



# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 22, No. 25    June 19, 2003    Pages 1063-1118

In this issue . . .	Page
<b>Legislative interim committee schedule</b> .....	1064
<b>Department of Human Resources</b>	
Notice of maximum and minimum weekly benefit amounts .....	1065
<b>Social and Rehabilitation Services</b>	
Notice concerning disproportionate share limitation.....	1065
Notice of hearing on proposed administrative regulations.....	1065
Notice concerning proposed Medicaid hospital reimbursement .....	1066
Notice concerning medical education services.....	1067
<b>Wildlife and Parks Commission</b>	
Notice of hearing on proposed administrative regulations.....	1066
<b>Pooled Money Investment Board</b>	
Notice of investment rates.....	1067
<b>State Conservation Commission</b>	
Notice to contractors.....	1067
<b>Kansas Arts Commission</b>	
Notice of meeting.....	1067
<b>Department of Administration—Division of Purchases</b>	
Notice to bidders for state purchases.....	1067
<b>Kansas Department of Transportation</b>	
Request for comments on the Statewide Transportation Improvement Program .....	1068
Notice to contractors.....	1068
<b>USDA—Natural Resources Conservation Service</b>	
Notice of Kansas Technical Committee meeting .....	1070
<b>University of Kansas</b>	
Notice to bidders.....	1070
<b>Department of Health and Environment</b>	
Notice of hearing on proposed administrative regulations.....	1069
Requests for comments on proposed air quality permits .....	1070, 1071, 1072
Notice concerning Kansas water pollution control permits .....	1072
<b>Cloud County Community College</b>	
Notice of intent to issue revenue bonds (amended).....	1075
<b>City of Overland Park</b>	
Notice of public information meeting .....	1076
<b>Notice of Bond Sale</b>	
City of Kechi .....	1076
City of Abilene .....	1077
<b>Permanent Administrative Regulations</b>	
State Corporation Commission.....	1078
Behavioral Sciences Regulatory Board .....	1084
Social and Rehabilitation Services.....	1090
<b>Index to administrative regulations</b> .....	1111

## State of Kansas

## Legislature

## Interim Committee Schedule

The following committee meetings have been scheduled from June 23-July 5. Any individual with a disability may request accommodation in order to participate in committee meetings. Requests for accommodation 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://kslegislature.org/klrd>.

Date	Room	Time	Committee	Agenda
June 25	519-S	10:00 a.m.	Joint Committee on Arts and Cultural Resources	Hearings on arts and cultural resources matters.
June 26	519-S	9:00 a.m.	Joint Committee on Arts and Cultural Resources	Hearings on arts and cultural resources matters
June 26	519-S	10:30 a.m.	Kansas Commemorative Coin Commission	Agenda not available.
June 26	123-S		Legislative Coordinating Council	Legislative matters.

Jeff Russell  
Director of Legislative  
Administrative Services

Doc. No. 029480

The KANSAS REGISTER (USPS 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594. One-year subscriptions are \$80 (Kansas residents must include \$5.76 state and local sales tax). Single copies may be purchased, if available, for \$2 each. **Periodicals postage paid at Topeka, KS.**

**POSTMASTER:** Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

© Kansas Secretary of State 2003. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

**PUBLISHED BY**  
**Ron Thornburgh**  
**Secretary of State**  
1st Floor, Memorial Hall  
120 S.W. 10th Ave.  
Topeka, KS 66612-1594  
(785) 296-4564  
[www.kssos.org](http://www.kssos.org)



**Register Office:**  
1st Floor, Memorial Hall  
(785) 296-3489  
Fax (785) 368-8024  
[kansasregister@kssos.org](mailto:kansasregister@kssos.org)

## State of Kansas

## Department of Human Resources

Notice of Maximum and Minimum  
Weekly Benefit Amounts

The maximum weekly benefit amount and the minimum weekly benefit amount payable with respect to new claims filed on or after July 1, 2003, and before July 1, 2004, are respectively \$351 and \$87. I hereby certify that these maximum and minimum weekly benefit amounts have been computed in accordance with K.S.A. 44-704 of the Kansas Employment Security Law, pursuant to which this announcement is published.

Jim Garner  
Secretary of Human Resources

Doc. No. 029487

## State of Kansas

## Social and Rehabilitation Services

Notice Concerning Disproportionate  
Share Limitation

During state fiscal years 2004 and 2005, the limitation on payment for disproportionate share (DSH) for public (non-state) hospitals is changed from the total of 100 percent of the cost of the uninsured plus the loss on Medicaid inpatient services to 175 percent of the cost of the uninsured. This change is being made in order to comply with federal legislation and is expected to result in an annual cost of \$7,500,000.

A copy of the proposed state plan change, which has additional information, can be obtained from local SRS offices. Comments concerning this change or review may be sent to Rita Haverkamp, SRS Health Care Policy, Room 651-S, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-2210.

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 029468

## State of Kansas

## Social and Rehabilitation Services

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 1 p.m. Friday, August 22, in Room 481-West, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the adoption of amendments to existing rules and regulations on a permanent basis effective October 1, 2003. Telephone conference will not be available.

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

minutes. Copies of the regulations and the economic impact statement may be obtained by contacting Hope Burns at (785) 296-3274.

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 be made at least five working days in advance of the hearing by contacting Hope Burns or by calling the Kansas Relay Center at 1-800-766-3777.

The adoption of the regulations will take place at 9 a.m. Friday, August 29, in the SRS executive conference room, Room 603-N, Docking State Office Building.

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

**Article 4.—PUBLIC ASSISTANCE PROGRAM****30-4-39. Responsibilities of applicants and recipients.**

This regulation is being amended to remove reference to the monthly status report requirement, as it is being eliminated. Persons receiving cash assistance will now report changes within 10 calendar days.

Economic Impact: See the economic impact statement for 30-4-110.

**30-4-55. Cooperation.** This regulation is being amended to eliminate the requirement for filing a monthly status report.

Economic Impact: See the economic impact statement for 30-4-110.

**30-4-110. Income.** This regulation is being amended to remove the provisions regarding retrospective budgeting because of the elimination of the monthly status report requirement. Cash assistance cases will now be subject to either a prospective or income averaging budget methodology.

Economic Impact: This change is expected to result in a net annual savings of \$111,532 (all federal funding through the Temporary Assistance for Needy Families block grant).

Bearer of Cost: None.

Affected Parties:

1. This change will have a beneficial impact on more than 2,900 consumers through elimination of the requirement that they file a monthly status report in order to retain assistance.
2. This change also will result in loss of an additional month of assistance for approximately 264 consumers each month due to the elimination of retrospective budgeting.
3. This change will have a substantive impact on SRS staff by improving work efficiency and reducing manual processes.

Other Methods: Other methods were considered but not adopted due to the overall advantages provided by this method. Elimination of monthly reporting reduces barriers for many consumers for continuing access to cash benefits and helps prevent unnecessary loss of assistance due to the procedural requirement. This method also simplifies policy and reduces complexity for both consumers and SRS staff.

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 029471

## 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 21, at the Depot, 4 Rock Island Road (the corner of Highway 83 and Rock Island Road), Liberal, to consider the approval and adoption of proposed administrative 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 21 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 22 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, 1020 S. Kansas Ave., Suite 200, 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 regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

**K.A.R. 115-2-1.** This regulation establishes amount of fees for department issuances. The proposed amendment would eliminate the commercial fishing guide permit in response to 2003 statutory changes.

Economic Impact Summary: The proposed amendment is not anticipated to have a significant economic impact on the department, other agencies or the general public.

**K.A.R. 115-21-1.** This regulation establishes commercial guide permit application and examination requirements. The proposed amendments delete references to commercial fishing guides in response to 2003 statutory changes.

Economic Impact Summary: The proposed amendments are not anticipated to have a significant economic impact on the department, other agencies or the general public.

**K.A.R. 115-21-2.** This regulation establishes commercial guide reporting requirements. The proposed amendments delete references to commercial fishing guides in response to 2003 statutory changes.

Economic Impact Summary: The proposed amendments are not anticipated to have an economic impact on the department, other agencies or the general public.

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. 029475

## State of Kansas

## Social and Rehabilitation Services

Notice Concerning Proposed Medicaid  
Hospital Reimbursement

The following modifications are proposed to inpatient hospital reimbursement:

— The formula for outlier payments is proposed to be changed from an adjustment percentage of 60 percent to 75 percent effective with dates of service on and after July 1, 2003.

— The base payment rate for DRGs is proposed to be reduced by 4.43 percent effective with dates of service on and after July 1, 2003, to offset most of the cost increase resulting from the change in outlier payments above. The combination of these two changes is expected to result in additional payments to hospitals of \$1,300,000 annually. These changes are based upon a proviso passed by the Kansas Legislature.

SRS also is proposing to eliminate the comparison to cost reimbursement presently used for state-operated hospitals not operated by SRS. This is not expected to have any fiscal impact at this time. There is one technical change proposed that would eliminate a section relating to hospitals changing from general hospitals to state operated hospitals. This section has never been used and is not anticipated to be used. Therefore, there is no reason to retain this section and there is no fiscal impact due to the change.

A copy of the proposed state plan change, which has additional information, can be obtained from local SRS offices. Comments concerning this change or review may be sent to Rita Haverkamp, SRS Health Care Policy, Room 651-S, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-2210.

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 029469

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. 12-1675(b)(c)(d), 75-4201(l) and 75-4209(a)(1)(B).

**Effective 6-16-03 through 6-22-03**

Term	Rate
1-89 days	1.24%
3 months	0.80%
6 months	0.82%
1 year	0.88%
18 months	0.96%
2 years	1.02%

Derl S. Treff  
Director of Investments

Doc. No. 029464

State of Kansas

**Social and Rehabilitation Services**

**Notice Concerning Medical Education Services**

Effective with discharges on and after July 1, 2003, payments will be made for medical education services related to inpatient hospital services. This change is being made to restore these payments that were eliminated January 1, 2003. This is expected to result in increased total expenditures of \$4,600,000 annually.

A copy of the proposed state plan change, which has additional information, can be obtained from local SRS offices. Comments concerning this change or review may be sent to Rita Haverkamp, SRS Health Care Policy, Room 651-S, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-2210.

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 029467

State of Kansas

**State Conservation Commission**

**Notice to Contractors**

Sealed bids for the construction of a 49,000 cubic yard detention dam, Site 7-22 in Douglas County, will be received by the Taury Creek Watershed Joint District No. 82 at King Engineering, Inc., 307 Montana Ave., Holton, 66437-1127, until noon July 21. Bids will be opened at 7:30 p.m. July 21 at the Mobile Enviro Wash Shop, 602 E. 1250 Road, Baldwin (no telephone available). Bids may be hand delivered prior to bid opening.

A copy of the invitation for bids and the plans and specifications can be reviewed at and/or obtained from the King C.O. Services, 24298 M Road, Holton, 66436, (785) 364-3408. A \$25 nonrefundable deposit will be required for each set of plans requested.

Tracy D. Streeter  
Executive Director

Doc. No. 029486

State of Kansas

**Kansas Arts Commission**

**Notice of Meeting**

The Kansas Arts Commission will convene its quarterly business meeting at 9 a.m. Wednesday, June 25, at the Wichita Art Museum, 619 Stackman Drive, Wichita.

Meetings of the Kansas Arts Commission, a state agency, and its advisory panels are open to public observation in accessible locations. All proceedings are recorded on audiotape. Individuals who require special accommodation are asked to make such requests in advance. Assisted listening devices will be available.

For more information, contact the Kansas Arts Commission office, Suite 1004, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603-3761, (785) 296-3335, fax 296-4989, e-mail KAC@arts.state.ks.us. Program information is available on the commission's Web site, <http://arts.state.ks.us>.

David M. Wilson  
Executive Director

Doc. No. 029474

State of Kansas

**Department of Administration**

**Division of Purchases**

**Notice to Bidders**

Sealed bids for items listed will be received by the Director of Purchases until 2 p.m. on the date indicated. For more information, call (785) 296-2377:

6/30/2003	06342	Browser Interface Software System
6/30/2003	06355	Flashlights and Accessories
6/30/2003	06356	Aggregate (District #1)
6/30/2003	06357	AB-3 Aggregate (Hutchinson)
6/30/2003	06359	Lawnmowers
6/30/2003	06373	Abandoned Well Plugging — Tucker Project
6/30/2003	06383	Rental of Skid Steer Loaders
7/1/2003	06348	IronMail Email Security Systems
7/2/2003	06301	Coarse and Industrial Papers
7/2/2003	06381	Rock Salt for Ice and Snow Removal
7/3/2003	06385	External Quality Review for Medicaid Managed Care
7/23/2003	06361	Integrated Technology Services (ITS)
8/1/2003	06333	Data Analysis and Benefits Modeling for Group Health Insurance Program

The above referenced bid documents can be downloaded at the following Web site (please monitor this Web site on a regular basis for any changes/addenda):

<http://da.state.ks.us/purch/rfq/>

Additional files may be located at the following Web site:

<http://da.state.ks.us/purch/adds/default/htm>

The following bid documents may be obtained by calling (785) 296-8899:

7/9/2003	A-9619	Wash Rack Facility Preparation
7/9/2003	A-9621	Hangar Door Replacement

Stuart D. Leighty  
Director of Purchases

Doc. No. 029489

## State of Kansas

## Department of Transportation

## Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) for fiscal years 2003-2005 by adding the following project:

**Project C-4020-01**

Statewide Pin and Hanger Bridge Inspection.

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

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

The comment period regarding the STIP amendment will conclude July 18.

Deb Miller  
Secretary of Transportation

Doc. No. 029491

## State of Kansas

## Department of Transportation

## Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Capitol Plaza Hotel, Topeka, until 2 p.m. July 16 and then publicly opened:

**District One — Northeast**

**Brown**—20-7 K-9392-01 — K-20, from the junction of U.S. 73 east to the Brown-Doniphan county line, 5.5 miles, crack repair. (State Funds)

**Doniphan**—120-22 K-9368-01 — K-120, from the junction of K-20, north to the south city limits of Highland, 8.9 miles, crack repair. (State Funds)

**Doniphan**—20-22 K-9391-01 — K-20, from the Brown-Doniphan county line, east to the junction of K-7, 15.4 miles, crack repair. (State Funds)

**Johnson**—69-46 K-9134-01 — Eight U.S. 69 bridges in the City of Overland Park, bridge repair. (State Funds)

**Lyon**—99-56 K-9141-01 — K-99, Allen Creek bridge, bridge repair. (State Funds)

**Lyon**—130-56 K-9142-01 — K-130, Plum Creek bridge, 3.3 miles south of the junction of I-35, bridge repair. (State Funds)

**Shawnee**—89 C-2873-01 — Wanamaker Road over Wakarusa, 0.4 mile, grading, bridge and surfacing. (Federal Funds)

**Shawnee**—89 C-3931-01 — Northwest Hoch Road over Big Soldier Creek, 0.5 mile, grading, bridge and surfacing. (Federal Funds)

**Shawnee**—470-89 K-9076-01 — Interstate 470/Huntoon Road/Arvon Road intersection in Topeka, ramp improvement. (State Funds)

**District Two — Northcentral**

**Dickinson**—70-21 K-9348-01 — Interstate 70 exits 275 and 277, overlay. (State Funds)

**Saline**—85 K-8310-01 — Interstate 70 exits 244 and 249, lighting. (State Funds)

**District Three — Northwest**

**Logan**—55 C-3836-01 — Center Avenue from Front Street to 8th Street in Oakley, 0.5 mile, surfacing. (Federal Funds)

**Norton**—69 C-3715-01 — County road 1.5 miles north and 2.7 miles east of Clayton, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

**Norton**—69 C-3848-01 — County road 0.3 mile north and 1.3 miles east of Almena, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

**Osborne**—281-71 K-6825-01 — U.S. 281, South Fork Solomon river bridge, 20.3 miles north of the Russell-Osborne county line, bridge replacement. (Federal Funds)

**Osborne**—71 C-3716-01 — County road 9.2 miles south and 2.9 miles east of Covert, 0.2 mile, grading and bridge. (Federal Funds)

**Rawlins**—77 C-3719-01 — County road 0.4 mile west of Herndon, 0.2 mile, grading and bridge. (Federal Funds)

**Sheridan**—90 C-3882-01 — County road 2 miles south and 6 miles west of Hoxie, 0.1 mile, grading and bridge. (Federal Funds)

**District Four — Southeast**

**Anderson**—2 C-3666-01 — County road 3 miles east and 2.6 miles north of Glenlock, 0.5 mile, grading and bridge. (Federal Funds)

**Coffey**—35-16 K-6792-01 — Interstate 35 approximately 0.7 mile west of U.S. 75 northeast to the Coffey-Osage county line, 1.8 miles, pavement reconstruction. (Federal Funds)

**Cherokee**—7-11 K-7718-01 — K-7 and Bethlehem Road intersection in Columbus, 0.2 mile, intersection improvement. (State Funds)

**Labette**—50 C-3792-01 — County road 2 miles south and 3 miles west of Parsons, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

**Labette**—50 C-3793-01 — County road 3 miles north and 0.9 mile west of Angola, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

**Osage**—35-70 K-6793-01 — Interstate 35, from the Coffey-Osage county line east to approximately 0.4 mile east of the east junction of K-31, 6.5 miles, pavement reconstruction. (Federal Funds)

**District Five — Southcentral**

**Barber**—160-4 K-9298-01 — U.S. 160, from the east city limits of Medicine Lodge, east to the Barber-Harper county line, 13.2 miles, seal. (State Funds)

**Barber**—2-4 K-8012-01 — Railroad Avenue and 4th Street intersection with Main Street (K-2) in Kiowa, intersection improvement. (State Funds)

**Edwards**—50-24 K-7179-01 — Intersection of U.S. 50 and U.S. 183 at Kinsley, 0.1 mile, intersection improvement. (State Funds)

**Sedgwick**—135-87 K-6780-01 — I-135, 0.5 mile north of 85th Street north to the Sedgwick-Harvey county line, 4.6 miles, pavement reconstruction. (Federal Funds)

**Sedgwick**—254-87 K-9171-01 — K-254 bridge over 53rd Street, bridge overlay. (State Funds)

#### District Six — Southwest

**Kearny**—50-47 K-9325-01 — U.S. 50, from the east city limits of Lakin east to the Kearney-Finney county line, 9.5 miles, seal. (State Funds)

**Seward**—54-88 K-9332-01 — U.S. 54, from the east city limits of Liberal east to the Cimarron River bridge, 11.3 miles, seal. (State Funds)

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

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid.

This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

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

Deb Miller  
Secretary of Transportation

Doc. No. 029481

#### State of Kansas

### Department of Health and Environment

#### Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment, Division of Health, Bureau of Consumer Health, will conduct a public hearing at 10 a.m. Wednesday, August 20, in Suite 200 of the Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider amending the food service establishment license and application fees. Following is a summary of the proposed amendment:

**K.A.R. 28-36-30** is the regulation that establishes the annual license fee and one-time application fee for food service establishments. The proposed amendment will increase annual license fees from \$130 to \$200 and will increase application fees for new business from \$130 to \$200. The annual license fee for the following types of food service establishments will remain at \$130: (a) those that serve the elderly at senior satellite sites with no on-site food preparation; and (b) those that serve children at school satellite sites with no on-site food preparation.

The economic impact to existing business will be an increase of \$70 for the annual license fee. The impact to new business will be an additional \$70 for the one-time application fee. There will be no economic impact to senior meal sites that serve food and have no on-site food preparation nor to schools that serve food and have no on-site food preparation.

The economic impact to the Department of Health and Environment will be approximately \$728,000 annually and to local health agencies \$364,000. The increase will defray the costs associated with licensing and inspecting food service establishments statewide.

The time between publication of this notice and the scheduled hearing constitutes a 60-day public comment period for the purpose of receiving written public comments on the proposed regulatory action. Interested parties may submit written comments prior to the hearing to Mary Glassburner, Program Director, Bureau of Consumer Health, KDHE, 1000 S.W. Jackson, Suite 200, Topeka, 66612. Interested parties will be given a reasonable opportunity to orally present their views on the proposed amendment during the hearing. To give all parties an opportunity to present their views, it may be necessary to require each participant to limit any oral presentation to five minutes.

Copies of the proposed amendment and the economic impact statement may be obtained by contacting Mary Glassburner at (785) 296-1705.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request copies of the proposed amendment and the 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 Mary Glassburner.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 029472

(Published in the Kansas Register June 19, 2003.)

## USDA—Natural Resources Conservation Service

### Notice of Kansas Technical Committee Meeting

The Kansas Technical Committee will meet from 10 a.m. to 3 p.m. Wednesday, July 9, at the NRCS Conference Center, 747 Duvall, Salina, to discuss USDA programs. The following items are on the agenda: Grassland Reserve Program, 2004 Wildlife Habitat Incentives Program Area Allocation Process, and Conservation Reserve Program Update.

For more information contact Steve Parkin, Assistant State Conservationist for Programs, USDA—NRCS, 760 S. Broadway, Salina, 67401-4604, (785) 823-4568, fax (785) 823-4540, e-mail [steve.parkin@ks.nrcs.usda.gov](mailto:steve.parkin@ks.nrcs.usda.gov). NRCS is an equal opportunity provider and employer.

Mary D. Shaffer  
Public Affairs Specialist

Doc. No. 029483

### 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. Duke Energy Field Services Co. 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.

Duke Energy Field Services Co., Denver, Colorado, owns and operates Satanta natural gas compressor station located at Section 34, Township 30 South, Range 34 West, Haskell 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, 1000 S.W. Jackson, Suite 310, Topeka; and at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita. To obtain or review the proposed permit and supporting documentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; or Don Mies, (316) 337-6107, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Michael J. Parhomek, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business July 21.

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 21 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 impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 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.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 029476

### State of Kansas

## University of Kansas

### Notice to Bidders

Sealed proposals for the items listed below will be received by the Educational and Institutional Cooperative Service, Inc. until 3 p.m. Eastern Standard Time on the date indicated and then will be publicly opened. Interested bidders may contact Domenic Laurenzi, Director of Contracts, E and I Cooperative, 450 Wireless Blvd., Hauppauge, NY 11788-8827, (631) 273-7900, ext. 282, fax (631) 273-3370, for additional information:

**Friday, July 11, 2003**

**#490203**

Microscopes — Student and Research

**#520203**

Multimedia Equipment — Projectors, Plasma Screens  
and Video Conferencing

Barry Swanson  
Director of Business Services  
and Purchasing  
University of Kansas  
(E and I Cooperative Competitive Bid  
Steering Committee Member)

Doc. No. 029470



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

ONEOK Field Services Company, Tulsa, Oklahoma, owns and operates Robbins Natural Gas Compressor Station located at Section 27, Township 30 South, Range 16 West, Kiowa 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, 1000 S.W. Jackson, Suite 310, Topeka; and at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita. To obtain or review the proposed permit and supporting documentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; or Don Mies, (316) 337-6107, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Michael J. Parhomek, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business July 21.

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 21 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 impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 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.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 029477

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

ONEOK Field Services Company, Tulsa, Oklahoma, owns and operates Haskell County #1 Natural Gas Compressor Station located at Section 19, Township 30 South, Range 33 West, Haskell 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, 1000 S.W. Jackson, Suite 310, Topeka; and at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita. To obtain or review the proposed permit and supporting documentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; or Don Mies, (316) 337-6107, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Michael J. Parhomek, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business July 21.

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

(continued)

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 impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 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.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 029478

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

ONEOK Field Services Company, Tulsa, Oklahoma, owns and operates Okmar Natural Gas Compressor Station located at Section 35, Township 32 South, Range 12 West, Barber 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, 1000 S.W. Jackson, Suite 310, Topeka; and at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita. To obtain or review the proposed permit and supporting documentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; or Don Mies, (316) 337-6107, at the KDHE South Central District Office.

The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Michael J. Parhomek, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business July 21.

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 21 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 impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 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.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 029479

#### 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, regu-

lations 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-03-145/151  
Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Diedrick Farms, Inc. 688 Evergreen Road Tescott, KS 67484	NE/4 of Section 07, T12S, R04W, Ottawa County	Saline River Basin

Kansas Permit No. A-SAOT-C001 Federal Permit No. KS0094625

This is a permit renewal for an existing facility for 1,700 head (1,700 animal units) of cattle. There are no proposed changes to the facility.

The 4 acres of holding pens located east of the facility were not described in the last permit and are being added. The overall capacity of the facility includes these pens.

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and that have received manure or wastewater within the previous five years.

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

Name and Address of Applicant	Legal Description	Receiving Water
Gasper Farms Route 1, Box 14 Tipton, KS 67485	NE/4 of Section 13, T09S, R11W, Osborne County	Solomon River Basin

Kansas Permit No. A-SOQB-B010

This is a new permit for an existing facility for a maximum of 300 head (150 animal units) of cattle weighing less than 700 pounds.

Permeability tests shall be conducted on the earthen wastewater retention structure(s). Permeability tests shall be completed after the soil liner(s) have been compacted and prior to placing the earthen wastewater retention structure(s) into service.

Dewatering equipment shall be obtained after issuance of the permit through purchase, rental or custom application agreement and prior to populating the facility. Written verification of the acquisition of the equipment shall be submitted to the department.

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. The manure/waste management plan developed by the designer and approved by the department shall be adhered to pursuant to K.A.R. 28-18-12 and 13 (or K.A.R. 28-18a-12 and 19 for swine).

Name and Address of Applicant	Legal Description	Receiving Water
Jensen Dairy c/o Rick and Cindy Jensen Route 1, Box 209 Neodesha, KS 66757	SW/4 of Section 25, T30S, R15E, Wilson County	Verdigris River Basin

Kansas Permit No. A-VEWL-M005

This is a new permit for an existing facility that is expanding and performing a construction modification. The facility is currently permitted for a maximum of 99 head (139 animal units) of mature dairy cattle. The proposed expansion will increase the maximum permitted capacity to 135 head (189 animal units) of mature dairy cattle. The construction modification made to the facility will consist of tearing down the old free stall buildings and replacing them with one new free stall building.

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

Name and Address of Applicant	Legal Description	Receiving Water
Ken Kammer Farms 1851 CR-2 Brewster, KS 67732	S/2 of Section 05, T08S, R36W, Thomas County	Upper Republican River Basin

Kansas Permit No. A-URTH-B002

This is a new permit for an existing facility for 950 head (950 animal units) of beef cattle weighing greater than 700 pounds.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan approved by the department shall be adhered to as a condition of the permit.

Within six months from the effective date of the permit, a staff gauge shall be installed in each outdoor retention structure.

Within six months from the effective date of the permit, an emergency open channel spillway shall be provided between the sedimentation basin and the retention structure or, in lieu of the spillway, the berm between the sedimentation basin and retention structure shall be constructed in such a manner so that if the basin were to overtop, the wastewater will discharge into the retention structure.

Within six months from the effective date of the permit, all trees located within 100 feet of the retention structure liner shall be removed or shall be managed in accordance with a root control plan.

Name and Address of Applicant	Legal Description	Receiving Water
Reinecker Feedlot 6850 CR AA Quinter, KS 67752	NW/4 of Section 25, T11S, R27W, Gove County	Smoky Hill River Basin

Kansas Permit No. A-SHGO-B008

This is a renewal permit for an existing facility for 900 head (900 animal units) of cattle weighing greater than 700 pounds.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Ronald Unruh 455 320 Road Durham, KS 67438	NE/4 of Section 34, T17S, R01E, Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-BD02

This is a new permit for an existing facility for a maximum of 55 head of cattle greater than 700 pounds [55 animal units (a.u.)] and 55 head of cattle less than 700 pounds (27.5 a.u.), for a total of 110 head (82.5 a.u.) of cattle. The operation is proposing to provide a sediment basin that discharges through a gated pipe distribution system to provide sheet flow over a grass buffer. The modifications were proposed to address the pollution potential of the existing facility. The head capacity of the site has expanded from a maximum of 45 head of cows and 45 head of calves to the maximum capacity of 55 head of cows and 55 head of calves.

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

Name and Address of Applicant	Legal Description	Receiving Water
Bryan Enterprises, Inc. c/o Joe Donahue P.O. Box 110 Greeley, KS 66033	SW/4 of Section 30, T19S, R21E, SE/4 of Section 25, T19S, R20E, Anderson County	Marais des Cygnes

Kansas Permit No. A-MCAN-C001 Federal Permit No. KS0097187

This is a new permit for a new facility for 2,000 head (2,000 animal units) of beef cattle weighing greater than 700 pounds.

(continued)

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and that have received manure or wastewater within the five-year permit cycle.

Permeability tests shall be conducted on the earthen wastewater retention structure(s). Permeability tests shall be completed after the soil liner(s) have been compacted and prior to placing the earthen wastewater retention structure(s) into service.

Dewatering equipment shall be obtained within six months after issuance of the permit through purchase, rental or custom application agreement. Written verification of the acquisition of the equipment shall be submitted to the department.

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

**Public Notice No. KS-03-058/062**

Name and Address of Applicant	Waterway	Type of Discharge
Bruce Simpson P.O. Box 733 Mulvane, KS 67110	Arkansas River via Dog Creek	Treated Domestic Wastewater

Kansas Permit No. C-AR64-OO01 Federal Permit No. KS0047694  
Legal: NE¼, S5, T30S, R2E, Sumner County

Facility Name: Mulvane Mobile Home Park

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility to treat primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monthly sampling for fecal coliform also is 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
Whitewater, City of P.O. Box 149 Whitewater, KS 67154	Walnut River via West Branch Whitewater River	Treated Domestic Wastewater

Kansas Permit No. M-WA16-OO02 Federal Permit No. KS0097276  
Legal: SW¼, NW¼, S18, T24S, R3E, Butler County

Facility Description: The proposed action is to issue a new permit for operation of a new wastewater treatment facility to treat primarily domestic wastewater. The existing mechanical wastewater treatment facility is being replaced with a new three-cell lagoon system. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform and pH. Annual monitoring of fecal coliform also is 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
Fiber Glass Systems, L.P. P.O. Box 37389 San Antonio, TX 78237-0389	Arkansas River City of Wichita Storm Sewer	Cooling Water

Kansas Permit No. I-AR94-PO39 Federal Permit No. KS0087807  
Legal: NE¼, S2, T28S, R11W, Sedgwick County

Facility Address: 2501 Southwest St., Wichita, KS 67217

Facility Description: The proposed action is to reissue an existing permit for the discharge of treated cooling water to the Wichita storm sewer system. This facility manufactures fiberglass materials. The discharge consists of cooling water from pipe winding mandrels after the cure cycle and the noncontact cooling water used for one-pass cooling of hydraulic units. The source of the cooling water is the municipal water supply without any additional water treatment additives. A dechlorinating agent is added to the cooling water discharge to remove residual chlorine from the municipal water supply.

