



Kansas Register

Ron Thornburgh, Secretary of State

Vol. 20, No. 25 June 21, 2001 Pages 1007-1038

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State of Kansas

Legislature
Interim Committee Schedule

The following committee meetings have been scheduled during the period of June 25-July 8. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://skyways.lib.ks.us/ksleg/KLRD/klrd.html>.

| Date | Room | Time | Committee | Agenda |
|---------|-----------------|------------|---|---|
| June 26 | 123-S | 10:00 a.m. | Joint Committee on Pensions, Investments and Benefits | 26th: Review of interim topics and selected carryover bills. 27th: Actuarial information and review of deferred comp. and death/disability programs. |
| June 27 | 123-S | 9:00 a.m. | | |
| June 28 | 514-S | 10:00 a.m. | Joint Committee on State-Tribal Relations | Update on state-tribal issues. |
| June 29 | Canceled | | | |
| July 2 | 514-S | 10:00 a.m. | Joint Committee on Administrative Rules and Regulations | Agenda not available. |

Jeff Russell
Director of Legislative
Administrative Services

Doc. No. 026738

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Register Office:
Garden Level, Memorial Hall
(785) 296-3489
Fax (785) 368-8024

State of Kansas

Kansas Guardianship Program**Notice of Meeting**

The Kansas Guardianship Program will conduct its governing board meeting from 3 to 5 p.m. Tuesday, June 26, in Room 220-S, State Capitol, 300 S.W. 10th Ave., Topeka. For more information, call (785) 587-8555.

Jean Krahn
Executive Director

Doc. No. 026730

State of Kansas

Legislative Coordinating Council**Request for Proposals**

The Kansas Legislature is seeking qualified bidders for performing an independent actuarial audit and evaluation of actuarial services relating to the Kansas Public Employees Retirement System (KPERs) as authorized in K.S.A. 2000 Supp. 74-4908a. The Legislative Coordinating Council plans to contract with a qualified firm to provide the actuarial consulting services for performing the audit and for performing other actuarial work that might be approved.

Interested parties may request information from Julian Efirid, Principal Analyst, Kansas Legislative Research Department, Room 545-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-3181, or review the prospectus by visiting the agency's Web site under "Announcements" at: <http://skyways.lib.ks.us/ksleg/KLRD/klrd.html>. Proposals are due by 2 p.m. July 6.

Rep. Kent Glasscock
Chairperson

Doc. No. 026731

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:

Mitchell County Register of Deeds

Judy K. Pettijohn, Mitchell County Courthouse, 111 S. Hersey, Beloit, 67420. Term expires when a successor is elected and qualifies according to law.

State Board of Healing Arts

Dr. Jana Jones, 24964 W. 160th Court, Leavenworth, 66048. Term expires June 30, 2005. Reappointed.

Dr. Mark A. McCune, 3549 W. 153rd Terrace, Leawood, 66224. Term expires June 30, 2005. Succeeds Donald Bletz.

Dr. Carolina M. Soria, 2622 W. Central, Wichita, 67203. Term expires June 30, 2005. Reappointed.

Advisory Committee on Hispanic Affairs

Guillermina Burley, 6030 Hemlock, Great Bend, 67530. Term expires June 30, 2003.

Robert DeLeon, 1506 Mike's Drive, Garden City, 67846. Term expires June 30, 2003.

Raquel I. Guzman-Vargas, 3313 Valleywood Drive, Manhattan, 66502. Term expires June 30, 2002. Succeeds Socorro Herrera, resigned.

Jaime O. Lopez, 641 S. Roosevelt, Wichita, 67218. Term expires June 30, 2004.

Debora M. Ortega, 1414 W. 21st Terrace, Lawrence, 66046. Term expires June 30, 2003.

Cristina A. Palacios, 1720 Ida St., Hutchinson, 67502. Term expires June 30, 2002.

James Terrones, 14622 S. Blackfeather, Olathe, 66062. Term expires June 30, 2004. Succeeds Albert Herdoiza.

State Board of Nursing

Kelly J. Arpin, 4202 N. Westlake, Wichita, 67220. Term expires June 30, 2005. Succeeds Anna Pechanec.

Tamara D. Hutchinson, 1881 Castle Rock Road, Quinter, 67752. Term expires June 30, 2005. Succeeds Jane Conroy.

Artis Perret, 2597 N. Fair Road, Abilene, 67410. Term expires June 30, 2005. Succeeds Katharine Clark.

Barbara J. Stec, 19593 234th Road, Atchison, 66002. Term expires June 30, 2003. Succeeds Rhonda Parks, resigned.

Kansas Persian Gulf War Veterans Health Initiative Advisory Board

Lt. Col. Deborah S. Rose, 11308 S. Ratner Road, Overbrook, 66524. Term expires June 30, 2002. Succeeds Sharon Raby, resigned.

Kansas State Fair Board

Jeff Deeds, 1416 Arcade, Goodland, 67735. Term expires March 14, 2002. Succeeds David Hubert, resigned.

Kansas Commission on Veterans' Affairs

Hon. Cordell Meeks, 7915 Walker Ave., Kansas City, KS 66112. Term expires June 30, 2005. Reappointed.

Kansas Water Authority

Michael V. Mayberry, 409 S. 10th, Kiowa, 67070. Term expires May 1, 2004. Succeeds David Mueller, resigned.

Ron Thornburgh
Secretary of State

Doc. No. 026734

State of Kansas

Wildlife and Parks Commission

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 10 a.m. Tuesday, July 24, by conference call, to consider the approval and adoption of a proposed regulation of the Kansas Department of Wildlife and Parks. Members of the public may participate at either the Office of the Secretary, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka, or at the Operations Office, 512 S.E. 25th Ave., Pratt. Additional locations may be available, and interested parties may contact the commission secretary for additional information.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Sheila Kemmis, commission secretary, at (620) 672-5911. Persons with a hearing impairment may call the TDD service at 1-800-766-3777 to request special accommodations.

This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on proposed exempt regulation.

All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulation. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulation.

The exempt regulation that will be heard during the regulatory hearing portion of the meeting is as follows:

K.A.R. 115-25-1. This regulation establishes seasons, bag limits and possession limits for upland game birds, including a two-day youth season for pheasant and quail. Currently, adults older than 21 may participate in the hunt, as long as the hunting party includes at least as many youth 16 years or younger as adults. The proposed amendment would prohibit adults from participating with youth during the youth season.

Economic Impact Summary: While the proposed amendment may impact participation rates, no substantial economic impact on the public, the department or other agencies is anticipated.

Copies of the complete text of the regulation and the economic impact statement may be obtained by contacting the chairman of the commission at the address above or by calling (785) 296-2281.

John R. Dykes
Chairman

Doc. No. 026736

State of Kansas

Wildlife and Parks Commission

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Thursday, August 23, at the El Dorado Civic Center, 201 E. Central, El Dorado, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife and Parks.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. August 23 at the location listed above. The meeting will recess at 5 p.m., then resume at 7 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. August 24 at the same location.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Sheila Kemmis, commission secretary, at (620) 672-5911. Persons with a hearing impairment may call the TDD service at 1-800-766-3777 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on proposed administrative regulations.

All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The administrative regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

K.A.R. 115-2-1 and 115-2-4. These regulations establish fees for certain fish, wildlife, and boating licenses, permits and other issues. Fee increases are proposed for a number of issues, including hunting licenses, fishing licenses, fur-harvester licenses, waterfowl stamps, elk permits and vessel registrations. No increase is proposed for several issues, including deer or turkey permits.

Economic Impact Summary: Based on past sales of the issues proposed for fee increases, the proposed amendments may increase department revenue by approximately \$2.2 million.

K.A.R. 115-8-4. This regulation addresses noncommercial dog training on department lands and waters. Pro-

posed amendments would prohibit the release of all game birds or pen-raised birds on these lands, other than pigeons, which may continue to be released and shot on these lands and waters.

Economic Impact Summary: No substantial economic impact on the public, the department or other agencies is anticipated.

K.A.R. 115-13-1, 115-13-2 and 115-13-5. These regulations address commercial and noncommercial dog training. Proposed amendments primarily clarify regulatory language, making the regulations more consistent, in response to Executive Order 00-03.

Economic Impact Summary: No substantial economic impact on the public, the department or other agencies is anticipated.

K.A.R. 115-14-2, 115-14-3, 115-14-5, 115-14-6, 115-14-7, 115-14-9 and 115-14-10. These regulations establish permits and other requirements for the practice of falconry in Kansas. Proposed amendments primarily clarify current regulatory language. For example, amendments would define "sponsors," specify applicable rules for permit renewals, and further explain potential actions in response to mistreatment of raptors. Also, 115-14-7 is proposed for revocation by incorporating its provisions into 115-14-2.

Economic Impact Summary: No substantial economic impact on the public, the department or other agencies is anticipated.

K.A.R. 115-18-5 and 115-18-8. In response to Executive Order 00-03, 115-18-5 is proposed for revocation and 115-18-8 is proposed for amendment. K.A.R. 115-18-5 describes special motor vehicle permits for persons with certain disabilities using state parks, but is proposed for revocation because these provisions are already contained in statute or other regulation and are therefore deemed redundant. The proposed amendment to 115-18-8 would add reference to another regulation addressing a related topic.

Economic Impact Summary: No substantial economic impact on the public, the department or other agencies is anticipated.

K.A.R. 115-18-9. This regulation addresses activities of persons without a furharvester license who are accompanying a licensed furharvester. The proposed amendment would eliminate the current restriction of two nonparticipating observers who have the purpose of buying dogs, and would instead allow defined nonparticipating observers to accompany a licensed furharvester.

Economic Impact Summary: No substantial economic impact on the public, the department or other agencies is anticipated.

K.A.R. 115-18-14. This regulation establishes legal nontoxic shot for hunting migratory waterfowl. Based on anticipated federal authorization, tungsten-nickel-iron shot is proposed for addition and tin shot is proposed for elimination.

Economic Impact Summary: Private vendors selling these types of shot may have some economic impact, based on purchases by hunters of these shot types. No other economic impact is anticipated.

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by contacting the chairman of the commission at the address above or by calling (785) 296-2281.

John R. Dykes
Chairman

Doc. No. 026737

State of Kansas

Department of Revenue

Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Final Written Determinations, Revenue Rulings, Memorandums, Property Valuation Division Directives, Q&As, Information Guides and Notices published by the Department of Revenue for May 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-2001-036 Rental of portable settling tanks to operators of gas wells.
- P-2001-039 Resale consignment business.
- P-2001-040 Herbal supplements.
- P-2001-041 Leased office equipment and computers.
- P-2001-042 Residential or commercial plumbing.
- P-2001-043 Residential or commercial landscaping.
- P-2001-044 Weighing vehicles on commercial scales.
- P-2001-045 Sale-leaseback transaction.
- P-2001-046 Vending machines and video games.
- P-2001-047 Gross receipts from an information service.
- P-2001-048 Data processing services.
- P-2001-049 Repair projects performed for political subdivisions (school districts).

Opinion Letters

- O-2001-015 Repair parts and services for manufacturing machinery and equipment.
- O-2001-016 Carpet shipped to a Kansas retailer.
- O-2001-017 Transfer of motor vehicles or trailers by one corporation to another when all of the assets of such corporation are transferred to such other corporation.
- O-2001-018 Grain bins.
- O-2001-019 Installation services for telecommunications provider.

Final Written Determination

No new publications

Revenue Rulings

No new publications

Notices

Notice 01-01 Tax rates increase effective July 1, 2001.

