Amended	V. 20, p. 542
91-40-16 through 91-40-19	New	V. 19, p. 695-697

91-40-17	Amended	V. 20, p. 543
91-40-18	Amended	V. 20, p. 544
91-40-21	New	V. 19, p. 697
91-40-22	New	V. 19, p. 697

91-40-24		
through		
91-40-31	New	V. 19, p. 698-700
91-40-27	Amended	V. 20, p. 544
91-40-33		
through		
91-40-39	New	V. 19, p. 700-702
91-40-33	Amended	V. 20, p. 544
91-40-36	Amended	V. 20, p. 545
91-40-37	Amended	V. 20, p. 545
91-40-38	Amended	V. 20, p. 545
91-40-41		
through		
91-40-48	New	V. 19, p. 702-704
91-40-50		
through		
91-40-53	New	V. 19, p. 705, 706
91-40-52	Amended	V. 20, p. 545
91-40-53	Amended	V. 20, p. 546
91-41-1		
through		
91-41-4	New (T)	V. 20, p. 137
91-41-1		
through		
91-41-4	New	V. 20, p. 546, 547

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

Reg. No.	Action	Register
93-1-1		
through		
93-1-4	Revoked	V. 20, p. 452
93-4-6	Amended	V. 20, p. 452
93-6-1		
through		
93-6-4	Amended	V. 20, p. 452, 453

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

Reg. No.	Action	Register
99-26-1	Amended	V. 19, p. 840
99-27-1	Amended	V. 19, p. 840

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-6-2	Amended	V. 19, p. 241
100-7-1	Amended	V. 19, p. 1044
100-10a-1	Amended	V. 19, p. 241
100-10a-3	Amended	V. 19, p. 241
100-11-1	Amended	V. 19, p. 1190
100-22-3	New	V. 19, p. 571
100-28a-1		
through		
100-28a-16	New (T)	V. 20, p. 247-251
100-29-7	Amended	V. 19, p. 1547
100-49-4	Amended	V. 19, p. 1190
100-54-4	Amended	V. 19, p. 1547
100-55-1		
through		
100-55-9	Amended	V. 19, p. 1017-1020
100-55-4	Amended	V. 19, p. 1547
100-55-11	New	V. 19, p. 1020
100-60-1	Revoked (T)	V. 20, p. 251
100-60-2	Revoked (T)	V. 20, p. 251
100-60-4	Revoked (T)	V. 20, p. 251
100-60-5	Revoked (T)	V. 20, p. 251
100-60-6	Revoked (T)	V. 20, p. 251
100-60-8		
through		
100-60-15	Revoked (T)	V. 20, p. 251

100-60-10	Amended	V. 19, p. 571
100-60-13	Amended	V. 19, p. 572
100-69-5	Amended	V. 19, p. 1547

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-3	Revoked	V. 19, p. 1681
102-1-3a	New	V. 19, p. 1681
102-1-5	Revoked	V. 19, p. 1683
102-1-5a	New	V. 19, p. 1683
102-1-12	Amended	V. 19, p. 1684
102-1-15	Amended	V. 19, p. 1686
102-1-17	New	V. 19, p. 1687
102-1-18	New	V. 19, p. 1687
102-1-19	New	V. 20, p. 572
102-2-1a	Amended	V. 19, p. 1192
102-2-2a	Amended	V. 19, p. 1194
102-2-3	Amended	V. 19, p. 1194
102-2-4a	Amended	V. 19, p. 1195
102-2-5	Amended	V. 19, p. 1196
102-2-7	Amended	V. 19, p. 1196
102-2-8	Amended	V. 19, p. 1198
102-2-11	Amended	V. 19, p. 1200
102-2-12	Amended	V. 19, p. 1201
102-2-13	New	V. 19, p. 1202
102-2-14	New	V. 19, p. 1202
102-2-15	New	V. 20, p. 572
102-3-1a	Amended	V. 19, p. 1202
102-3-2	Amended	V. 19, p. 1204
102-3-5a	Amended	V. 19, p. 1205
102-3-7a	Amended	V. 19, p. 1206
102-3-14	New	V. 19, p. 1207
102-3-15	New	V. 19, p. 1207
102-3-16	New	V. 20, p. 572
102-4-1a	Amended	V. 19, p. 1208
102-4-2	Amended	V. 19, p. 1209
102-4-4a	Amended	V. 19, p. 1209
102-4-5a	Amended	V. 19, p. 1211
102-4-7a	Amended	V. 19, p. 1211
102-4-14	New	V. 19, p. 1212
102-4-15	New	V. 19, p. 1213
102-4-16	New	V. 20, p. 572
102-5-1	Amended	V. 19, p. 1213
102-5-2	Amended	V. 19, p. 1214
102-5-4a	Amended	V. 19, p. 1215
102-5-5	Amended	V. 19, p. 1216
102-5-7a	Amended	V. 19, p. 1216
102-5-13	New	V. 19, p. 1218
102-5-14	New	V. 19, p. 1218
102-5-15	New	V. 20, p. 572