Domestic and other process wastes are discharged to the sanitary sewer. The proposed permit includes limits for total residual chlorine and pH. Monitoring for sulfate, temperature and effluent flow also is 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
Martin Marietta Aggregates P.O. Box 1270 Olathe, KS 66051	Dear Creek via Unnamed Tributary	Pit Dewatering and Stormwater Runoff

Facility Name: Big Springs Quarry

Kansas Permit No. I-KS31-PO17 Federal Permit No. KS0089923

Legal: SE¼, S22 & W½, S23, T12S, R17E, Shawnee and Douglas Counties

Facility Description: The proposed action is to modify an existing permit for the discharge of wastewater during quarry operation. The modification consists of the addition of another outfall to cover future discharges resulting from an expansion of the quarry. This facility is a limestone quarry and crushing operation with washing. The wastewater discharged from this facility consists of washwater, stockpile runoff, stormwater runoff and pit dewatering. 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.

Name and Address of Applicant	Waterway	Type of Discharge
SEP (Sunflower Electric Power) Corp. 1075 W. St. John St. Garden City, KS 67846	Arkansas River	Treated Process Water

Kansas Permit No. I-UA14-PO02 Federal Permit No. KS0080063  
Legal: NW, S24, T24S, R33W, Finney County

Facility Description: The proposed action consists of the reissuance and modification of an existing permit for an existing facility. This permit was previously placed on public notice on April 24, 2003. During the public notice period, comments were received indicating the facility may not be able to meet the proposed whole effluent toxicity (WET) limit. KDHE concurred with this analysis after examining historical toxicity testing results. A potential reason expressed for not meeting the toxicity requirement was the high sulfate concentration in the effluent. Since there was already a schedule of compliance in the permit to reduce sulfate concentrations by August 30, 2006, KDHE is now proposing interim WET limits with a final WET limit to be met by August 30, 2006. Additional minor corrections to the proposed permit are being made.

**Public Notice No. KS-ND-03-013**

Name and Address of Applicant	Legal Location	Type of Discharge
Midway USA Truck Stop 130 W. Pancake Blvd. Liberal, KS 67901	N½, NW¼, NW¼, S13, T35S, R34W, Seward County	Nonoverflow

Kansas Permit No. C-CI10-NO01

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with the permit. Discharge of wastewater from this treatment facility to surface waters of the State of Kansas is prohibited by this permit.

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 Glenda Newquist 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, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft permit or application notice postmarked or received on or before July 19 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-03-145/151, KS-03-058/062, KS-ND-03-013) 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, (620) 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,  
(620) 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>.

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.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 029488

(Published in the Kansas Register June 19, 2003.)

## Cloud County Community College Concordia, Kansas

*Amended*

### Notice of Intent to Issue Revenue Bonds

The Board of Trustees of Cloud County Community College, Concordia, Kansas, duly adopted a resolution on May 27, 2003, declaring necessary and authorizing improvements to the Student Union and Dormitory System (the system) by completing the construction and equipping of a student union facility on the campus of Cloud County Community College, Concordia, Kansas (the project), which project was originally authorized by Resolution No. 9798-4 of the board, at an estimated construction and completion cost of \$750,000, under the authority of K.S.A. 76-6a13 to 76-6a25, inclusive, as amended and supplemented (the act).

The resolution declares necessary and authorizes the issuance and sale of system revenue bonds of the college in an amount of not to exceed \$875,000, such bonds to be used, along with any other available funds of the college, to pay the costs of completing the project and provide for bond reserve funds and related costs of issuance. In addition to the foregoing bonds for project completion, the board intends to issue and sell system revenue bonds in an amount not to exceed \$1,200,000 to refund in advance of maturity, the college's Student Union and Dormitory System Revenue Bonds, Series 1998. The total not-to-exceed amount of bonds to be issued for project completion and refunding purposes is therefore \$2,075,000.

Unless an action to contest the legality of the proposed revenue bonds of the college shall be filed in a court of law within 30 days of the original date of publication of this notice, or the date of publication of this amended notice, as applicable, the right to contest the legality of any revenue bonds issued in compliance with the aforesaid resolution and other proceedings duly and legally had and taken by the board prior to the date of publication of this notice, and the right to contest the validity of the provisions of such proceedings, shall cease to exist, and no court shall thereafter have the authority to inquire into such matters. After the expiration of said 30 days from the original date of publication of this notice, or the date of publication of this amended notice, as applicable, no one shall have any right to commence an action contesting the validity of such revenue bonds or the provisions of such proceedings of the board, all such revenue bonds shall be conclusively presumed to be legal, and no court shall thereafter have the authority to inquire into such matters.

Dated June 12, 2003.

Board of Trustees  
Cloud County Community College  
Concordia, Kansas  
By Sandi Kinser  
Chairperson, Board of Trustees  
Attest: Marilyn A. Martin  
Secretary of the Board

Doc. No. 029490

(Published in the Kansas Register June 19, 2003.)

**City of Overland Park, Kansas**

**Notice of Public Information Meeting**

The City of Overland Park will be conducting its third public meeting regarding the roadway improvement plan for Pflumm Road, 143rd St. to 135th St. This meeting has been scheduled to review the improvement plans, introduce the project contractor and review the project schedule. This is the last scheduled public meeting for this project.

The public meeting will begin at 6 p.m. Tuesday, June 24, at the St. Andrews Golf Course Clubhouse, 11009 W. 135th St., Overland Park.

The City of Overland Park wants to ensure that the public is aware of this meeting and is invited to attend. For more information, contact Larry Blankenship, senior civil engineer, at (913) 895-6007.

Mary Lou McCann  
Contract Specialist  
Public Works Department  
City of Overland Park, Kansas

Doc. No. 029482

(Published in the Kansas Register June 19, 2003.)

**Summary Notice of Bond Sale**

**City of Kechi, Kansas**

**\$1,483,100**

**General Obligation Internal Improvement Bonds**

**Series A, 2003**

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

**Details of the Sale**

Subject to the terms and conditions of the complete official notice of bond sale dated June 12, 2003, of the City of Kechi, Kansas, in connection with the city's General Obligation Internal Improvement Bonds, Series A, 2003, hereinafter described, sealed, written bids shall be received at the office of the city clerk at City Hall, 200 W. Kechi Road, Kechi, Kansas, or by telefacsimile at (316) 744-9636, at or prior to 7 p.m. Thursday, June 26, 2003, for the purchase of the bonds. All bids shall be publicly opened, read aloud and tabulated on said date and at said time, and shall thereafter be immediately considered and acted upon by the city.

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

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk or the city's financial advisor. Bids may be submitted by mail or by telefacsimile at (316) 744-9636, or may be delivered in person, and must be received at the place and not later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond pay-

able to the order of the city and meeting requirements set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds. Bidders may be required to be qualified in a manner established by the city before submitting a bid.

**Details of the Bonds**

The bonds to be sold are in the aggregate principal amount of \$1,483,100, and shall bear a dated date of July 1, 2003. The bonds shall be issued as fully registered bonds in the denomination of \$5,000, or any integral multiple thereof not exceeding the principal amount of bonds maturing in any year, except that one bond maturing in the initial year of maturity shall be in the denomination of \$3,100. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. Certain of the bonds are subject to redemption prior to their maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on March 1 and September 1 in each year, commencing March 1, 2004, and the bonds shall mature serially on September 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$ 73,100	2004
80,000	2005
85,000	2006
85,000	2007
90,000	2008
90,000	2009
95,000	2010
100,000	2011
100,000	2012
105,000	2013
110,000	2014
110,000	2015
115,000	2016
120,000	2017
125,000	2018

**Redemption of Bonds**

Certain of the bonds are subject to optional redemption prior to their maturities as set forth in the official notice of bond sale. Additionally, a bidder may elect to have all or a portion of the bonds shown in the above maturity schedule issued as one or more term bonds, which would be subject to mandatory redemption requirements. (Reference is made to the official notice of bond sale for complete details regarding redemption of the bonds.)

**Payment of Principal and Interest**

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

**Security for the Bonds**

The bonds and the interest thereon shall constitute general obligations of the city, and the full faith, credit and resources of the city shall be pledged to the payment

thereof. The bonds shall be payable as to both the principal of and the interest thereon, in part, from the collection of special assessment taxes that have been levied against certain real properties in the city. To the extent the proceeds of such special assessment taxes are insufficient, the city is obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

**Delivery of the Bonds**

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or before Thursday, July 14, 2003, to DTC or at such bank or trust company or other qualified depository in the State of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

**Legal Opinion**

The bonds will be sold subject to the legal opinion of Hinkle Elkouri Law Firm L.L.C., Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

**Financial Matters**

The city's current equalized assessed tangible valuation is as follows:

Assessed Valuation of Taxable	
Tangible Property	\$7,052,466
Taxable Value of Motor Vehicles	\$1,567,224
Assessed Tangible Valuation for	
Computation of Bonded Debt Limitations	\$8,619,690

K.S.A. 10-308 provides that the authorized and outstanding bonded indebtedness of any city shall not exceed 30 percent of the assessed valuation of the city. As of July 1, 2003, the city's gross outstanding debt (including the bonds) is \$3,648,100. The total indebtedness (including the bonds) after statutory adjustments, as of July 1, 2003, is \$1,033,613, which is 11.99 percent of the assessed valuation of the city.

**Form of Bonds**

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through the Depository Trust Company, New York, New York (DTC).

**Official Statement**

The city has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the city or the city's financial advisor. The preliminary official statement is in a form "deemed final" by the city for the purpose of Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final

official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered by the successful bidder at its expense.

**Continuing Disclosure**

The city has adopted an ordinance establishing a master undertaking to provide ongoing disclosure concerning the city in connection with its general obligation bonds for the benefit of owners of such bonds and notes, including the bonds described herein, as required under Section (b)(5)(i) of Securities and Exchange Commission Rule 15c2-12. The ordinance is included as an appendix to the preliminary official statement.

**Additional Information**

For additional information regarding the city, the bonds and the public sale, interested parties are invited to request copies of the complete official notice of bond sale and official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the city clerk at the address and telephone number show below or from the city's financial advisor, Jerry Rayl, Gold Capital Management, Inc., 245 N. Waco, Suite 525, Wichita, KS 67201-0205, (316) 265-9411.

Laura Hill, City Clerk  
 City Hall  
 200 W. Kechi Road  
 P.O. Box 88  
 Kechi, KS 67067  
 (316) 744-9287

Doc. No. 029484

(Published in the Kansas Register June 19, 2003.)

**Summary Notice of Bond Sale**  
**City of Abilene, Kansas**  
**\$1,345,000\***  
**General Obligation Bonds, Series 2003**  
**(General obligation bonds payable from**  
**unlimited ad valorem taxes)**

**Bids**

Subject to the notice of bond sale dated June 19, 2003, bids will be received by the city clerk of the City of Abilene, Kansas, on behalf of the governing body at City Hall, 419 Broadway, Abilene, KS 67410, until 11 a.m. June 30, 2003, for the purchase of approximately \$1,345,000\* principal amount of General Obligation Bonds, Series 2003. No bid of less than the entire par value of the bonds, except a discount of not greater than .50 percent of the par value of the bonds, and accrued interest to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 1, 2003, and will become due on September 1 in the years as follows:

<b>Maturity</b>	<b>Principal</b>
<b>September 1</b>	<b>Amount*</b>
2004	\$105,000

(continued)

2005	120,000
2006	120,000
2007	125,000
2008	130,000
2009	135,000
2010	145,000
2011	150,000
2012	155,000
2013	160,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2004.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$26,900.

**Delivery**

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about July 17, 2003, at the offices of the Depository Trust Company, New York, New York.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2002 is \$41,180,739. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$2,273,712.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the city clerk, (785) 263-2522, or from bond counsel, Logan Riley, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated June 19, 2003.

City of Abilene, Kansas  
 By Penny Soukup  
 City Clerk  
 419 Broadway  
 Abilene, KS 67410

\*Subject to change.

Doc. No. 029473

(continued)

State of Kansas

State Corporation Commission

Permanent Administrative  
 Regulations

Article 11.—NATURAL GAS PIPELINE SAFETY

**82-11-1. Definitions.** The following terms as used in K.A.R. 82-11-2 through K.A.R. 82-11-10, and in the identified sections of the regulations adopted by reference, are defined as follows:

(a) "Area of residential development" means a location in which over 25 residential customers are being, or are expected to be, added over the period in which the area is to be developed.

(b) "Commission" means the state corporation commission of Kansas.

(c) "Confined space" means any subsurface structure, including vaults, tunnels, catch basins and manholes, that is of sufficient size to accommodate a person and in which gas could accumulate.

(d) "Construction project" means the construction of any of the following:

(1) Any jurisdictional pipeline installation, including new, replacement, or relocation projects, in which the total piping installed during the project is in excess of 400 feet for small gas operators, or 1,000 feet for all other gas operators;

(2) any other significant pipeline installation that is subject to these safety standards; or

(3) service line installations.

(e) "Department of transportation" means the U.S. department of transportation.

(f) "Exposed pipeline" means buried pipeline that has become uncovered due to erosion, excavation, or any other cause.

(g) "Flame ionization" means a type of leak detector equipment that uses a technology that continuously draws ambient air through a hydrogen flame and thereby measures the amount of hydrocarbons.

(h) "Gas-associated structure" means a device or facility utilized by a gas company, including a valve box, vault, test box, and vented casing pipe, that is not intended for storing, transmitting, or distributing gas.

(i) "Gas pipeline safety section" means the gas pipeline safety section of the state corporation commission of Kansas.

(j) "Inspector" means an employee of the gas pipeline safety section of the state corporation commission of Kansas.

(k) "Leak detector equipment" means a device, including a flame ionization unit, combustible gas indicator, an odorometer, and other equipment as approved by the gas pipeline safety section, that measures the amount of hydrocarbon gas in an ambient air sample.

(l) "Lower explosive limit (LEL)" means the lowest percent of concentration of natural gas in a mixture with air that can be ignited at normal ambient atmospheric temperature and pressure.

(m) "Small gas operator" means an operator who engages in the transportation or distribution of gas, or both, in a system having fewer than 5,000 service lines.



(n) "Small substructure" means any subsurface structure, other than a gas-associated structure, that is of sufficient size to accommodate a person and in which gas could accumulate, including telephone and electrical ducts and conduit, and non-associated valve and meter boxes.

(o) "Utility division" means the utility division of the state corporation commission of Kansas.

(p) "Yard line" means the buried, customer-owned piping between the outlet of the meter and the building wall. (Authorized by and implementing K.S.A. 66-1,150, as amended by L. 2002, ch. 77, sec. 7; effective, T-82-10-28-88, Oct. 28, 1988; effective, T-82-2-25-89, Feb. 25, 1989; revoked, T-82-3-31-89, April 30, 1989; effective May 1, 1989; amended July 7, 2003.)

**82-11-3. Transportation of natural and other gas by pipeline; annual reports and incident reports.** The federal rules and regulations titled "transportation of natural and other gas by pipeline; annual reports, incident reports, and safety-related condition reports," 49 C.F.R. Part 191, as in effect on October 1, 2002, are adopted by reference with the following exceptions, deletions, additions, and modifications:

(a) The following sentence shall be deleted from 49 C.F.R. 191.3: "Administrator means the Administrator of the Research and Special Programs Administration or any person to whom authority in the matter concerned has been delegated by the Secretary of Transportation."

(b) 49 C.F.R. 191.5(b) shall be deleted and replaced by the following: "(b) Each notice required by paragraph (a) of this section shall be made by telephone to the gas pipeline safety section and to the U.S. department of transportation. Both notices shall include the following information:

- (1) The names of the operator and the person making the report and their telephone numbers;
- (2) the location of the incident;
- (3) the time of the incident;
- (4) the number of fatalities and personal injuries, if any; and
- (5) all other significant facts known by the operator that are relevant to the cause of the incident or extent of the damages."

(c) 49 C.F.R. 191.7 shall be deleted.

(d) The term "U.S. department of transportation form RSPA F 7100.1," as used in 49 C.F.R. 191.9(a), means commission form KCC 192.004-1 (gas distribution system).

(e) 49 C.F.R. 191.9(a) shall be deleted and replaced by the following: "(a) Except as provided in paragraph (c) of this section, each operator of a distribution pipeline system shall submit U.S. department of transportation form RSPA F 7100.1 to the commission as soon as practicable but not more than 30 calendar days after detection of an incident required to be reported under 49 C.F.R. 191.5."

(f) 49 C.F.R. 191.9(b) is deleted and replaced by the following: "(b) If additional relevant information is required after the report is submitted under paragraph (a), each operator shall submit to the commission a written report providing the additional information pertaining to the incident within 15 calendar days of the commission's request."

(g) 49 C.F.R. 191.11(a) shall be deleted and replaced by the following: "(a) Except as provided in paragraph (b) of this section, each operator of a distribution pipeline system shall submit an annual report in duplicate for that system to the commission on U.S. department of transportation form RSPA F 7100.1-1. This report shall be submitted to the gas pipeline safety section of the commission not later than March 1 of each year, for the preceding calendar year."

(h) The term "U.S. department of transportation form RSPA F 7100.2," as used in 49 C.F.R. 191.15(a), means commission form 192.004-1 (gas transmission and gathering systems).

(i) 49 C.F.R. 191.15(a) shall be deleted and replaced by the following: "(a) Except as provided in paragraph (c) of this section, each operator of a transmission or a gathering pipeline system shall submit U.S. department of transportation form RSPA F 7100.2 to the commission as soon as practicable but not more than 30 calendar days after detection of an incident required to be reported under 49 C.F.R. 191.5."

(j) 49 C.F.R. 191.15(b) shall be deleted and replaced by the following: "(b) If additional relevant information is required by the commission after the report is submitted under paragraph (a), each operator shall submit to the commission a written report providing the additional information pertaining to the incident within 15 calendar days of the commission's request."

(k) 49 C.F.R. 191.17(a) shall be deleted and replaced by the following: "(a) Except as provided in paragraph (b) of this section, each operator of a transmission or gathering pipeline system shall submit an annual report in duplicate for that system to the commission on U.S. department of transportation form RSPA F 7100.2-1. This report shall be submitted to the gas pipeline safety section not later than March 1 of each year, for the preceding calendar year."

(l) 49 C.F.R. 191.19 shall be deleted and replaced by the following: "Report Forms. The prescribed report forms are available without charge upon request from the gas pipeline safety section, Topeka, Kansas. Reproduced copies of the forms may be used if they are of the same size and kind of paper."

(m) 49 C.F.R. 191.21 shall be deleted.

(n) The term "Associate Administrator, OPS," as used in 49 C.F.R. 191.25, means commission. (Authorized by and implementing K.S.A. 66-1,150, as amended by L. 2002, ch. 77, sec. 7; effective, T-82-10-28-88, Oct. 28, 1988; effective, T-82-2-25-89, Feb. 25, 1989; revoked, T-82-3-31-89, April 30, 1989; effective May 1, 1989; amended April 16, 1990; amended March 12, 1999; amended July 7, 2003.)

**82-11-4. Transportation of natural and other gas by pipeline; minimum safety standards.** The federal rules and regulations titled "transportation of natural and other gas by pipeline: minimum federal safety standards," 49 C.F.R. Part 192, including appendices A, B, C, and D, as in effect on October 1, 2002, are adopted by reference with the following exceptions, deletions, additions, and modifications:

(a) 49 C.F.R. 192.7(b) shall be deleted and replaced by the following: "(b) Any incorporated document shall be

(continued)

available for inspection at the gas pipeline safety section's Topeka, Kansas office. In addition, each document shall be available at the addresses provided in appendix A to this part."

(b) 49 C.F.R. 192.181(a) shall be deleted and replaced by the following: "(a) Each high-pressure distribution system shall have valves spaced to reduce the time to shut down a section of main in an emergency. Each operator shall specify in its operation and maintenance manual the criteria as to how valve locations are determined using, as a minimum, the considerations of operating pressure, the size of the mains, and the local physical conditions. The emergency manual shall include instructions on where operating personnel can find maps and other means of locating emergency valves during an emergency. Each area of residential development constructed after May 1, 1989 shall be provided with at least one valve to isolate it from other areas."

(c) 49 C.F.R. 192.199(e) shall be deleted and replaced by the following: "(e) Have discharge stacks, vents, or outlet ports designed to prevent accumulation of water, ice, or snow, located where gas can be discharged into the atmosphere without undue hazard. At town border stations and district regulator settings, the gas shall be discharged upward at a minimum height of six feet from the ground or past the overhang of any adjacent building, whichever is greater."

(d) 49 C.F.R. 192.199(h) shall be deleted and replaced by the following: "(h) Except for a valve that will isolate the system under protection from its source of pressure, shall be designed to prevent unauthorized access to or operation of any stop valve that will make the pressure relief valve or pressure limiting device inoperative including:

"(1) valves that would bypass the pressure regulator or relief devices; and

"(2) shut-off valves in regulator control lines that, if operated, would cause the regulator to be inoperative."

(e) The following shall be added to 49 C.F.R. 192.199: "(i) At town border stations and district regulator settings, this section shall require pressure relief or pressure limiting devices regardless of installation date."

(f) 49 C.F.R. 192.307 shall be deleted and replaced by the following: "Inspection of materials. Each length of pipe and each other component shall be visually inspected at the site of installation to ensure that it has not sustained any visually determinable damage that could impair its serviceability. Each coated length of pipe shall be checked for defects in the coating using an instrument that is calibrated according to manufacturer's specifications prior to lowering the pipe into the ditch."

(g) 49 C.F.R. 192.311 shall be deleted and replaced by the following: "Repair of plastic pipe. Each imperfection or damage that would impair the serviceability of plastic pipe shall be removed."

(h) 49 C.F.R. 192.317(b) shall be deleted and replaced by the following: "(b) Each aboveground transmission line or main, not located offshore or in inland navigable water areas, shall be protected from accidental damage by vehicular traffic or other similar causes, by being placed at a safe distance from the traffic or by installing barricades, and complying with 49 C.F.R. 192.707(c)."

(i) The following subsection shall be added to 49 C.F.R. 192.317: "(d) Each aboveground pipeline shall be placed underground, with the following exceptions:

"(1) Regulator station piping;

"(2) bridge crossings;

"(3) aerial crossings or spans;

"(4) short segments of piping for valves intentionally brought above the ground, including risers, piping at compressor, processing or treating facilities, block gate settings, sectionalizing valves and district regulator sites;

"(5) distribution mains specifically designed to be above the ground and have the approval of the landowner to provide service to commercial customers from the aboveground main and associated service line or lines; or

"(6) Pipelines in class 1 locations that were in natural gas service before May 1, 1989."

(j) The following shall be added to 49 C.F.R. 192.317: "(e) Each pipeline constructed after May 1, 1989, shall be placed under ground, with the following exceptions:

"(1) Regulator station piping;

"(2) bridge crossings;

"(3) aerial crossings or spans;

"(4) short segments of piping for valves intentionally brought above ground, including risers, piping at compressor, processing or treating facilities, block gate settings, sectionalizing valves and district regulator sites; or

"(5) distribution mains specifically designed to be above ground and have the approval of the landowner to provide service to commercial customers from the aboveground main and associated service line or lines."

(k) 49 C.F.R. 192.453 shall be deleted and replaced by the following: "(a) The corrosion control procedures required by 49 C.F.R. 192.605(b)(2), including those for the design, installation, operation, and maintenance of cathodic protection systems, must be carried out by, or under the direction of, a person qualified in pipeline corrosion control methods.

"(b) Any unprotected steel service or yard line found to have active corrosion shall be either provided with cathodic protection and monitored annually as required by K.A.R. 82-11-4(o) or replaced. In areas where there is no active corrosion, each operator shall, at intervals not exceeding three years, reevaluate these pipelines.

"(c) In lieu of conducting electrical surveys on unprotected steel service lines and yard lines, each operator may implement one of the following options:

"(1) Conduct annual flame ionization leak surveys at intervals not exceeding 15 months, but at least once each calendar year, on all unprotected steel service lines and yard lines and initiate a program to apply cathodic protection for all unprotected steel service lines and yard lines; or

"(2) conduct annual flame ionization surveys at intervals not exceeding 15 months, but at least once each calendar year, on all unprotected steel service lines and yard lines and initiate a preventative maintenance program for replacement of service and yard lines. The preventative maintenance program to be used in conjunction with the annual leak survey of unprotected steel service and yard lines shall include the following:

“(A) After the annual leak survey of all unprotected steel service and yard lines is completed, the operator shall prepare a summary listing of the leak survey results.

“(B) The summary listing shall include the number of leaks found and the number of lines replaced in a defined area.

“(C) An operator’s replacement program for all service or yard lines in the defined area shall be initiated no later than when the sum of the number of unprotected steel service or yard lines with existing or repaired corrosion leaks and the number of unprotected steel service or yard lines already replaced due to corrosion equals 25% or more of the unprotected steel service or yard lines installed within that defined area.

“(D) The replacement program, once initiated for a defined area, shall be completed by an operator within 18 months.

“(E) Operators, at their option, may have separate preventative maintenance programs for service lines and yard lines but must consistently follow their selection.

“(d) For a city of the third class, or a city having a population of 2,000 or less, which is an operator of a natural gas distribution system, a replacement program for unprotected steel yard lines may comply with paragraph (c)(2)(D) of this section or include the following requirements in their replacement plan:

“(1) Perform flame ionization leak surveys at six month intervals;

“(2) Notify all customers in the defined area with a written recommendation that all unprotected steel yard lines should be scheduled for replacement; and

“(3) Replace all unprotected steel yard lines in the defined area that exhibit active corrosion.”

(l) 49 C.F.R. 192.455(a) shall be deleted and replaced by the following: “(a) Except as provided in paragraphs (c) and (f) of this section, each buried, submerged pipeline, or exposed pipeline, installed after July 31, 1971, shall be protected against external corrosion by various methods, including the following:

“(1) An external protective coating meeting the requirements of 49 C.F.R. 192.461; and

“(2) A cathodic protection system designed to protect the pipeline in accordance with this subpart, installed and placed in operation within one year after completion of construction.”

(m) 49 C.F.R. 192.455(b) shall be deleted.

(n) 49 C.F.R. 192.457(b) and (c) shall be deleted and replaced by the following: “(b) Except for cast iron or ductile iron pipelines, each of the following buried, exposed or submerged pipelines installed before August 1, 1971, shall be cathodically protected in accordance with this subpart in areas in which active corrosion is found:

“(1) Bare or ineffectively coated transmission lines;

“(2) bare or coated pipes at compressor, regulator, and measuring stations; and

“(3) bare or coated distribution lines.

“(c) The operator shall determine the areas of active corrosion by electrical survey. In areas where electrical survey is impractical, the operator shall conduct flame ionization leak surveys at least once every three years at intervals not exceeding 42 months. A repair/replacement program for unprotected steel transmission lines and

mains shall be established based upon the number of leaks in a defined area. Operators shall conduct electrical surveys in all areas, except the following:

“(1) Where the pipe lies under wall-to-wall pavement;

“(2) where the pipe is in a common trench with other utilities;

“(3) in areas with stray current; or

“(4) in areas where the pipeline is under pavement, regardless of depth, and more than two feet away from an unpaved area.

“(d) For the purposes of this subpart, active corrosion means continuing corrosion which, unless controlled, could result in a condition that is detrimental to public safety.”

(o) 49 C.F.R. 192.465(a) shall be deleted and replaced by the following: “Each pipeline that is under cathodic protection shall be tested at least once each calendar year, but in intervals not exceeding 15 months, to determine whether the cathodic protection meets the requirements of 192.463. If tests at those intervals are impractical for separately protected short sections of mains or transmission lines not in excess of 100 feet, or separately protected service lines, these pipelines may be surveyed on a sampling basis. At least one-third of these protected structures, distributed over the entire system, shall be surveyed each calendar year, with a different one-third checked each subsequent year, so that the entire system is tested in each three-year period.”

(p) 49 C.F.R. 192.465(d) shall be deleted and replaced by the following: “(d) Each operator shall begin corrective measures within 30 days, or more promptly if necessary, on any deficiencies indicated by the monitoring.”

(q) 49 C.F.R. 192.465(e) shall be deleted and replaced by the following: “(e) After the initial evaluation required by 49 C.F.R. of 192.455 (c) and 49 C.F.R. 192.457 (b), each operator shall, at intervals not exceeding three years, reevaluate its unprotected pipelines and cathodically protect them in accordance with this subpart in areas in which active corrosion is found. The operator shall determine the areas of active corrosion by electrical survey, or where electrical survey is impractical, by the completion of flame ionization leak surveys at intervals at least once every three years but in intervals not exceeding 42 months. A repair/replacement program for unprotected steel transmission lines and mains shall be established based upon the number of leaks in a defined area.”

(r) The following shall be added to 49 C.F.R. 192.465: “(f) It shall be considered practical to conduct electrical surveys in all areas, except the following:

“(1) Where the pipe lies under wall-to-wall pavement;

“(2) where the pipe is in a common trench with other utilities;

“(3) in areas with stray current; or

“(4) in areas where the pipeline is under pavement, regardless of depth, and more than two feet away from an unpaved area.”

(s) 49 C.F.R. 192.491(a) shall be deleted and replaced by the following: “(a) For as long as the pipeline remains in service, each operator shall maintain records and maps to show the locations of all cathodically protected piping, cathodic protection facilities other than unrecorded gal-

(continued)

vanic anodes installed before August 1, 1971, and neighboring structures bonded to the cathodic protection system."