Property Valuation Division Directives

No new publications

Q&As

No new publications

Information Guides

No new publications

Stephen Richards
Secretary of Revenue

Doc. No. 026720

State of Kansas

Department on Aging

Notice of Sliding Fee Scales

Pursuant to K.S.A. 75-5928(d)(2), the Kansas Secretary of Aging is publishing the annual sliding fee scales for the Senior Care Act and the Income Eligible programs. The scales that will be used for state fiscal year 2002, beginning July 1, 2001, are as follows:

**Senior Care Act FY 2002 Sliding Fee Scale
(Based on Monthly Income)
Effective July 1, 2001**

| | 1-Person Household | 2-Person Household |
|-----|-------------------------------|-------------------------------|
| % | | |
| 20 | Up to 1,173 | Up to 1,586 |
| 30 | 1,174 to 1,273 | 1,587 to 1,721 |
| 40 | 1,274 to 1,373 | 1,722 to 1,856 |
| 50 | 1,374 to 1,473 | 1,857 to 1,991 |
| 60 | 1,474 to 1,573 | 1,992 to 2,127 |
| 70 | 1,574 to 1,673 | 2,128 to 2,262 |
| 80 | 1,674 to 1,773 | 2,263 to 2,397 |
| 90 | 1,774 to 1,873 | 2,398 to 2,532 |
| 100 | 1,874 and above | 2,533 and above |

| | 3-Person Household | 4-Person Household |
|-----|-------------------------------|-------------------------------|
| % | | |
| 20 | Up to 1,997 | Up to 2,410 |
| 30 | 1,998 to 2,167 | 2,411 to 2,615 |
| 40 | 2,168 to 2,338 | 2,616 to 2,821 |
| 50 | 2,339 to 2,508 | 2,822 to 3,026 |
| 60 | 2,509 to 2,678 | 3,027 to 3,232 |
| 70 | 2,679 to 2,848 | 3,233 to 3,437 |
| 80 | 2,849 to 3,019 | 3,438 to 3,643 |
| 90 | 3,020 to 3,189 | 3,644 to 3,848 |
| 100 | 3,190 and above | 3,849 and above |

**Income Eligible Program FY 2002 Sliding Fee Scale
(Based on Monthly Income)
Effective July 1, 2001**

| | 1-Person Household | 2-Person Household |
|-----------------|-------------------------------|-------------------------------|
| Donation | Up to 773 | Up to 968 |
| 5% | 774 to 873 | 969 to 1,180 |
| 10% | 874 to 973 | 1,181 to 1,315 |
| 15% | 974 to 1,073 | 1,316 to 1,450 |

| | 3-Person Household | 4-Person Household |
|-----------------|-------------------------------|-------------------------------|
| Donation | Up to 1,219 | Up to 1,471 |
| 5% | 1,220 to 1,486 | 1,472 to 1,794 |
| 10% | 1,487 to 1,657 | 1,795 to 1,999 |
| 15% | 1,658 to 1,828 | 2,000 to 2,205 |

Questions about the fee scales or other facets of the Senior Care Act or Income Eligible programs may be directed to Cindy Lane, Home Services Manager, at (785) 296-6448.

Connie Hubbell
Secretary of Aging

Doc. No. 026725

State of Kansas

Speech-Language Pathology/Audiology
Advisory Board

Notice of Meeting

The Speech-Language Pathology/Audiology Advisory Board will meet at 10 a.m. Thursday, July 12, in Classroom C of the KNEA Building, 715 S.W. 10th Ave., Topeka.

Lesa Roberts, Director
Health Occupations Credentialing

Doc. No. 026733

(Published in the Kansas Register June 21, 2001.)

**Supplemental Notice of Redemption
City of Kansas City, Kansas
Single Family Mortgage Revenue Bonds, Series 1983A
(*CUSIP: 484770-CU-4 thru DQ-2 plus FC-1)**

Notice is hereby given by Security Bank of Kansas City, One Security Plaza, Kansas City, KS 66101 (the Trustee), that pursuant to Section 3.03 of the Trust Indenture of the City of Kansas City, Kansas Single Family Mortgage Revenue Bonds, Series 1983A, all outstanding Current Interest Bonds and all outstanding Municipal Multiplier Bonds have been called for redemption at various dates prior to January 1, 2000, with the exception of Bond Number RM3594 of Cusip Number 484770-FC-1 and with the exception of all bonds of CUSIP Number 484770-FD-9.

This notice is published for the benefit of those who may have missed any previous notice because of address changes or any other reason.

Any person or business entity having an unredeemed Series 1983A Bond other than the exceptions listed above should send that bond or bonds to the address listed below for redemption at the accreted value of the bond at its previous call date.

Via U.S. Mail

Security Bank of Kansas City
c/o VVFG Trust Company
Attn: Trust Operations
P.O. Box 618
Mission, KS 66201-0618

Via Courier or Hand Delivery

Security Bank of Kansas City
c/o VVFG Trust Company
Attn: Trust Operations
5800 Foxridge Drive, Suite 400
Mission, KS 66202-2388

If you have any questions regarding this redemption, please direct them to Ray Hintz at (913) 671-3102.

* The CUSIP number is included solely for the convenience of the bondholders. Security Bank of Kansas City shall not be responsible for the selection or use of the CUSIP number, nor is any representation made as to its correctness on this notice or any certificate.

Dated June 21, 2001.

Security Bank of Kansas City

Doc. No. 026724

State of Kansas

Information Network of Kansas

Notice of Meeting

The Information Network of Kansas Board of Directors will meet at noon Wednesday, June 27, 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. 026742

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 6-18-01 through 6-24-01

Table with 2 columns: Term, Rate. Rows include 1-89 days (3.99%), 3 months (3.30%), 6 months (3.35%), 1 year (3.70%), 18 months (3.94%), 2 years (4.06%).

Derl S. Treff
Director of Investments

Doc. No. 026721

(Published in the Kansas Register June 21, 2001.)

Summary Notice of Bond Sale
City of Winfield, Kansas

\$460,000

General Obligation Bonds, Series 2001-A

(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated June 18, 2001, written bids will be received by the clerk of the City of Winfield, Kansas (the issuer), on behalf of the governing body at 200 E. 9th, Winfield, KS 67156, until 2 p.m. July 2, 2001, for the purchase of \$460,000 principal amount of General Obligation 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 July 1, 2001, and will become due on September 1 in the years as follows:

Table with 2 columns: Year, Principal Amount. Row: 2002, \$35,000

Table with 2 columns: Year, Amount. Rows: 2003 (40,000), 2004 (40,000), 2005 (45,000), 2006 (45,000), 2007 (45,000), 2008 (50,000), 2009 (50,000), 2010 (55,000), 2011 (55,000)

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 \$9,200 (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 July 12, 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 \$63,478,942. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold and general obligation loans through State of Kansas Revolving Fund programs, is \$15,835,082.

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) 221-5500, fax (620) 221-5593; or from the financial advisor, George K. Baum & Company, 435 Nichols Road, Suite 200, Kansas City, MO 64112, Attention: Dave Arteberry, (800) 821-7195, fax (816) 283-5326.

Dated June 18, 2001.

City of Winfield, Kansas

Doc. No. 026743

State of Kansas

State Employees Health Care Commission

Notice of Meeting

The State Employees Health Care Commission will meet at 10:30 a.m. Thursday, June 28, in the boardroom of the offices of the Kansas Public Employees Retirement System, 611 S. Kansas Ave., Topeka. An agenda may be viewed by accessing the commission's Web site at <http://da.state.ks.us/hcc/meetings/htm>. For further information, contact the Benefits Office at (785) 296-6280.

Dan Stanley
Chair

Doc. No. 026723

State of Kansas

Department of Commerce
and HousingNotice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Wednesday, August 22, in the 13th floor conference room, Security Benefit Building, 700 S.W. Harrison, Topeka, to consider the adoption by the Business Development Division, Department of Commerce and Housing, of a proposed permanent amendment to K.A.R. 110-4-1, which relates to the "Investments in Major Projects and Comprehensive Training" (IMPACT) Program.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. Prior to the hearing, all interested parties may submit e-mail comments to dmoore@kdoch.state.ks.us or written comments to the Secretary of Commerce and Housing, 700 S.W. Harrison, Suite 1300, Topeka, 66603. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed amendment to the regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting David Moore at (785) 296-5298 or (785) 296-3487 (TTY). The north entrance to the Security Benefit Building is accessible. Handicapped parking is located on the street at the north entrance of the building.

Summaries of the proposed amendments to the regulation and their economic impact follow.

Proposed Amendment to K.A.R. 110-4-1:

The proposed amendment to K.A.R. 110-4-1 (definitions) would alter the current definition of a "job that formerly existed." K.A.R. 110-4-1 includes in its definition of a "job that formerly existed" the criterion that the job has been "filled or in use within the 18 months prior to

the date of filing an application with the secretary for funding from the IMPACT program services fund." The proposed change would replace the term "job that formerly existed" with the term "existing job" and would add the following language (shown in italics) to the definition: ". . . was filled or in use within the 18 months before the date of filing an application with the secretary for funding from the IMPACT program services fund, *unless the job was lost due to an act of God and the secretary finds that the IMPACT program or project will be a major factor for the Kansas basic enterprise to remain in Kansas.*"

Therefore, the amendment would permit jobs that would otherwise be excluded from eligibility for IMPACT program services because they were in use within the last 18 months to be considered for eligibility under limited emergency circumstances. The proposed change to the definition is being sought to address a type of situation not anticipated when the regulation was initially drafted.

Economic Impact:

The proposed amendment would result in no direct cost to the Department of Commerce and Housing or any other state agency. It does not result in increased expenditures or fiscal liability on the part of local units of government and does not directly affect their revenues. However, the availability of IMPACT Program services may have a positive effect on a company's decision to stay or rebuild its business following a disaster. In those cases, the revenues of the local units of government in which the business is located may be preserved or enhanced.

The proposed amendment will have a positive impact on the consumers of the services provided by the IMPACT Program, including Kansas companies and Kansas workers. Kansas companies that are lost or damaged by an act of God or natural disaster and employees of those Kansas companies who are laid off as the result of the loss or damage would be affected. Currently, if employees are laid off by a company because of the loss or damage to the business, the IMPACT Program cannot treat these lost jobs as new jobs for 18 months. As a result, the state cannot provide workforce training funds that may be needed by a company after rebuilding, retooling, and hiring or rehiring employees unless that company waits 18 months after a job was lost to begin hiring.

To the extent that availability of IMPACT Program funds and services positively impacts a company's decision to rebuild the business following a disaster, economic activity in the communities in which the company is located may be preserved or enhanced. Therefore, the amendment may have a positive impact on the general public.

Copies of the proposed regulation and the associated economic impact statement may be obtained from the Department of Commerce and Housing, Business Development Division, 700 S.W. Harrison, Suite 1300, Topeka, 66612, (785) 296-5298.

Gary Sherrer
Secretary of Commerce
and Housing

Doc. No. 026726

State of Kansas

Department of Commerce and Housing

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Monday, August 27, in the main conference room, 13th floor, Security Benefit Group Tower, 700 S.W. Harrison, Topeka, to consider the adoption of proposed changes in existing rules and regulations of the Division of Community Development Block Grant's Community Service Tax Credit program.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Gary Sherrer, Secretary of Commerce and Housing, 700 S.W. Harrison, Suite 1300, Topeka, 66603. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Bill Acree at (785) 296-3004. Handicapped parking is located directly across the street from the Security Benefit Group building's north entrance on 7th Street. The north entrance to the building is accessible to individuals with disabilities.

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

K.A.R. 110-7-5. Definitions. This regulation defines the terms "Department," "Director," "Gift," and "Proposal," which are key terms in the Community Service Program, which implements the income tax credit system.

K.A.R. 110-7-6. Audits. This regulation clarifies when independent audits of a nonprofit organization's financial records will be required and alternatives allowed to the submission of an audit, such as submission of IRS form 990s in lieu of an audit.

This change specifically benefits first-time nonprofit programs using the income tax credit program.

K.A.R. 110-7-8. Review of proposals. This regulation outlines the criteria used by the agency to approve or disapprove the proposals submitted for adoption under the state income tax credit program for community development.

The regulation clarifies when proposals need written endorsements from local governing bodies and the time frame when applicants will be notified of the director's decision regarding adoption or rejection of their proposal.

K.A.R. 110-7-9. Gifts and gift period. This regulation states that proposals must indicate that when noncash gifts are received for approved programs, only noncash gifts related directly to the approved project are accepted and all gifts must be accepted within 18 months after date

of approval of the director. The term "related directly" is defined. The regulation limits tax credit application approvals to the one-year term after the date the gift is donated.

K.A.R. 110-7-10. Project administration. This regulation requires that projects include statements on the submission of quarterly and final reports, submission of budgets, and a final independent audit.