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 19, p. 2022
108-1-3	New	V. 19, p. 68

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-2-2	Amended	V. 19, p. 1949
109-5-1	Amended	V. 19, p. 1749
109-5-4	Amended	V. 19, p. 1750
109-6-2	Amended	V. 19, p. 1750
109-6-3	New	V. 19, p. 1751
109-7-1	Amended	V. 19, p. 1751
109-10-1	Amended	V. 19, p. 1751
109-11-6	Amended	V. 19, p. 1753
109-13-1	Amended	V. 19, p. 1754

AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING

Reg. No.	Action	Register
110-6-1	Amended	V. 20, p. 177
110-6-1a	Amended	V. 20, p. 178

110-6-2	Amended	V. 20, p. 178
110-6-3	Amended	V. 20, p. 178
110-6-4	Amended	V. 20, p. 179
110-6-5	Amended	V. 20, p. 180

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. The regulations listed below were published after December 31, 2000.

Reg. No.	Action	Register
111-2-119		
through		
111-2-124	New	V. 20, p. 416-419
111-2-125	New	V. 20, p. 573
111-2-126	New	V. 20, p. 573
111-2-127	New	V. 20, p. 574
111-3-12	Amended	V. 20, p. 40
111-3-35	Amended	V. 20, p. 574
111-4-1795		
through		
111-4-1813	New	V. 20, p. 40-47
111-4-1814		
through		
111-4-1823	New	V. 20, p. 419-427
111-4-1818	Amended	V. 20, p. 575
111-4-1824	New	V. 20, p. 575
111-5-23	Amended	V. 20, p. 428
111-5-24	Amended	V. 20, p. 428
111-5-27	Amended	V. 20, p. 429
111-7-123	Amended	V. 20, p. 48
111-7-134	Amended	V. 20, p. 429
111-7-152	Amended	V. 20, p. 49
111-7-158		
through		
111-7-162	New	V. 20, p. 577

AGENCY 112: KANSAS RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-4-1	Amended	V. 19, p. 1307
112-7-19	Amended	V. 20, p. 547
112-7-21	Amended	V. 19, p. 118
112-10-38	Amended	V. 19, p. 119
112-18-21	Amended	V. 19, p. 1308
112-18-22	Amended	V. 19, p. 119

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-2	Amended	V. 19, p. 1875
115-2-3	Amended	V. 19, p. 1875
115-4-1	Amended	V. 20, p. 180
115-4-3	Amended	V. 19, p. 1138
115-4-5	Amended	V. 19, p. 1139
115-4-6	Amended	V. 19, p. 1140
115-4-7	Amended	V. 19, p. 1142
115-7-1	Amended	V. 19, p. 1876
115-18-10	Amended	V. 19, p. 1474
115-18-13	Amended	V. 19, p. 1475
115-18-16	New	V. 19, p. 1475

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-6-3	Amended	V. 19, p. 472
117-7-1	Amended	V. 19, p. 41
117-8-1	Amended	V. 19, p. 473
117-9-1	Amended	V. 19, p. 41