(t) 49 C.F.R. 192.491(b) shall be deleted.

(u) 49 C.F.R. 192.509(b) shall be deleted and replaced by the following: "(b) Each steel main that is to be operated at less than 1 p.s.i.g. shall be tested to at least 10 p.s.i.g. and each main to be operated at or above 1 p.s.i.g. shall be tested to at least 100 p.s.i.g."

(v) The first sentence of 49 C.F.R. 192.517 shall be deleted and replaced by the following: "Each operator shall make, and retain for the useful life of the pipeline, a record of each test performed after May 1, 1989."

(w) The following shall be added to 49 C.F.R. 192.517: "(h) Test date."

(x) The following shall be added to 49 C.F.R. 192.517:

"(i) Description of facilities being tested."

(y) 49 C.F.R. 192.553(a)(1) shall be deleted and replaced by the following: "(1) At the end of each incremental increase, the pressure shall be held constant while the entire segment of pipeline that is affected is checked for leaks. This leak survey by flame ionization shall be conducted within eight hours after the stabilization of each incremental pressure increase provided in the uprating procedure. If the operator elects to not conduct the leak survey within the specified time frame because of nightfall or other circumstance, the pressure increment in the line shall be reduced that day with repetition of that particular increment during the next day that the uprating procedure is continued."

(z) 49 C.F.R. 192.603(b) shall be deleted and replaced by the following: "(b) Each operator shall establish a written operating and maintenance plan meeting the requirements of this part and keep records necessary to administer the plan. This plan and future revisions shall be submitted to the gas pipeline safety section."

(aa) The following shall be added to 49 C.F.R. 192.603: "(d) Each operator shall have regulator and relief valve test, maintenance and capacity calculation records in its possession whether the town border station is owned by the operator or by a wholesale supplier, if the supplier's relief valve capacity is utilized to provide protection for the operator's system.

"(e) Each operator shall be responsible for ensuring that all work completed by its consultants and contractors complies with this part."

(bb) 49 C.F.R. 192.617 shall be deleted and replaced by the following: "Investigation of failures. (a) Each operator shall establish procedures for analyzing accidents and failures, including the selection of samples of the failed facility or equipment for laboratory examination, where appropriate, for the purpose of determining the causes of the failure and minimizing the possibility of a recurrence.

"(b) Each operator shall investigate each accident and failure."

(cc) 49 C.F.R. 192.625(f) shall be deleted and replaced by the following: "(f) Each operator shall assure the proper concentration of odorant and shall maintain records of these samplings for at least two years in accordance with this section by the following:

"(1) Conduct monthly odorometer sampling of combustible gases at selected points in the system; and

"(2) conduct sniff tests during each service call."

(dd) 49 C.F.R. 192.703 shall be deleted and replaced by the following: "General. (a) No person shall operate a segment of pipeline unless it is maintained in accordance with this subpart.

"(b) Leak detection equipment shall be calibrated monthly with a known hydrocarbon concentration sample, except if not used, then calibration shall be performed prior to the next use. Any leak detection equipment utilizing a technology which collects samples and then analyzes rather than continuously monitoring shall not be used at intervals exceeding six feet.

"(c) Each segment of pipeline that becomes unsafe shall be replaced, repaired or removed from service within five days of the operator being notified of the existence of the unsafe condition.

"(d) Each operator shall inspect and classify all reports of gas leaks within two hours of notification.

"(e) Leaks shall be classified by use of a combustible gas indicator instrument and shall be determined as follows:

"(1) A class 1 leak means a leak that represents an existing or probable hazard to persons or property, and requires immediate repair or continuous action until the conditions are no longer hazardous. This class of leak may include the following conditions:

"(A) Any leak which, in the judgment of operating personnel at the scene, is regarded as an immediate hazard;

"(B) any leak in which escaping gas has ignited;

"(C) any indication that gas has migrated into or under a building, or into a tunnel;

"(D) any LEL percentage reading at the outside wall of a building, or where gas would likely migrate to an outside wall of a building;

"(E) any reading of 80% LEL, or greater, in a confined space;

"(F) any reading of 80% LEL, or greater, in a small substructure from which gas would likely migrate to the outside wall of a building; or

"(G) any leak that can be seen, heard, or felt, and which is in a location that may endanger the general public or property.

"(2) A class 2 leak means a leak that is nonhazardous at the time of detection, but justifies scheduled repair based on probable future hazard. Class 2 leaks shall be repaired within six months after detection. Under adverse soil conditions, a Class 2 leak shall be monitored weekly to assure that the leak will not represent a probable hazard and that it reasonably can be expected to remain nonhazardous. This class of leak may include the following conditions:

"(A) any reading of 40% LEL, or greater, under a sidewalk in a wall-to-wall paved area that does not qualify as a class 1 leak;

"(B) any reading of 100% LEL, or greater, under a street in a wall-to-wall paved area that has significant gas migration and does not qualify as a class 1 leak;

"(C) any reading less than 80% LEL in a small substructure from which gas would likely migrate creating a probable future hazard;

“(D) any reading between 20% LEL and 80% LEL in a confined space;

“(E) any reading on a pipeline operating at 30% SMYS, or greater, in a class 3 or 4 location, which does not qualify as a class 1 leak;

“(F) any reading of 80% LEL, or greater, in a gas associated substructure; or

“(G) any leak which, in the judgment of operating personnel at the scene, is of significant magnitude to justify scheduled repair.

“(3) A class 3 leak means a leak that is nonhazardous at the time of detection and can reasonably be expected to remain nonhazardous. These leaks shall be rechecked at least every six months and repaired or replaced within 30 months. This class of leak may include the following conditions:

“(A) any reading of less than 80% LEL in a small gas associated substructure;

“(B) any reading under a street in areas without wall-to-wall paving where it is unlikely the gas could migrate to the outside wall of a building; or

“(C) any reading of less than 20% LEL in a confined space.”

(ee) 49 C.F.R. 192.721(a) shall be deleted and replaced by the following two sentences and table: “(a) The frequency with which mains are patrolled shall be determined by the severity of the conditions which could cause failure or leakage, and the consequent hazards to public safety. Intervals between patrols shall not be longer than those prescribed in the following table:

Maximum Intervals Between Patrols

Class Location of Line	At highway and railroad crossings	At all other locations
1, 2	7½ months; but at least twice each calendar year.	15 months; but at least once each calendar year.
3	4½ months; but at least four times each calendar year.	7½ months; but at least twice each calendar year.
4	4½ months; but at least four times each calendar year.	4½ months; but at least four times each calendar year.”

(ff) 49 C.F.R. 192.723 shall be deleted and replaced by the following: “Distribution systems: leak surveys and procedures. (a) Each operator of a distribution system shall provide for periodic leakage surveys in its operating and maintenance plan.

“(b) The type and scope of the leakage control program shall be determined by the nature of the operations and the local conditions, but it shall meet the following minimum requirements:

“(1) A flame ionization leakage survey shall be conducted in business districts, including tests of the atmosphere in gas, electric, telephone, sewer and water system manholes, at cracks in pavement and sidewalks, and at other locations providing an opportunity for finding gas leaks. This survey shall be conducted at intervals not exceeding 15 months, but at least once each calendar year.

“(2) A flame ionization leakage survey of the distribution system shall be conducted outside the business areas. The survey shall be made as frequently as necessary, but at least once every three calendar years at intervals not exceeding 42 months.

“(3) Each operator’s operations and maintenance manual shall state that company-designated employees are to be trained in and conduct vegetation leak surveys where vegetation is suitable to such analysis.

“(4) Each leakage survey record shall be kept for at least two years.

“(c) Flame ionization surveys shall be conducted for all service lines and yard lines as follows:

“(1) Except for the service lines described in paragraph (d) of this section, all service lines and yard lines shall be surveyed at least once every three years at intervals not exceeding 42 months.

“(2) For yard lines more than 300 feet in length and operating at a pressure less than two p.s.i.g., only the portion within 300 feet of a habitable dwelling must be leak surveyed in accordance with these regulations.

“(d) Unprotected steel service lines and yard lines must be surveyed annually at intervals not exceeding 15 months.”

(gg) The following shall be added to 49 C.F.R. 192.755: “(c) Each operator with cast iron piping shall institute all of the following for the purposes of evaluation and replacement of cast iron pipelines:

“(1) Collect a coupon each time cast iron piping is uncovered. If long stretches of pipe are uncovered or if a series of short sections of pipe are uncovered, it shall not be necessary to take coupons at less than 200-foot intervals.

“(2) Take additional coupons, if necessary, to obtain a random sample of the entire system. The minimum annual rate of such sampling shall be one coupon for each two miles of cast iron pipe installed. The maximum required annual rate is one coupon for each one mile of cast iron pipe installed.

“(3) Conduct laboratory analysis on all coupons to determine the percentage of graphitization. Using the following equation:

$$\text{Percent of graphitization} = \frac{(\text{Maximum depth of graphitization})}{(\text{wall thickness})} \times 100$$

“(4) Replace at least one city block (approximately 500 feet) within 120 days of the operator’s knowledge of the laboratory test results, each time the results show graphitization equal to or greater than the following in a coupon:

Diameter	Percent Graphitization
2.0 inch	25%
3.0 inch and 4.0 inch	60%
6.0 inch and 8.0 inch	75%
10.0 inch or greater	90%

“(5) Coupons shall be submitted for analysis within 30 days of collection. Retain all sampling records for the life of the facility, but not less than five years.”

(hh) 49 C.F.R. 192.801(b)(3) shall be deleted and replaced by the following: “(3) Is performed as a requirement of K.A.R. 82-11-4; and.” (Authorized by and implementing K.S.A. 66-1,150, as amended by L. 2002, ch. 77, (continued)

sec. 7; effective, T-82-10-28-88, Oct. 28, 1988; effective, T-82-2-25-89, Feb. 25, 1989; revoked, T-82-3-31-89, April 30, 1989; effective May 1, 1989; amended April 16, 1990; amended March 12, 1999; amended July 7, 2003.)

**82-11-8. Customer installations: location and monitoring responsibility.** (a) For residential and small commercial customers, the operator may locate a meter at either the customer's building wall or the customer's property line or easement.

(b) For industrial and large commercial customers, the operator's meter location shall be determined by mutual agreement between the operator and the customer. Each location shall provide for an adequate margin of safety from public road and on-site traffic. Each customer shall be responsible for notifying the operator of any changes in on-site traffic patterns or other conditions that could subsequently render the agreed-upon meter location unsafe. Before installing the meter, each operator shall provide written notice to the customer of the customer's obligation to monitor and report potential unsafe conditions.

(c) For each residential and commercial customer installation placed in service after May 1, 1989, the operator shall ensure that the installation or repair of all yard lines complies with the design, installation, testing, maintenance, and replacement requirements as specified in K.A.R. 82-11-4, K.A.R. 82-11-6, K.A.R. 82-11-7, K.A.R. 82-11-9, and K.A.R. 82-11-10.

(d) For each residential and commercial customer installation placed in service before May 1, 1989, the operator shall ensure that the installation or repair of all yard lines complies with the testing, maintenance, and replacement requirements as specified in K.A.R. 82-11-4, K.A.R. 82-11-6, K.A.R. 82-11-7, K.A.R. 82-11-9, and K.A.R. 82-11-10.

(c) Notwithstanding the requirements of subsections (c) and (d) of this regulation, the following requirements shall apply to residential customer installations located in Class 1 areas with maximum operating pressures of 10 p.s.i.g. or less:

(1) For each residential customer installation placed in service before May 1, 1989, the operator shall perform leak surveys in accordance with K.A.R. 82-11-4(ff). All other installation, testing, maintenance, and replacement requirements specified in K.A.R. 82-11-4, K.A.R. 82-11-6, K.A.R. 82-11-7, K.A.R. 82-11-9, and K.A.R. 82-11-10 shall apply only to that portion of the yard line within 150 feet of a building wall.

(2) For each residential customer installation placed in service on or after May 1, 1989, the operator shall perform leak surveys in accordance with K.A.R. 82-11-4(ff). All other design, installation, testing, maintenance, and replacement requirements specified in K.A.R. 82-11-4, K.A.R. 82-11-6, K.A.R. 82-11-7, K.A.R. 82-11-9, and K.A.R. 82-11-10 shall apply only to that portion of the yard line within 150 feet of a building wall.

(3) Each residential, customer-owned installation shall be provided with odorized gas and maintained according to the requirements of K.A.R. 82-11-4(cc). (Authorized by and implementing K.S.A. 66-1,150, as amended by L. 2002, ch. 77, sec. 7; effective, T-82-10-28-88, Oct. 28, 1988;

effective, T-82-2-25-89, Feb. 25, 1989; revoked, T-82-3-31-89, April 30, 1989; effective May 1, 1989; amended July 7, 2003.)

**82-11-10. Drug and alcohol testing.** The federal regulations titled "drug and alcohol testing," 49 C.F.R., Part 199, as in effect October 1, 2002, are adopted by reference only as they apply to operators of pipeline facilities that deal in the transportation of natural gas by pipeline. (Authorized by and implementing K.S.A. 66-1,150; effective April 16, 1990; amended March 12, 1999; amended July 7, 2003.)

Susan K. Duffy  
Executive Director

Doc. No. 029463

## State of Kansas

### Behavioral Sciences Regulatory Board

#### Permanent Administrative Regulations

#### Article 2.—LICENSING OF SOCIAL WORKERS

**102-2-12. Licensed specialist clinical social work licensure requirements.** (a) Educational requirements. In order for an applicant who earns a degree before July 1, 2003 to qualify for licensure as a licensed specialist clinical social worker, the applicant shall meet, as a part of or in addition to the educational requirements provided in K.S.A. 65-6306, and amendments thereto, the following educational requirements:

(1) Satisfactory completion of at least three graduate academic hours in a discrete academic course whose primary and explicit focus is upon psychopathology and the diagnosis and treatment of mental disorders classified in the diagnostic manuals commonly used as a part of accepted social work practice;

(2) satisfactory completion of a graduate-level, clinically oriented social work practicum that fulfills these requirements:

(A) Is taken after completion of the graduate-level, clinically focused academic courses that are prerequisite to entering the clinical practicum;

(B) is an integrated, conceptually organized academic experience and is not an after-the-fact tabulation of clinical experience;

(C) occurs in a practice setting that, by its nature and function, clearly supports clinical social work practice and consistently provides opportunities for the supervised application of clinical social work practice knowledge, skills, values, and ethics; and

(D) provides training and close supervision in a wide range of clinical social work practice activities with a population of clients presenting a diverse set of problems and backgrounds.

(b) Each applicant for licensure as a specialist clinical social worker who earns a degree on or after July 1, 2003 shall meet the following requirements:

(1) Satisfactory completion of 15 graduate-level credit hours supporting diagnosis or treatment of mental disorders using the diagnostic and statistical manual of men-

tal disorders as specified in K.A.R. 102-2-14. Three of the 15 credit hours shall consist of a discrete academic course whose primary and explicit focus is upon psychopathology and the diagnosis and treatment of mental disorders as classified in the diagnostic and statistical manual of mental disorders. The 15 graduate-level credit hours shall be from a social work program accredited by the council on social work education or a social work program in substantial compliance as prescribed in K.A.R. 102-2-6 and approved by the board; and

(2) completion of one of the following experience requirements:

(A) A graduate-level, supervised clinical practicum of professional experience that includes psychotherapy and assessment. The practicum shall integrate diagnosis and treatment of mental disorders with use of the diagnostic and statistical manual of mental disorders as identified in K.A.R. 102-2-14 and shall include not less than 350 hours of direct client contact; or

(B) postgraduate supervised experience including psychotherapy and assessment. The experience shall integrate diagnosis and treatment of mental disorders with use of the diagnostic and statistical manual of mental disorders, as specified in K.A.R. 102-2-14. The experience shall consist of not less than 700 hours of supervised experience, including not less than 350 hours of direct client contact. This experience shall be in addition to the 4,000 hours of postgraduate, supervised experience required for each licensed specialist clinical social worker, as specified in subsection (c). The applicant shall provide documentation of this postgraduate experience on board-approved forms. The supervision shall comply with K.A.R. 102-2-8 and K.A.R. 102-2-12(c) and shall be in addition to the supervision requirements in K.A.R. 102-2-12(c)(4).

(c) To receive board approval for the minimum total of 4,000 hours, within a maximum period of six calendar years, of postgraduate, supervised clinical experience required under K.S.A. 65-6306 and amendments thereto, each applicant for licensure as a specialist clinical social worker who has not filed an acceptable clinical supervision training plan with the board before July 1, 2000 shall fulfill the following requirements:

(1) The supervisor and supervisee shall develop and co-sign a clinical supervision training plan on forms provided by the board and submit this plan to the board for consideration for approval before beginning clinical supervision. The clinical supervision training plan shall comply with K.A.R. 102-2-8. If changes or amendments to the plan occur after initial board approval, these changes or amendments shall be submitted to the board for consideration for approval;

(2) complete, in not less than two years and not more than six years, a minimum of 4,000 hours of satisfactorily evaluated postgraduate, supervised clinical social work practice experience under the supervision of a qualified licensed specialist clinical social worker. A minimum of 2,000 hours of the applicant's total postgraduate, supervised clinical experience shall consist of a combination of the following types of social work services:

(A) At least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families, or groups; and

(B) up to 500 hours of providing clinical social work practice services;

(3) complete all required practice under supervision in accordance with K.A.R. 102-2-8; and

(4) participate in a minimum of 100 supervisory meetings consisting of not less than 150 hours of clinical supervision. A minimum of 75 hours of the 150 required hours of supervision shall be person-to-person, individual supervision. The supervision shall integrate the diagnosis and treatment of mental disorders with the use of the diagnostic and statistical manual of mental disorders specified in K.A.R. 102-2-14. A maximum of one hour and 30 minutes of supervision shall be counted for each 20 hours of clinical social work practice.

(d) At the time of the individual's application for licensure as a specialist clinical social worker, the applicant's supervisor shall submit documentation that is satisfactory to the board and that enables the board to evaluate the nature, quality, and quantity of the applicant's supervised clinical social work experience. This documentation shall include the following information:

(1) A written summary of the types of clients and situations dealt with during the supervisory sessions;

(2) a written summary that addresses the degree to which the goals and objectives of supervision have been met;

(3) a chronological roster that specifies the date, length, and format of each supervisory meeting;

(4) a written statement and supportive documentation that describes the applicant's practice setting and provides a summary of the applicant's practice activities and responsibilities that occurred while under supervision;

(5) a statement indicating whether or not the applicant merits the public trust; and

(6) an evaluation of the applicant's supervised clinical social work experience. (Authorized by K.S.A. 74-7507, K.S.A. 65-6306 and K.S.A. 65-6308; implementing K.S.A. 65-6306 and K.S.A. 65-6308; effective, T-85-36, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1987; amended Feb. 25, 1991; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 7, 2003.)

### Article 3.—PROFESSIONAL COUNSELORS

**102-3-7a. Professional postgraduate supervised experience requirement to be licensed as a clinical professional counselor.** In order to be approved by the board for licensure as a clinical professional counselor, the applicant's professional postgraduate supervised experience of professional counseling shall meet the following standards. (a) Clinical supervision shall be provided throughout the entirety of the postgraduate supervised professional experience at a ratio of one hour of clinical supervision for each 15 hours of direct client contact, specified as follows:

(1) At least 50 hours of one-on-one individual supervision occurring with the supervisor and supervisee in the same physical space;

(2) at least 100 hours of supervision with one supervisor and one to six supervisees in the same physical space except when not practical due to an emergency or

(continued)

other exigent circumstances, at which time person-to-person contact by interactive video or other telephonic means maintaining confidentiality shall be allowed; and

(3) at least two separate supervisory sessions per month, one of which shall be one-on-one individual supervision.

(b) Each applicant with a doctor's degree in professional counseling shall complete a minimum of one-half of the postgraduate supervised professional experience requirements as follows:

(1) At least 25 hours of one-on-one individual supervision occurring with the supervisor and supervisee in the same physical space;

(2) at least 50 hours of supervision with one supervisor and one to six supervisees in the same physical space except when not practical due to an emergency or other exigent circumstances, at which time person-to-person contact by interactive video or other telephonic means maintaining confidentiality shall be allowed; and

(3) at least two separate supervisory sessions per month, one of which shall be one-on-one individual supervision.

(c) The clinical supervisor of a person attaining the 4,000 hours of supervised professional experience required for licensure as a clinical professional counselor, at the time of providing supervision, shall meet one of the following qualifying provisions.

(1) The clinical supervisor shall be a clinical professional counselor who is licensed in Kansas or is registered or licensed in another jurisdiction and has practiced as a clinical professional counselor for two years beyond the supervisor's licensure date.

(2) If a licensed clinical professional counselor is not available, the clinical supervisor may be a person who is qualified by educational coursework and degree for licensure as a clinical professional counselor in Kansas and who has at least five years of postgraduate professional experience in clinical professional counseling.

(3) If a licensed clinical professional counselor is not available, the clinical supervisor may be a person who has been licensed at the graduate level to practice in one of the behavioral sciences, and whose authorized scope of practice permits the independent practice of counseling, therapy, or psychotherapy. The qualifying individual shall not have had less than two years of clinical practice beyond the qualifying licensure at the time the individual provided the clinical supervision.

(d) To further qualify as a clinical supervisor, an individual shall meet these requirements:

(1) Have professional authority over and responsibility for the supervisee's clinical functioning in the practice of professional counseling;

(2) not have a dual relationship with the supervisee;

(3) not be under any sanction from a disciplinary proceeding, unless this prohibition is waived by the board for good cause shown by the proposed supervisor;

(4) have knowledge of and experience with the supervisee's client population;

(5) have knowledge of and experience with the methods of practice that the supervisee employs;

(6) have an understanding of the organization and the administrative policies and procedures of the supervisee's practice setting; and

(7) if available, be a staff member of the supervisee's practice setting.

(e) When a qualified clinical supervisor is not available from staff in the supervisee's practice setting, the supervisee may secure an otherwise qualified clinical supervisor outside the practice setting if all of the following conditions are met:

(1) The supervisor has a solid understanding of the practice setting's mission, policies, and procedures.

(2) The extent of the supervisor's responsibility for the supervisee is clearly defined in terms of client cases to be supervised, role in personnel evaluation within the practice setting, and other aspects of the training plan.

(3) The responsibility for payment for supervision is clearly defined.

(4) If the supervisee pays the supervisor directly for the supervision, the supervisor maintains responsibility to the client and to the practice setting.

(f) Each professional counseling clinical supervisor shall perform the following:

(1) Provide oversight, guidance, and direction of the supervisee's clinical practice of professional counseling by assessing and evaluating the supervisee's performance;

(2) conduct supervision as a process distinct from personal therapy, didactic instruction, or professional counseling consultation;

(3) provide documentation of supervisory qualifications to the supervisee;

(4) periodically evaluate the supervisee's clinical functioning;

(5) provide supervision in accordance with the clinical supervision training plan;

(6) maintain documentation of supervision in accordance with the clinical supervision training plan;

(7) provide documentation required by the board when a supervisee completes the supervision. The supervisor shall submit this documentation on board-approved forms and in a manner that will enable the board to evaluate the extent and quality of the supervisee's professional experience and assign credit for that experience;

(8) provide a level of supervision that is commensurate with the education, training, experience, and ability of both the supervisor and the supervisee; and

(9) ensure that each client knows that the supervisee is practicing professional counseling under supervision.

(g) Clinical supervision training plan. Each supervisor and the supervisee shall develop and co-sign a written clinical supervision training plan on forms provided by the board at the beginning of the supervisory relationship and submit this plan to the board for approval. This agreement shall clearly define and delineate the following items:

(1) The supervisory context;

(2) a summary of the anticipated types of clients and the services to be provided;

(3) the format and schedule of supervision;

(4) a plan for documenting the following information:

(A) The date of each supervisory meeting;

(B) the length of each supervisory meeting;

(C) a designation of each supervisory meeting as an individual or group meeting;



(D) a designation of each supervisory meeting as conducted in the same physical space or otherwise in the case of emergency; and

(E) evaluation of the supervisee's progress under clinical supervision;

(5) a plan for notifying clients of the following:

(A) The fact that the supervisee is practicing professional counseling under supervision;

(B) the limits of client confidentiality within the supervisory process; and

(C) the name, address, and telephone number of the clinical supervisor;

(6) the date that the clinical supervision training plan was entered and the time frame that it is intended to encompass;

(7) an agreement to amend or renegotiate the terms of the clinical supervision training plan, if warranted, including notification of these changes made in writing to the board office;

(8) the supervisee's informed consent for the supervisor to discuss supervision or performance issues with the supervisee's clients, the supervisee's other professional counseling or employment supervisors, the board, or any other individual or entity to which either the supervisee or the supervisor is professionally accountable; and

(9) a statement signed by each supervisor and the supervisee acknowledging that each person has read and agrees to the postgraduate supervised experience requirements set forth in this regulation. (Authorized by K.S.A. 74-7507; implementing K.S.A. 65-5804a; effective April 17, 1998; amended Aug. 4, 2000; amended July 7, 2003.)

#### Article 5.—LICENSED MARRIAGE AND FAMILY THERAPISTS

**102-5-3. Educational requirements.** (a) To qualify for licensure with a master's or doctoral degree from a marriage and family therapy program, the following requirements shall be met:

(1) The college or university at which the applicant completed a master's or doctoral degree in marriage and family therapy shall be regionally accredited with accreditation standards equivalent to those in Kansas.

(2) The marriage and family therapy program for which the applicant completed a master's or doctoral degree either shall be accredited by the commission on accreditation for marriage and family therapy education or shall meet standards approved by the board as set out in paragraph (a)(3).

(3) Each marriage and family therapy program that is not accredited by the commission on accreditation for marriage and family therapy education shall meet these conditions:

(A) The program requires satisfactory completion by the applicant of a marriage and family therapy practicum, or its equivalent, that is provided by the program and that fulfills these conditions:

(i) Is a part-time clinical experience that integrates didactic learning with clinical experience and that is completed concurrently with didactic coursework at a typical rate of five to 10 hours of direct client contact per week;

(ii) consists of at least 500 hours of client contact; and

(iii) includes at least 100 hours of supervision that is provided by the program's core faculty and off-site supervisors. The practicum shall provide a minimum of 50 supervised hours in an individual format and no more than 50 supervised hours in a group format. Supervision shall occur at least once a week.

(B) The program requires that each marriage and family therapy student successfully complete a minimum of nine semester credit hours or their academic equivalent in each of the following substantive content areas:

(i) Human development and family study courses in which the interplay between interpersonal and intrapersonal development is stressed and issues of gender, ethnicity, and ecosystems are addressed as they relate to human development. These courses may include studies in sexuality, sexual functioning, sexual identity, sexism, stereotyping, and racism;

(ii) theoretical foundations of marital and family functioning courses, including an overview of the historical development of systems theory and cybernetics, and a study of the life cycle of the family and the process and modification of family structures over time. These courses may include studies in the birth of the first child, adolescent sexual development, death of a family member, and issues of context, including gender and ethnicity; and

(iii) marital and family assessment and therapy courses that underscore the interdependence between diagnosis or assessment and treatment by insuring that students can use appropriate assessment instruments and methods within a systemic context. These courses shall also provide a thorough understanding of the major models of system change, including structural, strategic, intergenerational, contextual, experiential, systemic, and behavioral models; shall teach the principles and techniques evolving from each model; and shall address the indications and contraindications of using each technique, the rationale for intervention, the role of the therapist, and the importance of considering gender and ethnicity.

(C) The program requires that each marriage and family therapy student successfully complete a minimum of three semester credit hours or their academic equivalent in each of the following substantive content areas:

(i) A professional study course that contributes to the development of a professional attitude and identity by examining the role of professional socialization, professional organizations, licensure and certification, the code of ethics, legal responsibilities and liabilities of clinical practice and research, and interprofessional cooperation, as these topics relate to the profession and practice of marriage and family therapy. A generic course in ethics shall not be considered appropriate for this area of study; and

(ii) a research course in which students gain an understanding of research methodology, data analysis, computer research skills, and evaluation and critical examination of professional research reports. The emphasis of the course shall be placed on the quantitative and qualitative research that is relevant to marriage and family therapy.

(continued)

(b) To qualify for licensure with a master's or doctoral degree in a related field, both of the following requirements shall be met:

(1) The college or university at which the applicant completed a master's or doctoral degree in a related field shall be regionally accredited, with accreditation standards equivalent to those in Kansas.

(2) To be considered equivalent to a marriage and family therapy program, the related-field degree program shall have provided and the applicant shall have completed the requirements of paragraph (a)(3).

(c) To qualify for licensure with a master's or doctoral degree in a related field with additional coursework in marriage and family therapy, both of the following requirements shall be met:

(1) The college or university at which the applicant completed a master's or doctoral degree in a related field shall be regionally accredited, with accreditation standards equivalent to those in Kansas.

(2) The marriage and family therapy program at which the applicant obtained additional coursework in marriage and family therapy either shall be accredited by the commission on accreditation for marriage and family therapy education or shall meet standards approved by the board as set out in paragraph (a)(3).

(d) Each applicant for licensure as a clinical marriage and family therapist whose master's or doctoral degree is earned on or after July 1, 2003 shall meet the following education requirements:

(1) A graduate degree required by the board for licensure as a licensed marriage and family therapist in accordance with subsection (a), (b), or (c); and

(2) completion of 15 graduate credit hours supporting diagnosis or treatment of mental disorders using the diagnostic and statistical manual of mental disorders as specified in K.A.R. 102-5-14. Three of the 15 credit hours shall consist of a discrete academic course with the primary and explicit focus of psychopathology and the diagnosis and treatment of mental disorders as classified in the diagnostic and statistical manual of mental disorders. The remaining 12 graduate credit hours shall consist of academic courses with the primary and explicit focus of diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches, and professional ethics, or coursework that specifically contains identifiable, equivalent instruction. The 15 graduate credit hours shall be from an educational institution meeting the requirements described in subsection (a), (b), or (c).