K.A.R. 110-7-1 through 110-7-4, which are existing rules and regulations, will be repealed.

These amendments benefit local nonprofit organizations submitting income tax credit financing proposals under the state's community development program. They have no effect on other governmental units, private citizens or consumers. There are no anticipated costs to state agencies or employees as a result of this change.

Copies of the regulations and their economic impact statements may be obtained from the Division of Community Development Block Grant Programs, 700 S.W. Harrison, Suite 1300, Topeka, 66603, (785) 296-3004.

Gary Sherrer
Secretary of Commerce and Housing

Doc. No. 026722

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-01-158

Pending Permits for Confined Feeding Facilities

| Name and Address of Applicant | Legal Description | Receiving Water |
|---|--|-------------------------------------|
| Robert Kitchen 37370 John Brown Hwy. Osawatomie, KS 66064 | NE/4 of Section 13, T18S, R21E, Miami County | Marais des Cygnes River Basin |
| Kansas Permit No. A-MCMI-S031 | | |

This is a new facility for 200 head of swine greater than 55 pounds (80 animal units) and 200 head of swine 55 pounds or less (20 animal units) for a total of 100 animal units.

(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: 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.

Public Notice No. KS-01-070/088

| Name and Address of Applicant | Waterway | Type of Discharge |
|---|--|--------------------------------|
| Blue Mound, City of P.O. Box 100 Blue Mound, KS 66010 | Little Osage River via Irish Creek | Treated Domestic Wastewater |

Kansas Permit No. M-MC05-OO02 Federal Permit No. KS0095737
Legal: SW¹/₄, S32, T22S, R22E, Linn 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 and pH. Monitoring for ammonia and fecal coliform also will be required. 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 technology based.

| Name and Address of Applicant | Waterway | Type of Discharge |
|--|-----------------|--------------------------------|
| Buffalo, City of P.O. Box 88 Buffalo, KS 66717 | Buffalo Creek | Treated Domestic Wastewater |

Kansas Permit No. M-VE03-OO02 Federal Permit No. KS0094722
Legal: NE¹/₄, S12, T27S, R15E, Wilson 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 and pH. Monitoring for ammonia and fecal coliform also will be required. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified operator. 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 technology based.

| Name and Address of Applicant | Waterway | Type of Discharge |
|--|--|--------------------------------|
| Cherryvale, City of 123 W. Main St. Cherryvale, KS 67335 | Verdigris River via Drum Creek via Unnamed Tributary | Treated Domestic Wastewater |

Kansas Permit No. M-VE07-OO01 Federal Permit No. KS0045951
Legal: SW¹/₄, S8, T32S, R17E, 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, total residual chlorine 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 |
|--|--------------------------------|--------------------------------|
| Chetopa, City of 332 Maple P.O. Box 203 Chetopa, KS 67336 | Neosho River via Town Creek | Treated Domestic Wastewater |

Kansas Permit No. M-NE13-OO01 Federal Permit No. KS0031135
Legal: NW¹/₄, S2, T35S, R21E, Labette 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 and pH. Monitoring for ammonia and fecal coliform also will be required. 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 technology based.

| Name and Address of Applicant | Waterway | Type of Discharge |
|--|-----------------|--------------------------------|
| Council Grove, City of 313 W. Main St. Council Grove, KS 66746 | Neosho River | Treated Domestic Wastewater |

Kansas Permit No. M-NE17-IO01 Federal Permit No. KS0027898
Legal: SW¹/₄, S13, T16S, R8E, Morris 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 and pH. Monitoring for ammonia and fecal coliform also will be required. 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 technology based.

| Name and Address of Applicant | Waterway | Type of Discharge |
|--|-------------------------------|--------------------------------|
| Cunningham, City of 119 N. Main P.O. Box 188 Cunningham, KS 67035 | South Fork Ninnescah River | Treated Domestic Wastewater |

Kansas Permit No. M-AR27-OO01 Federal Permit No. KS0049743
Legal: SW¹/₄, S33, T27S, R10W, Kingman 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 and pH. Monitoring for ammonia and fecal coliform also will be required. 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 technology based.

| Name and Address of Applicant | Waterway | Type of Discharge |
|---|-----------------|--------------------------------|
| Dearing, City of P.O. Box 231 Dearing, KS 67340 | Onion Creek | Treated Domestic Wastewater |

Kansas Permit No. M-VE11-OO01 Federal Permit No. KS0048062
Legal: NW¹/₄, S25, T34S, R15E, 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 and pH. Monitoring for ammonia and fecal coliform also will be required. 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 technology based.

| Name and Address of Applicant | Waterway | Type of Discharge |
|--|-----------------|--------------------------------|
| Elk City, City of P.O. Box 245 Elk City, KS 67344-0245 | Elk River | Treated Domestic Wastewater |

Kansas Permit No. M-VE14-OO01 Federal Permit No. KS0045969
Legal: NE¹/₄, S6, T32S, R14E, 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 and pH. Monitoring for ammonia and fecal coliform also will be required. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified operator. 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 technology based.

Name and Address of Applicant **Waterway** **Type of Discharge**
 Eureka, City of Fall River via Treated Domestic
 P.O. Box 68 Unnamed Tributary Wastewater
 Eureka, KS 67045

Kansas Permit No. M-VE16-OO02 Federal Permit No. KS0083178
 Legal: W½, S7, T26S, R11E, Greenwood 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 and pH. Monitoring for ammonia and fecal coliform also will be required. 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 technology based.

Name and Address of Applicant **Waterway** **Type of Discharge**
 Fredonia, City of Fall River via Treated Domestic
 314 N. 7th Salt Creek Wastewater
 Fredonia, KS 66736

Kansas Permit No. M-VE18-OO01 Federal Permit No. KS0045985
 Legal: SE¼, S14, T29S, R14E, Wilson 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, total residual chlorine 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**
 Glen Elder, City of Solomon River via Treated Domestic
 P.O. Box 55 Limestone Creek Wastewater
 Glen Elder, KS 67446

Kansas Permit No. M-SO18-OO01 Federal Permit No. KS0020982
 Legal: NE¼, S34, T6S, R9W, Mitchell 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, fecal coliform and pH. Monitoring for ammonia 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**
 Hamilton, City of Willow Creek via Treated Domestic
 P.O. Box 58 Onion Creek Wastewater
 Hamilton, KS 66853

Kansas Permit No. M-VE20-OO01 Federal Permit No. KS0046001
 Legal: NW¼, S1, T24S, R11E, Greenwood 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 and pH. Monitoring for ammonia and fecal coliform 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 technology based.

Name and Address of Applicant **Waterway** **Type of Discharge**
 Longton, City of Elk River via Treated Domestic
 P.O. Box 18 Hitchen Creek Wastewater
 Longton, KS 67352

Kansas Permit No. M-VE25-OO01 Federal Permit No. KS0046019
 Legal: NE¼, S3, T31S, R12E, Elk 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 and pH. Monitoring for ammonia and fecal coliform also will be required. 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 technology based.

Name and Address of Applicant **Waterway** **Type of Discharge**
 Redfield, City of Marmaton River via Treated Domestic
 P.O. Box 5 Unnamed Tributary Wastewater
 Redfield, KS 66769

Kansas Permit No. M-MC42-OO01 Federal Permit No. KS0091197
 Legal: SW¼, S28, T25S, R23E, Bourbon 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 and pH. Monitoring for ammonia and fecal coliform also will be required. 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 technology based.

Name and Address of Applicant **Waterway** **Type of Discharge**
 Otis, City of Walnut Creek via Treated Domestic
 P.O. Box 326 Boot Creek Wastewater
 Otis, KS 67565

Kansas Permit No. M-UA31-OO01 Federal Permit No. KS0091758
 Legal: NW¼, S36, T17S, R16W, Rush 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 and pH. Monitoring for ammonia and fecal coliform also will be required. 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 technology based.

Name and Address of Applicant **Waterway** **Type of Discharge**
 Thayer, City of Chetopa Creek via Treated Domestic
 P.O. Box 157 Little Chetopa Wastewater
 Thayer, KS 66776 Creek via
 Unnamed Tributary

Kansas Permit No. M-VE35-OO01 Federal Permit No. KS0026450
 Legal: NW¼, S30, T29S, R18E, Neosho 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 and pH. Monitoring for ammonia and fecal coliform also will be required. 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 technology based.

Name and Address of Applicant **Waterway** **Type of Discharge**
 Windom, City of Little Arkansas Treated Domestic
 P.O. Box 38 River via Wastewater
 Windom, KS 67491 Unnamed Tributary

Kansas Permit No. M-LA18-OO01 Federal Permit No. KS0051721
 Legal: NE¼, S30, T19S, R5W, McPherson County

(continued)

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, fecal coliform and pH. Monitoring for ammonia also will be required. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified operator. 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 |
|---|--|---------------------------------|
| Abbott Laboratories P.O. Box 1247 McPherson, KS 67460 | Little Arkansas River via Dry Turkey Creek via Various Tributaries | Reverse Osmosis Reject Water |

Facility Location: 1776 Centennial Drive, McPherson, KS 67460
Kansas Permit No. I-LA11-PO11 Federal Permit No. KS0092517
Legal: NE $\frac{1}{4}$, S22, T19S, R3W, McPherson County

Facility Description: The proposed action is to reissue an existing permit for the discharge of reverse osmosis reject water to a nearby lake owned by BPU, McPherson. This facility is a pharmaceutical drug manufacturing facility. All other wastewater generated at the facility is discharged to the city sanitary sewer. The proposed permit includes a limit for pH. Monitoring for effluent flow also will be required. 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 |
|--|--|---|
| Shawnee Rock Company P.O. Box 3220 Shawnee, KS 66203 | Kansas River via Cedar Creek via Unnamed Tributary | Washwater and Uncontaminated Stormwater Runoff |

Facility Name: Plant #3
Kansas Permit No. I-KS52-PO08 Federal Permit No. KS0089303
Legal: SW $\frac{1}{4}$, S3 & NW $\frac{1}{4}$, S10, T14S, R23E, Johnson County

Facility Description: The proposed action is to modify and reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation with some washing. The proposed permit includes limits for total suspended solids and pH. 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-ND-01-007

| Name and Address of Applicant | Waterway | Type of Discharge |
|---|--|-------------------|
| Lynn M. Robinson Route 1, Box 21 Redfield, KS 66769 | SW $\frac{1}{4}$ S17, T25S, R23E, Bourbon County | Nonoverflow |

Kansas Permit No. C-MC42-NO01

Facility Description: The proposed action is to issue a new permit for the operation of a new wastewater treatment facility treating primarily domestic wastewater. This facility consists of a two-cell wastewater stabilization lagoon. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified operator. Discharge of wastewater from this treatment facility to the surface waters of the State of Kansas is prohibited by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

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 at-

tention of Shonda Domme for agricultural permits or applications, 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 July 21 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-01-158, KS-01-070/088, KS-ND-01-007) 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. 026735

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Acme Brick has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Acme Brick, Fort Worth, Texas, owns and operates a brick and clay products manufacturing facility located at 1915 Ave. L, Kanopolis, Ellsworth County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Alan Brooks, (785) 296-6281, at the KDHE central office, or Joan Ratzlaff, (785) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Alan Brooks, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business July 23.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business July 23 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA 45-day review period. If the EPA waives its 45-day review period, the 60-day public petition period will start directly after the 30-day public comment period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was im-

practicable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7097, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Clyde D. Graeber
Secretary of Health and Environment

Doc. No. 026732

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:

Thursday, July 5, 2001

03610

Kansas State University—Moving and Storage of Library Materials

03619

Statewide—Automotive Supplies

Wednesday, July 11, 2001

A-9234

Larned State Hospital—Site Utilities and Site Lighting, Temporary Housing Unit, Phase I

A-9236

Larned State Hospital—Electrical Feed Replacement, Temporary Housing Unit, Phase I

Thursday, July 12, 2001

A-9062 (A)

Ellsworth Correctional Facility—Staff Development Building #17 and #6 Addition

Request for Proposals

Friday, July 6, 2001

03599

Court Reporting Services for the Kansas Board of Healing Arts

Monday, July 9, 2001

03612

Training Services for the Juvenile Justice Authority

Tuesday, July 10, 2001

03611

Evaluate Smart Start Kansas for the Kansas Children's Cabinet and Trust Fund

John T. Houlihan
Director of Purchases

Doc. No. 026741

State of Kansas

Real Estate Appraisal Board

Permanent Administrative
RegulationsArticle 8.—UNIFORM STANDARDS OF
PROFESSIONAL APPRAISAL PRACTICE

117-8-1. **Uniform standards of professional appraisal practice.** The 2001 edition of the uniform standards of professional appraisal practice, as promulgated by the appraisal standards board of the appraisal foundation, copyrighted and in effect on January 1, 2001, is hereby adopted by reference. (Authorized by K.S.A. 58-4105; implementing K.S.A. 58-4105 and K.S.A. 58-4121; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991; amended May 24, 1993; amended Feb. 6, 1995; amended May 3, 1996; amended Jan. 9, 1998; amended, T-117-3-6-98, March 6, 1998; amended Aug. 14, 1998; amended July 16, 1999; amended April 21, 2000; amended July 6, 2001.)