(e) The following activities shall not be substituted for or counted toward any of the educational or supervised experiential requirements set out in subsections (a) through (d):

(1) Academic courses that the applicant completed as a part of or in conjunction with undergraduate degree requirements;

(2) independent studies;

(3) thesis or independent research courses;

(4) academic coursework that has been audited rather than graded;

(5) academic coursework for which the applicant received an incomplete or a failing grade;

(6) graduate or postgraduate coursework or experiential training provided by colleges, universities, institutes, or training programs that do not qualify under subsection (a), (b), or (c); and

(7) continuing education or in-service or on-the-job training. (Authorized by K.S.A. 65-6404 and 74-7507; implementing K.S.A. 65-6404; effective March 29, 1993; amended Dec. 19, 1997; amended July 7, 2003.)

**102-5-7a. Postgraduate supervised professional experience requirement for a clinical marriage and family therapist.**

In order to be approved by the board for licensure as a clinical marriage and family therapist, the applicant's postgraduate supervised professional experience of marriage and family therapy, totaling 4,000 hours of professional experience inclusive of 1,500 hours of direct client contact, shall meet all of the following standards: (a) Except as provided in subsection (b), clinical supervision shall be provided throughout the entirety of the postgraduate supervised professional experience as specified below:

(1) At least 50 hours of one-on-one individual clinical supervision occurring with the supervisor and supervisee in the same physical space;

(2) at least 100 hours of clinical supervision with one supervisor and no more than six supervisees in the same physical space, except when not practical due to an emergency or other exigent circumstances, at which time person-to-person contact by interactive video or other telephonic means maintaining confidentiality shall be allowed;

(3) at least one hour of clinical supervision during each week in which the applicant has 15 or more hours of direct client contact; and

(4) at least two separate clinical supervision sessions per month, at least one of which shall be one-on-one, individual supervision.

(b) Each applicant with a doctor's degree in marriage and family therapy or a related field as defined in K.A.R. 102-5-1 shall complete a minimum of one-half of the postgraduate supervised professional experience requirements as specified below:

(1) At least 25 hours of one-on-one, individual supervision occurring with the supervisor and supervisee in the same physical space;

(2) at least 50 hours of supervision with one supervisor and no more than six supervisees in the same physical space, except when not practical due to an emergency or other exigent circumstances, at which time person-to-person contact by interactive video or other telephonic means maintaining confidentiality shall be allowed; and

(3) at least two separate supervisory sessions per month, at least one of which shall be one-on-one, individual supervision.

(c) The clinical supervisor of a person attaining the 4,000 hours of postgraduate supervised professional experience required for licensure as a clinical marriage and family therapist, at the time of providing supervision, shall meet one of the following qualifying provisions:

(1) The clinical supervisor shall be a clinical marriage and family therapist who is licensed in Kansas or has been registered, certified, or licensed in another jurisdic-

tion and, beginning July 1, 2003, has engaged in the independent practice of clinical marriage and family therapy, including the diagnosis and treatment of mental disorders, for at least two years beyond the supervisor's registration, certification, or licensure date as a clinical marriage and family therapist.

(2) If a licensed clinical marriage and family therapist is not available, the clinical supervisor may be a person who has been registered, certified, or licensed at the graduate level to practice in one of the behavioral sciences, and whose authorized scope of practice permits the diagnosis and treatment of mental disorders. The qualifying individual shall not have had less than two years of professional experience in the independent practice of clinical marriage and family therapy.

(d) In addition to the requirements of subsection (c), each clinical supervisor shall meet these requirements:

(1) Have professional authority over and responsibility for the supervisee's clinical functioning in the practice of marriage and family therapy;

(2) not have a dual relationship with the supervisee;

(3) not be under any sanction from a disciplinary proceeding, unless the board waives this prohibition for good cause shown by the proposed supervisor;

(4) have knowledge of and experience with the supervisee's client population;

(5) have knowledge of and experience with the methods of practice that the supervisee employs;

(6) have an understanding of the organization and the administrative policies and procedures of the practice setting; and

(7) be a member of the practice setting staff or meet the requirements of subsection (e).

(e) The supervisee may secure an otherwise qualified clinical supervisor outside the practice setting if all of the following conditions are met:

(1) The supervisor has a solid understanding of the practice setting's mission, policies, and procedures.

(2) The extent of the supervisor's responsibility for the supervisee is clearly defined in terms of client cases to be supervised, role in personnel evaluation within the practice setting, and other aspects of the training plan.

(3) The responsibility for payment for supervision is clearly defined.

(4) If the supervisee pays the supervisor directly for the supervision, the supervisor maintains responsibility to the client and to the practice setting.

(f) Each clinical supervisor shall perform the following:

(1) Provide oversight, guidance, and direction of the supervisee's clinical practice of marriage and family therapy by assessing and evaluating the supervisee's performance;

(2) conduct supervision as a process distinct from personal therapy, didactic instruction, or marriage and family therapy consultation;

(3) provide documentation of supervisory qualifications to the supervisee;

(4) periodically evaluate the supervisee's clinical functioning;

(5) provide supervision in accordance with the clinical supervision training plan;

(6) maintain documentation of supervision in accordance with the clinical supervision training plan;

(7) provide documentation required by the board when a supervisee completes the postgraduate supervised professional experience. The supervisor shall submit this documentation on board-approved forms and in a manner that will enable the board to evaluate the extent and quality of the supervisee's professional experience and assign credit for that experience;

(8) provide a level of supervision that is commensurate with the education, training, experience, and ability of both the supervisor and the supervisee; and

(9) ensure that each client knows that the supervisee is practicing marriage and family therapy under supervision.

(g) The supervisor and supervisee shall develop and co-sign a clinical supervision training plan on forms provided by the board at the beginning of the supervisory relationship and submit this plan to the board for approval. This agreement shall clearly define and delineate the following items:

(1) The supervisory context;

(2) a summary of the anticipated types of clients and the services to be provided;

(3) the format and schedule of supervision;

(4) a plan for documenting the following:

(A) The date of each supervisory meeting;

(B) the length of each supervisory meeting;

(C) a designation of each supervisory meeting as an individual or group meeting;

(D) a designation of each supervisory meeting as conducted in the same physical space or otherwise, in the case of emergency; and

(E) evaluation of the supervisee's progress under clinical supervision;

(5) a plan to notify clients of the following:

(A) The fact that the supervisee is practicing marriage and family therapy under supervision;

(B) the limits of client confidentiality within the supervisory process; and

(C) the name, address, and telephone number of the clinical supervisor;

(6) the date on which the clinical supervision training plan was entered into and the time frame that the plan is intended to encompass;

(7) an agreement to amend or renegotiate the terms of the clinical supervision training plan, if warranted, including written notification of these changes made in writing to the board office;

(8) the supervisee's informed consent for the supervisor to discuss supervision or performance issues with the supervisee's clients, the supervisee's other marriage and family therapy or employment supervisors, the board, or any other individual or entity to which either the supervisee or the supervisor is professionally accountable; and

(9) a statement signed by each supervisor and supervisee acknowledging that each person has read and agrees to the postgraduate supervised professional experience requirements set forth in this regulation. (Authorized by K.S.A. 74-7507; implementing K.S.A. 65-6404

*(continued)*

and 65-6405; effective April 17, 1998; amended Oct. 22, 1999; amended Aug. 4, 2000; amended July 7, 2003.)

Phyllis Gilmore  
Executive Director

Doc. No. 029466

## State of Kansas

### Social and Rehabilitation Services

#### Permanent Administrative Regulations

#### Article 60.—LICENSING OF COMMUNITY MENTAL HEALTH CENTERS

**30-60-1. Scope.** The regulations set forth in this article shall provide for the licensing of, and set the standards for the services and programs required of, community mental health centers, including the following:

(a) Each center organized as a community mental health center pursuant to the provisions of K.S.A. 19-4001 et seq., and amendments thereto;

(b) each center organized as a mental health clinic pursuant to the provisions of K.S.A. 65-211 et seq., and amendments thereto; and

(c) each affiliated center meeting the exception specified in K.S.A. 75-3307b(b), and amendments thereto. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 75-3307b, 75-3307c, and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-2. Definitions.** Words and phrases used in this article but not defined in this regulation shall have the same meanings as they are defined to have in the "care and treatment act for mentally ill persons," K.S.A. 59-2945 et seq., and amendments thereto, or in the "mental health reform act," K.S.A. 39-1601 et seq., and amendments thereto. (a) "Affiliate" means any individual or agency that independently provides mental health services and that has entered into an affiliation agreement with a community mental health center in accordance with the provisions of K.A.R. 30-60-29.

(b) "Affiliated center" means any community mental health center that is licensed by the secretary in accordance with this article, based upon the exception specified in K.S.A. 75-3307b(b) and amendments thereto.

(c) "Center" means a community mental health center that is organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, or K.S.A. 65-211 et seq., and amendments thereto, and that is licensed by the secretary in accordance with this article. This term shall not include any "affiliated center" that is licensed by the secretary in accordance with this article, based upon the exception specified in K.S.A. 75-3307b(b) and amendments thereto.

(d) "Consumer" means a person, whether a child, an adolescent, or an adult, who is in need of, is currently receiving, or has recently received any services from any mental health services provider. This term shall include, when appropriate in the context, the spouse of an adult consumer, the legal guardian of a consumer, the parent of a minor who is a consumer, the foster parent of a minor who is the subject of juvenile court proceedings, other

members of the immediate family of a minor who is a consumer, and other individuals, including members of the immediate family of an adult consumer, who may be living with or assisting, or are otherwise being supportive of a consumer.

(e) "Contractor" means any individual or agency providing any service to a licensee in accordance with a contract, whether written or oral, entered into by the licensee and the contractor. This term shall not include a licensee. A "contractor" may also be an "affiliate" if the individual or agency has entered into an affiliation agreement with a center in accordance with the provisions of K.A.R. 30-60-29.

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

(g) "Division" means the division of mental health, addiction and prevention services within the department of social and rehabilitation services.

(h) "Executive director" means the individual appointed by a licensee in compliance with K.A.R. 30-60-40(a), regardless of whether that individual has been given any other title by the licensee. This term shall include, when appropriate, the designee of the executive director.

(i) "Licensee" means either a community mental health center licensed by the secretary in accordance with this article, or an "affiliated center" licensed by the secretary in accordance with this article. This term shall not include an "affiliate" or a "contractor."

(j) "Secretary" means the secretary of social and rehabilitation services. This term shall include, when appropriate, the assistant secretary for health care policy. (Authorized by K.S.A. 39-1603(t), 75-3307b; implementing K.S.A. 39-1603(t), 75-3304a, and 75-3307b; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-5. Two types of license; requirements.** (a) Two types of license shall be issued by the secretary in accordance with this article. One shall be titled "community mental health center." The other shall be titled "affiliated community mental health center." To be eligible for either license, the applicant agency shall demonstrate that it can and will comply with all of the applicable requirements contained within this article. However, the applicant agency shall not be required to meet the requirements contained within article 61 that provide for those additional services and programs that a center must be capable of and willing to provide in order to be eligible to contract with the secretary to become a participating community mental health center.

(b) (1) Only one license shall be issued by the secretary to operate a "community mental health center" within a designated service area, which shall be stated upon the license issued.

(2) If the board of county commissioners for any county within the service area of a licensed center, pursuant to K.S.A. 19-4001 and amendments thereto, notifies the secretary of the board's withdrawal of its designation of that licensed center as the community mental health center for that county and requests that the secretary either approve the establishment of a new community mental health center for that county, as provided for in K.A.R.

30-60-10, or approve the realignment of the service area of another existing licensed center to include that county within its service area, as provided for in K.A.R. 30-60-12, and if the secretary approves either request, then at least one of the following actions shall be taken by the division:

(A) If the secretary's action involves the establishment of a new community mental health center to replace the existing licensed center and that existing center will not afterwards be serving any other county, the license of the existing center from which the board of county commissioners withdrew its designation shall be revoked.

(B) If the secretary's action involves the realignment of the service area of one or more existing licensed centers, a new license shall be issued to each involved center. Each new license shall state upon it the new service area of that center.

(c) Each agency meeting the exception specified in K.S.A. 75-3307b(b), and amendments thereto, shall be exempted from the limitation stated in subsection (b) above and may be licensed as an "affiliated community mental health center," if it complies with all of the following:

(1) The agency has an affiliation agreement, as specified in K.A.R. 30-60-29, with each center within whose service area the agency provides any services.

(2) The agency makes regular and timely applications for renewal of its license.

(3) The agency is at all times in compliance with all of the applicable requirements of this article, including those applicable to the services and programs it has agreed to provide in its affiliation agreement with any center. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 75-3307b, 75-3307c, and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-6. Licensing procedure; compliance surveys; duration and renewal of license; provisional license.** (a) Each agency or licensee desiring a new or renewed license as a "community mental health center" or an "affiliated community mental health center" shall submit an application for that license, or for renewal of its license, to the secretary in the format prescribed by the division. Each application for renewal of a license shall be submitted at least 45 days before the expiration of the current license. This requirement may be waived by the secretary upon a showing of good cause. If a waiver is granted, a reasonable deadline may be established by the secretary for submittal of the required renewal application.

(b) Upon receipt of an application for a license or for renewal of a license, a survey of the applicant agency or licensee may be conducted by the division to determine whether the applicant agency or licensee is in compliance with the applicable requirements of this article or can be expected to be in compliance with the applicable requirements of this article during the term of the requested license.

(c) At any time deemed appropriate by the division, a licensee may be formally resurveyed by the division to determine whether the licensee continues to be in compliance with the requirements of this article. No prior notice by the division of its intent to conduct a continuing compliance survey shall be required to be given to a li-

cencee. Neither technical assistance provided to a licensee nor ongoing monitoring of a licensee's programs and services by any employee of the division assigned by the department to perform quality assurance duties shall be construed to constitute a formal resurvey for compliance under this subsection. However, if an employee of the division observes any evidence of noncompliance with the requirements of this article by a licensee, a compliance resurvey under this subsection may be instituted.

(d) Following any initial, renewal, or continuing compliance survey, the applicant agency or licensee shall be notified of the division's findings in writing. Any applicant agency or licensee that disagrees with any finding of the division that the applicant agency or licensee is not in compliance with an applicable requirement of this article may submit, in writing and within 15 days of receipt of the division's survey findings, any arguments and supporting documents that the applicant agency or licensee wishes the division to consider. These written materials shall become a part of the record concerning the agency's application for a license or application for renewal of its license. Based upon these materials, a determination may be made by the division to resurvey the applicant agency or licensee or to revise the division's survey findings. If a resurvey or revision of the division's findings is made, the applicant agency or licensee shall be notified of the division's new findings, in writing.

(e) Upon receipt of an application for a license or for renewal of a license, or following any initial, renewal, or continuing compliance survey, a recommendation for the issuance of a provisional license to begin or continue operations by an applicant agency or licensee may be made to the secretary by the division. Each provisional license issued shall include the requirement that the applicant agency or licensee develop, submit, and implement a plan of corrective action to bring the applicant agency or licensee into compliance with the applicable requirements of this article.

(1) This plan of corrective action shall be submitted to the division within 30 days following receipt by the applicant agency or licensee of the division's written request for a plan of corrective action.

(2) The plan of corrective action shall be reviewed by the division to determine the following:

(A) Whether the plan adequately addresses all of the areas of noncompliance cited in the division's survey report; and

(B) whether a follow-up resurvey is necessary to determine that the plan has been fully implemented and that the applicant agency or licensee is in compliance with the applicable requirements of this article. No prior notice by the division of its intent to conduct a resurvey shall be required to be given to the applicant agency or licensee.

(3) The division's findings from any follow-up resurvey shall be provided to the applicant agency or licensee, in writing, and may include a recommendation to the secretary that a license be issued, that the application be denied, that a license be revoked, or that further corrective action be taken by the applicant agency or licensee.

(4) Failure of an applicant agency or licensee to submit or to fully implement an acceptable plan of corrective ac-

(continued)

tion may be grounds for denial or revocation of a license, regardless of whether or not a provisional license has been recommended or issued.

(f) (1) If the division determines upon receipt of an application for a license, an application for renewal of a license or a plan of corrective action, that no compliance survey or resurvey is necessary, a recommendation may be made by the division to the secretary that the applicant agency or licensee merits the public's trust and that a license should be issued for a specified term.

(2) If a compliance survey or resurvey finds that the applicant agency or licensee is in compliance with the applicable requirements of this article, or can be expected to be in compliance with the applicable requirements of this article during the term of the requested license, a recommendation may be made by the division to the secretary that the applicant agency or licensee merits the public's trust and that a license should be issued for a specified term.

(3) If a compliance survey or resurvey does not find that the applicant agency or licensee is in compliance with the applicable requirements of this article, or can not be expected to be in compliance with the applicable requirements of this article during the term of the requested license, or if the division determines that the applicant agency or licensee does not merit the public's trust, a recommendation may be made by the division to the secretary that the application should be denied. A copy of any recommendation made by the division to deny a license, or to deny renewal of a license, shall be sent to the applicant agency or licensee by registered mail and addressed to the executive director of the applicant agency or licensee, and shall clearly state the reasons for the recommended denial. Any recommendation for denial of a license, or denial of renewal of a license, may be appealed to the office of administrative hearings within the Kansas department of administration in accordance with article 7.

(g) Each license issued by the secretary in accordance with this article shall be in effect for a term to be stated upon the license, which shall not exceed two years, unless revoked earlier for cause.

(h) Each provisional license issued by the secretary shall specify the length of time for which it shall be valid, but in no case shall a provisional license be valid for more than six months. Successive provisional licenses may be issued. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 75-3307b, 75-3307c, and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-7. Suspension; revocation of a license; procedure; voluntary surrender.** (a) Any license issued by the secretary in accordance with this article may be suspended or revoked for failure of the licensee to be in compliance with the applicable requirements of this article.

(b) A license may be suspended only upon a determination by the division that continued operations by the licensee during any license revocation proceedings would constitute a serious threat to the health and safety of consumers receiving the licensee's services. A copy of this determination shall be provided to the licensee, in writing, and shall clearly state the reasons for it.

(c) Before revocation of a license, a written notice of the proposal to revoke the license shall be sent by registered mail to the executive director of the licensee, along with a copy of the division's determination to suspend the license during the revocation proceedings, if applicable. The notice shall include the following:

(1) A clearly written statement of the reasons for the proposed revocation of the license;

(2) the date upon which the revocation of the license will become effective, unless appealed; and

(3) notice to the licensee that this proposal to revoke its license may be appealed to the office of administrative hearings within the Kansas department of administration in accordance with article 7.

(d) If, at any time during the pendency of revocation proceedings, the division is satisfied that the licensee is in compliance with all of the applicable requirements of this article and that it is in the best interests of the public that the proposed revocation be withdrawn, all parties to the revocation proceedings shall be notified by the division that the proposed revocation has been withdrawn. The revocation proceedings shall then be terminated.

(e) If, after notice to the licensee of a proposed revocation, the licensee does not timely appeal the proposed revocation, or at the conclusion of any revocation proceedings that result in the proposed revocation being upheld, the following actions shall be taken:

(1) The license previously issued shall be revoked by the division.

(2) The board or boards of county commissioners of each county within the service area of any center whose license has been revoked shall be notified by the division of the revocation and of the procedures by which the board or boards of county commissioners may establish a new community mental health center.

(f) A licensee may at any time voluntarily surrender its license. Upon a voluntary surrender of a license, the license shall be marked by the division as void. The board or boards of county commissioners of each county within the service area of any center that voluntarily surrenders its license shall be notified by the division of the licensee's voluntary surrender of the license and of the procedures by which the board or boards of county commissioners may establish a new community mental health center.

(g) If the division has revoked a license previously issued, or a licensee has voluntarily surrendered its license, the licensee may be required by the division to develop and implement a plan for the transfer of those consumers then receiving any services from the licensee to another licensed or other appropriate provider of these services. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-8. Notice of need of a license; order to cease; appeal.** (a) Upon the division's notice to any person or agency of the division's determination that the person or agency is providing services for which a license issued in accordance with this article is required, that person or agency shall either submit an application for the applicable license in accordance with K.A.R. 30-60-6 or cease provision of those services.

(b) If any person or agency so notified fails or refuses to submit, within 60 days, an application for the applicable license but continues to provide the services, a written order addressed and delivered to that person or agency may be issued by the division, requiring the person or agency to cease provision of those services until the person or agency is licensed in accordance with this article.

(c) Any order to cease provision of services may be appealed to the office of administrative hearings within the Kansas department of administration in accordance with article 7. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective July 7, 2003.)

**30-60-10. Establishment of a new community mental health center; altered service area.** (a) Pursuant to K.S.A. 19-4001 and amendments thereto, the establishment of a new community mental health center shall not be approved by the secretary if the proposed center's service area is already being served by one or more existing licensed centers, unless the respective board or boards of county commissioners notify the secretary of the following:

(1) The intent of the board or boards to withdraw their designation of the existing licensed center serving that area as their community mental health center; and

(2) the request of the board or boards that the secretary approve the establishment of a new community mental health center, as requested in accordance with K.A.R. 30-60-11.

(b) No licensed center may alter its existing service area to include an area already being served by one or more other licensed centers, except in compliance with subsection (a) and K.A.R. 30-60-11.

(c) Each proposal to establish a new community mental health center to serve an area not then being served by a licensed center shall be accompanied by an application for a license as a community mental health center as required by K.A.R. 30-60-6. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-11. Necessary elements for a proposal to establish a new community mental health center or to realign the service area of one or more existing centers.**

(a) A written request for approval of the establishment of a new community mental health center, or of the realignment of the service area of any licensed center, shall be made by the respective board or boards of county commissioners to the secretary, pursuant to K.S.A. 19-4001 and amendments thereto, and shall include, or contain as an attachment, the following:

(1) The rationale for the proposal;

(2) a specific plan for providing mental health services to persons living within the proposed new service area;

(3) an endorsement of the proposal by the governing boards and executive directors of any licensed centers that might be affected by the proposal, as appropriate;

(4) any written comments that have been received from other governmental agencies existing within any affected service area; and

(5) any written comments received from the public and a summary of any public comments made at a public hearing held for the purpose of receiving comments on the proposal. The division shall be consulted in advance of this public hearing and shall have approved of the procedures utilized in obtaining the public comments.

(b) The rationale for the proposal shall include the following:

(1) Information about how, and by whom, the decision to create the proposed new community mental health center or to realign the licensed center's service area was initiated;

(2) a map of the service area or areas proposed to be created;

(3) a statement describing the problems thought to exist with the provision of mental health services within this area; and

(4) information about how the proposed community mental health center or the realignment of any licensed center's service area will address these problems.

(c) The plan for providing mental health services shall include the following:

(1) A description of how the services required by this article to be provided by a community mental health center, and any other planned services, will be provided by the proposed new community mental health center or by the realigned center;

(2) a description of any unique mental health needs of the community within the proposed service area and the manner in which those needs will be met by the proposed new community mental health center or realigned center;

(3) evidence of the establishment of a working relationship between the proposed new community mental health center or realigned center and the local district court, other local providers of mental health services, and the applicable state hospital, as designated in K.A.R. 30-26-1a;

(4) a plan for adequate staffing of the proposed new community mental health center or realigned center;

(5) a description of the planned structure of governance, organization, and management of the proposed new community mental health center or the realigned center;

(6) a financial plan detailing how the proposed new community mental health center or the realigned center will be financed during an initial five-year period; and

(7) a statement of the anticipated fiscal and service impacts that the creation of this proposed new community mental health center, or the realignment of the licensed center, would have on all other affected service areas. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-12. Approval or disapproval of a proposal to establish a new community mental health center or to realign the service area of one or more existing centers.**

(a) Each proposal to establish a new community mental health center, or to realign the service area of one or more licensed centers, and the materials required to be submitted to the secretary by K.A.R. 30-60-11 shall be re-

*(continued)*

viewed by the division to determine whether or not the proposal contributes to the state's overall plan for providing mental health services. Additional comments from the following may be received or sought out by the division:

- (1) Other divisions within the department;
- (2) appropriate representatives of the district court for the proposed service area or areas;
- (3) consumer organizations;
- (4) representatives or advocates of consumers; and
- (5) other individuals or agencies as the division deems appropriate.

(b) The approval or disapproval of the proposal may be recommended to the secretary by the division. The proposer shall be notified by the division of that recommendation in writing. If the division recommends disapproval of the proposal, the notification shall clearly state the reasons for this recommendation.

(c) Any recommendation to the secretary that the proposal be disapproved may be appealed to the office of administrative hearings within the Kansas department of administration in accordance with article 7. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-13. Responsibility for compliance.** (a) Each center shall comply with the requirements of this article.

(b) Each center shall ensure compliance with the applicable requirements of this article by any affiliated center, affiliate, or contractor with which the center has entered into an affiliation agreement or contract to provide any service specified in this article. (Authorized by K.S.A. 39-1604(r), 75-3307b; implementing K.S.A. 39-1603(r), 75-3307b, and 75-3304a; effective July 7, 2003.)

**30-60-14. Departmental assistance; cooperation with compliance monitoring.** One or more employees of the division may be assigned by the department to provide technical assistance to a licensee or to assist a licensee in developing its quality improvement program or other similar responsibilities. Each licensee shall cooperate with that employee's efforts and with that employee's monitoring of the licensee's ongoing compliance with the requirements of this article. This cooperation shall include providing that employee with reasonable access to all of the facilities and administrative records of the licensee and to all clinical records and treatment or service activities of the licensee. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective July 7, 2003.)

**30-60-15. Access; identification; information.** (a) Each center shall make every reasonable effort to overcome any barriers that consumers may have to receiving services, including the following:

- (1) Physical disabilities;
- (2) disabilities specifically resulting from any mental illness;
- (3) language or other communication barriers;
- (4) barriers associated with cultural, social, ethnic, and religious factors; and
- (5) barriers associated with economic issues, including a consumer's access to public transportation, child care needs, and the demands of the consumer's employer.

(b) Each center shall make the following information generally known to or easily discoverable by the public:

- (1) The address and location of the center;
- (2) the center's usual office hours;
- (3) the center's telephone number, including any telephone number that should be called in an emergency; and
- (4) the types of services provided by the center or its contractors, or by any affiliated center or affiliate with which the center has an affiliation agreement. Each center shall make an effort to advertise the center's services, the services of any affiliated center or affiliate with which the center has an affiliation agreement, and the availability of those services, at locations where consumers are likely to be found.

(c) If a center is physically located within a multiuse or multipurpose building, the center shall insure that the center can be found within that building by having posted, both outside and inside of the building, signs or other directory information sufficient to assist consumers to locate the center.

(d) Each center shall make available at the center, and at other appropriate locations, materials that provide information about the following:

- (1) A description of the center and the services that the center or its contractors provides;
- (2) a description of any affiliated center or affiliate with which the center has an affiliation agreement and the services that each provides;
- (3) the rights of consumers;
- (4) the center's policy on fees and adjustments to those fees; and
- (5) the ways to contact the center for services.

(e) The materials specified in subsection (d) shall be designed to be comprehensible to persons with only a limited education.

(f) All center stationery used to communicate with the public and any preprinted materials prepared for use in communicating with consumers shall have printed on that stationery and those materials the center's name, address, and telephone number, including any telephone number that should be called in an emergency. (Authorized by K.S.A. 39-1603(r), 65-4434(f), and 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 65-4434(f), 75-3307b, and 75-3304a; effective July 7, 2003.)

**30-60-16. No denial of required services; exceptions; requirements; rights, documentation.** (a) No center shall deny necessary and appropriate services to any person requesting mental health services from that center unless any of the following conditions is met:

- (1) The person requires services that are not required by K.A.R. 30-60-64 to be provided by a center and that are not provided by the center.
- (2) The person refuses to pay the fees charged for any services provided, even after those fees have been adjusted or reduced in compliance with K.A.R. 30-60-17, unless the center is required by K.A.R. 30-60-64 to provide those services.
- (3) The person is determined by the executive director to have engaged in behavior that threatens the safety of center staff or other individuals present at the center, but only if every reasonable effort has been made to address



those issues. The denial of services may continue only as long as the behavior continues.

(b) If a center denies any necessary and appropriate services to any person, the center shall take one or more of the following actions, as applicable:

(1) (A) If the services being denied are services that are required by K.A.R. 30-60-64 to be provided by a center, immediately send to the division the name and address of that person, a list of what specific services are being denied, and the reasons why this denial has been instituted; and

(B) refer the person to another mental health services provider with whom the center has made arrangements for the provision of those services to that person, including, if the other provider requires it, arrangements for the other provider to be paid for its services by the center;

(2) if the services being denied are services not required by K.A.R. 30-60-64 to be provided by a center, refer the person to another appropriate provider; or

(3) if the person is engaging in threatening behavior, either initiate the appropriate involuntary admission of that person to a state psychiatric hospital or to another appropriate treatment facility, or take other appropriate actions necessary to ensure the safety of both that person and other individuals, including, when necessary, calling the appropriate law enforcement agency.

(c) Each person who has been denied any services by a center shall have the right to file a complaint concerning that denial, as specified in K.A.R. 30-60-51, and shall be informed of the procedures and process of filing a complaint. The center shall document its compliance with this requirement. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective July 7, 2003.)

**30-60-17. Prohibition against denial of required services because of an inability to pay fees; establishment of a schedule of fees; adjustment; disclosure; reviews; collection of fees.** (a) No center shall deny to any consumer requesting services from that center any necessary and appropriate services that the center is required to provide by K.A.R. 30-60-64, solely because of the consumer's inability to pay the fees charged by the center for those services, even after those fees have been adjusted or reduced in compliance with this regulation.

(b) Each center shall print upon all center stationery used to communicate with the public and any preprinted materials prepared for use in communicating with consumers a statement indicating that the center will not deny to any consumer necessary and appropriate services that the center is required by K.A.R. 30-60-64 to provide, solely because of the consumer's inability to pay the fees charged by the center for those services. This statement shall also indicate that the fees charged by the center may be adjusted or reduced in compliance with this regulation.

(c) Each licensee shall periodically establish the fees that the licensee charges for its services. These fees shall be published in a schedule of fees, which shall be made available to anyone upon request.