Sally L. Pritchett
Director

Doc. No. 026739

State of Kansas

Board of Pharmacy

Permanent Administrative
RegulationsArticle 9.—AUTOMATED PRESCRIPTION
SYSTEMS

68-9-2. **Automated drug delivery systems.** (a) For purposes of this regulation, "automated drug delivery system" shall include any mechanical system that performs operations or activities other than compounding or administration, relative to the storage, packaging, dispensing, or distribution of drugs, in situations in which the drug is not reviewed by a Kansas-licensed pharmacist after it leaves the mechanical system and before it is dispensed, distributed, or administered.

(b) A pharmacist-in-charge of any licensed pharmacy, licensed health care facility, or other location that is required to be supervised by a pharmacist-in-charge and that uses an automated drug delivery system shall be responsible to take the following steps before allowing the automated drug delivery system to be used:

(1) Ensure that the automated drug delivery system is in good working order and accurately dispenses the correct strength, dosage form, and quantity of the drug prescribed while maintaining appropriate recordkeeping and security safeguards;

(2) ensure that the automated pharmacy system has a mechanism for securing and accounting for drugs removed from and subsequently returned to the system;

(3) ensure that the automated pharmacy system has a mechanism for securing and accounting for wasted or discarded drugs;

(4) implement a documented and ongoing quality assurance program that monitors total system performance

and includes the requirement for accuracy in the drug and strength delivered;

(5) ensure that the automated drug delivery system is stocked accurately and according to established and written policies and procedures;

(6) ensure that the use of the automated drug delivery system maintains patient confidentiality;

(7) establish and implement an operational policy that limits the personnel responsible for the loading and unloading of the automated drug delivery system to a Kansas-licensed pharmacist, pharmacy student under the pharmacist's supervision, or a pharmacy technician;

(8) establish and implement security measures that comply with state and federal laws and regulations in order to prevent unauthorized individuals from accessing or obtaining drugs;

(9) preapprove all individuals who are authorized to remove any drug and maintain, at the location of the automated drug delivery system, a list of those approved individuals;

(10) ensure the accuracy of the automated drug delivery system's collection, control, and maintenance of all transaction information needed to track the movement of drugs into and out of the system for security, accuracy, and accountability; and

(11) provide the board with prior written notice of the installation or removal of the automated drug delivery system.

(c) A pharmacist-in-charge of any licensed pharmacy, licensed health care facility, or other location that is required to be supervised by a pharmacist-in-charge and that uses an automated drug delivery system shall be responsible to ensure all of the following:

(1) The drugs within the automated drug delivery system are inspected on-site by a Kansas-licensed pharmacist or a pharmacy technician under the direction of a Kansas-licensed pharmacist, no less than monthly to ensure accuracy of contents.

(2) All drugs placed within the device are packaged in the manufacturer's sealed original packaging or in repackaged containers, in compliance with the requirements of K.A.R. 68-7-15 and K.A.R. 68-7-16. However, the dispensing container shall not be required to be labeled as specified in K.A.R. 68-7-14 if it is utilized for a registered patient of the licensed health care facility and for immediate administration.

(3) At the time of loading any controlled substance, the count of that drug in the automated drug delivery system is correct, or any discrepancy is immediately reported to the pharmacist-in-charge, who shall be responsible for reconciliation of the discrepancy or proper reporting of the loss. (Authorized by K.S.A. 65-1630; implementing K.S.A. 2000 Supp. 65-1626; effective July 6, 2001.)

Susan A. Linn
Executive Director

Doc. No. 026727

State of Kansas

Secretary of State

Permanent Administrative
RegulationsArticle 41.—KANSAS UNIFORM ELECTRONIC
TRANSACTIONS ACT

7-41-1. **Definitions.** (a) "Certification practice statement" means a statement published by a registered certification authority that specifies the policies or practices that the registered certification authority employs in issuing, publishing, suspending, and revoking certificates.

(b) "Compliance review" means documentation in the form of an information systems audit report verifying that the applicant has the use of a trustworthy system as defined below in subsection (d). The applicant shall file the audit report with the secretary upon initial registration as a certification authority and thereafter once every two years.

(c) "Subscriber" means a person who meets the following criteria:

- (1) Is the subject of a certificate;
- (2) accepts the certificate; and
- (3) holds the private key that corresponds to the public key listed in that certificate.

(d) "Trustworthy system" means a secure system that materially satisfies the most recent common criteria protection profile for commercial security, known as "CSPP—guidance for COTS security protection profiles," published by the U.S. department of commerce in December 1999 and hereby adopted by reference. The previous version of this document was known as "CS2—protection profile guidance for near-term COTS." (Authorized by and implementing K.S.A. 2000 Supp. 16-1618; effective July 6, 2001.)

7-41-2. **Registration; renewal; expiration.** (a) Each original registration or renewal registration for a registered certification authority shall expire one year from the date of issuance.

(b) Each renewal application for registration shall be deemed timely if the registered certification authority files a renewal application with the secretary within 60 days before the date the original application or renewal application otherwise will expire. (Authorized by K.S.A. 2000 Supp. 16-1618; implementing K.S.A. 2000 Supp. 16-1617; effective July 6, 2001.)

7-41-3. **Forms.** (a) Applications, statements, and other information required for registration or renewal of registration for a registered certification authority shall be made on forms prescribed by the secretary.

(b) Applications and other information may be allowed by the secretary to be filed electronically.

(c) Each applicant for registered certification authority shall file the following with the application or renewal application:

- (1) A compliance review with a report date within 90 days of the application or renewal application date;
- (2) a copy of the registered certification authority's certification practice statement;

(3) a nonrefundable application or renewal application fee of \$1,000; and

(4) a good and sufficient surety bond, certificate of insurance or other evidence of financial security in the amount of \$100,000. (Authorized by K.S.A. 2000 Supp. 16-1618; implementing K.S.A. 2000 Supp. 16-1617; effective July 6, 2001.)

7-41-4. **Evidence of financial security.** The evidence of financial security shall include, in addition to the requirements of L. 2000, Ch. 120, Sec. 2 and amendments thereto, the following: (a) The identity of the insurer or the financial institution issuing the surety bond, certificate of insurance, or irrevocable letter of credit, including the following information:

- (1) The name;
- (2) the mailing address;
- (3) the physical address; and
- (4) the identification, by number or copy of appropriate documentation, of the licensure or approval as a financial institution or as an insurer in this state;

(b) the identity of the registered certification authority on behalf of which the evidence of financial security is issued;

(c) a statement that the evidence of financial security is issued payable to the secretary for the benefit of persons holding qualified rights of payment against the registered certification authority named as principal of the surety bond, certificate of insurance, or irrevocable letter of credit;

(d) a statement that the evidence of financial security is issued for filing pursuant to the Kansas uniform electronic transactions act and amendments thereto; and

(e) a statement of term that extends at least as long as the term of the registration to be issued to the registered certification authority. (Authorized by and implementing K.S.A. 2000 Supp. 16-1618; effective July 6, 2001.)

7-41-5. **Certification practice statement.** Each registered certification authority shall file with the secretary a certification practice statement. The statement shall declare the practices that the registered certification authority uses in issuing, suspending, and revoking certificates. It shall also include the following information: (a) If certificates are issued by class, the necessary criteria for each class of certificate, including the methods of subscriber identification applicable to each class;

(b) disclosure of any warnings, liability limitations, warranty disclaimers, and indemnity and hold harmless provisions, if any, upon which the registered certification authority intends to rely;

(c) disclosure of any and all disclaimers and limitations on obligations, losses, or damages, if any, to be asserted by the registered certification authority;

(d) a written description of all representations from the subscriber required by the registered certification authority relating to the subscriber's responsibility to protect the private key; and

(e) disclosure of any mandatory dispute resolution process, if any, including any choice of forum and choice of law provisions. (Authorized by K.S.A. 2000 Supp. 16-

(continued)

1618; implementing K.S.A. 2000 Supp. 16-1617; effective July 6, 2001.)

7-41-6. **Amendments and material changes.** (a) Each applicant or renewal applicant shall notify the secretary of any change in its application or renewal application, as it appears in the secretary's files, within 30 days of the effective date of the change.

(b) Each applicant or renewal applicant shall notify the secretary of any change in the certification practice statement within 30 days of the amendment. (Authorized by and implementing K.S.A. 2000 Supp. 16-1618; effective July 6, 2001.)

7-41-7. **Recordkeeping and retention of registered certification authority documents.** (a) Each registered certification authority shall maintain documentation of compliance with the Kansas uniform electronic transactions act and article 41 of these regulations. The documentation shall include evidence demonstrating that the registered certification authority has met the following requirements:

(1) Secured as evidence of identity the identification documents or other evidence presented by the person named in a certificate that the registered certification authority has issued;

(2) secured as evidence of identity the identification documents or other evidence presented by the person requesting revocation of a certificate that the registered certification authority has revoked;

(3) secured evidence of the validity of all other facts listed in a certificate that the registered certification authority has issued; and

(4) complied with Kansas uniform electronic transactions act in issuing, publishing, suspending, and revoking certificates.

(b) Each registered certification authority may require a subscriber or agent of a subscriber to submit documentation and other evidence reasonably sufficient to enable the registered certification authority to comply with this regulation.

(c) Each registered certification authority shall retain its records of the issuance, acceptance, and any suspension or revocation of a certificate for a period of not fewer than 10 years after the certificate is revoked or expires. The registered certification authority shall retain custody of the records unless it ceases to act as a registered certification authority and the secretary orders it to deliver the records to another registered certification authority.

(d) Each registered certification authority shall secure its records pursuant to standards that are commercially reasonable within the industry.

(e) The records shall be maintained in the form of paper-based documents, retrievable computer-based documents, or any form of reproduction approved by the secretary and state archivist for essential records. These records shall be indexed, stored, preserved, and reproduced so that they are accurate, complete, and accessible to an auditor.

(f) All records subject to article 41 of these regulations shall be in the English language. (Authorized by and implementing K.S.A. 2000 Supp. 16-1618; effective July 6, 2001.)

7-41-8. **Grounds for lapse of a registered certification authority registration.** (a) A registered certification authority registration shall be deemed lapsed upon failure to comply with any requirement of the Kansas uniform electronic transactions act and amendments thereto and article 41 of these regulations.

(b) A registered certification authority shall be informed by the secretary by written order, by mail directed to the mailing address or electronic mail address listed on the registered certification authority's application, of a decision lapsing the registration. The notification shall state when the lapse will be effective, which shall not be fewer than 30 days following the issuance of the order. (Authorized by K.S.A. 2000 Supp. 16-1618; implementing K.S.A. 2000 Supp. 16-1617; effective July 6, 2001.)

7-41-9. **Civil penalties.** Each registered certification authority who violates or fails to comply with the Kansas uniform electronic transactions act and amendments thereto and article 41 of these regulations, upon notice and hearing, shall be subject to a civil penalty not to exceed \$10,000 per violation. (Authorized by K.S.A. 2000 Supp. 16-1618; implementing K.S.A. 2000 Supp. 16-1617; effective July 6, 2001.)

7-41-10. **Procedure upon discontinuance of certification authority business.** Each certification authority that discontinues providing certification authority services without making other arrangements for the preservation of the certification authority's records shall notify the secretary and the subscribers, in writing, of its discontinuance of business, and perform either of the following: (a) Revoke all valid certificates and return all records concerning them to the appropriate subscriber; or (b) submit the records to another registered certification authority or authorities as ordered by the secretary. (Authorized by K.S.A. 2000 Supp. 16-1618; implementing K.S.A. 2000 Supp. 16-1617; effective July 6, 2001.)

7-41-11. **Recovery against financial security.** (a) In order to recover against a registered certification authority's surety bond, certificate of insurance, or other evidence of financial security, the claimant shall meet the following requirements:

(1) File a signed notice of the claim with the secretary stating the following information:

(A) The name and address of the claimant;

(B) the amount claimed;

(C) the grounds for the qualified right to payment; and

(D) the date of the occurrence forming the basis of the claim; and

(2) attach to the notice a certified copy of the judgment upon which the qualified right to payment is based, except as provided in subsection (b) of this regulation.

(b) If the notice specified in this regulation is filed before entry of judgment, the notice shall be held on file by the secretary, without further action, until the claimant files a copy of the judgment. If the secretary determines that the action identified in the notice finally has been resolved without a judgment awarding the claimant a qualified right to payment, the notice may be expunged by the secretary from the secretary's records. A notice shall not be expunged by the secretary until two years have elapsed since it first was filed.

(c) A notice for filing shall be rejected by the secretary if the date of the occurrence forming the basis for the complaint is more than two years before the filing of the notice.

(d) If the notice and judgment are filed pursuant to paragraphs (a)(1) and (2) of this regulation, a copy of the notice and judgment shall be provided by the secretary to the surety, insurer, or issuer of the financial security for qualified right of payment to the claimant. (Authorized by and implementing K.S.A. 2000 Supp. 16-1618; effective July 6, 2001.)

7-41-12. **Reciprocity.** (a) Any registered certification authority that is licensed, registered, or otherwise under the statutory oversight of a governmental agency, as defined by the Kansas uniform electronic transactions act and amendments thereto, may be registered as a registered certification authority in Kansas if all of the following conditions are met:

(1) The oversight of the governmental unit is equal to or greater than the oversight required pursuant to the Kansas uniform electronic transactions act and amendments thereto and article 41 of these regulations.

(2) The registered certification authority submits to the secretary a written request for registration and a copy of the license or registration issued by the governmental unit.

(3) The registered certification authority pays the \$1,000 application fee.

(b) Each person registered pursuant to this regulation shall be exempt from the provisions of K.A.R. 7-41-3(c)(1).

(c) If the information filed pursuant to this regulation is satisfactory to the secretary, a registered certification authority may be issued a Kansas reciprocal registration by the secretary. (Authorized by K.S.A. 2000 Supp. 16-1618; implementing K.S.A. 2000 Supp. 16-1619; effective July 6, 2001.)

7-41-13. **Use of subscriber information.** Each registered certification authority shall use subscriber information only for the purpose of performing the authentication process. (Authorized by and implementing K.S.A. 2000 Supp. 16-1618; effective July 6, 2001.)

Ron Thornburgh
Secretary of State

Doc. No. 026740

State of Kansas

Social and Rehabilitation Services

Permanent Administrative Regulations

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

30-5-58. **Definitions.** The following words and terms, when used in this article, shall have the following meanings, unless the context clearly indicates otherwise.

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

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

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

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

(e) "Agency" means the department of social and rehabilitation services.

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

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

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

(i) "Capitated managed care" means a type of managed care plan that uses a risk-sharing reimbursement method whereby providers receive fixed periodic payments for health services rendered to plan members. Capitated fees shall be set by contract with providers and shall be paid on a per person basis regardless of the amount of services rendered or costs incurred.

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

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

(l) "Change of ownership" means a change that involves the following:

(1) An arm's-length transaction between unrelated parties; and

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

(B) a transfer of title and property to another party if the property is owned by a sole proprietor;

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

(D) a consolidation of two or more corporations that creates a new corporate entity. The transfer of participating provider corporate stock shall not in itself constitute a change of ownership. A merger of one or more corporations with a participating provider corporation surviving shall not constitute a change of ownership.

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

(continued)

(n) "Common ownership" means that an entity holds a minimum of five percent ownership or equity in the provider facility and in the company engaged in business with the provider facility.

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

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

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

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

(s) "Cost and other accounting information" means adequate data, including source documentation, that is accurate, current, and in sufficient detail to accomplish the purposes for which it is intended. Source documentation, including petty cash payout memoranda and original invoices, shall be valid only if it originated at the time and near the place of the transaction. In order to provide the required cost data, financial and statistical records shall be maintained in a consistent manner. This requirement shall not preclude a beneficial change in accounting procedures when there is a compelling reason to effect a change of procedure.

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

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

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

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

(x) "Costs not related to patient care" means costs that are not appropriate, necessary, or proper in developing and maintaining the facility's operations and activities. These costs shall not be allowed in computing reimbursable costs under cost-related reimbursement.

(y) "Costs related to patient care" means all necessary and proper costs arising from arm's-length transactions in accordance with generally accepted accounting principles that are appropriate and helpful in developing and maintaining the operation of patient care facilities and activities.

(z) "Covered service" means a medical service for which reimbursement will be made by the medicaid/medikan program. Coverage may be limited by the secretary through prior authorization requirements.

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

(bb) "Day outlier limit" means the maximum general hospital inpatient length of stay established according to a methodology specified by the secretary for each diagnosis-related group.

(cc) "Diagnosis-related group" or "DRG" means the classification system that arranges medical diagnoses into mutually exclusive groups.

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

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

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

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

(hh) "Discharge" means release from a hospital. A discharge shall occur when the consumer leaves the hospital or dies. A transfer to another unit within a hospital, except to a swing bed, and a transfer to another hospital shall not be a discharge.

(ii) "Discharging hospital" means, in instances of the transfer of a consumer, the hospital that discharges the consumer admitted from the last transferring hospital.

(jj) "Dispensing fee" means the reimbursement rate assigned to each individual pharmacy provider for the provision of pharmacy services involved in dispensing a prescription.

(kk) "Disproportionate share hospital" means a hospital that has the following:

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

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

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

(B) a hospital that did not offer nonemergency obstetric services as of December 21, 1987.

(ll) "Drug, supply, or device" means the following:

(1) Any article recognized in the official United States pharmacopoeia, another similar official compendium of the United States, an official national formulary, or any supplement of any of these publications;

(2) any article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings;

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

(4) any article intended for use as a component of any article specified in paragraphs (1), (2), or (3) above.

(mm) "Durable medical equipment" or "DME" means equipment that meets these conditions:

(1) Withstands repeated use;

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

(3) is primarily and customarily used to serve a medical purpose;

(4) is appropriate for use in the home; and

(5) is rented or purchased as determined by designees of the secretary.

(nn) "Election period" means the period of time for the receipt of hospice care, beginning with the first day of hospice care as provided in the election statement and continuing through any subsequent days.

(oo) "Election statement" means the revokable statement signed by a consumer that is filed with a particular hospice and that consists of the following:

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

(2) acknowledgement that the consumer has been given a full explanation of hospice care;

(3) acknowledgement by the consumer that other medical services are waived;

(4) the effective date of the election period; and

(5) the consumer's signature or the signature of the consumer's legal representative.

(pp) "Emergency services" means those services provided after the sudden onset of a medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention could reasonably be expected to result in any of the following:

(1) Serious jeopardy to the patient's health;

(2) serious impairment to bodily functions; or

(3) serious dysfunction of any bodily organ or part.

(qq) "Estimated cost" means the cost of general hospital inpatient services provided to a consumer, as computed using a methodology set out in the Kansas medicaid state plan.

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

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

(tt) "General hospital" means an establishment that provides an organized medical staff of physicians, permanent facilities that include inpatient beds, and medical services. The medical services provided by the hospital shall include the following:

(1) Physician services;

(2) continuous registered professional nursing services for 24 hours each day; and

(3) diagnosis and treatment for nonrelated patients who have a variety of medical conditions.

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

(vv) "General hospital inpatient beds" means the number of beds reported by a general hospital on the hospital and hospital health care complex cost report form, excluding those beds designated as skilled nursing facility or intermediate care facility beds. For hospitals not filing the hospital and hospital health care complex cost report form, the number of beds shall be obtained from the provider application for participation in the Kansas medicaid/medikan program form.

(ww) "Generally accepted accounting procedures" means generally accepted accounting principles, except as otherwise specifically indicated by medicaid/medikan program policies and regulations. These principles shall not supersede any specific regulation or policy of the medicaid/medikan program.

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

(yy) "Health maintenance organization" means an organization of providers of designated medical services that makes available and provides these medical services to eligible enrolled individuals for a fixed periodic payment determined in advance and that limits referral to outside specialists.

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

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

(bbb) "Hospital located in a rural area" means a facility located in an area outside of a metropolitan statistical area as defined in paragraph (sss).

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

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

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

(fff) "Kan Be Healthy program participant" means an individual under the age of 21 who is eligible for medicaid, and who has undergone a Kan Be Healthy medical screening in accordance with a specified screening schedule. The medical screening shall be performed for the following purposes:

(1) To ascertain physical and mental defects; and

(2) to provide treatment that corrects or ameliorates defects and chronic conditions that are found.

(ggg) "Kan Be Healthy dental-only participant" means an individual under the age of 21 who is eligible for med-

(continued)

icaid, and has undergone only a Kan Be Healthy dental screening in accordance with a specified screening schedule. The dental screening shall be performed for the following purposes:

- (1) To ascertain dental defects; and
- (2) to provide treatment that corrects or ameliorates dental defects and chronic dental conditions that are found.

(hhh) "Kan Be Healthy vision-only participant" means an individual under the age of 21 who is eligible for medicaid, and who has undergone only a Kan Be Healthy vision screening in accordance with a specified screening schedule. The vision screening shall be performed for the following purposes:

- (1) Ascertain vision defects; and
 - (2) provide treatment that corrects or ameliorates vision defects and chronic vision conditions that are found.
- (iii) "Length of stay as an inpatient in a general hospital" means the number of days an individual remains for treatment as an inpatient in a general hospital from and including the day of admission, to and excluding the day of discharge.

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

(kkk) "Low-income utilization rate for hospitals" means the rate that is defined in accordance with section 1923 of the social security act, codified at 42 U.S.C. 1396r-4, as amended by section 1(a)(6) of the consolidated appropriations act, 2001 P.L. 106-554, which enacted into law Section 701 of H.R. 5661, the medicare, medicaid, and SCHIP benefits improvement and protection act of 2000, effective December 21, 2000, which is adopted by reference.

(lll) "Managed care" means a system of managing and financing health care delivery to ensure that services provided to managed care plan members are necessary, efficiently provided, and appropriately priced.

(mmm) "Managerial capacity" means the authority of an individual, including a general manager, business manager, administrator or director, who performs the following functions:

- (1) Exercises operational or managerial control over the provider; or
- (2) directly or indirectly conducts the day-to-day operations of the provider.

(nnn) "Maternity center" means a facility licensed as a maternity hospital that provides delivery services for normal, uncomplicated pregnancies.

(ooo) (1) "Medical necessity" means that a health intervention is an otherwise covered category of service, is not specifically excluded from coverage, and is medically necessary, according to all of the following criteria:

(A) "Authority." The health intervention is recommended by the treating physician and is determined to be necessary by the secretary or the secretary's designee.

(B) "Purpose." The health intervention has the purpose of treating a medical condition.

(C) "Scope." The health intervention provides the most appropriate supply or level of service, considering potential benefits and harms to the patient.

(D) "Evidence." The health intervention is known to be effective in improving health outcomes. For new interventions, effectiveness shall be determined by scientific evidence as provided in paragraph (ooo)(3). For existing interventions, effectiveness shall be determined as provided in paragraph (ooo)(4).