(d) Each licensee shall adopt and adhere to written policies and procedures specifying when staff shall have the

authority to adjust from the published schedule of fees the actual fee that will be charged for any service provided to any consumer. These policies and procedures shall require that a consumer's ability to pay that fee, or any responsible party's ability to pay that fee, shall be considered in making any adjustments. These policies and procedures shall further specify the circumstances in which the services provided by the licensee would be provided to a consumer free of any charge.

(e) Each licensee shall perform the following:

(1) Require its staff to disclose to any consumer seeking services from the licensee that licensee's schedule of fees for those services, and the policies and procedures under which designated staff members have the authority to adjust those scheduled fees; and

(2) require its staff to periodically review the circumstances of every consumer receiving services from the licensee to determine whether any adjustments to the fees being charged that consumer should be made.

(f) Each licensee shall adopt and adhere to written policies and procedures providing for the collection of fees to which the licensee is entitled but that remain unpaid after they are due. These policies and procedures shall include the following:

(1) Requiring staff to document the efforts undertaken to collect any fees that have not been paid when due;

(2) specifying under what circumstances any past-due charges may be reduced or forgiven;

(3) providing that any individual responsible for paying any past-due charges may request that the licensee reduce or forgive all or part of those past-due charges; and

(4) providing that any consumer whose request that past-due charges be reduced or forgiven is denied shall have the right to file a complaint concerning that denial, as provided for in K.A.R. 30-60-51, and shall be informed of the procedures and process of filing a complaint.

(g) Each licensee shall document its compliance with the requirements of this regulation. (Authorized by K.S.A. 39-1603(r), 75-3307b; implementing K.S.A. 39-1603(r), 75-3307b, and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-18. Coordination and community involvement.** Each center, in order to facilitate the coordination of services between itself and other agencies and the referral of consumers, both to the center by others and by the center to other providers of services, shall establish and maintain cooperative working relationships with those local public and private agencies who are also likely to provide services to consumers, including the following:

(a) The department of social and rehabilitation services local area office and any applicable divisions or contractors of the department;

(b) public health agencies, public and private hospitals and clinics, other health care providers, and providers of specialized mental health services, including private mental health treatment facilities, nursing facilities for mental health, and residential care facilities for the mentally ill;

(continued)

(c) community developmental disability organizations and community mental retardation and developmental disabilities service providers;

(d) the local regional alcohol and drug abuse assessment center and other treatment agencies for alcohol or substance abuse;

(e) public and private schools and other education agencies;

(f) law enforcement agencies, including jails and other adult detention facilities;

(g) the district court for each county within the service area of the center;

(h) juvenile justice agencies, including juvenile detention facilities;

(i) public housing authorities;

(j) area agencies on aging;

(k) employment service agencies;

(l) homeless shelters; and

(m) agencies run by or specifically oriented to consumers. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-19. Data and statistical reporting.** (a) Each center shall compile and report to the division data and statistics concerning the operations of the center and its utilization by the community as the division may require.

(b) These data and statistical reporting requirements shall be developed by the division after consultation with the association of community mental health centers, inc. and other parties as the division deems appropriate. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-25. Governing or advisory board; powers; bylaws.** (a) Each center shall have a governing board empowered to perform the following:

(1) Adopt bylaws and establish policies and procedures for the center;

(2) set goals and adopt necessary plans and a budget for the center; and

(3) exercise general supervisory authority over the center, including having the authority to hire, evaluate, and fire the executive director of the center, appointed in compliance with K.A.R. 30-60-40.

(b) If, pursuant to K.S.A. 19-4002a or 19-4002b, and amendments thereto, the board of county commissioners acts as the governing board for their center, then the advisory board, pursuant to K.S.A. 19-4002a or 19-4002b, and amendments thereto, shall be empowered to make recommendations to the board of county commissioners concerning the same matters as those listed in subsection (a).

(c) The membership of the governing or advisory board shall meet the following criteria:

(1) Consist of no fewer than seven members;

(2) include among them at least one member who is currently being treated for or who has in the past experienced a severe and persistent mental illness. In addition, a second member shall be included who is a member of a family that has a child or adolescent who is currently

being treated for or who has in the past experienced a severe emotional disability or disorder;

(3) to the extent possible, and over time and in rotation, both be representative of the various communities within the center's service area, and include representatives from the following groups within the community:

(A) Public health agencies;

(B) medical professionals;

(C) legal professionals and district court judges;

(D) public assistance agencies;

(E) hospitals and clinics, including any psychiatric treatment facilities;

(F) mental health organizations;

(G) educational agencies;

(H) rehabilitation services agencies;

(I) labor and business organizations;

(J) civic groups and organizations;

(K) consumer-run organizations and advocacy groups; and

(L) the general public.

(d) The governing or advisory board shall meet at least quarterly, and comprehensive minutes of all meetings of the board shall be kept.

(e) Each center's bylaws and its other policies and procedures shall meet the following criteria:

(1) Provide for the governance of the board, the terms of office of its members, and the election of their successors;

(2) clearly set out and differentiate the responsibilities, authorities, and roles of the following:

(A) The governing or advisory board;

(B) the executive director; and

(C) other staff of the center; and

(3) establish how the center shall operate.

(f) If a center is operated as a governmental agency or is operated as a department of a hospital, the bylaws shall include provisions establishing and delineating the lines of authority between the superior governmental authority or the hospital's ownership and the governing or advisory board of the center.

(g) If the center is organized as a private, nonprofit corporation, it shall meet the following criteria:

(1) Be incorporated pursuant to Kansas statutes;

(2) be duly registered with the secretary of state and the register of deeds for the county in which the principal office of the center is located;

(3) pursuant to K.S.A. 19-4007 and amendments thereto, file its written contract for providing mental health services to the residents of that county or counties with the board or boards of county commissioners of the county or counties it serves; and

(4) adopt bylaws, which shall include the following:

(A) A delineation of the powers and duties retained by the corporation's board, its officers, and any committees;

(B) a delineation of the authority and responsibilities delegated to the corporation's employed staff;

(C) the criteria for membership in the corporation, the types of membership that there are, the manner in which the members are elected or appointed, the length of term of membership, and the method of filling vacancies in the membership;

(D) the frequency of corporation meetings and quorum requirements;

(E) the objectives of the corporation; and

(F) other items that may be appropriate or necessary to demonstrate how the corporation is organized, operates, and selects its officers. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-26. Conflict of interest prohibited.** Each licensee shall ensure that no individual serving on the licensee's governing or advisory board or as an employee, contractor, or consultant engages in activities constituting a conflict of interest between the licensee's provision of services and the private, remunerative activities of that individual, employee, contractor, or consultant. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-27. Annual audit.** (a) Each center shall annually obtain an independent audit of the financial affairs and records of the center.

(b) The reports of this audit shall be made available to anyone upon request.

(c) A copy of the two most recently completed audit reports shall be attached to the center's application for renewal of its license, submitted to the division in accordance with K.A.R. 30-60-6, unless previously provided to the division in accordance with K.A.R. 30-60-19 or any separate grant or contract compliance requirement. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-28. Mission and vision statements; strategic plan; coordination with quality improvement program.**

(a) Each center shall develop, adopt, and display at appropriate locations a statement of its mission, including a concise statement of the purpose for which the center exists, the general nature of the services it provides, and the population to whom it provides those services.

(b) Each center shall develop and adopt a vision statement of its goals for the future and the values it holds with regard to the consumers it serves.

(c) Each center shall develop and adopt a statement of its strategic plan, including specific, measurable, short-term, and long-term goals, and the specific means or methods by which it intends to accomplish those goals.

(d) Each center shall ensure consistency between its strategic plan and its quality improvement program required by K.A.R. 30-60-55. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-29. Affiliation agreement; notice to secretary of a center's refusal to enter into; investigation and recommendations; no agreement imposed.** (a) Each center shall have a written affiliation agreement with each affiliated community mental health center that is licensed by the secretary in accordance with this article based upon the exception provided for in K.S.A. 75-3307b(b),

and amendments thereto, and that provides any of the services described in this article within the service area of that center. Any center may enter into an affiliation agreement with any other provider of mental health services with which the center chooses to enter into an affiliation agreement.

(b) Each affiliation agreement shall contain the following:

(1) A description of the types of services that the affiliated center or other provider has agreed to provide, pursuant to the terms of the affiliation agreement;

(2) provisions concerning how and by what procedures a consumer requesting or receiving services from the center can be referred to the affiliated center or other provider;

(3) provisions concerning how and by what procedures a consumer requesting or receiving services from the affiliated center or other provider can or should be referred to the center;

(4) any necessary and appropriate financial arrangements between the center and the affiliated center or other provider;

(5) provisions concerning how and by what procedures the affiliated center or other provider will assist the center in the collection of any data or statistics that the center may require in order to comply with K.A.R. 30-60-19;

(6) a statement that the affiliated center or other provider agrees to provide any of the services it provides in a manner consistent with the mission statement of the center and that the affiliated center or other provider accepts and will abide by the values of the center. This statement shall include a description of how the services that are to be provided by the affiliated center or other provider will augment or supplement the services of the center or how those services will promote the strategic plan of the center adopted in compliance with K.A.R. 30-60-28;

(7) an agreement specifying that the affiliated center or other provider is subject to and will abide by and utilize the policies and procedures that the center adopts in compliance with K.A.R. 30-60-30, concerning the solicitation of consumer comments and suggestions;

(8) an agreement specifying that the affiliated center or other provider is subject to and will abide by and utilize the policies and procedures that the center adopts in compliance with K.A.R. 30-60-48, concerning de-escalation techniques and emergency behavioral interventions;

(9) an agreement specifying that the affiliated center or other provider is subject to and will abide by and utilize the policies and procedures that the center adopts in compliance with K.A.R. 30-60-51, concerning accepting and resolving complaints;

(10) an agreement specifying that the affiliated center or other provider is subject to and will abide by and utilize the policies and procedures that the center adopts in compliance with K.A.R. 30-60-55, concerning the center's quality improvement program;

(11) an agreement specifying that the affiliated center or other provider is subject to and will abide by and utilize the policies and procedures that the center adopts in

*(continued)*

compliance with K.A.R. 30-60-56, concerning the center's risk management program;

(12) an agreement specifying that the affiliated center or other provider is subject to and will abide by and utilize the policies and procedures that the center adopts in compliance with K.A.R. 30-60-57, concerning the center's utilization review program; and

(13) provisions specifying when and under what circumstances the affiliation agreement either expires or can be cancelled.

(c) (1) If a center refuses to enter into an affiliation agreement with either of the following types of agencies, the agency may notify the secretary of that refusal:

(A) Any agency that wishes to become an affiliated provider and that would otherwise be entitled to any benefits that would be associated with being an affiliate of a community mental health center; or

(B) any agency that would otherwise be entitled to a license as an affiliated community mental health center by virtue of the exception specified in K.S.A. 75-3307b(4) and amendments thereto.

(2) Upon notification of a center's refusal to enter into an affiliation agreement, the division or any other individual or agency may be requested by the secretary to investigate the circumstances leading to this refusal and to make recommendations to either or both parties. (Authorized by K.S.A. 75-3307b(4); implementing K.S.A. 75-3307b(4) and 75-3304a; effective July 7, 2003.)

**30-60-30. Solicitation and consideration of consumer comments and suggestions.** (a) Each center shall adopt and adhere to written policies and procedures that provide for regular and ongoing solicitation of comments and suggestions from its consumers. Each center shall utilize both formal and informal means of soliciting these comments or suggestions and shall ensure the solicitation of a diverse group of consumers to whom the center, and each affiliated provider with which the center has an affiliation agreement, provides services.

(b) Each center shall ensure coordination between the solicitation of consumer comments and suggestions and its quality improvement program required by K.A.R. 30-60-55.

(c) Records that demonstrate each center's compliance with this requirement shall be centrally maintained for at least five years. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective July 7, 2003.)

**30-60-40. Personnel.** (a) Each licensee shall vest the following duties in an executive director, to be appointed by and responsible to the governing board of a center, or as provided for in the bylaws or other policies and procedures of an affiliated provider:

(1) Responsibility for the day-to-day operations of the licensee;

(2) assurance of the quality of the services provided; and

(3) the effective and efficient management of the licensee's resources.

(b) The medical responsibility for any consumer to whom the licensee provides services shall be vested in a licensed physician. If the physician is not a psychiatrist,

then a psychiatric consultant shall be made available to this physician and to other staff assigned to work with that consumer on a continuing and regularly scheduled basis.

(c) Each licensee shall provide its services using appropriately trained or professionally qualified staff. Each licensee shall ensure that it retains the services of sufficient staff to appropriately meet the needs of those consumers to whom the licensee is providing any services. All treatment shall be provided by, or provided under the direction or supervision of, professionally qualified staff.

(d) Each licensee shall ensure that its professional staff meets any applicable state licensing, registration, or certification requirements and has completed any training program that may be required by the division within the contract, if any, in accordance with K.A.R. 30-61-5, that the department has with the center or with the center with which the licensee is affiliated.

(e) Each licensee shall ensure that any staff providing any community-based services outside of the offices of the licensee have completed, or will have completed within six months, a community services training program approved by the division.

(f) Each licensee shall insure that any volunteers or students providing any services to any person are screened, trained, and regularly supervised in accordance with written policies and procedures, which shall meet the following criteria:

(1) Govern the scope and extent of volunteer or student participation in any treatment being provided; and

(2) require training that shall include a review of the center's policies and procedures regarding confidentiality and consumer rights. (Authorized by 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-41. Personnel policies and procedures.** (a) Each licensee shall adopt and adhere to written personnel policies and procedures providing for the rights, duties, and responsibilities of all members of the licensee's staff.

(b) These policies and procedures shall require the following, at a minimum:

(1) That a written job description exist for each position and that it be reviewed by supervisory staff with the employee and revised on a regular basis;

(2) that each employee will receive, at least annually, a written performance evaluation based upon the duties and responsibilities assigned to that staff member within the job description for that position;

(3) that any professional staff obtain and maintain the skills necessary to meet the individual needs of the consumers to whom the licensee provides services; and

(4) at any time a consumer is employed by a licensee, that the licensee will abide by guidelines for the employment of consumers that may be established by the division. These guidelines shall be available from the division, and each licensee shall be responsible for obtaining these guidelines from the division.

(c) All personnel policies and procedures that a licensee adopts, including any amendments to those poli-

cies and procedures, shall be made available for inspection by all members of the staff. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-45. Administrative records.** Each licensee shall adopt and adhere to written policies and procedures providing for the creation, retention, and destruction of accurate administrative and business records that shall clearly reflect the business, financial, and administrative operations of the licensee. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-46. Clinical records.** (a) Each licensee shall adopt and adhere to written policies and procedures providing for a written, consolidated, and current clinical record for each consumer to whom the licensee provides any service.

(b) This record shall meet the following criteria:

(1) Be contemporaneously created during the course of services, in accordance with the policies and procedures of the licensee concerning the format, organization, and content of these records;

(2) be stored in a secured location with access limited to staff providing treatment to that consumer, and to other individuals only as specified in the policies and procedures of the licensee; and

(3) be maintained in accordance with policies and procedures of the licensee that provide for the following:

(A) The retention of inactive records;

(B) the destruction of obsolete records;

(C) the duplication of records; and

(D) the release of copies of records. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-47. Confidentiality and release of information.** (a) Each licensee shall adopt and adhere to written policies and procedures that shall ensure the confidentiality of the clinical record, and all portions of that record, and any other information concerning each consumer who has at any time requested or received, or who is currently receiving any services from the licensee. These policies and procedures shall be consistent with any applicable federal or state law, regulation, or rule concerning the confidentiality of that information.

(b) The clinical record, any portion of that record, or any information concerning any consumer who has ever requested or received or who is currently receiving any services from a licensee shall be released only as authorized by law or upon the written authorization of that consumer, or, if applicable, of the parent, legal guardian, or other appropriate representative of that consumer. This authorization shall contain the following:

(1) The name of the consumer whose clinical record, or any portion of that record, or about whom information is being authorized to be released;

(2) the name and address of, or other information identifying, the person or agency to whom the consumer's

clinical record, any portion of that record, or any other information is being authorized to be released;

(3) the name of the licensee or the staff member employed by the licensee being authorized to release the consumer's clinical record, any portion of that record, or any other information;

(4) the reason or purpose for the release of the consumer's clinical record, any portion of that record, or any other information;

(5) (A) A clear indication that the entire clinical record is to be released;

(B) a clear description of the specific portion of the clinical record that is to be released; or

(C) a clear description of what other information is being authorized to be released;

(6) the date, event, or condition upon which the authority to release any information or any portion of the clinical record will expire;

(7) a statement that the consumer authorizing the release of the clinical record, any portion of that record, or any other information reserves the right, to, at any time before this authorization would otherwise expire, revoke the authorization except for any information or record or portion of that record that has already been released, and information concerning how this revocation may be effected;

(8) the date on which the authorization is signed; and

(9) the printed name and the signature of the person authorizing the release, whether the consumer or, if applicable, the parent, legal guardian, or other appropriate representative of the consumer.

(c) Before the release of a consumer's clinical record or any portion of that record, or any other information concerning any consumer who has at any time requested or received any services from a licensee or who is currently receiving any services from a licensee, the staff member making the release shall make a reasonable effort to ensure that the authority or authorization upon which the release is being made is in the proper form and, in the context made, seems appropriate. If the staff member believes that any question should be raised concerning the release of any information or record, or portion of any record, that staff member shall make a reasonable effort to confirm the propriety of the release. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-48. De-escalation techniques and emergency behavioral interventions.** (a) Each center shall adopt and adhere to written policies and procedures that require the following:

(1) Each staff member, volunteer, and contractor shall utilize only de-escalation techniques or emergency behavioral interventions that the staff member, volunteer, or contractor has been appropriately trained in or is professionally qualified to utilize. Each use of these techniques and interventions shall be consistent with the rights of consumers as listed in K.A.R. 30-60-50.

(2) No practice utilized shall be intended to humiliate, frighten, or physically harm a consumer.

(continued)

(3) No practice that becomes necessary to implement shall continue longer than necessary to resolve the behavior at issue.

(4) Physical restraint or seclusion shall be used as a method of intervention only when all other methods of de-escalation have failed and only when necessary for the protection of that consumer or others.

(5) Each instance of the utilization of a physical restraint or the use of seclusion shall be documented in the consumer's clinical record required by K.A.R. 30-60-46 and reviewed by supervising staff and the center's risk management program required by K.A.R. 30-60-56.

(6) Each instance in which the utilization of a de-escalation technique or emergency behavioral intervention results in serious injury to the consumer shall be reported to the division.

(b) Each center shall ensure that each affiliated provider with which the center has an affiliation agreement adheres to the center's policies and procedures adopted in compliance with subsection (a) of this regulation. (Authorized by K.S.A. 39-1603(d) and (t), 65-4434(f), and 75-3306b; implementing K.S.A. 39-1603, 39-1604(d), 65-4434(f), 75-3304a, and 75-3307b; effective July 7, 2003.)

**30-60-49. Transportation.** (a) Each licensee providing any transportation to consumers shall adopt and adhere to written policies and procedures that require the following:

(1) Before a staff member, a volunteer, or a contractor provides any transportation of a minor consumer, the staff member, volunteer, or contractor shall obtain permission to transport that minor from the minor's parent or legal guardian. If the transportation of a minor is necessary because of a medical or other emergency and permission cannot be obtained, the nature of the emergency and the reason why that permission was unable to be obtained shall be documented in the consumer's clinical record required by K.A.R. 30-60-46.

(2) Each driver of any vehicle used to transport a consumer shall be 18 years of age or older and shall hold a current operator's license for the type of vehicle being used.

(3) Each vehicle owned or leased by the licensee shall be covered by accident and liability insurance. Documentation of the current insurance coverage shall be kept both within the vehicle and in the administrative records maintained by the licensee in accordance with K.A.R. 30-60-45.

(4) Each vehicle owned or leased by the licensee shall be equipped with a fire extinguisher and a first-aid kit, and shall be maintained in a safe operating condition.

(5) No more persons may be transported in a vehicle than the number of safety restraints that the vehicle contains. No more than one person may utilize a single safety restraint at any time.

(6) Only age-appropriate safety restraints may be utilized.

(7) No trailer pulled by another vehicle or truck bed may be utilized to transport any consumer. No motorcycle may be utilized to transport any consumer.

(8) Smoking shall not be permitted at any time a minor consumer is being transported. Smoking shall not be per-

mitted if any consumer being transported objects to that smoking.

(9) The driver of the vehicle shall not smoke, use a cellular telephone, or eat or drink while the vehicle is in motion.

(10) The driver shall require all parts of each passenger's body to remain inside of the vehicle while the vehicle is in motion.

(11) The driver shall require all doors of the vehicle to be locked while the vehicle is in motion.

(12) The driver shall not leave any minor consumer unattended in the vehicle at any time. The driver shall make certain that no consumer is left in the vehicle before vacating the vehicle.

(13) The driver shall transport each consumer directly to the intended destination without any unauthorized stops en route, except in cases of emergency.

(14) The driver shall require other staff from the licensee to accompany the driver on the trip whenever necessary to provide adequate supervision of the consumers being transported either because of the number of consumers being transported or because of the nature of a consumer's illness or disability.

(15) The driver shall not allow any consumer to enter or exit the vehicle from or into a lane of traffic.

(16) If a personal vehicle belonging to any staff member, a volunteer, or a contractor is utilized to transport a consumer, the driver and owner of the vehicle shall be covered by sufficient liability insurance to protect the interests of any consumer that is transported.

(b) Nothing in this regulation shall be construed to require any licensee to provide transportation to any consumer. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective July 7, 2003.)

**30-60-50. Statement of rights; distribution; adherence to.** (a) Each center shall publish and make available at the center, at the principal place of business of each affiliated provider with which the center has an affiliation agreement, and at other appropriate locations a written statement of the rights of consumers.

(b) Each consumer receiving services from any licensee providing services within the center's service area shall be given a copy of this statement during intake or at the consumer's first appointment, and again at least annually thereafter. Staff shall provide oral or other appropriate explanations that may be required to assist the consumer in understanding the consumer's rights. Delivery of this statement and the provision of any necessary explanations to each consumer shall be documented in that consumer's clinical record required by K.A.R. 30-60-46.

(c) This statement of rights shall contain information that lists the following rights, at a minimum:

(1) The right of the consumer to always be treated with dignity and respect, and not to be subjected to any verbal or physical abuse or exploitation;

(2) the right of the consumer not to be subjected to the use of any type of treatment, technique, intervention, or practice, including the use of any type of restraint or seclusion, performed solely as a means of coercion, discipline, or retaliation, or for the convenience of staff or any volunteer or contractor;

(3) the right of the consumer to receive treatment in the least restrictive, most appropriate manner;

(4) the right of the consumer to an explanation of the potential benefits and any known side effects or other risks associated with all medications that are prescribed for the consumer;

(5) the right of the consumer to an explanation of the potential benefits and any known adverse consequences or risks associated with any type of treatment that is not included in paragraph (c)(4) and that is included in the consumer's treatment plan;

(6) the right of the consumer to be provided with information about other clinically appropriate medications and alternative treatments, even if these medications or treatments are not the recommended choice of that consumer's treating professional;

(7) the right of a consumer voluntarily receiving treatment to refuse any treatments or medications to which that consumer has not consented, in compliance with the consumer's rights;

(8) the right of a consumer involuntarily receiving treatment pursuant to any court order to be informed that there may be consequences to the consumer if the consumer fails or refuses to comply with the provisions of the treatment plan or to take any prescribed medication;

(9) the right of the consumer to refuse to take any experimental medication or to participate in any experimental treatment or research project, and the right not to be forced or subjected to this medication or treatment without the consumer's knowledge and express consent, given in compliance with the consumer's rights, or as consented to by the consumer's guardian when the guardian has the proper authority to consent to this medication or treatment on the consumer's behalf;

(10) the right of the consumer to actively participate in the development of an individualized treatment plan, including the right to request changes in the treatment services being provided to the consumer, or to request that other staff members be assigned to provide these services to the consumer;

(11) the right of the consumer to receive treatment or other services from a licensee in conjunction with treatment or other services obtained from other licensed mental health professionals or providers who are not affiliated with or employed by that licensee, subject only to any written conditions that the licensee may establish only to ensure coordination of treatment or any services;

(12) the right of the consumer to be accompanied or represented by an individual of consumer's own choice during all contacts with the licensee. This right shall be subject to denial only upon determination by professional staff that the accompaniment or representation would compromise either that consumer's rights of confidentiality or the rights of other individuals, would significantly interfere with that consumer's treatment or that of other individuals, or would be unduly disruptive to the licensee's operations;

(13) the right of the consumer to see and review the clinical record maintained on that consumer, unless the executive director of the licensee has determined that specific portions of the record should not be disclosed. This determination shall be accompanied by a written state-

ment placed within the clinical record required by K.A.R. 30-60-46, explaining why disclosure of that portion of the record at this time would be injurious to the welfare of that consumer or to others closely associated with that consumer;

(14) the right of the consumer to have staff refrain from disclosing to anyone the fact that the consumer has previously received or is currently receiving any type of mental health treatment or services, or from disclosing or delivering to anyone any information or material that the consumer has disclosed or provided to any staff member of the licensee during any process of diagnosis or treatment. This right shall automatically be claimed on behalf of the consumer by the licensee's staff unless that consumer expressly waives the privilege, in writing, or unless staff are required to do so by law or a proper court order;

(15) the right of the consumer to exercise the consumer's rights by substitute means, including the use of advance directives, a living will, a durable power of attorney for health care decisions, or through springing powers provided for within a guardianship; and

(16) the right of the consumer to at any time make a complaint in accordance with K.A.R. 30-60-51 concerning a violation of any of the rights listed in this regulation or concerning any other matter, and the right to be informed of the procedures and process for making such a complaint.

(d) Each licensee providing any services within the service area of the center shall at all times adhere to each of these consumer rights. (Authorized by K.S.A. 65-4434(f), 39-1603(r), and 75-3307b; implementing K.S.A. 39-1603, 65-4434(f), 75-3304a, and 75-3307b; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-51. Complaints; review; appeals; procedures; records.** (a) Each center shall adopt and adhere to written policies and procedures that allow for any consumer, individual, or agency to make a written complaint about any member of the staff or any aspect of the center's operations, requirements, or services, or those of any affiliated center or other provider with which the center has an affiliation agreement. These policies and procedures shall include the following requirements and provisions, at a minimum:

(1) Notice shall be displayed at appropriate locations stating that any consumer, individual, or agency has the right to make a complaint. This notice shall also describe the procedures by which a complaint can be made.

(2) No particular form shall be required in order to make a complaint, but appropriate forms shall be made available at appropriate locations for use by any consumer, individual, or agency wishing to make a complaint.

(3) Procedures shall exist so that a complaint can be made confidentially if a consumer, individual, or agency so desires.

(4) The staff of the center shall be trained to be alert to, listen for, and identify a complaint of a significant nature that is made either orally or incompletely by a consumer receiving any services from the center, or from any affil-

*(continued)*

iated center or other provider with which the center has an affiliation agreement. The staff shall be required to assist that consumer to write out the complaint if made orally or to more specifically record that complaint for the consumer if the consumer fails or is unable to completely write out the complaint.

(5) The executive director shall review in a timely manner every complaint made, conduct any investigation as appropriate, and take any appropriate actions.

(6) If the complaint is the result of a discontinuation or reduction of any service that had been provided to a consumer, the executive director may, at the executive director's discretion, require that the service that was discontinued or reduced be restored to its former level pending the outcome of the executive director's investigation and determination.

(7) If a complaint received by a center concerns any matter involving the staff or any action, decision, policy, or requirement of an affiliated center or other affiliate, the executive director of the center may refer the complaint to the executive director of that affiliated center or other affiliate for that director's response. The response of the executive director of the affiliated center or other affiliate may be included in or attached to the center's response when a response is made or if a response is required to be made to a consumer.

(8) The executive director of the center shall reply, in writing, to every complaint concerning any aspect of either the center's operations, requirements, or services, or those of any affiliated center or other provider with which the center has an affiliation agreement, that is made by a consumer receiving services from the center, any affiliated center, or any other provider with which the center has an affiliation agreement, not later than 30 days following receipt of that complaint. This reply shall state the executive director's findings and determinations with regard to that complaint.

(9) A system shall be established to analyze all complaints made during specified periods of time to determine whether any trend or pattern appears and, if so, to attempt to identify the cause of those complaints or any other issue presented and to deliver this information either to the executive director or to another appropriate party.

(10) Any consumer who is dissatisfied with a determination of the executive director may appeal that determination to the division.

(11) Each appeal of a determination of the executive director shall be made in writing, within 30 days of receipt of that determination. Each appeal shall be addressed to the executive director of the center and shall state specifically the determination that is being appealed and the reasons why the consumer believes that the determination of the executive director is wrong.

(12) Upon receipt of such an appeal, the executive director may contact the consumer who is appealing and offer to meet personally with that consumer to see if some agreement or other resolution can be reached, or to offer mediation of the dispute to the consumer.

(13) The appeal of the executive director's determination shall proceed as provided for in this regulation. The executive director shall forward to the division the con-

sumer's written appeal and both the original complaint and the executive director's written reply to that complaint when any of the following circumstances occurs:

(A) The executive director does not choose to make any offer for a meeting or for mediation.

(B) The consumer refuses any offer for a meeting or for mediation.

(C) Thirty days have elapsed following receipt of the appeal, and no agreement or resolution has been reached within that time period through the use of any meeting or meetings, or through a process of mediation.

(14) One or more employees of the division shall be assigned by the department to make an investigation and conduct any proceedings necessary to decide the outcome of the appeal. That employee or panel of employees shall give due regard to the rights and interests of both the consumer who is appealing and the center or the affiliated center or other affiliate against which the complaint was made. These procedures shall include the right of the consumer to be represented in the appeal by any individual of that consumer's choice.

(15) If the appeal resulted from a complaint that any service that had been provided to the consumer was discontinued or reduced, the division employee or panel of employees assigned to hear the appeal shall have the authority to require a licensee to restore that service to its former level during the pendency of the appeal.