(E) "Value." The health intervention is cost-effective for this condition compared to alternative interventions, including no intervention. "Cost-effective" shall not necessarily be construed to mean lowest price. An intervention may be medically indicated and yet not be a covered benefit or meet this regulation's definition of medical necessity. Interventions that do not meet this regulation's definition of medical necessity may be covered at the choice of the secretary or the secretary's designee. An intervention shall be considered cost effective if the benefits and harms relative to costs represent an economically efficient use of resources for patients with this condition. In the application of this criterion to an individual case, the characteristics of the individual patient shall be determinative.

(2) The following definitions shall apply to these terms only as they are used in this subsection (ooo);

(A) "Effective" means that the intervention can be reasonably expected to produce the intended results and to have expected benefits that outweigh potential harmful effects.

(B) "Health intervention" means an item or service delivered or undertaken primarily to treat a medical condition or to maintain or restore functional ability. For this regulation's definition of medical necessity, a health intervention shall be determined not only by the intervention itself, but also by the medical condition and patient indications for which it is being applied.

(C) "Health outcomes" means treatment results that affect health status as measured by the length or quality of a person's life.

(D) "Medical condition" means a disease, illness, injury, genetic or congenital defect, pregnancy, or a biological or psychological condition that lies outside the range of normal, age-appropriate human variation.

(E) "New intervention" means an intervention that is not yet in widespread use for the medical condition and patient indications under consideration.

(F) "Scientific evidence" means controlled clinical trials that either directly or indirectly demonstrate the effect of the intervention on health outcomes. However, if controlled clinical trials are not available, observational studies that demonstrate a causal relationship between the intervention and health outcomes may be used. Partially controlled observational studies and uncontrolled clinical series may be considered to be suggestive, but shall not by themselves be considered to demonstrate a causal relationship unless the magnitude of the effect observed exceeds anything that could be explained either by the natural history of the medical condition or potential experimental biases.

(G) "Secretary's designee" means a person or persons designated by the secretary to assist in the medical necessity decision-making process.

(H) "Treat" means to prevent, diagnose, detect, or palliate a medical condition.

(l) "Treating physician" means a physician who has personally evaluated the patient.

(3) Each new intervention for which clinical trials have not been conducted because of epidemiological reasons, including rare or new diseases or orphan populations, shall be evaluated on the basis of professional standards of care or expert opinion as described below in paragraph (ooo)(4).

(4) The scientific evidence for each existing intervention shall be considered first and, to the greatest extent possible, shall be the basis for determinations of medical necessity. If no scientific evidence is available, professional standards of care shall be considered. If professional standards of care do not exist, or are outdated or contradictory, decisions about existing interventions shall be based on expert opinion. Coverage of existing interventions shall not be denied solely on the basis that there is an absence of conclusive scientific evidence. Existing interventions may be deemed to meet this regulation's definition of medical necessity in the absence of scientific evidence if there is a strong consensus of effectiveness and benefit expressed through up-to-date and consistent professional standards of care or, in the absence of those standards, convincing expert opinion.

(ppp) "Medical necessity in psychiatric situations" means that there is a medical documentation that indicates either of the following:

(1) The person could be harmful to himself or herself or others if not under psychiatric treatment; or

(2) the person is disoriented in time, place, or person.

(qqq) "Medical supplies" means items that meet these conditions:

(1) Are not generally useful to a person in the absence of illness or injury;

(2) are prescribed by a physician; and

(3) are used in the home and certain institutional settings.

(rrr) "Mental retardation" means any significant limitation in present functioning that meets these requirements:

(1) Is manifested during the period of birth to age 18;

(2) is characterized by significantly subaverage intellectual functioning as reflected by a score of two or more standard deviations below the mean, as measured by a generally accepted, standardized, individual measure of general intellectual functioning; and

(3) exists concurrently with deficits in adaptive behavior, including related limitations in two or more of the following areas: communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure, and work.

(sss) "Metropolitan statistical area" or "MSA" means a geographic area designated as such by the United States executive office of management and budget as set out in the 64 Fed. Reg. 202, pp. 56628-56644, October 20, 1999, and 65 Fed. Reg. 249, pp. 82228-82238, December 27, 2000 which are adopted by reference.

(ttt) "Necessary interest" means interest expense incurred on a loan made to satisfy a financial need of the facility. A loan that results in excess funds or investments shall not be considered necessary.

(uuu) "Net cost" means the cost of approved educational activities, less any reimbursements from the following:

(1) Grants;

(2) tuition; and

(3) specific donations.

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

(www) "Occupational therapy" means the provision of treatment by an occupational therapist registered with the American occupational therapy association. The treatment shall meet these requirements:

(1) Be rehabilitative and restorative in nature;

(2) be provided following physical debilitation due to acute physical trauma or physical illness; and

(3) be prescribed by the attending physician.

(xxx) "Organization costs" means those costs directly incidental to the creation of the corporation or other form of business. These costs shall be considered intangible assets because they represent expenditures for rights and privileges that have value to the enterprise. Because the services inherent in organization extend over more than one accounting period, the costs shall be amortized over a period of not less than 60 months from the date of incorporation for the purposes of computing reimbursable costs under a cost-related reimbursement system.

(yyy) "Orthotics and prosthetics" means devices that meet these requirements:

(1) Are reasonable and necessary for treatment of an illness or injury;

(2) are prescribed by a physician;

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

(4) are provided by a trained orthotist or prosthetist.

(zzz) "Other developmental disability" means a condition or illness that meets the following criteria:

(1) Is manifested before age 22;

(2) may reasonably be expected to continue indefinitely;

(3) results in substantial limitations in any three or more of the following areas of life functioning:

(A) Self-care;

(B) understanding and the use of language;

(C) learning and adapting;

(D) mobility;

(E) self-direction in setting goals and undertaking activities to accomplish those goals;

(F) living independently; or

(G) economic self-sufficiency; and

(4) reflects the need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of extended or lifelong duration and are individually planned and coordinated.

(aaaa) "Out-of-state provider" means any provider that is physically located more than 50 miles beyond the border of Kansas, except those providing services to children who are wards of the secretary. The following shall be considered out-of-state providers if they are physically located beyond the border of Kansas:

(continued)

- (1) Nursing facilities;
- (2) intermediate care facilities;
- (3) community mental health centers;
- (4) partial hospitalization service providers; and
- (5) alcohol and drug program providers.

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

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

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

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

(ffff) "Participating provider" means any individual or entity that presently has an agreement with the agency to furnish medicaid services.

(gggg) "Pharmacy" means the premises, laboratory, area, or other place meeting these conditions:

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

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

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

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

(iiii) "Physical therapy" means treatment that meets these criteria:

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

- (2) is rehabilitative and restorative in nature;

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

- (4) is prescribed by the attending physician.

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

(kkkk) "Practitioner" means any person licensed to practice medicine and surgery, dentistry, or podiatry, or any other person licensed, registered, or otherwise au-

thorized by law to administer, prescribe, and use prescription-only drugs in the course of professional practice.

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

(mmmm) "Prescription" means either of the following:

- (1) A prescription order; or

- (2) a prescription medication.

(nnnn) "Prescription medication" means any drug, supply, or device that is dispensed according to a prescription order. If indicated by the context, the term "prescription medication" may include the label and container of the drug, supply, or device.

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

(pppp) "Primary care case management" or "PCCM" means a type of managed care whereby a beneficiary is assigned a primary care case manager who manages costs and quality of services by providing case assessment, primary services, treatment planning, referral, and follow-up in order to ensure comprehensive and continuous service and coordinated reimbursement.

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

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

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

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

(uuuu) "Prospective, reasonable, cost-related reimbursement" means present and future reimbursement, based on analysis and consideration of historical costs related to patient care.

(vvvv) "Qualified medicare beneficiary" or "QMB" means an individual meeting these requirements:

- (1) Who is entitled to medicare hospital insurance benefits under part A of medicare;

- (2) whose income does not exceed a specified percent of the official poverty level as defined by the United States executive office of management and budget; and

- (3) whose resources do not exceed twice the supplemental security income resource limit.

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

(xxxx) "Related parties" means two or more parties to a transaction, one of which has the ability to influence the other or others in a way in which each party to the transaction might fail to pursue its own separate interests fully. Related parties shall include those related by family, business, or financial association, or by common ownership or control. Transactions between related parties shall not be considered to have arisen through arm's-length negotiations. Transactions or agreements that are illusory or a sham shall not be recognized.

(yyyy) "Related to the community mental health center" means that the agency or facility furnishing services to the community mental health center meets any of these requirements:

- (1) Is directly associated or affiliated with the community mental health center by formal agreement;
- (2) governs the community mental health center; or
- (3) is governed by the community mental health center.

(zzzz) "Residence for the payment of hospice services" means a hospice consumer's home or the nursing facility in which a hospice consumer is residing.

(aaaa) "Revocation statement" means the statement signed by the consumer that revokes the election of hospice service.

(bbbb) "Sampling" means the review process of obtaining a stratified random sample of a subset of cases from the universe of claims submitted by a specific provider. The sample shall be used to project the review results across the entire universe of claims for that provider to determine an overpayment.

(cccc) "Speech therapy" means treatment provided by a speech pathologist who has a certificate of clinical competence from the American speech and hearing association. The treatment shall meet these requirements:

- (1) Be rehabilitative and restorative in nature;
- (2) be provided following physical debilitation due to acute physical trauma or physical illness; and
- (3) be prescribed by the attending physician.

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

(eeee) "State-operated hospital" means an establishment operated by the state of Kansas that provides diagnosis and treatment for nonrelated patients and includes the following:

- (1) An organized medical staff of physicians;
- (2) permanent facilities that include inpatient beds; and
- (3) medical services that include physician services and continuous registered professional nursing services for 24 hours each day.

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

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

(hhhh) "Targeted case management services" means those services that assist medicaid consumers in gaining access to medically necessary care. The services shall be provided by a case manager with credentials specified by the secretary.

(iiii) "Terminally ill" means that an individual has a life expectancy of six months or less as determined by a physician.

(jjjj) "Timely filing" means the receipt by the agency or its fiscal agent of a claim for payment filed by a provider for services provided to a medicaid program con-

sumer not later than 12 months after the date the claimed services were provided.

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

(llll) "Transferring hospital" means the hospital that transfers a consumer to another hospital. There may be more than one transferring hospital for the same consumer until discharge.

(mmmm) "Uncollectable overpayment to an out-of-business provider" means either of the following:

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

- (2) any amount due that is less than its collection and processing costs.

(nnnn) "Urgent" means that a situation requires medical treatment within two days of onset, but not through the emergency room. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1988; amended, T-30-7-29-88, July 29, 1988; amended Sept. 26, 1988; amended Jan. 2, 1989; amended July 1, 1989; amended Jan. 2, 1990; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990; amended Aug. 1, 1990; amended Jan. 7, 1991; amended, T-30-3-1-91, March 1, 1991; amended July 1, 1991; amended, T-30-8-9-91, Aug. 30, 1991; amended Oct. 28, 1991; amended April 1, 1992; amended May 1, 1992; amended July 31, 1992; amended May 3, 1993; amended Oct. 1, 1993; amended July 1, 1994; amended April 1, 1995; amended Sept. 1, 1995; amended March 1, 1996; amended July 1, 1996; amended July 1, 1997; amended July 6, 2001.)

30-5-92. **Scope of pharmacy services.** (a) The medical services provided to program recipients shall include pharmacy services.

(1) Kan Be Healthy participants shall be limited to those prescription-only and over-the-counter drugs, supplies, and devices that have been accepted for inclusion on any formulary listing for Kan Be Healthy participants adopted and distributed by the secretary to eligible providers of service.

(2) Other medicaid recipients shall be limited to those prescription-only and over-the-counter drugs, supplies, and devices that have been accepted for inclusion on any formulary listing for other medicaid recipients adopted and distributed by the agency to eligible providers of service.

(b) Covered drugs, supplies, and devices shall be prescribed by the recipient's attending practitioner and dispensed in a pharmacy by a pharmacist, with the exception of those drugs, supplies, or devices designated by the secretary.

(c) Each provider of pharmacy services shall comply with the provisions of K.A.R. 30-5-59 and shall be assigned a pharmacy services provider number.

(continued)

(d) (1) Each pharmacist shall dispense each brand-name legend drug as prescribed if either of the following conditions is met:

(A) The pharmacist receives a written prescription on which the prescriber has signed on the "dispense as written" signature line or has personally handwritten "dispense as written" or "D.A.W." on the prescription.

(B) The pharmacist receives an oral prescription in which the prescriber has expressly indicated that the prescription is to be dispensed as communicated.

(2) Each pharmacist shall dispense the generic form of a prescribed brand-name drug, after disclosing the substitution to the consumer, if all of the following conditions are met:

(A) The pharmacist receives either of the following:

(i) a written prescription on which the prescriber has neither signed on the "dispense as written" signature line nor personally handwritten "dispense as written" or "D.A.W." on the prescription; or

(ii) an oral prescription in which the prescriber has not expressly indicated that the prescription is to be dispensed as communicated.

(B) There is available in the pharmacist's stock a less expensive generic drug that is rated bioequivalent (AB-rated) by the food and drug administration.

(C) In the pharmacist's professional judgment, the generic drug is safely interchangeable with the prescribed drug. A pharmacist may also make a substitution in a manner consistent with the oral instructions of the prescriber. The pharmacist shall notify the consumer if the pharmacist is dispensing a drug other than the brand-name drug prescribed.

(3) If more than one safely interchangeable generic drug is available in the pharmacist's stock, then the pharmacist shall dispense the least expensive alternative.

(4) Nothing in this subsection shall be deemed to require a pharmacist to substitute a generic drug if the substitution will make the transaction ineligible for reimbursement.

(5) If a pharmacist dispenses a brand-name legend drug and, at that time, a less expensive generic drug is also available in the pharmacist's stock, the pharmacist shall disclose to the consumer that a generic drug is available.

(e) If a drug product is issued to a patient of a long-term care facility and subsequently is not used, the long-term care facility shall return the drug product to the vendor pharmacy for repackaging and crediting to the secretary if the drug product meets all of the following conditions:

(1) The drug product is a prescription drug product that is not a controlled substance.

(2) The drug product is sealed in individually packaged units or in a multiple-dose, sealed container approved by the federal food and drug administration from which no doses have been withdrawn.

(3) The drug product is returned to the vendor pharmacy at least 90 days before the expiration date.

(4) The drug product is determined to be of acceptable integrity by a licensed pharmacist.

(f) Each long-term care facility shall establish procedures for the return of unused drug products to the ven-

dor pharmacy from which the unused drug products were received.

(g) Each provider of pharmacy services may be reimbursed the reasonable cost of returning and crediting unused drug products, as determined by the secretary.

(h) After prior notification of each provider, reimbursement under the program may be denied for any of the following:

(1) Certain drugs, supplies, and devices determined by the secretary to be less than effective;

(2) drugs, supplies, and devices that do not meet the requirements of section 1927 of the social security act, 42 U.S.C. 1396r-8, as amended Nov. 29, 1999, which is adopted by reference, pertaining to available rebates or the medical necessity of the drug, supply, or device; or

(3) drugs, supplies, or devices restricted by the secretary under the provisions of section 1927 of the social security act, 42 U.S.C. 1396r-8 regarding permissible restrictions.

Selected drugs, supplies, and devices shall be considered for coverage only when prior authorization criteria are met.

(i) Pharmacy services provided for parenteral administration of total nutritional replacements in the consumer's home shall not be covered through the pharmacy program and shall be billed through the durable medical equipment program.

(j) The total number of prescriptions that any recipient may receive in a given time period shall be limited as determined by the secretary.

(k) Selected pharmacy services shall be limited to a dollar value for a given time period as determined by the secretary. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1981; amended May 1, 1985; amended May 1, 1986; amended May 1, 1988; amended Jan. 2, 1989; amended Aug. 1, 1990; amended May 1, 1991; amended July 6, 2001.)

30-5-94. Reimbursement for pharmacy services.

(a) Each pharmacy provider shall be reimbursed for covered pharmacy services on the basis of product acquisition cost plus a dispensing fee. In no case shall reimbursement for a prescription exceed the lesser of the provider's usual and customary charge for that prescription or the state allowable for that prescription. The submitted charge and payment for covered over-the-counter pharmacy products shall not exceed the lesser of the product acquisition cost plus the dispensing fee or the usual and customary over-the-counter charge of the pharmacy provider.

(b) The acquisition cost shall include a maximum allowable cost for selected multiple-source drugs as determined by the secretary.

(c) The dispensing fee assigned to pharmacy providers shall be \$4.50 per prescription unless a different rate is established by the secretary.

(d) If an inactive pharmacy wishes to become an active provider, the pharmacy shall reapply according to K.A.R. 30-5-59.

(e) In areas in which pharmacy services are not available, each physician dispensing prescriptions to consumers shall be eligible to receive reimbursement for provi-

sion of those services after a pharmacy provider number has been issued by the department according to K.A.R. 30-5-59.

(1) Each physician assigned a pharmacy provider number shall be reimbursed on the basis of product acquisition cost plus a dispensing fee of \$.74 per prescription.

(2) The physician shall not be reimbursed a dispensing fee for injectable drugs administered in the office, except as included in the charge for the professional services of the physician.

(f) Each pharmacy provider shall be reimbursed only when the covered service has been prescribed by the con-

sumer's attending practitioner. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended July 1, 1989; amended, T-30-12-28-89, Jan. 1, 1990; amended, T-2-28-90, Feb. 28, 1990; amended May 1, 1991; amended Dec. 29, 1995; amended Oct. 1, 1997; amended July 6, 2001.)

Janet Schalansky
Secretary of Social and
Rehabilitation Services

Doc. No. 026728

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*.

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| 1-5-8 | Amended (T) | V. 20, p. 175 |
| 1-5-8 | Amended | V. 20, p. 730 |
| 1-5-9 | Amended (T) | V. 20, p. 176 |
| 1-5-9 | Amended | V. 20, p. 730 |
| 1-5-19b | Amended (T) | V. 20, p. 176 |
| 1-5-19b | Amended | V. 20, p. 730 |
| 1-5-19c | Amended (T) | V. 20, p. 176 |
| 1-5-19c | Amended | V. 20, p. 730 |
| 1-5-20 | Amended (T) | V. 20, p. 176 |
| 1-5-20 | Amended | V. 20, p. 731 |
| 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 |

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| 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

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| 4-3-49 | Amended (T) | V. 20, p. 246 |
| 4-3-49 | Amended | V. 20, p. 861 |
| 4-3-51 | New (T) | V. 20, p. 246 |
| 4-3-51 | New | V. 20, p. 861 |
| 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 |
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| 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 |

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| 4-10-5 | Amended | V. 20, p. 430 |
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| 5-1-12 | New | V. 19, p. 1480-1483 |
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| 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 |
|----------|-------------|----------------|
| 9-7-19 | New (T) | V. 20, p. 934 |
| 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 |
| 9-18-1 | Amended (T) | V. 20, p. 935 |
| 9-22-4 | New (T) | V. 20, p. 935 |
| 9-22-5 | New (T) | V. 20, p. 936 |