(16) Following any investigation or proceeding that is determined appropriate, the division employee or panel of employees assigned to hear the appeal shall make a written decision with regard to the issues appealed. This decision shall be sent to the following individuals:

(A) The consumer and the individual that the consumer selected to represent the consumer, if applicable;

(B) the executive director of the center; and

(C) the executive director of the affiliated center or other affiliate, if applicable.

(17) The decision of the division's employee or panel of employees may be appealed to the office of administrative hearings within the Kansas department of administration in accordance with article 7.

(18) Records of every complaint and appeal made, and of the final determination or decision made with regard to each complaint, shall be centrally maintained for at least five years.

(b) No consumer shall be denied any service or otherwise penalized solely for any of the following reasons:

(1) Having made a complaint;

(2) having refused any offer to meet, to meet again, or to engage in mediation;

(3) failing to continue any process of mediation even though begun;

(4) failing to resolve or settle the complaint; or

(5) making or pursuing an appeal.

(c) Nothing in this regulation shall be construed to limit the right of any person to bring any action against a licensee that is permitted by law. (Authorized by K.S.A. 39-1603(r), 65-4434(f), and 75-3307b; implementing K.S.A. 39-1603, 65-4434(f), 75-3307b, and 75-3304a; effective July 7, 2003.)

**30-60-55. Quality improvement program; records.**

(a) Each center shall adopt and adhere to written policies



and procedures that provide for a comprehensive quality improvement program designed to continually measure, assess, and improve the quality of the services that are provided by the center, any affiliated center, or any other provider with which the center has an affiliation agreement. These policies and procedures shall require the following:

(1) An ongoing means by which the program measures the degree of consumer satisfaction with the services, from consumers who are currently being or who have recently been provided these services by the center, any affiliated center, or any other provider with which the center has an affiliation agreement;

(2) an ongoing means of furnishing feedback to the staff that provides those services with regard to each consumer's satisfaction or dissatisfaction; and

(3) procedures that ensure that information gathered or generated by the center's risk management program, required by K.A.R. 30-60-56, and the center's utilization management program, required by K.A.R. 30-60-57, is available to and utilized by the center's quality improvement program.

(b) Records that demonstrate the center's compliance with this regulation shall be centrally maintained for at least five years. (Authorized by K.S.A. 65-4434(f), 39-1603(r), and 75-3307b; implementing K.S.A. 39-1603, 75-3307(b), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-56. Risk management program; records.** (a)

Each center shall adopt and adhere to written policies and procedures that provide for a comprehensive risk management program designed to review and evaluate clinical and administrative activities for the following purposes:

(1) Identifying and analyzing incidents that present a risk of harm to consumers, staff, and other individuals, including the public at large, or a risk of financial loss to the center or to any affiliated center or other provider with which the center has an affiliation agreement; and

(2) determining actions that might reduce the risks specified in paragraph (a)(1).

(b) Incidents that the risk management program specified in subsection (a) shall review shall include the following, at a minimum:

(1) Any suicide or homicide, attempted suicide or homicide, or other unexpected death involving a consumer who is currently receiving or has recently received any services from the center, the affiliated center, or any other provider with which the center has an affiliation agreement;

(2) any act or series of acts resulting in significant destruction of property belonging to the center, or to the affiliated center or other provider with which the center has an affiliation agreement, committed by any consumer who is currently receiving or has recently received any services from the center or the affiliated center or other affiliate;

(3) any act or omission that falls or might fall below the applicable standard of care or professional obligation; and

(4) any allegation of abuse, neglect, or exploitation of a consumer who is currently receiving or has recently re-

ceived any services from the center, the affiliated center, or any other provider with which the center has an affiliation agreement, committed by a member of the staff of the center, any contractor, the affiliated center, or other affiliate.

(c) These policies and procedures shall include the following requirements:

(1) Staff members shall be afforded the opportunity to confidentially report any incident that a staff member believes is appropriate for review by the risk management program.

(2) Each action that the center, affiliated center, or any other provider with which the center has an affiliation agreement takes in response to any incident that comes to the attention of the risk management program shall conform to all statutory requirements for the reporting of suspected incidents of either child abuse, neglect, or exploitation, or the abuse, neglect, or exploitation of an adult.

(d) Records demonstrating the center's compliance with this regulation shall be centrally maintained for at least five years. (Authorized by K.S.A. 39-1603(r) and 75-3307b; implementing K.S.A. 39-1603(r), 75-3307b, and 75-3304a; effective July 7, 2003.)

**30-60-57. Utilization review program; records.**

(a) Each center shall adopt and adhere to written policies and procedures that provide for a comprehensive utilization review program designed to facilitate the delivery of high-quality, cost-effective, appropriate services by the center and by each affiliated provider with which the center has an affiliation agreement.

(b) The policies and procedures specified in subsection (a) shall include the following:

(1) A means to ensure monitoring of the usage of the services of the center and of each affiliated provider with which the center has an affiliation agreement;

(2) a means to determine whether inappropriate or unnecessary services are being provided to any consumer; and

(3) a means to determine whether appropriate or necessary services have not been provided to any consumer.

(c) Records demonstrating the center's compliance with this regulation shall be centrally maintained for at least five years. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective July 7, 2003.)

**30-60-60.** (Authorized by and implementing K.S.A. 75-3307b, K.S.A. 1990 Supp. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f); effective Oct. 28, 1991; revoked July 7, 2003.)

**30-60-61.** (Authorized by and implementing K.S.A. 75-3307b, K.S.A. 1990 Supp. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f); effective Oct. 28, 1991; revoked July 7, 2003.)

**30-60-62. Basic service delivery standards; service components.** (a) Each licensee shall provide all services in a manner consistent with the following basic service delivery standards. Each service provided by a licensee shall include the following components:

(continued)

(1) An initial assessment, which shall meet the following criteria:

(A) Be performed by adequately trained and professionally qualified staff; and

(B) be completed and documented within 14 days of a consumer's initial intake to record the following:

(i) All of the presenting problems or requests made by that consumer;

(ii) all pertinent history that can be gathered;

(iii) the consumer's present mental status;

(iv) a provisional diagnosis, as applicable;

(v) any strengths or preferences of the consumer that are disclosed or are discernable; and

(vi) the primary intervention provided or disposition made, or both, including a preliminary individualized treatment plan;

(2) a comprehensive, individualized treatment plan, which shall meet the following criteria:

(A) Be centralized into a single integrated and consolidated document;

(B) be developed beginning with the initial assessment and completed, subject to necessary and appropriate revisions, within 30 days thereafter;

(C) be developed with the participation of the consumer and, if appropriate, one or more members of the family of that consumer or other individuals designated by that consumer, evidenced by the signature of that consumer or by other documentation indicating this participation and stating the reason for the absence of the consumer's signature;

(D) contain identified goals, objectives, strengths, and preferences of the consumer, based upon the problems presented, the consumer's requests, the consumer's diagnosis, and the assessed needs of that consumer, each as identified during the initial assessment and subsequently during treatment;

(E) whenever multiple services are being provided, or whenever services are being provided by multiple providers, require that those services be coordinated by a single individual not necessarily employed by the licensee, in a manner that ensures the integration of the services being provided; and

(F) be regularly reviewed and revised as appropriate, with the participation of the consumer and, when appropriate, one or more members of the family of that consumer or other individuals designated by that consumer. Reviews and revisions shall occur at periodic intervals of not more than 90 days and shall be updated with appropriate notations in the clinical record;

(3) a written, chronological clinical record, as required by K.A.R. 30-60-46, which shall document the consumer's progress toward meeting the identified goals and objectives contained within that consumer's individualized treatment plan, including documentation of each treatment, other service or intervention provided to that consumer, and appropriate notations of dates and times;

(4) regular consultations with the consumer and, when appropriate, with members of the family of that consumer or other individuals designated by that consumer, for the following purposes:

(A) Ensuring that the licensee's treatment staff have complete, accurate, and current information concerning

the circumstances and needs of that consumer or of the members of the consumer's family; obtaining any necessary consent for the release of information to the staff; and confirming and following up on previous consultations or referrals;

(B) identifying other treatment providers, agencies, or other individuals who are providing any treatment or supportive services to that consumer or to any members of the consumer's family;

(C) arranging for the appropriate sharing of information from that consumer's clinical record with other treatment providers, agencies, or other individuals, who either provide or may be able to provide any treatment or supportive services to that consumer or to members of the consumer's family;

(D) involving other appropriate treatment providers, agencies, or individuals, who either provide or could provide other treatment or supportive services to that consumer or to one or more members of the consumer's family, in a process that assures the appropriate, integrated, and efficient delivery of treatment and services; and

(E) reviewing with the consumer the progress of the consumer in treatment and making appropriate modifications to that consumer's individualized treatment plan, including any appropriate modifications that are requested by that consumer or by one or more members of the consumer's family;

(5) regular consultations with other treatment providers, agencies, or other individuals providing any treatment or supportive services to a consumer or to one or more members of the consumer's family, for the purposes of ensuring coordination, continuity, and appropriate transitions in that consumer's treatment or supportive services; and

(6) a discharge or termination plan, which shall meet the following criteria:

(A) Be developed in a manner consistent with the consumer's individualized treatment plan;

(B) if possible, be developed with the participation of that consumer and, if appropriate, with the participation of one or more members of the consumer's family or with other individuals designated by that consumer;

(C) include a plan for appropriate postdischarge or posttermination of treatment contact by staff with that consumer and, if appropriate, with one or more members of the consumer's family or other individuals designated by that consumer;

(D) include referrals to other treatment providers and supportive services when appropriate; and

(E) result in a final written summary notation, which shall be included in the consumer's clinical record required by K.A.R. 30-60-46.

(b) Compliance with these basic service delivery standards shall be appropriately documented in the consumer's clinical record required by K.A.R. 30-60-46. (Authorized by K.S.A. 39-1603(r), 65-4434(f), and 75-3307b; implementing K.S.A. 39-1603, 65-4434(f), 75-3307b, and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-63. Timeliness of response; requirements; documentation when unable to comply; referral to quality improvement program.** (a) Each center shall respond

to every contact or request for services by first determining, in a manner that is consistent with applicable clinical practices, whether or not that initial request constitutes an emergency.

(b) If the initial request is determined to be an emergency, all services that are required by K.A.R. 30-60-64 to be provided by a center shall be provided immediately as necessary to resolve the emergency. After the emergency has been resolved, if the consumer is not detained for inpatient care and treatment, that consumer shall be scheduled for a follow-up appointment and provided any necessary and appropriate services consistent with the requirements of this regulation.

(c) If the initial request is determined to be an urgent matter or a routine matter, the consumer shall be scheduled for an appointment with the appropriate staff within a timely period after that initial contact.

(d) After a consumer's first appointment, the center shall begin providing any necessary and appropriate services to that consumer within a timely period.

(e) If a center is unable to comply with the requirements of this regulation, the appropriate staff member shall document in the consumer's clinical record, as required by K.A.R. 30-60-46, the reason or reasons why the center was unable to comply with the requirements of this regulation. The staff member shall report the same information to the center's quality improvement program required by K.A.R. 30-60-55. (Authorized by K.S.A. 39-1603(r), 65-4434(f), and 75-3307b; implementing K.S.A. 39-1603, 65-4434(f), 75-3307b, and 75-3304a; effective July 7, 2003.)

**30-60-64. Required basic community support services.** (a) Each center shall provide as appropriate, through the center, a contractor, or any affiliated center or other provider with which the center has an affiliation agreement, each of the following basic community support services:

(1) Orientation services, including a means by which any person can discover, or become oriented to the center or its contractors or affiliated providers, through information concerning the following:

(A) What services are offered by the center, its contractors, its affiliated centers, or any other affiliates, and how to access those services, in a manner consistent with the requirements of K.A.R. 30-60-15;

(B) what the requirements or expectations are for each service offered, whether to qualify for or to continue to receive those services;

(C) what fees are charged for any service, and under what circumstances those fees may be adjusted, as required by K.A.R. 30-60-17; and

(D) what rights a consumer has, in a manner consistent with the requirements of K.A.R. 30-60-50;

(2) public education, including community education programs concerning the following:

(A) What mental illness or severe emotional disturbance is;

(B) what the symptoms of mental illness or severe emotional disturbance are;

(C) what treatments are available;

(D) what the community can do to assist and support persons with a mental illness or a severe emotional disturbance; and

(E) what individuals can do to dispel the myths about mental illness and severe emotional disturbance;

(3) emergency treatment and first response services, which shall be provided on a 24-hour-per-day, seven-day-per-week basis and shall include the following:

(A) Crisis responsiveness, including, when appropriate, staff going out of the office and to the individual for personal intervention, for any person found within the service area of the center who is thought to be experiencing a crisis or other emergency;

(B) referral to psychiatric and other community services, when appropriate, for any person found within the service area of the center;

(C) emergency consultation and education when requested by law enforcement officers, other professionals or agencies, or the public for the purposes of facilitating emergency services;

(D) evaluation of any person found within the service area of the center to determine the need for either inpatient or involuntary psychiatric care and treatment. This evaluation shall meet the following criteria:

(i) Be completed as soon as possible, but in any case not later than 24 hours after the initial request for that evaluation is made by any individual or agency. The evaluation shall be completed sooner if necessary to provide the certificate required by K.S.A. 59-2957(c)(1) and amendments thereto; and

(ii) be conducted in a place and manner that address the needs of that person;

(E) screening for admission to a state psychiatric hospital, when applicable and required by K.A.R. 30-61-10; and

(F) follow-up with any consumer seen for or provided with any emergency service and not detained for inpatient care and treatment, to determine the need for any further services or referral to any services;

(4) basic outpatient treatment services, including the following:

(A) Evaluation and diagnosis;

(B) individual, group, and family therapy;

(C) medication management, including a means by which a consumer can receive the following under the direction and supervision of a licensed physician:

(i) A prescription for any medication required to treat the consumer's mental illness or severe emotional disturbance;

(ii) assistance with obtaining any medication prescribed for the treatment of the consumer's mental illness or severe emotional disturbance;

(iii) education concerning the effects, benefits, and proper usage and storage of any medication prescribed for the treatment of the consumer's mental illness or severe emotional disturbance;

(iv) assistance with the administration of, or with monitoring the administration of, any medication prescribed for the treatment of the consumer's mental illness or severe emotional disturbance; and

(continued)

(v) any physiological testing or other evaluation necessary to monitor that consumer for adverse reactions to, or for other health-related issues that might arise in conjunction with, the taking of any medication prescribed for the treatment of the consumer's mental illness or severe emotional disturbance; and

(D) referral to other community treatment providers and services, when appropriate;

(5) basic case management services for adults, which shall be provided to any adult consumer who has a severe or persistent mental illness and who is determined to be in need of case management services. Case management services shall be provided either by a single individual acting as the case manager or by a team of individuals jointly acting as the case manager. If a team is jointly acting as the case manager, an individual from that team shall be assigned the responsibility for overseeing the provision of case management services to each consumer. Each individual case manager and each member of a team of case managers shall be sufficiently qualified by education and experience, and shall have completed, or shall have completed within six months, a case management training program that has been approved by the division and is specifically focused upon adults. Each case manager shall have the responsibility to provide, through a mutually acceptable process involving the consumer, the following:

(A) Engagement services and activities, including the following:

(i) Engaging the consumer in a purposeful, supportive, and helping relationship;

(ii) eliciting the consumer's choices concerning basic needs, including determining where the consumer desires to reside, what supports the consumer desires to rely upon, what productive activities the consumer desires to engage in, and what leisure activities the consumer desires to participate in; and

(iii) understanding the consumer's personal history and either satisfaction or dissatisfaction with services and treatments, including medications, that have been provided to or prescribed for that consumer in the past;

(B) strengths assessment services and activities, including the following:

(i) Identifying and assessing the consumer's wants and needs, the consumer's aspirations for the future, the resources that are or might be available to that consumer, the sources of motivation available to the consumer, and the strengths and capabilities the consumer possesses;

(ii) identifying and assessing what the consumer's preferences are with regard to having designated members of the consumer's family involved in the consumer's treatment, or with regard to having other designated individuals involved in the consumer's treatment, and depending upon what those preferences are, determining how best to involve those designated family members or other individuals in the consumer's assessment, treatment, and rehabilitation;

(iii) identifying and researching what educational and vocational, financial, and social resources are or might be available to the consumer and might facilitate that consumer's recovery; and

(iv) identifying, researching, and understanding the cultural factors that might have affected or that might affect the consumer's experience with receiving treatment and other services, the role that family and other natural supports play in the life of that consumer, the effects that these factors might have on the treatment process, and the ways in which these factors might be used to support the consumer's recovery;

(C) goal-planning services and activities, including the following:

(i) Helping the consumer to identify, organize, and prioritize the consumer's personal goals and objectives with regard to independent living, education and training, employment, and community involvement;

(ii) assisting and supporting the consumer in choosing and pursuing activities consistent with achieving those goals and objectives at a pace consistent with that consumer's capabilities, resources, and motivation;

(iii) teaching the consumer goal-setting and problem-solving skills, and living, social, and self-management skills;

(iv) identifying critical stressors that negatively affect the consumer's mental status and those interventions, coping strategies, and supportive resources that have been successful or helpful in addressing or relieving those stressors in the past; and

(v) developing relapse-prevention strategies, including wrap-around plans and advance directives, which the consumer may choose to utilize;

(D) resource acquisition services and activities, including the following:

(i) Assisting the consumer to access housing, transportation, education, job training, employment, public assistance, and recreational services available in the community;

(ii) assisting the consumer in finding and utilizing services provided by peer-companion programs, mutual support groups, and self-help organizations; and

(iii) ensuring that the consumer is knowledgeable of, and assisting the consumer in accessing, necessary and available medical and dental services and treatment;

(E) emergency services coordination during periods of crisis;

(F) advocacy services and activities, including the following:

(i) Acting as a liaison between the consumer and that consumer's other service providers;

(ii) coordinating the treatment and supportive efforts of all the consumer's service providers, family members, and peers;

(iii) advocating for the consumer, as appropriate, in developing goals and objectives within the consumer's individualized treatment plan during the course of that consumer's treatment, and in acquiring the resources necessary for achieving those goals and objectives;

(iv) identifying factors that place the consumer at high risk for suicide, violence, substance abuse, victimization, or infection with serious medical disorders, including HIV, and assisting that consumer to develop strategies to eliminate or mitigate these risks; and

(v) providing ongoing education to the consumer, to members of that consumer's family, and to other individ-

uals involved with that consumer about mental illness, treatment, medication and its side effects, rehabilitation, empowerment, and supportive resources;

(6) basic community-based support services for children, adolescents, and their families, which shall include consultative and advocative services and activities designed to assist professionals, service agencies, governmental and educational entities, and other individuals in understanding, planning for, developing, and comprehensively meeting the special needs of children and adolescents who either have a severe emotional disability or disorder or are mentally ill, and are therefore considered to be at risk of hospitalization or other out-of-home placement, and meeting the special needs of their families; and

(7) basic case management services for children, adolescents, and their families, which shall be provided to any child or adolescent consumer who either has a severe emotional disability or disorder or has been diagnosed as mentally ill and who is determined to be in need of case management services, and to the immediate family with whom that child or adolescent consumer resides or with whom it is intended that the child or adolescent consumer will reside. Case management services shall be provided either by a single individual acting as the case manager or by a team of individuals acting jointly as the case manager. If a team is jointly acting as the case manager, an individual from that team shall be assigned the responsibility for overseeing the provision of case management services to each child or adolescent and the family. Each individual case manager and each member of a team of case managers shall be sufficiently qualified by education and experience, and shall have completed, or shall have completed within six months, a case management training program that has been approved by the division and is specifically focused upon children, adolescents, and their families. Each case manager shall have responsibility to provide the following:

(A) Engagement services and activities, including the following:

(i) Engaging the child or adolescent and members of the child's or adolescent's family in a purposeful, supportive, and helping relationship;

(ii) eliciting the family's choices concerning what supports the family desires to utilize; and

(iii) understanding both the child's or adolescent's and the family's experiences and either satisfaction or dissatisfaction with services and treatments, including medications, that have been provided to or prescribed for that child or adolescent in the past;

(B) strengths assessment services and activities, including the following:

(i) Identifying and assessing the child's or adolescent's and the family's wants and needs, their goals, the resources that are or might be available to them, and the strengths and capabilities that both the child or adolescent and the family possess;

(ii) identifying and researching what educational, financial, and social resources are or might be available to the child or adolescent, or to the family, and that might facilitate that child's or adolescent's or the family's treatment; and

(iii) identifying, researching, and understanding the cultural factors that might have affected or that might affect the child's or adolescent's or the family's experience with receiving treatment and other services, the role that natural supports play in the life of that child or adolescent or in the functioning of the family, the effects that these factors might have on the treatment process, and the ways in which these factors might be used to support the child or adolescent, or the family;

(C) goal-planning services and activities, including the following:

(i) Helping the child or adolescent and the child's or adolescent's family to identify and prioritize specific goals and objectives based upon needs identified during the strengths assessment;

(ii) assisting and supporting the child or adolescent and the child's or adolescent's family in choosing and accessing the services and supports necessary for achieving those goals and objectives and for increasing that family's community integration;

(iii) identifying critical stressors that negatively affect the child's or adolescent's or the family's ability to function, and developing interventions and coping strategies to address or relieve those stressors; and

(iv) developing crisis strategies that the child or adolescent or a member of the child's or adolescent's family can utilize to control symptomatic behavior in order to avoid crisis situations that present a risk of harm to either the child or adolescent or to others, or that result in an out-of-home placement of that child or adolescent;

(D) resource acquisition services and activities, including the following:

(i) Assisting the child or adolescent and the child's or adolescent's family to obtain needed benefits and services that are available in the community;

(ii) assisting the child or adolescent and the child's or adolescent's family in finding and utilizing services provided by peer-companion programs and groups, and other support organizations; and

(iii) ensuring that the family is knowledgeable of, and assisting the family in accessing, necessary and available medical and dental services and treatment;

(E) emergency services coordination during periods of crisis;

(F) transitional services and activities, which shall meet the following criteria:

(i) Commence in early adolescence in order to assist the adolescent to move into adulthood and to transition to services intended for adults; and

(ii) include the utilization of a wrap-around approach to services involving the appropriate persons and agencies necessary to coordinate and collaborate with the educational, employment, living, and supportive services necessary to ensure community integration and tenure; and

(G) advocacy services and activities, including the following:

(i) Acting as a liaison between the child or adolescent, or the child's or adolescent's family, and that child's, adolescent's, or family's other service providers;

*(continued)*

(ii) coordinating the treatment and supportive efforts of all the child's or adolescent's or the family's service providers, including educational, child welfare, and juvenile justice agencies;

(iii) advocating for the child or adolescent or for the child's or adolescent's family, as appropriate, in developing goals and objectives within that child's or adolescent's individualized treatment plan during the course of that child's or adolescent's treatment and in acquiring the resources necessary for achieving those goals and objectives;

(iv) identifying factors that place the child or adolescent at risk for suicide, violence, substance abuse, victimization, or infection with serious medical disorders, including HIV, and assisting both the child or adolescent and the members of the child's or adolescent's family to develop strategies to eliminate or mitigate those risks; and

(v) providing ongoing education to the child or adolescent, to the members of the child's or adolescent's family, and to other persons involved with that child or adolescent about severe emotional disturbances and behavior disorders, treatment, medication and its side effects, rehabilitation, empowerment, and supportive resources.

(b) Each center shall adopt and adhere to written policies and procedures, which shall include the following requirements:

(1) The services required to be provided by this regulation shall be provided by staff who are supervised by professionals who are sufficiently qualified by education and experience.

(2) The caseloads of staff providing these services shall be monitored and managed in a manner that ensures the quality of the services provided.

(3) Supervision of case managers shall be provided by supervisors who are sufficiently qualified by education and experience and who have completed a supervisory training program approved by the division.

(4) No consumer shall be denied access to any of these services solely on the basis of any previous unsuccessful intervention or experience.

(5) Continuity shall be maintained, whenever possible, in any relationship that might be established between a consumer and a staff member that provides any services to that consumer.

(6) Appropriate staff shall be encouraged to provide the majority of their services to consumers in settings outside of the offices of that center or those of any affiliated center or other provider with which the center has an affiliation agreement.

(c) Each center shall ensure that each affiliated center or other provider with which the center has an affiliation agreement adheres to the center's policies and procedures adopted in compliance with subsection (b) of this regulation.

(d) If a center elects to provide any of these basic community support services through any contractor, affiliated center, or other provider with which the center has an affiliation agreement, the center shall regularly monitor the services provided by that contractor or affiliated center or other affiliate to ensure the quality of the serv-

ices that are provided and compliance with the requirements of this regulation. (Authorized by K.S.A. 39-1603(r), 65-4434(f), and 75-3307b; implementing K.S.A. 39-1603, 65-4434(f), 75-3304a, and 75-3307b; effective July 7, 2003.)

**30-60-70. Optional services.** The services specified in K.A.R. 30-60-71 through K.A.R. 30-60-76 shall be deemed optional services that a licensee may choose to offer directly or through a contractor. If a licensee elects to provide any or all of these services, the licensee, or its contractor, shall comply with the provisions of the applicable regulations. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-71. Alcohol and substance abuse services.** If a licensee provides, directly or through a contractor, specialized alcohol or substance abuse services, these services shall meet the following conditions: (a) Be separately licensed or certified as required by the department;

(b) be provided by appropriately trained or professionally qualified staff; and

(c) be administered in accordance with written policies and procedures adopted by the licensee. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-72. Acute care services.** If a center provides, directly or through a contractor, services consisting of inpatient care and treatment that is more intensive than outpatient treatment, in a facility or unit that is separately licensed by this department as a psychiatric hospital or by the Kansas department of health and environment as a general hospital, but that is operated by the licensee, these services shall meet the following conditions: (a) Be provided in the least restrictive manner appropriate, following generally accepted clinical standards of practice;

(b) provide both medical and nursing services as each consumer's care requires;

(c) be provided by appropriately trained or professionally qualified staff; and

(d) be administered in accordance with written policies and procedures adopted by the licensee. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-73. Partial or day hospitalization services.** If a licensee provides, directly or through a contractor, partial or day hospitalization services, these services shall meet the following conditions: (a) Be provided in compliance with the requirements of the department's Medicaid regulations;

(b) be provided by appropriately trained or professionally qualified staff; and

(c) be administered in accordance with written policies and procedures adopted by the licensee. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-74. Residential treatment services.** If a licensee provides, directly or through a contractor, residential treatment services at a facility other than in a consumer's own home, these services shall meet the following conditions: (a) Be separately inspected or licensed as required by the Kansas department of health and environment, or by this division or any other division within this department, if applicable;

(b) be provided in accordance with an individualized plan developed for each consumer provided with any residential treatment services, which shall be developed with the participation of that consumer and, when appropriate, members of the immediate family of that consumer or other individuals designated by that consumer. This plan shall be based on an assessment of the level of supervision and support necessary for that consumer to be able to function in the least restrictive setting possible;

(c) be provided by appropriately trained or professionally qualified staff; and

(d) be administered in accordance with written policies and procedures adopted by the licensee. These policies and procedures shall require that the facility be maintained in a manner that meets any applicable state or local fire or safety code. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-60-75.** (Authorized by and implementing K.S.A. 75-3307b, K.S.A. 1990 Supp. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f); effective Oct. 28, 1991; revoked July 7, 2003.)

**30-60-76. Research programs.** If a licensee conducts research programs utilizing human subjects, directly through research being conducted by the staff of the license or of a contractor, these programs shall meet the following conditions: (a) Be strictly conducted under written policies and procedures adopted by the licensee and developed specifically for each research project;

(b) require review of any proposed project by a specifically established committee of appropriately selected professionals before the initiation of the research;

(c) be conducted only on subjects who are capable of and who have given written, informed consent to be the subject of a specific research project; and

(d) strictly adhere to any applicable professional standards regarding the conducting of research, as well as all applicable federal and state laws and regulations. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

#### Article 61.—PARTICIPATING COMMUNITY MENTAL HEALTH CENTERS

**30-61-1. Scope.** The regulations in this article shall apply to each community mental health center licensed by the secretary in accordance with article 60 that desires to enter into a contract with the secretary pursuant to the "mental health reform act," K.S.A. 39-1601 et seq., and amendments thereto, for the purposes of being a participating community mental health center. (Authorized by

K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-61-2. Definitions.** Words and phrases used in this article but not defined in this regulation shall have the same meanings as they are defined to have in the "care and treatment act for mentally ill persons," K.S.A. 59-2945 et seq., and amendments thereto, in the "mental health reform act," K.S.A. 39-1601 et seq., and amendments thereto, or in K.A.R. 30-60-2. (a) "Community mental health center" and "center" mean a community mental health center that is organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, or K.S.A. 65-211 et seq., and amendments thereto, and that is licensed by the secretary in accordance with article 60. These terms shall not include any community mental health center licensed by the secretary in accordance with article 60 and meeting the exception specified in K.S.A. 75-3307b(b) and amendments thereto.

(b) "Participating community mental health center" means a community mental health center, as defined in this regulation, that has entered into a contract with the secretary in accordance with this article.

(c) (1) "Target population" means any of the following categories of consumers:

(A) Adults with a severe and persistent mental illness;

(B) children or adolescents with a severe emotional disturbance; or

(C) other individuals at risk of requiring institutional care because of a mental illness.

(2) Each of the categories of consumers listed in this subsection may be further defined within the contract provided for in K.A.R. 30-61-5. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-61-5. Annual contracts; application; plan for compliance; term.** (a) Each community mental health center desiring to become the participating community mental health center for its service area shall apply to the secretary for a contract on an annual basis at the time and in the manner that shall be announced by the secretary.

(b) Each center that desires to become a participating community mental health center may be required by the secretary to submit to the division, in addition to the center's application for a contract, a plan detailing how the center will come into and stay in compliance with the applicable requirements of this article if the center has not before been in compliance. This plan shall be reviewed by the division. A recommendation shall be made by the division to the secretary concerning whether a contract should be awarded or denied.