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 |

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| 28-4-504 | Amended | V. 19, p. 423 | 28-59-5a | Amended | V. 20, p. 297 | 49-45a-2 | | |
| 28-4-505 | Amended | V. 19, p. 423 | 28-59-6 | Amended | V. 20, p. 297 | through | | |
| 28-4-513 | Amended | V. 19, p. 423 | 28-59-7 | Amended | V. 20, p. 298 | 49-45a-27 | Revoked | V. 19, p. 506 |
| 28-4-530 | Revoked | V. 19, p. 423 | 28-59-8 | Amended | V. 20, p. 298 | 49-46-1 | Amended | V. 19, p. 506 |
| 28-4-531 | Revoked | V. 19, p. 423 | 28-61-1 | | | 49-47-1 | Amended | V. 19, p. 507 |
| 28-10-15 | | | through | | | 49-47-1a | New | V. 19, p. 507 |
| 28-10-35 | Revoked | V. 20, p. 322 | 28-61-10 | Amended | V. 20, p. 298-303 | 49-47-1b | New | V. 19, p. 507 |
| 28-10-37 | Revoked | V. 20, p. 322 | 28-61-11 | New | V. 20, p. 304 | 49-47-2 | Amended | V. 19, p. 507 |
| 28-10-38 | Revoked | V. 20, p. 322 | 28-68-1 | Amended | V. 19, p. 1934 | 49-48-1 | Amended | V. 19, p. 508 |
| 28-10-39 | Revoked | V. 20, p. 322 | 28-68-2 | Amended | V. 19, p. 1934 | 49-49-1a | New | V. 19, p. 508 |
| 28-10-75 | | | 28-68-3 | Amended | V. 19, p. 1935 | 49-50-1 | | |
| through | | | 28-68-6 | Amended | V. 19, p. 1936 | through | | |
| 28-10-88 | Revoked | V. 20, p. 322 | 28-72-51 | | | 49-50-4 | Amended | V. 19, p. 509, 510 |
| 28-10-100 | | | through | | | 49-50-6 | | |
| through | | | 28-72-54 | New | V. 19, p. 989, 990 | through | | |
| 28-10-108 | Revoked | V. 20, p. 322 | AGENCY 30: SOCIAL AND REHABILITATION SERVICES | | | 49-50-15 | Amended | V. 19, p. 510-513 |
| 28-15-35 | Amended | V. 20, p. 725 | Reg. No. | Action | Register | 49-50-17 | | |
| 20-15-36 | Amended | V. 20, p. 728 | 30-4-50 | Amended | V. 19, p. 1548 | through | | |
| 28-15-36a | Amended | V. 20, p. 728 | 30-4-64 | Amended | V. 20, p. 490 | 49-50-20 | Amended | V. 19, p. 513, 514 |
| 28-15-37 | Amended | V. 20, p. 729 | 30-5-59 | Amended | V. 19, p. 1548 | 49-50-21 | New | V. 19, p. 514 |
| 28-16-28b | Amended | V. 19, p. 1720 | 30-5-64 | Amended | V. 19, p. 1549 | 49-50-22 | New | V. 19, p. 515 |
| 28-16-28e | Amended | V. 19, p. 1723 | 30-5-81 | Amended | V. 19, p. 1587 | 49-51-1 | Amended | V. 19, p. 515 |
| 28-16-57 | Revoked | V. 20, p. 322 | 30-5-108 | Amended | V. 20, p. 491 | 49-51-2 | Amended | V. 19, p. 515 |
| 28-16-76 | | | 30-5-309 | Amended | V. 19, p. 988 | 49-51-3 | Amended | V. 19, p. 515 |
| through | | | 30-10-21 | Amended | V. 19, p. 1550 | 49-51-3a | New | V. 19, p. 516 |
| 28-16-79 | Revoked | V. 20, p. 322 | AGENCY 36: DEPARTMENT OF TRANSPORTATION | | | 49-51-6 | | |
| 28-16-82 | Revoked | V. 20, p. 322 | Reg. No. | Action | Register | through | | |
| 28-17-15 | Amended | V. 19, p. 1190 | 36-2-3 | Revoked | V. 19, p. 1449 | 49-51-12 | Amended | V. 19, p. 516-518 |
| 28-19-79 | Revoked | V. 20, p. 492 | 36-2-4 | Revoked | V. 19, p. 1449 | 49-51-14 | Revoked | V. 19, p. 518 |
| 28-19-202 | Amended | V. 20, p. 322 | 36-2-6 | Revoked | V. 19, p. 1449 | 49-52-5 | | |
| 28-19-717 | New | V. 19, p. 1932 | 36-2-8 | | | through | | |
| 28-19-719 | New | V. 20, p. 492 | through | | | 49-52-9 | Amended | V. 19, p. 518-520 |
| 28-19-729 | New | V. 19, p. 565 | 36-2-13 | Revoked | V. 19, p. 1449 | 49-52-11 | Amended | V. 19, p. 520 |
| 28-19-729a | | | 36-15-23 | Revoked | V. 19, p. 1622 | 49-52-13 | Amended | V. 19, p. 520 |
| through | | | 36-34-1 | Revoked | V. 19, p. 1622 | 49-52-14 | Amended | V. 19, p. 521 |
| 28-19-729h | New | V. 19, p. 566-569 | AGENCY 40: KANSAS INSURANCE DEPARTMENT | | | 49-52-15 | Revoked | V. 19, p. 521 |
| 28-29-1100 | | | Reg. No. | Action | Register | 49-52-16 | New | V. 19, p. 521 |
| through | | | 40-1-8 | Revoked | V. 20, p. 946 | 49-52-17 | New | V. 19, p. 521 |
| 28-29-1107 | New | V. 19, p. 941-943 | 40-1-13 | Revoked | V. 20, p. 946 | 49-54-1 | | |
| 28-34-1a | Amended | V. 20, p. 105 | 40-1-30 | Revoked | V. 20, p. 723 | through | | |
| 28-34-6a | Amended | V. 20, p. 106 | 40-1-42 | Amended | V. 20, p. 723 | 49-54-3 | Revoked | V. 19, p. 521 |
| 28-34-9a | Amended | V. 20, p. 107 | 40-1-43 | Amended | V. 20, p. 723 | AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT | | |
| 28-34-21 | Revoked | V. 20, p. 323 | 40-1-46 | New | V. 20, p. 573 | Reg. No. | Action | Register |
| 28-34-26 | Revoked | V. 20, p. 323 | 40-3-26 | Amended | V. 19, p. 303 | 50-1-2 | Amended | V. 20, p. 137 |
| 28-34-27 | Revoked | V. 20, p. 323 | 40-3-27 | Revoked | V. 19, p. 680 | 50-1-3 | Amended | V. 20, p. 138 |
| 28-34-28 | Revoked | V. 20, p. 323 | 40-3-29 | Revoked | V. 20, p. 946 | 50-1-4 | Amended | V. 20, p. 138 |
| 28-34-30 | Revoked | V. 20, p. 323 | 40-3-32 | Amended | V. 19, p. 303 | 50-2-1 | Amended | V. 20, p. 139 |
| 28-34-32b | Amended | V. 20, p. 107 | 40-3-35 | Amended | V. 19, p. 303 | 50-2-3 | Amended | V. 20, p. 139 |
| 28-34-50 | Amended | V. 20, p. 453 | 40-4-35 | Amended | V. 19, p. 303 | 50-2-9 | Revoked | V. 20, p. 140 |
| 28-34-51 | Amended | V. 20, p. 454 | 40-4-41 | Amended | V. 20, p. 946 | 50-2-12 | Amended | V. 20, p. 140 |
| 28-34-52 | Revoked | V. 20, p. 455 | 40-4-41b | | | 50-2-17 | Amended | V. 20, p. 140 |
| 28-34-52a | New | V. 20, p. 455 | through | | | 50-2-18 | Amended | V. 20, p. 140 |
| 28-34-52b | New | V. 20, p. 455 | 40-4-41g | Amended | V. 20, p. 949-953 | 50-2-19 | Amended | V. 20, p. 140 |
| 28-34-53 | Amended | V. 20, p. 456 | 40-4-41h | New | V. 20, p. 953 | 50-2-21 | Amended | V. 20, p. 141 |
| 28-34-54 | Amended | V. 20, p. 456 | 40-4-41i | New | V. 20, p. 954 | 50-2-26 | Amended | V. 20, p. 143 |
| 28-34-55 | Revoked | V. 20, p. 457 | 40-4-41j | New | V. 20, p. 954 | 50-3-1 | | |
| 28-34-55a | New | V. 20, p. 457 | 40-9-100 | Amended | V. 20, p. 954 | through | | |
| 28-34-56 | Revoked | V. 20, p. 457 | 40-12-1 | Revoked | V. 20, p. 723 | 50-3-5 | Amended | V. 20, p. 143-145 |
| 28-34-56a | New | V. 20, p. 457 | AGENCY 49: DEPARTMENT OF HUMAN RESOURCES | | | 50-4-2 | Amended | V. 20, p. 146 |
| 28-34-57 | Amended | V. 20, p. 457 | Reg. No. | Action | Register | AGENCY 60: BOARD OF NURSING | | |
| 28-34-58 | Revoked | V. 20, p. 458 | 49-45-1 | | | Reg. No. | Action | Register |
| 28-34-58a | New | V. 20, p. 458 | through | | | 60-4-101 | Amended | V. 20, p. 449 |
| 28-34-59 | Revoked | V. 20, p. 459 | 49-45-4 | Amended | V. 19, p. 504 | 60-6-101 | Amended | V. 19, p. 344 |
| 28-34-59a | New | V. 20, p. 459 | 49-45-4a | New | V. 19, p. 504 | 60-7-102 | Amended | V. 20, p. 449 |
| 28-34-60 | Revoked | V. 20, p. 459 | 49-45-5 | | | 60-7-108 | Amended | V. 20, p. 449 |
| 28-34-60a | New | V. 20, p. 459 | through | | | 60-8-101 | Amended | V. 20, p. 449 |
| 28-34-61 | Revoked | V. 20, p. 460 | 49-45-9 | Amended | V. 19, p. 504 | 60-9-105 | Amended | V. 20, p. 449 |
| 28-34-61a | New | V. 20, p. 460 | 49-45-20 | | | 60-9-106 | Amended | V. 20, p. 450 |
| 28-34-62a | Amended | V. 20, p. 460 | through | | | 60-11-101 | Amended | V. 19, p. 344 |
| 28-34-75 | | | 49-45-28 | Amended | V. 19, p. 504, 505 | 60-11-103 | Amended | V. 19, p. 345 |
| through | | | 49-45-29 | | | 60-11-104a | Amended | V. 19, p. 346 |
| 28-34-93 | Revoked | V. 20, p. 323 | through | | | 60-11-106 | Amended | V. 19, p. 346 |
| 28-34-94a | Revoked | V. 20, p. 323 | 49-45-34 | New | V. 19, p. 505 | 60-11-108 | Revoked | V. 19, p. 346 |
| 28-38-18 | | | 49-45a-1 | Amended | V. 19, p. 505 | 60-11-119 | Amended | V. 20, p. 451 |
| through | | | AGENCY 63: BOARD OF MORTUARY ARTS | | | 60-13-101 | Amended | V. 20, p. 451 |
| 28-38-23 | Amended | V. 19, p. 1078-1080 | Reg. No. | Action | Register | 60-16-104 | Amended | V. 20, p. 451 |
| 28-38-26 | Amended | V. 19, p. 1081 | 63-1-3 | | | through | | |
| 28-38-28 | Amended | V. 19, p. 1081 | 63-1-4 | Amended | V. 19, p. 2024 | 60-17-101 | | |
| 28-38-29 | Amended | V. 19, p. 1081 | AGENCY 63: BOARD OF MORTUARY ARTS | | | through | | |
| 28-38-30 | New | V. 19, p. 1082 | Reg. No. | Action | Register | 60-17-111 | New | V. 19, p. 346-350 |
| 28-39-410 | Revoked | V. 20, p. 323 | 63-1-3 | | | AGENCY 63: BOARD OF MORTUARY ARTS | | |
| 28-59-1 | | | 63-1-4 | Amended | V. 19, p. 2024 | Reg. No. | Action | Register |
| through | | | AGENCY 63: BOARD OF MORTUARY ARTS | | | 63-1-3 | Amended | V. 19, p. 2024 |
| 28-59-5 | Amended | V. 20, p. 295, 296 | 63-1-4 | Amended | V. 19, p. 2024 | 63-1-4 | Amended | V. 19, p. 2024 |

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| 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 |
| 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 |
| 65-8-5 | New | V. 20, p. 944 |

**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 |

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| 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 |
|-----------|---------|----------------|
| 82-3-133 | Amended | V. 20, p. 771 |
| 82-3-133a | New | V. 20, p. 771 |
| 82-3-201 | Amended | V. 20, p. 771 |
| 82-3-206 | Amended | V. 20, p. 771 |
| 82-3-300 | Amended | V. 20, p. 772 |
| 82-3-306 | Amended | V. 20, p. 772 |
| 82-3-307 | Amended | V. 20, p. 773 |
| 82-3-310 | Amended | V. 20, p. 773 |
| 82-3-312 | Amended | V. 20, p. 773 |
| 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 |

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|-----------|---------|----------------------|
| 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 |
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| 91-12-42 | Revoked | V. 19, p. 680, 681 |

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| 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 |
| 91-37-2 | Amended | V. 20, p. 724 |
| 91-37-3 | Amended | V. 20, p. 724 |
| 91-37-4 | Amended | V. 20, p. 724 |
| 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 |
| 100-27-1 | New | V. 20, p. 773 |
| 100-28a-1 | | |
| through | | |
| 100-28a-16 | New (T) | V. 20, p. 247-251 |
| 100-28a-1 | | |
| through | | |
| 100-28a-16 | New | V. 20, p. 774-778 |
| 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 |
| 100-60-1 | Revoked | V. 20, p. 778 |
| 100-60-2 | Revoked (T) | V. 20, p. 251 |
| 100-60-2 | Revoked | V. 20, p. 778 |
| 100-60-4 | Revoked (T) | V. 20, p. 251 |
| 100-60-4 | Revoked | V. 20, p. 778 |
| 100-60-5 | Revoked (T) | V. 20, p. 251 |
| 100-60-5 | Revoked | V. 20, p. 778 |
| 100-60-6 | Revoked (T) | V. 20, p. 251 |
| 100-60-6 | Revoked | V. 20, p. 779 |
| 100-60-8 | | |
| through | | |
| 100-60-15 | Revoked (T) | V. 20, p. 251 |
| 100-60-8 | | |
| through | | |
| 100-6-15 | Revoked | V. 20, p. 779 |
| 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 |
|----------|-------------|---------------|
| 110-4-1 | Amended (T) | V. 20, p. 934 |
| 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 | Amended | V. 20, p. 937 |
| 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 |
| 111-4-1825 | | |
| through | | |
| 111-4-1839 | New | V. 20, p. 937-942 |
| 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 |
| 111-7-159 | Amended | V. 20, p. 943 |
| 111-7-162 | Amended | V. 20, p. 944 |

**AGENCY 112: KANSAS RACING AND
GAMING COMMISSION**

| Reg. No. | Action | Register |
|-----------|---------|----------------|
| 112-4-1 | Amended | V. 20, p. 765 |
| 112-7-19 | Amended | V. 20, p. 547 |
| 112-7-21 | Amended | V. 19, p. 118 |
| 112-10-38 | Amended | V. 19, p. 119 |
| 112-11-20 | Amended | V. 20, p. 945 |
| 112-18-21 | Amended | V. 19, p. 1308 |
| 112-18-22 | Amended | V. 19, p. 119 |

| AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS | | | | | | AGENCY 117: REAL ESTATE APPRAISAL BOARD | | |
|--|---------|----------------|-----------|---------|----------------|---|---------|----------------|
| Reg. No. | Action | Register | | | | Reg. No. | Action | Register |
| 115-2-2 | Amended | V. 19, p. 1875 | 115-4-4 | New | V. 20, p. 768 | 115-18-13 | Amended | V. 19, p. 1475 |
| 115-2-3 | Amended | V. 19, p. 1875 | 115-4-5 | Revoked | V. 20, p. 769 | 115-18-16 | New | V. 19, p. 1475 |
| 115-3-1 | Amended | V. 20, p. 766 | 115-4-6 | Amended | V. 19, p. 1140 | | | |
| 115-3-2 | Amended | V. 20, p. 767 | 115-4-7 | | | | | |
| 115-4-1 | Revoked | V. 20, p. 767 | 115-4-10 | Revoked | V. 20, p. 769 | 117-6-3 | Amended | V. 20, p. 862 |
| 115-4-2 | New | V. 20, p. 767 | 115-4-11 | Amended | V. 20, p. 769 | 117-6-4 | New | V. 20, p. 863 |
| 115-4-3 | Revoked | V. 20, p. 768 | 115-4-12 | Revoked | V. 20, p. 770 | 117-7-1 | Amended | V. 20, p. 863 |
| | | | 115-4-13 | Amended | V. 20, p. 770 | 117-8-1 | Amended | V. 19, p. 473 |
| | | | 115-7-1 | Amended | V. 19, p. 1876 | 117-9-1 | Amended | V. 19, p. 41 |
| | | | 115-18-10 | Amended | V. 19, p. 1474 | | | |