(c) If the parties agree to a contract, the term during which the center is considered to be a participating mental health center shall be specified in the contract. During the term in which the center is considered to be a participating community mental health center, the center shall provide the additional services required to be provided by this article or by the contract.

(continued)

(d) A center shall have no obligation to be a participating community mental health center, or to be in compliance with the requirements of this article, beyond the term specified in the contract if the center does not subsequently contract with the secretary to be a participating community mental health center. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-61-6. Preference for licensed service area center; secretary's right to contract with another licensed center.** (a) Preference shall be given to the community mental health center in each service area to enter into a contract with the secretary to become the participating community mental health center for that area.

(b) The secretary shall have the right to contract with another center to provide the services of a participating community mental health center to that service area if any of the following conditions is met:

(1) The center fails to timely enter into a contract to become a participating community mental health center.

(2) The center is unwilling to enter into a contract to provide all of the required services of a participating community mental health center.

(3) The secretary determines that the center is unable or has failed in the past to adequately provide all of the required services of a participating community mental health center. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-61-10. Screening and gatekeeping services.** (a) Each participating community mental health center shall provide, when necessary or when requested and necessary, to any person found within the service area of the center, screening services to determine whether either of the following applies:

(1) The person can be evaluated or treated by community services.

(2) The person needs to be admitted to the designated state psychiatric hospital for evaluation or treatment, or both.

(b) This screening and gatekeeping service shall meet the following criteria:

(1) Be performed by a qualified mental health professional;

(2) be completed by utilizing the screening assessment instrument designated by the division for this purpose; and

(3) if the screening results in a determination that the person needs to be admitted to a state psychiatric hospital, whether on a voluntary or involuntary basis, be evidenced by a completed statement upon the form designated by the division for this purpose.

(c) The center shall arrange for any protective custody necessary to complete the screening.

(d) The center shall offer to provide, shall provide, or shall refer to and coordinate with another appropriate provider, including providing any follow-up that might be necessary, any appropriate and necessary services that are required by this article to be provided by a partici-

pating community mental health center or that are required by article 60 to be provided by a center, to any person meeting the following criteria:

(1) Is determined by the qualified mental health professional acting on behalf of that center not to be in need of admission to a state psychiatric hospital; and

(2) is in need of treatment or could benefit from any of the services required by this article to be provided by a participating community mental health center or required by article 60 to be provided by a center. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

**30-61-11. Liaison services.** (a) Each participating community mental health center shall designate staff who shall perform the following:

(1) Regularly visit at the hospital with every person admitted to a state psychiatric hospital from the service area of the center, whether on a voluntary or involuntary basis;

(2) participate in the discharge planning of each person admitted to a state psychiatric hospital from the service area of the center in order to facilitate the return of that person to the community;

(3) be empowered by the center to commit the center to specified services upon the discharge and return to the community of any person admitted to a state psychiatric hospital from the service area of the center; and

(4) coordinate the treatment provided at the state psychiatric hospital with the treatment provided by either the center or any affiliated provider with which the center has an affiliation agreement.

(b) The names and professional qualifications of liaison staff shall be communicated by the executive director of the center to the superintendent of the state psychiatric hospital to which the liaison staff is assigned.

(c) The liaison staff shall follow all rules of the state psychiatric hospital while on the campus of the hospital. (Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective July 7, 2003.)

**30-61-15. Enhanced community support services.**

(a) Each participating community mental health center shall provide directly, or through a contractor, an affiliated center, or any other provider with which the center has an affiliation agreement, enhanced community support services in extension of the services required to be provided by K.A.R. 30-60-64, including the following:

(1) Outreach services designed to achieve the following:

(A) Identify and locate persons in the target population, particularly persons who do not often seek mental health services in traditional ways;

(B) encourage these persons to utilize the services of the center, its affiliated centers, or other affiliates; and

(C) offer special assistance to these persons, as required, in order to enable them to utilize the services of the center, its affiliated centers, or other affiliates;

(2) public education about the enhanced services that are available at the center or through its contractors, affiliated centers, or other affiliates;



(3) liaison services with any nursing facilities for mental health that are located in the center's service area or to which a person from the center's service area has been admitted, designed to facilitate the discharge of persons residing in those nursing facilities who could live in the community with the assistance and support provided by the services available through the center, its affiliated centers, or other affiliates;

(4) any services necessary to provide any treatment required to fulfill a court order for outpatient treatment that is issued by the district court of any county within the service area of the center; and

(5) attendant care services, designed as an extension of the center's basic outpatient treatment services, basic case management services for adults, basic community-based support services for children, adolescents, and their families, and basic case management services for children, adolescents and their families, required by K.A.R. 30-60-64, tailored specifically to accomplish the following:

(A) To enhance the independence of consumers in the target population;

(B) to reduce the risks for the need to be admitted to a state psychiatric hospital that are known to be associated with consumers in the target population;

(C) to facilitate the discharge of consumers in the target population who have been admitted to any state psychiatric hospital; and

(D) to otherwise assist consumers in the target population to be able to live in the community.

(b) Each center shall adopt and adhere to written policies and procedures that shall require all of the following:

(1) The services required to be provided by this regulation shall be provided by staff who are supervised by

professionals who are sufficiently qualified by education and experience.

(2) The caseloads of staff members providing these services shall be monitored and managed to ensure the quality of the services provided.

(3) No consumer shall be denied access to any of these services solely on the basis of any previous unsuccessful intervention or experience.

(4) Continuity shall be maintained, whenever possible, in any relationship that might be established between a consumer and staff member that provides any services to that consumer.

(5) Appropriate staff shall be encouraged to provide the majority of their services to consumers in settings outside of the offices of the center.

(c) If a participating community mental health center elects to provide any of these enhanced community support services through any contractor, affiliated center, or other provider with which the center has an affiliation agreement, the center shall regularly monitor that contractor, center, or provider to ensure compliance with the requirements of this regulation and the quality of the services that are provided. (Authorized by K.S.A. 39-1603(r), 65-4434(f), and 75-3307b; implementing K.S.A. 39-1603, 65-4434(f), 75-3304a, and 75-3307b; effective Oct. 28, 1991; amended July 7, 2003.)

**30-61-16.** (Authorized by and implementing K.S.A. 75-3307b, K.S.A. 1990 Supp. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f); effective Oct. 28, 1991; revoked July 7, 2003.)

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 029442

**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 and 2002 Supplement to the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-2-31	Amended	V. 21, p. 767
1-2-42	Amended	V. 21, p. 767
1-2-42a	Amended	V. 21, p. 767
1-2-48	Revoked	V. 21, p. 767
1-5-22	Amended	V. 21, p. 767
1-5-29	Amended	V. 21, p. 767
1-6-3	Amended	V. 21, p. 767
1-6-21	Amended	V. 21, p. 768
1-6-23	Amended (T)	V. 22, p. 466
1-6-26a	New	V. 21, p. 768
1-9-4	Amended	V. 21, p. 768
1-9-5	Amended	V. 21, p. 769
1-9-7b	Amended	V. 21, p. 2048
1-11-1	Amended	V. 21, p. 770
1-14-12a	Revoked	V. 21, p. 770
1-16-18	Amended	V. 21, p. 146

1-45-1 through 1-45-7	Revoked	V. 22, p. 226
1-45-7a	Revoked	V. 22, p. 226
1-45-8 through 1-45-14	Revoked	V. 22, p. 226
1-45-15	Amended (T)	V. 21, p. 1942
1-45-15	Revoked	V. 22, p. 226
1-45-16	Amended (T)	V. 21, p. 1942
1-45-16	Revoked	V. 21, p. 226
1-45-17	Revoked	V. 22, p. 226
1-45-18 through 1-45-24	New	V. 22, p. 226-228
1-47-1	Amended	V. 22, p. 850
1-49-1	Amended	V. 22, p. 851
1-49-12	New	V. 22, p. 851

**AGENCY 3: KANSAS STATE TREASURER**

Reg. No.	Action	Register
3-2-2	Amended	V. 21, p. 1944
3-2-3	Amended	V. 21, p. 1944

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-1-17	Amended (T)	V. 21, p. 1174
4-1-17	Amended	V. 21, p. 1749
4-4-2	Amended	V. 21, p. 1749
4-7-2	Amended	V. 21, p. 2020
4-7-3	Amended	V. 21, p. 2020
4-7-4	Amended	V. 21, p. 2020
4-7-6	Amended	V. 21, p. 2021
4-7-213	Amended	V. 21, p. 2021

4-7-213a	Revoked	V. 21, p. 2021
4-7-214	Amended	V. 21, p. 2021
4-7-216	Amended	V. 21, p. 2021
4-7-408	Revoked	V. 21, p. 2021
4-7-507	Amended	V. 21, p. 2021
4-7-510	Amended	V. 21, p. 2021
4-7-511	Revoked	V. 21, p. 2021
4-7-512	Revoked	V. 21, p. 2022
4-7-513	Revoked	V. 21, p. 2022
4-7-530	Amended	V. 21, p. 2022
4-7-531	Amended	V. 21, p. 2022
4-7-532	Amended	V. 21, p. 2022
4-7-533	Amended	V. 21, p. 2022
4-7-715	Amended	V. 21, p. 2022
4-7-716	Amended	V. 21, p. 2022
4-7-717	Amended	V. 21, p. 2023
4-7-718	Amended	V. 21, p. 2023
4-7-719	Amended	V. 21, p. 2023
4-7-720	Revoked	V. 21, p. 2023
4-7-721	Revoked	V. 21, p. 2023
4-7-722	Revoked	V. 21, p. 2023
4-7-802	Revoked	V. 21, p. 2023
4-7-804	New	V. 21, p. 2023
4-7-900	Amended	V. 21, p. 2024
4-7-901	Amended	V. 21, p. 2024
4-7-902	Amended	V. 21, p. 2024
4-7-903	Amended	V. 21, p. 2024
4-7-904	Amended	V. 21, p. 2024
4-7-905	Revoked	V. 21, p. 2024
4-7-1000	Amended	V. 21, p. 2024
4-7-1001	Revoked	V. 21, p. 2025
4-8-43	New (T)	V. 22, p. 82
4-8-43	New	V. 22, p. 432
4-13-9	Amended (T)	V. 21, p. 1174
4-13-9	Amended	V. 21, p. 1749

(continued)

4-13-20 through 4-13-24	Amended (T)	V. 21, p. 1174, 1175
4-13-20 through 4-13-33	Amended	V. 21, p. 1749, 1750
4-13-25	Amended	V. 21, p. 2043
4-13-25a through 4-13-25l	New	V. 21, p. 2044-2047
4-13-33	Amended (T)	V. 21, p. 1175
4-13-33	Amended	V. 21, p. 1750
4-14-1	Revoked	V. 21, p. 1705
4-14-2	Revoked	V. 21, p. 1705
4-14-3	Revoked	V. 21, p. 1705
4-15-1	Revoked	V. 21, p. 1705
4-15-2	Revoked	V. 21, p. 1705
4-15-3	Revoked	V. 21, p. 1705
4-15-4 through 4-15-14	New	V. 21, p. 1705-1708
4-16-7a	Amended	V. 22, p. 12
4-18-1	Revoked	V. 21, p. 1708
4-19-1	Amended (T)	V. 21, p. 1175
4-19-1	Amended	V. 21, p. 1750
4-20-11	Amended	V. 22, p. 385
4-20-15	Amended	V. 22, p. 385
4-21-1	Amended	V. 22, p. 385
4-21-3	Amended	V. 22, p. 386
4-21-4	Amended	V. 22, p. 386
4-21-5	Amended	V. 22, p. 387
4-21-6	Amended	V. 22, p. 387
4-21-7	New	V. 22, p. 387
4-25-2 through 4-25-18	New	V. 21, p. 232-235

**AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES**

Reg. No.	Action	Register
5-3-26	Amended (T)	V. 21, p. 1131
5-3-26	Amended	V. 21, p. 1704
5-15-1 through 5-15-4	New (T)	V. 21, p. 690-692
5-15-1 through 5-15-4	New	V. 21, p. 1307-1309
5-16-1 through 5-16-7	New	V. 21, p. 1667-1669
5-21-6	New	V. 22, p. 41
5-21-7	New	V. 22, p. 42
5-22-2	Amended	V. 21, p. 2133
5-22-4	Amended	V. 21, p. 2133
5-22-4a	New	V. 21, p. 2134
5-22-5	Revoked	V. 21, p. 2134
5-22-12	New	V. 21, p. 2134
5-23-6	Amended	V. 21, p. 2134
5-24-5	Amended	V. 21, p. 2135
5-24-7	Amended	V. 21, p. 2135
5-24-8	New	V. 21, p. 2135
5-24-9	New	V. 21, p. 2136
5-24-10	New	V. 21, p. 2136

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-23-13	Amended	V. 21, p. 1056
7-37-2	Amended	V. 21, p. 1056

**AGENCY 9: ANIMAL HEALTH DEPARTMENT**

Reg. No.	Action	Register
9-7-19	New	V. 21, p. 265
9-18-1	Amended	V. 22, p. 794
9-22-4	New	V. 22, p. 795
9-22-5	New	V. 22, p. 796

**AGENCY 10: KANSAS BUREAU OF INVESTIGATION**

Reg. No.	Action	Register
10-12-1	Amended	V. 21, p. 454
10-13-1	Amended	V. 21, p. 454

10-20-2a	New	V. 21, p. 454
10-21-1 through 10-21-6	Amended	V. 21, p. 454-456

**AGENCY 11: STATE CONSERVATION COMMISSION**

Reg. No.	Action	Register
11-1-6	Amended	V. 21, p. 1318
11-1-7	Amended	V. 21, p. 1318
11-1-8	Amended	V. 21, p. 1318
11-1-9 through 11-1-14	New	V. 21, p. 1319-1321
11-2-4 through 11-2-6	Revoked	V. 21, p. 1321
11-5-1 through 11-5-4	Revoked	V. 21, p. 1321
11-7-6	Amended	V. 21, p. 1321
11-7-7	Amended	V. 21, p. 1321
11-7-12 through 11-7-15	Amended	V. 21, p. 1322, 1323
11-7-16	New	V. 21, p. 1323
11-9-2	Amended	V. 21, p. 1323
11-9-5	Amended	V. 21, p. 1323
11-9-10	Amended	V. 21, p. 1323
11-10-1 through 11-10-6	New	V. 21, p. 1323-1324

**AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

Reg. No.	Action	Register
14-12-1 through 14-12-18	Revoked	V. 21, p. 2095
14-13-14	New	V. 21, p. 1054
14-13-15	New	V. 21, p. 1055
14-14-6	Revoked	V. 21, p. 2095
14-14-6a	New	V. 21, p. 2095
14-15-1	New	V. 22, p. 123
14-15-2	New	V. 22, p. 123

**AGENCY 17: STATE BANK COMMISSIONER**

Reg. No.	Action	Register
17-11-18	Amended	V. 22, p. 798
17-24-3	New	V. 21, p. 212

**AGENCY 22: STATE FIRE MARSHAL**

Reg. No.	Action	Register
22-24-1 through 22-24-18	New	V. 21, p. 147-150

**AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT (By Department of Agriculture)**

Reg. No.	Action	Register
25-1-3 through 25-1-6	Revoked	V. 21, p. 235, 236
25-1-12	Revoked	V. 21, p. 236
25-1-15	Revoked	V. 21, p. 236
25-1-19 through 25-1-28	Revoked	V. 21, p. 236
25-2-4	Revoked	V. 21, p. 236
25-3-2 through 25-3-6	Revoked	V. 21, p. 236
25-3-8	Revoked	V. 21, p. 236
25-3-10 through 25-3-13	Revoked	V. 21, p. 236
25-3-15	Revoked	V. 21, p. 236
25-3-16	Revoked	V. 21, p. 236
25-3-17	Revoked	V. 21, p. 236

25-4-4	Revoked	V. 21, p. 236
25-5-1	Revoked	V. 21, p. 236

**AGENCY 26: DEPARTMENT ON AGING**

Reg. No.	Action	Register
26-1-1	Amended	V. 21, p. 743
26-1-4	Revoked	V. 21, p. 745
26-1-5	Amended	V. 21, p. 745
26-2-4	Amended	V. 21, p. 745
26-3-2	Revoked	V. 21, p. 745
26-5-1	Revoked	V. 21, p. 745
26-5-6	Amended	V. 21, p. 745
26-8-1	Amended (T)	V. 21, p. 1222
26-8-1	Amended	V. 21, p. 1747
26-8-2	Amended (T)	V. 21, p. 1172
26-8-2	Amended	V. 21, p. 1747
26-8-3	Revoked (T)	V. 21, p. 1173
26-8-3	Revoked	V. 21, p. 1748
26-8-5	Amended (T)	V. 21, p. 1173
26-8-5	Amended	V. 21, p. 1748
26-8-6	Revoked (T)	V. 21, p. 1173
26-8-6	Revoked	V. 21, p. 1748
26-8-7	Amended (T)	V. 21, p. 1173
26-8-7	Amended	V. 21, p. 1748
26-8-8	Amended (T)	V. 21, p. 1173
26-8-8	Amended	V. 21, p. 1748
26-8-9	Revoked (T)	V. 21, p. 1173
26-8-9	Revoked	V. 21, p. 1748
26-8-12	Revoked (T)	V. 21, p. 1173
26-8-12	Revoked	V. 21, p. 1748
26-8-13	Revoked (T)	V. 21, p. 1173
26-8-13	Revoked	V. 21, p. 1748
26-8-14	Revoked (T)	V. 21, p. 1173
26-8-14	Revoked	V. 21, p. 1748
26-8-15	New (T)	V. 21, p. 1173
26-8-15	New	V. 21, p. 1748
26-11-1	New	V. 21, p. 1405
26-11-2	New	V. 21, p. 1405
26-11-3	New	V. 21, p. 1405

**AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT**

Reg. No.	Action	Register
28-1-18	Amended (T)	V. 21, p. 1405
28-1-18	Amended	V. 21, p. 1920
28-4-269	Amended (T)	V. 21, p. 497
28-4-269	Amended	V. 21, p. 1167
28-4-331	Amended (T)	V. 21, p. 498
28-4-331	Amended	V. 21, p. 1168
28-4-351	Amended (T)	V. 21, p. 500
28-4-351	Amended	V. 21, p. 1170
28-4-576 through 28-4-596	New (T)	V. 21, p. 597-616
28-4-576 through 28-4-596	New	V. 21, p. 2138-2156
28-14-1	Amended	V. 21, p. 1791
28-14-2	Amended	V. 21, p. 1791
28-16-28b through 28-16-28e	Amended	V. 21, p. 2096-2012
28-17-6	Amended (T)	V. 21, p. 1171
28-17-6	Amended	V. 21, p. 1704
28-19-17	Amended	V. 21, p. 1892
28-19-17a through 28-19-17q	Revoked	V. 21, p. 1892
28-19-75	Revoked	V. 21, p. 1325
28-19-350	New	V. 21, p. 1892
28-19-564	Amended	V. 21, p. 1581
28-19-714	New	V. 21, p. 1325
28-29-3	Amended	V. 22, p. 798
28-29-18	Revoked	V. 21, p. 310
28-29-20	Amended	V. 22, p. 801
28-29-29	Amended	V. 21, p. 310
28-29-101	Revoked	V. 22, p. 802
28-29-109	Amended	V. 22, p. 802
28-29-2201	New	V. 21, p. 310
28-31-1	Amended	V. 21, p. 1511
28-31-2	Amended	V. 21, p. 1512
28-31-3	Amended	V. 21, p. 1512
28-31-4	Amended	V. 21, p. 1512

28-31-6	Amended	V. 21, p. 1517
28-31-8	Amended	V. 21, p. 1518
28-31-8b	Amended	V. 21, p. 1519
28-31-9	Amended	V. 21, p. 1519
28-31-10	Amended	V. 21, p. 1519
28-31-10a	Amended	V. 21, p. 1520
28-31-11	Revoked	V. 21, p. 1520
28-31-14	Amended	V. 21, p. 1520
28-31-15	Amended	V. 21, p. 1520
28-31-16	Amended	V. 21, p. 1520
28-38-18		
through		
28-38-23	Amended	V. 22, p. 7-9
28-38-28	Amended	V. 22, p. 10
28-38-29	Amended	V. 22, p. 10
28-38-30	Amended	V. 22, p. 11
28-45-2	Revoked (T)	V. 22, p. 531
28-45-2a	New (T)	V. 22, p. 531
28-45-3	Revoked (T)	V. 22, p. 532
28-45-3a	New (T)	V. 22, p. 532
28-45-4	Revoked (T)	V. 22, p. 533
28-45-4a	New (T)	V. 22, p. 533
28-45-5	Revoked (T)	V. 22, p. 533
28-45-5a	New (T)	V. 22, p. 533
28-45-6	Revoked (T)	V. 22, p. 534
28-45-6a	New (T)	V. 22, p. 534
28-45-7	Revoked (T)	V. 22, p. 535
28-45-7a	New (T)	V. 22, p. 535
28-45-8	Revoked (T)	V. 22, p. 536
28-45-8a	New (T)	V. 22, p. 536
28-45-9	Revoked (T)	V. 22, p. 536
28-45-9a	New (T)	V. 22, p. 536
28-45-10	Revoked (T)	V. 22, p. 536
28-45-10a	New (T)	V. 22, p. 536
28-45-11	Revoked (T)	V. 22, p. 537
28-45-11a	New (T)	V. 22, p. 537
28-45-12		
through		
28-45-30	New (T)	V. 22, p. 537-548
28-45a-1		
through		
28-45a-19	New (T)	V. 22, p. 548-557
28-55-3	Amended	V. 21, p. 311
28-55-5	Amended	V. 21, p. 311
28-72-1		
through		
28-72-4	Amended	V. 21, p. 1944-1948
28-72-4a	Amended	V. 21, p. 1952
28-72-4b	Amended	V. 21, p. 1954
28-72-4c	Amended	V. 21, p. 1955
28-72-5		
through		
28-72-18	Amended	V. 21, p. 1957-1971
28-72-18e	Amended	V. 21, p. 1973
28-72-19	Amended	V. 21, p. 1974
28-72-21	Amended	V. 21, p. 1974

**AGENCY 30: SOCIAL AND REHABILITATION SERVICES**

Reg. No.	Action	Register
30-4-90	Amended	V. 21, p. 1005
30-4-96	Revoked	V. 22, p. 249
30-5-64	Amended	V. 22, p. 584
30-5-81u	Amended (T)	V. 22, p. 83
30-5-81u	Amended	V. 22, p. 432
30-5-94	Amended	V. 21, p. 2049
30-5-101	Revoked	V. 21, p. 1007
30-5-101a	Revoked	V. 21, p. 2049
30-5-102	Amended (T)	V. 22, p. 83
30-5-102	Amended	V. 22, p. 432
30-5-105	Amended (T)	V. 22, p. 83
30-5-105	Amended	V. 22, p. 433
30-5-107	Amended	V. 22, p. 1043
30-5-107a	Amended	V. 22, p. 1044
30-5-108a	Amended	V. 21, p. 2049
30-5-300	Amended	V. 21, p. 1007
30-5-308	Amended	V. 21, p. 2049
30-6-65	Amended	V. 22, p. 1044
30-6-86	Amended	V. 21, p. 2049
30-6-88	New	V. 21, p. 1010
30-6-94	Amended	V. 21, p. 506
30-6-103	Amended (T)	V. 22, p. 84
30-6-103	Amended	V. 22, p. 433
30-6-106	Amended	V. 22, p. 249

30-6-107	Amended	V. 21, p. 1011
30-6-108	Amended	V. 22, p. 1045
30-6-109	Amended	V. 22, p. 1045
30-6-112	Amended	V. 21, p. 1013
30-10-1a	Amended	V. 21, p. 506
30-10-2	Amended	V. 21, p. 508
30-10-6	Amended	V. 21, p. 1014
30-10-7	Amended	V. 21, p. 509
30-10-11	Amended	V. 21, p. 1015
30-10-15a	Amended	V. 21, p. 1017
30-10-15b	Amended	V. 21, p. 1018
30-10-17	Amended	V. 21, p. 2050
30-10-17	Amended (T)	V. 22, p. 990
30-10-18	Amended	V. 21, p. 2052
30-10-18	Amended (T)	V. 22, p. 991
30-10-19	Amended	V. 21, p. 1023
30-10-19	Amended (T)	V. 22, p. 994
30-10-21	Amended	V. 21, p. 1024
30-10-23a	Amended	V. 21, p. 2055
30-10-24	Amended	V. 21, p. 1025
30-10-25	Amended	V. 21, p. 1026
30-10-27	Amended	V. 21, p. 1027
30-10-29	Revoked	V. 21, p. 1028
30-12-16		
through		
30-12-22	Revoked	V. 21, p. 331
30-13-17		
through		
30-13-26	Revoked	V. 21, p. 331
30-14-28	Amended (T)	V. 22, p. 84
30-14-28	Amended	V. 22, p. 434
30-44-5	New	V. 22, p. 1047
30-64-20	Amended	V. 21, p. 80
30-64-22	Amended	V. 21, p. 80
30-64-23	Amended	V. 21, p. 80
30-64-24	Amended	V. 21, p. 1310
30-64-30	Amended	V. 21, p. 81
30-64-31	Amended	V. 21, p. 81
30-64-32	Amended	V. 21, p. 82
30-64-34	Revoked	V. 21, p. 82

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-34	Amended	V. 21, p. 2131
40-1-43	Amended	V. 21, p. 451
40-1-46	Amended	V. 21, p. 212
40-1-47	New	V. 21, p. 588
40-1-48	Amended	V. 21, p. 1056
40-1-49	New	V. 21, p. 1703
40-2-22	Revoked	V. 21, p. 589
40-4-36	Amended	V. 22, p. 465
40-4-37	Amended	V. 21, p. 741
40-4-37k	Amended	V. 21, p. 1272
40-4-37q	New	V. 21, p. 1272
40-4-37s	New	V. 21, p. 743
40-4-37t	New	V. 21, p. 1272
40-4-37u	New	V. 21, p. 1370

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-4-103	Revoked	V. 21, p. 309
44-4-104	Revoked	V. 21, p. 309
44-4-106		
through		
44-4-109	Revoked	V. 21, p. 309
44-5-101	Revoked	V. 21, p. 309
44-5-103	Revoked	V. 21, p. 309
44-5-107		
through		
44-5-110	Revoked	V. 21, p. 309
44-5-113	Revoked	V. 21, p. 309
44-5-114	Revoked	V. 21, p. 309
44-6-101	Amended	V. 21, p. 1406
44-6-106	Amended	V. 21, p. 1407
44-6-107	Amended	V. 21, p. 1407
44-6-108	Amended	V. 21, p. 1408
44-6-114c	Amended	V. 21, p. 1408
44-6-114d	New	v. 21, p. 1409
44-6-114e	New	V. 21, p. 1409
44-6-115	Revoked	V. 21, p. 1415
44-6-115a	New	V. 21, p. 1415

44-6-115a	Amended (T)	V. 22, p. 383
44-6-115b	New	V. 21, p. 1415
44-6-115c	New	V. 21, p. 1417
44-6-117	Revoked	V. 21, p. 1418
44-6-120	Revoked	V. 21, p. 1418
44-6-124	Revoked	V. 21, p. 1418
44-6-125	Amended	V. 21, p. 1418
44-6-126	Amended	V. 21, p. 1419
44-6-133	Revoked	V. 21, p. 1419
44-6-134	Amended	V. 21, p. 1419
44-6-136	Amended	V. 21, p. 1419
44-6-136a	Amended	V. 21, p. 1420
44-6-137	Amended	V. 21, p. 1420
44-6-138	Amended	V. 21, p. 1420
44-6-140	Amended	V. 21, p. 1421
44-6-140a	Amended	V. 21, p. 1421
44-6-141	Amended	V. 21, p. 1421
44-6-142	Revoked	V. 21, p. 1421
44-6-143	Amended	V. 21, p. 1421
44-6-146	Revoked	V. 21, p. 1422
44-7-102	Revoked	V. 21, p. 309
44-7-103	Revoked	V. 21, p. 309
44-7-105	Revoked	V. 21, p. 309
44-7-106	Revoked	V. 21, p. 309
44-7-107	Revoked	V. 21, p. 309
44-7-109	Revoked	V. 21, p. 309
44-7-112	Revoked	V. 21, p. 309
44-7-114	Revoked	V. 21, p. 309
44-7-115	Revoked	V. 21, p. 309
44-7-116	Revoked	V. 21, p. 309
44-8-110		
through		
44-8-114	Revoked	V. 21, p. 309
44-11-111	Amended	V. 21, p. 335
44-11-112	Revoked	V. 21, p. 336
44-11-113	Amended	V. 21, p. 336
44-11-114	Revoked	V. 21, p. 336
44-11-115	Revoked	V. 21, p. 336
44-11-119	Amended	V. 21, p. 336
44-11-120	Amended	V. 21, p. 336
44-11-121	Amended	V. 21, p. 337
44-11-122	Revoked	V. 21, p. 337
44-11-123	Amended	V. 21, p. 337
44-11-124	Revoked	V. 21, p. 337
44-11-127	Amended	V. 21, p. 337
44-11-129	Amended	V. 21, p. 338
44-11-130	Amended	V. 21, p. 338
44-11-131	Amended	V. 21, p. 339
44-11-132	Amended	V. 21, p. 339
44-11-133	Amended	V. 21, p. 339
44-11-135	Amended	V. 21, p. 339
44-12-103	Amended	V. 21, p. 117
44-12-105	Amended	V. 21, p. 117
44-12-106	Amended	V. 21, p. 117
44-12-107	Amended	V. 21, p. 117
44-12-201		
through		
44-12-205	Amended	V. 21, p. 118
44-12-210	Amended	V. 21, p. 118
44-12-303	Amended	V. 21, p. 118
44-12-305	Amended	V. 21, p. 118
44-12-306	Amended	V. 21, p. 119
44-12-307	Amended	V. 21, p. 119
44-12-309	Amended	V. 21, p. 119
44-12-310	Amended	V. 21, p. 119
44-12-312	Amended	V. 21, p. 119
44-12-313	Amended	V. 21, p. 119
44-12-314	Amended	V. 21, p. 119
44-12-318	Amended	V. 21, p. 120
44-12-320	Revoked	V. 21, p. 120
44-12-321	Amended	V. 21, p. 120
44-12-325	Amended	V. 21, p. 120
44-12-326	Revoked	V. 21, p. 120
44-12-327	Amended	V. 21, p. 120
44-12-328	Amended	V. 21, p. 120
44-12-401	Amended	V. 21, p. 120
44-12-501	Amended	V. 21, p. 121
44-12-503	Amended	V. 21, p. 121
44-12-504	Amended	V. 21, p. 121
44-12-505b	Amended	V. 21, p. 121
44-12-601	Amended	V. 21, p. 121
44-12-602	Amended	V. 21, p. 123
44-12-702	Amended	V. 21, p. 123

(continued)

44-12-801	Amended	V. 21, p. 123
44-12-902	Amended	V. 21, p. 123
44-12-1002	Amended	V. 21, p. 123
44-12-1002	Amended (T)	V. 22, p. 384
44-12-1306	Amended	V. 21, p. 123
44-12-1307	Amended	V. 21, p. 124
44-13-101	Amended	V. 21, p. 151
44-13-104	Revoked	V. 21, p. 151
44-13-105	Amended	V. 21, p. 151
44-13-106	Amended	V. 21, p. 151
44-13-201	Amended	V. 21, p. 152
44-13-201b	Amended	V. 21, p. 153
44-13-201b	Amended (T)	V. 22, p. 384
44-13-202	Amended	V. 21, p. 153
44-13-302a	Revoked	V. 21, p. 153
44-13-304	Revoked	V. 21, p. 153
44-13-306	New	V. 21, p. 154
44-13-307	New	V. 21, p. 154
44-13-401	Amended	V. 21, p. 154
44-13-401a	Revoked	V. 21, p. 154
44-13-402	Amended	V. 21, p. 154
44-13-403	Amended	V. 21, p. 155
44-13-404	Amended	V. 21, p. 156
44-13-405a	Amended	V. 21, p. 157
44-13-406	Amended	V. 21, p. 158
44-13-408	Amended	V. 21, p. 158
44-13-409	Amended	V. 21, p. 158
44-13-501	Amended	V. 21, p. 158
44-13-502a	Amended	V. 21, p. 158
44-13-506	through	
44-13-509	Amended	V. 21, p. 158, 159
44-13-601	Amended	V. 21, p. 159
44-13-603	Amended	V. 21, p. 159
44-13-610	Amended	V. 21, p. 159
44-13-701	through	
44-13-704	Amended	V. 21, p. 159, 160
44-13-705	Revoked	V. 21, p. 161
44-13-706	Amended	V. 21, p. 161
44-13-707	Amended	V. 21, p. 161
44-14-101	Revoked	V. 21, p. 83
44-14-102	Revoked	V. 21, p. 83
44-14-201	Revoked	V. 21, p. 83
44-14-202	Revoked	V. 21, p. 83
44-14-301	through	
44-14-318	Revoked	V. 21, p. 83
44-15-101	Amended	V. 21, p. 84
44-15-101a	Amended	V. 21, p. 84
44-15-102	Amended	V. 21, p. 85
44-15-201	Amended	V. 21, p. 86
44-16-102	Amended	V. 21, p. 86
44-16-103	Revoked	V. 21, p. 86
44-16-104	Revoked	V. 21, p. 86
44-16-105	Amended	V. 21, p. 86
44-16-106	Revoked	V. 21, p. 86
44-16-107	Revoked	V. 21, p. 86
44-16-108	Revoked	V. 21, p. 86

**AGENCY 45: KANSAS PAROLE BOARD**

Reg. No.	Action	Register
45-1-1	Revoked	V. 21, p. 1894
45-4-4	through	
45-4-7	Revoked	V. 21, p. 1894
45-4-9	Revoked	V. 21, p. 1894
45-6-1	Revoked	V. 21, p. 1894
45-6-2	Revoked	V. 21, p. 1894
45-6-3	Revoked	V. 21, p. 1894
45-6-5	Revoked	V. 21, p. 1894
45-7-1	through	
45-7-5	Revoked	V. 21, p. 1894
45-9-1	through	
45-9-4	Revoked	V. 21, p. 1894
45-10-1	Revoked	V. 21, p. 1894
45-11-1	Revoked	V. 21, p. 1895
45-14-1	Revoked	V. 21, p. 1895
45-16-2	Revoked	V. 21, p. 1895
45-16-3	Revoked	V. 21, p. 1895
45-16-4	Revoked	V. 21, p. 1895
45-100-1	New	V. 21, p. 1895

45-200-1	New	V. 21, p. 1895
45-200-2	New	V. 21, p. 1896
45-300-1	New	V. 21, p. 1896
45-300-2	New	V. 21, p. 1896
45-400-1	through	
45-400-4	New	V. 21, p. 1896, 1897
45-500-1	through	
45-500-4	New	V. 21, p. 1897, 1898
45-600-1	New	V. 21, p. 1899
45-700-1	New (T)	V. 21, p. 1328
45-700-1	New	V. 21, p. 1900
45-700-2	New (T)	V. 21, p. 1328
45-700-2	New	V. 21, p. 1900
45-800-1	New	V. 21, p. 1900
45-900-1	New	V. 21, p. 1901
45-1000-1	New	V. 21, p. 1901
45-1000-2	New	V. 21, p. 1901
45-1000-3	New	V. 21, p. 1901

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

Reg. No.	Action	Register
51-2-6	New	V. 21, p. 864
51-3-1	through	
51-3-4	Amended	V. 21, p. 864-865
51-9-12	through	
51-9-14	Revoked	V. 21, p. 865
51-9-15	New	V. 21, p. 1224
51-9-16	New	V. 21, p. 1271
51-10-6	Revoked	V. 21, p. 865
51-17-1	Revoked	V. 21, p. 865
51-24-1	Amended	V. 21, p. 865
51-24-3	Amended	V. 21, p. 865
51-24-4	Amended	V. 21, p. 866

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-1-104	Amended	V. 22, p. 42
60-2-101	through	
60-2-106	Amended	V. 22, p. 43-47
60-2-108	Amended	V. 22, p. 47
60-3-106	Amended	V. 21, p. 840
60-3-110	Amended	V. 21, p. 1764
60-3-112	Amended	V. 21, p. 1764
60-4-103	Amended	V. 21, p. 841
60-9-105	Amended	V. 21, p. 1765
60-9-107	Amended	V. 21, p. 1765
60-11-116	Amended	V. 21, p. 316
60-11-121	Amended	V. 21, p. 1767
60-13-103	Amended	V. 21, p. 316
60-13-110	Amended	V. 21, p. 317
60-16-101	Amended	V. 21, p. 841
60-16-102	Amended	V. 22, p. 47
60-16-103	Amended	V. 21, p. 842
60-16-104	Amended	V. 21, p. 842

**AGENCY 63: BOARD OF MORTUARY ARTS**

Reg. No.	Action	Register
63-1-23	New	V. 21, p. 659
63-3-22	New	V. 21, p. 659
63-3-23	New	V. 21, p. 659
63-4-1	Amended	V. 21, p. 659
63-7-1	through	
63-7-8	New	V. 21, p. 660-662

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

Reg. No.	Action	Register
65-4-3	Amended	V. 21, p. 183

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-8-4	Amended	V. 21, p. 1789
66-9-5	Amended	V. 21, p. 1789

66-10-1	Amended	V. 21, p. 1789
66-10-9	Amended	V. 21, p. 1789
66-10-10b	New	V. 21, p. 1789
66-10-13	Amended	V. 21, p. 1790
66-11-1a	New	V. 21, p. 1790
66-11-1b	New	V. 21, p. 1790
66-11-5	New	V. 21, p. 1790
66-14-6	Amended	V. 21, p. 1790

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-1-1a	Amended	V. 21, p. 746
68-1-1e	Revoked	V. 21, p. 308
68-1-2a	Amended	V. 21, p. 746
68-1-3	Revoked	V. 21, p. 308
68-1-3a	Amended	V. 21, p. 746
68-2-5	Amended	V. 21, p. 308
68-2-9	Amended	V. 22, p. 118
68-2-10	Amended	V. 22, p. 118
68-2-11	Amended	V. 22, p. 118
68-2-12a	Amended	V. 22, p. 118
68-2-15	Amended	V. 22, p. 430
68-2-20	Amended	V. 22, p. 119
68-7-12	Amended	V. 22, p. 119
68-7-12a	Amended	V. 22, p. 120
68-7-12b	New	V. 22, p. 120
68-8-1	Amended	V. 22, p. 431
68-9-1	Amended	V. 21, p. 308
68-9-2	Amended	V. 22, p. 121
68-11-1	Amended	V. 22, p. 122
68-11-2	Amended	V. 22, p. 122
68-12-2	Amended	V. 22, p. 122
68-13-1	Amended	V. 22, p. 122

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-4-7	Amended	V. 21, p. 1867
74-4-8	Amended	V. 21, p. 1867
74-4-9	Amended	V. 21, p. 1901
74-5-101	Amended	V. 21, p. 1868
74-5-102	Amended	V. 21, p. 1868
74-5-202	Amended	V. 21, p. 1869
74-5-302	Amended	V. 21, p. 1869
74-5-401	Amended	V. 21, p. 1869
74-5-406	Amended	V. 21, p. 1869
74-7-4	New	V. 21, p. 1870
74-11-6	Amended	V. 21, p. 1870
74-11-7	Amended	V. 21, p. 1870

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-1-220a	New	V. 22, p. 39
82-3-105	Amended (T)	V. 21, p. 1175
82-3-105	Amended	V. 21, p. 1750
82-3-113	Amended (T)	V. 21, p. 1175
82-3-113	Amended	V. 21, p. 1750
82-3-114	Amended (T)	V. 21, p. 1176
82-3-114	Amended	V. 21, p. 1751
82-3-117	Amended (T)	V. 21, p. 1176
82-3-117	Amended	V. 21, p. 1751
82-3-120	Amended (T)	V. 21, p. 1176
82-3-120	Amended	V. 21, p. 1751
82-3-311	Amended (T)	V. 21, p. 1178
82-3-311	Amended	V. 21, p. 1753
82-3-312	Amended	V. 21, p. 117
82-3-400	Amended	V. 21, p. 383
82-3-401	Amended	V. 21, p. 383
82-3-401a	Revoked	V. 21, p. 384
82-3-401b	Revoked	V. 21, p. 384
82-3-402	through	
82-3-410	Amended	V. 21, p. 384-389
82-3-411	New	V. 21, p. 389
82-3-412	New	V. 21, p. 390
82-3-1000	through	
82-3-1012	New (T)	V. 21, p. 1178-1188
82-3-1000	through	
82-3-1012	New	V. 21, p. 1753-1763
82-4-2	Amended	V. 22, p. 86
82-4-20	Amended	V. 22, p. 86

82-4-21	Amended	V. 22, p. 87
82-4-22	Amended (T)	V. 21, p. 1329
82-4-22	Amended	V. 21, p. 1702
82-4-23	Amended	V. 22, p. 87
82-4-26	Amended	V. 22, p. 87
82-4-26a	Amended	V. 22, p. 88
82-4-27	Amended	V. 22, p. 88
82-4-27a	Amended	V. 22, p. 88
82-4-27e	Amended	V. 22, p. 89
82-4-28	Amended	V. 22, p. 89
82-4-28a	Amended	V. 22, p. 89
82-4-29	Amended	V. 22, p. 90
82-4-29a	Amended	V. 22, p. 90
82-4-30a	Amended	V. 22, p. 90
82-4-32	Amended	V. 22, p. 90
82-4-35	Amended	V. 22, p. 91
82-4-46	Amended	V. 22, p. 91
82-4-49b		
through		
82-4-49e	Revoked	V. 22, p. 91
82-7-2		
through		
82-7-5	Revoked	V. 22, p. 91
82-8-1	Amended	V. 22, p. 91
82-8-2	Amended	V. 22, p. 91
82-8-3	Amended	V. 22, p. 92
82-13-1	New	V. 22, p. 40
82-13-2	New	V. 22, p. 40

**AGENCY 86: REAL ESTATE COMMISSION**

Reg. No.	Action	Register
86-1-19	New	V. 21, p. 1814
86-3-15	Amended	V. 21, p. 1814

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-5-1		
through		
88-5-4	Revoked	V. 21, p. 1705
88-6-1	Revoked	V. 21, p. 1705
88-6-2	Revoked	V. 21, p. 1705
88-6-3	Revoked	V. 21, p. 1705
88-16-1a	Revoked (T)	V. 21, p. 501
88-16-1a	Revoked	V. 21, p. 1166
88-16-1b	New (T)	V. 21, p. 501
88-16-1b	New	V. 21, p. 1166
88-24-1	New	V. 21, p. 1705
88-24-2	New	V. 21, p. 1705

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-146a		
through		
91-1-146e	Revoked	V. 21, p. 178
91-1-200		
through		
91-1-204	Amended	V. 21, p. 1445-1453
91-1-205	Amended	V. 21, p. 1583
91-1-206	Amended	V. 21, p. 178
91-1-207	Amended	V. 21, p. 1453
91-1-212		
through		
91-1-214	New	V. 21, p. 1453-1456
91-1-215		
through		
91-1-219	New	V. 21, p. 178-180
91-10-1a*	Revoked	V. 21, p. 1705
91-10-2*	Revoked	V. 21, p. 1705
<b>(*By Board of Regents)</b>		
91-31-16		
through		
91-31-30	Revoked	V. 22, p. 124
91-31-31		
through		
91-31-42	New	V. 22, p. 124-128
91-32-1		
through		
91-32-9	Revoked	V. 21, p. 1867
91-38-1	Amended	V. 22, p. 356
91-38-2	Amended	V. 22, p. 356
91-38-3	Amended	V. 22, p. 357
91-38-5	Amended	V. 22, p. 357

91-38-6	Amended	V. 22, p. 358
91-38-7	Amended	V. 22, p. 360

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-1-1	Revoked	V. 21, p. 332
92-1-2	Revoked	V. 21, p. 332
92-1-3	Revoked	V. 21, p. 332
92-5-4	Revoked	V. 21, p. 312
92-5-5		
through		
92-5-10	Amended	V. 21, p. 312, 313
92-5-11	Revoked	V. 21, p. 313
92-5-12	Amended	V. 21, p. 313
92-5-13	Amended	V. 21, p. 313
92-8-20	Revoked	V. 21, p. 332
92-9-1	Amended	V. 21, p. 332
92-9-3	Amended	V. 21, p. 332
92-9-4	Amended	V. 21, p. 332
92-9-5	Amended	V. 21, p. 332
92-9-7	Revoked	V. 21, p. 332
92-11-1		
through		
92-11-16	Revoked	V. 21, p. 332, 333
92-12-4	Amended	V. 21, p. 586
92-12-11	Amended	V. 21, p. 586
92-12-29	Revoked	V. 21, p. 586
92-12-47	Amended	V. 21, p. 586
92-12-56	Revoked	V. 21, p. 587
92-12-58	Amended	V. 21, p. 587
92-12-67	Amended	V. 21, p. 587
92-12-68	Revoked	V. 21, p. 587
92-12-105	Amended	V. 21, p. 587
92-12-106	Amended	V. 21, p. 587
92-12a-1		
through		
92-12a-23	Revoked	V. 21, p. 333, 334
92-14-4		
through		
92-14-9	Amended	V. 21, p. 334, 335
92-15-3	Amended	V. 21, p. 335
92-15-4	Amended	V. 21, p. 335
92-15-8	Amended	V. 21, p. 335
92-17-1		
through		
92-17-6	Amended	V. 21, p. 313, 314
92-18-1		
through		
92-18-7	Revoked	V. 21, p. 1307
92-19-2	Revoked	V. 21, p. 1311
92-19-2a	New	V. 21, p. 1311
92-19-5	Revoked	V. 21, p. 1997
92-19-5a	New	V. 21, p. 1997
92-19-6	Revoked	V. 21, p. 1312
92-19-6a	New	V. 21, p. 1312
92-19-22	Revoked	V. 21, p. 1998
92-19-22a	New	V. 21, p. 1998
92-19-22b	New	V. 21, p. 1999
92-19-23	Revoked	V. 21, p. 2000
92-19-23a	New	V. 21, p. 2000
92-19-35a	New	V. 21, p. 1312
92-19-50	Revoked	V. 21, p. 2000
92-19-55	Revoked	V. 21, p. 1313
92-19-55a	New	V. 21, p. 1313
92-19-57	Amended	V. 21, p. 2000
92-19-61	Revoked	V. 21, p. 1315
92-19-61a	New	V. 21, p. 1315
92-19-81	New	V. 21, p. 2001
92-19-82	New	V. 21, p. 1316
92-19-200		
through		
92-19-203	New	V. 22, p. 431
92-20-11	Revoked	V. 21, p. 1318
92-22-4	Amended	V. 21, p. 450
92-22-19	Revoked	V. 21, p. 450
92-22-22	Revoked	V. 21, p. 450
92-22-23	Amended	V. 21, p. 450
92-22-24	Revoked	V. 21, p. 450
92-22-25	Amended	V. 21, p. 450
92-22-33	New	V. 21, p. 450
92-22-34	New	V. 21, p. 450
92-23-10	Amended	V. 21, p. 180
92-23-15	Amended	V. 21, p. 180
92-23-16	Amended	V. 21, p. 180

92-23-17		
through		
92-23-23	New	V. 21, p. 181
92-23-25	New	V. 21, p. 181
92-23-30	New	V. 21, p. 181
92-23-31	New	V. 21, p. 182
92-23-38	Amended	V. 21, p. 182
92-23-38a	Amended	V. 21, p. 182
92-23-40	Amended	V. 21, p. 182
92-24-9		
through		
92-24-15	Amended	V. 21, p. 314, 315
92-24-18	Amended	V. 21, p. 315
92-24-22	Amended	V. 21, p. 316
92-24-24	Amended	V. 21, p. 316
92-51-21	Amended	V. 21, p. 2092
92-51-23	Amended	V. 21, p. 2092
92-51-24	Amended	V. 21, p. 2092
92-51-27	Amended	V. 21, p. 2092
92-51-34	Revoked	V. 21, p. 2093
92-51-38	Amended	V. 21, p. 2093
92-51-39	Amended	V. 21, p. 2093
92-51-41	Amended	V. 21, p. 2093
92-51-53	Amended	V. 21, p. 2093
92-51-56	Amended	V. 21, p. 2093
92-51-57	Revoked	V. 21, p. 2094
92-51-58	Revoked	V. 21, p. 2094
92-51-60	Revoked	V. 21, p. 2094
92-51-61	Revoked	V. 21, p. 2094
92-52-2	Revoked	V. 21, p. 2094
92-52-3	Amended	V. 21, p. 2094
92-52-8	Revoked	V. 21, p. 2094
92-52-11	Revoked	V. 21, p. 2094
92-56-1		
through		
92-56-5	Amended	V. 21, p. 1057-1059

**AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION**

Reg. No.	Action	Register
93-6-4	Amended	V. 22, p. 666
93-6-7	New	V. 22, p. 666

**AGENCY 94: BOARD OF TAX APPEALS**

Reg. No.	Action	Register
94-2-1		
through		
94-2-18	Amended	V. 21, p. 703-708
94-2-19	New	V. 21, p. 708
94-2-20	New	V. 21, p. 708
94-3-1	Amended	V. 21, p. 709
94-3-2	Amended	V. 21, p. 709
94-4-1	New	V. 21, p. 710
94-4-2	New	V. 21, p. 710

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-11-1	Amended (T)	V. 21, p. 1131
100-11-1	Amended	V. 21, p. 1864
100-22-4	New	V. 22, p. 690
100-27-1	Amended	V. 21, p. 307
100-28a-1	Amended	V. 21, p. 1864
100-29-7	Amended	V. 21, p. 1864
100-49-1	Amended	V. 21, p. 2137
100-49-4	Amended (T)	V. 21, p. 1131
100-49-4	Amended	V. 21, p. 1864
100-49-6		
through		
100-49-9	New	V. 21, p. 2137
100-54-4	Amended	V. 21, p. 2138
100-55-4	Amended	V. 21, p. 2138
100-55-5	Amended	V. 22, p. 690
100-55-9	Amended	V. 22, p. 690
100-69-3	Amended	V. 21, p. 1864
100-69-9	Amended	V. 21, p. 1865
100-69-10	Amended	V. 21, p. 1865
100-69-11	Amended	V. 21, p. 1866
100-72-1		
through		
100-72-7	New (T)	V. 22, p. 79-81

(continued)

100-72-1		
through		
100-72-6	New	V. 22, p. 691, 692
100-75-1	New (T)	V. 22, p. 82
100-75-1	New	V. 22, p. 693

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-2-3	Amended	V. 21, p. 237
102-2-4b	Amended	V. 21, p. 238
102-3-3a	Amended	V. 21, p. 1132
102-3-4a	Amended	V. 21, p. 1133
102-3-6a	Revoked	V. 21, p. 1134
102-3-12a	Amended	V. 21, p. 1134
102-3-17	New	V. 21, p. 1137

**AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION**

Reg. No.	Action	Register
108-1-2	Amended	V. 21, p. 1055
108-1-4	Amended	V. 22, p. 360

**AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES**

Reg. No.	Action	Register
109-5-1	Amended	V. 21, p. 1368
109-6-3	Amended	V. 21, p. 1369

**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
111-2-1	Amended	V. 22, p. 585
111-2-4	Amended	V. 20, p. 1094
111-2-119		
through		
111-2-124	New	V. 20, p. 416-419
111-2-120	Amended	V. 20, p. 1094
111-2-124	Amended	V. 21, p. 590
111-2-125	New	V. 20, p. 573
111-2-126	New	V. 20, p. 573
111-2-127	Amended	V. 20, p. 937
111-2-128	New	V. 20, p. 1188
111-2-129	New	V. 20, p. 1343
111-2-130	New	V. 20, p. 1394
111-2-131	New	V. 20, p. 1778
111-2-132	New	V. 20, p. 1901
111-2-133	New	V. 20, p. 1901
111-2-134	New	V. 20, p. 1901
111-2-135	New	V. 21, p. 590
111-2-136	New	V. 21, p. 590
111-2-137	New	V. 21, p. 649
111-2-138	New	V. 21, p. 692
111-2-139	New	V. 21, p. 747
111-2-140	New	V. 21, p. 1521
111-2-141	New	V. 21, p. 1852
111-2-142	New	V. 21, p. 1852
111-2-143	New	V. 22, p. 585
111-2-144	New	V. 22, p. 804
111-2-144a	New	V. 22, p. 586
111-2-145	New	V. 22, p. 804
111-2-146	New	V. 22, p. 804
111-2-147	New	V. 22, p. 804
111-2-148	New	V. 22, p. 981
111-3-12	Amended	V. 20, p. 40
111-3-27	Amended	V. 22, p. 660
111-3-35	Amended	V. 20, p. 1189
111-4-1448	Amended	V. 21, p. 1521
111-4-1795		
through		
111-4-1813	New	V. 20, p. 40-47
111-4-1801	Amended	V. 20, p. 1095
111-4-1803	Amended	V. 20, p. 1095
111-4-1805a	New	V. 20, p. 1095
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		
111-4-1839	New	V. 20, p. 937-942
111-4-1828	Amended	V. 20, p. 1096
111-4-1832	Amended	V. 20, p. 1344
111-4-1840		
through		
111-4-1844	New	V. 20, p. 1096-1100
111-4-1845		
through		
111-4-1850	New	V. 20, p. 1189-1193
111-4-1849	Amended	V. 20, p. 1344
111-4-1851	New	V. 20, p. 1345
111-4-1852	New	V. 20, p. 1346
111-4-1853	New	V. 20, p. 1347
111-4-1854		
through		
111-4-1870	New	V. 20, p. 1395-1405
111-4-1864	Amended	V. 20, p. 1569
111-4-1866	Amended	V. 20, p. 1570
111-4-1867	Amended	V. 20, p. 1601
111-4-1869	Amended	V. 20, p. 1601
111-4-1871	New	V. 20, p. 1571
111-4-1872	New	V. 20, p. 1572
111-4-1873	New	V. 20, p. 1572
111-4-1874		
through		
111-4-1877	New	V. 20, p. 1779-1781
111-4-1877	Amended	V. 20, p. 1902
111-4-1878		
through		
111-4-1885	New	V. 20, p. 1902-1906
111-4-1886		
through		
111-4-1889	New	V. 21, p. 183-185
111-4-1890		
through		
111-4-1893	New	V. 21, p. 591-593
111-4-1894		
through		
111-4-1900	New	V. 21, p. 649-655
111-4-1894	Amended	V. 21, p. 1276
111-4-1901		
through		
111-4-1921	New	V. 21, p. 692-702
111-4-1910	Amended	V. 21, p. 747
111-4-1911	Amended	V. 21, p. 747
111-4-1913	Amended	V. 21, p. 748
111-4-1922	New	V. 21, p. 748
111-4-1923	New	V. 21, p. 749
111-4-1924		
through		
111-4-1932	New	V. 21, p. 1329-1337
111-4-1929	Amended	V. 21, p. 1522
111-4-1933		
through		
111-4-1938	New	V. 21, p. 1523-1526
111-4-1938	Amended	V. 21, p. 1852
111-4-1939		
through		
111-4-1945	New	V. 21, p. 1854-1857
111-4-1946		
through		
111-4-1951	New	V. 22, p. 48-52
111-4-1952		
through		
111-4-1964	New	V. 22, p. 439-448
111-4-1964	Amended	V. 22, p. 982
111-4-1965		
through		
111-4-1975	New	V. 22, p. 586-593
111-4-1970	Amended	V. 22, p. 1047
111-4-1975	Revoked	V. 22, p. 1047
111-4-1976		
through		
111-4-1986	New	V. 22, p. 660-665
111-4-1987		
through		
111-4-2009	New	V. 22, p. 804-820
111-4-2010		
through		
111-4-2014	New	V. 22, p. 854-857
111-4-2015		
through		
111-4-2027	New	V. 22, p. 983-990

111-4-2023	Amended	V. 22, p. 1048
111-4-2026	Amended	V. 22, p. 1048
111-4-2028		
through		
111-4-2033	New	V. 22, p. 1048-1053
111-5-22	Amended	V. 21, p. 1758
111-5-23	Amended	V. 21, p. 1858
111-5-24	Amended	V. 21, p. 1858
111-5-26	Amended	V. 21, p. 1859
111-5-27	Amended	V. 21, p. 1860
111-5-28	Amended	V. 21, p. 1860
111-5-30	Amended	V. 21, p. 1529
111-5-32	Amended	V. 21, p. 1861
111-5-33	Amended	V. 21, p. 1861
111-5-78	Amended	V. 21, p. 751
111-5-79		
through		
111-5-91	New	V. 21, p. 1278-1281
111-5-82	Amended	V. 21, p. 1529
111-5-83	Amended	V. 21, p. 1529
111-5-92		
through		
111-5-98	New	V. 21, p. 1339-1341
111-5-96	Amended	V. 21, p. 1530
111-5-97	Amended	V. 21, p. 1531
111-5-99		
through		
111-5-103	New	V. 22, p. 593, 594
111-5-104	New	V. 22, p. 857
111-5-105	Amended	V. 22, p. 1054
111-6-5	Amended	V. 21, p. 1531
111-6-25	New	V. 22, p. 1054
111-7-119		
through		
111-7-127	Amended	V. 21, p. 594-597
111-7-123	Amended	V. 21, p. 1531
111-7-126	Amended	V. 21, p. 1532
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. 1101
111-7-162	Amended	V. 20, p. 944
111-7-163		
through		
111-7-170	New	V. 20, p. 1101-1103
111-7-165	Amended	V. 20, p. 1194
111-7-171		
through		
111-7-175	New	V. 20, p. 1782, 1783
111-7-176		
through		
111-7-180	New	V. 21, p. 656, 657
111-7-181	New	V. 21, p. 1563
111-7-182		
through		
111-7-186	New	V. 21, p. 1861-1862
111-7-182	Amended	V. 22, p. 53
111-7-184	Amended	V. 22, p. 53
111-8-101		
through		
111-8-126	New	V. 20, p. 1573-1579
111-9-111	New	V. 20, p. 1406
111-9-112	Amended	V. 20, p. 1579
111-9-113	Amended	V. 21, p. 186
111-9-114	New	V. 21, p. 657
111-9-115	New	V. 21, p. 702
111-9-116	New	V. 21, p. 703
111-9-117	New	V. 21, p. 1533
111-9-118	New	V. 22, p. 54
111-9-119	New	V. 22, p. 54
111-9-120	New	V. 22, p. 1054
111-9-121	New	V. 22, p. 1054

**AGENCY 112: RACING AND GAMING COMMISSION**

Reg. No.	Action	Register
112-4-1a	New	V. 22, p. 278
112-4-1b	New	V. 22, p. 279
112-6-4	Amended	V. 22, p. 85
112-9-44	Amended	V. 22, p. 279
112-10-2	Amended	V. 22, p. 85
112-11-20	Amended	V. 22, p. 281

112-12-10 Amended V. 22, p. 86

**AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS**

Reg. No.	Action	Register
115-2-1	Amended	V. 21, p. 1557
115-2-2	Amended	V. 21, p. 1558
115-2-3	Amended	V. 21, p. 1558
115-2-6	Amended	V. 21, p. 451
115-4-4	Amended	V. 21, p. 452
115-4-6	Amended	V. 22, p. 434
115-4-11	Amended	V. 22, p. 436
115-5-1	Amended	V. 21, p. 1137
115-5-2	Amended	V. 21, p. 1138
115-5-3	Amended	V. 21, p. 1138
115-7-1	Amended	V. 21, p. 1558
115-7-2	Amended	V. 21, p. 1559
115-7-7	New	V. 21, p. 1559
115-9-4	Amended	V. 21, p. 177
115-11-1	Amended	V. 21, p. 177
115-11-2	Amended	V. 21, p. 177
115-13-3	Amended	V. 21, p. 1560

115-13-4 Amended V. 21, p. 1560  
 115-16-5 New V. 21, p. 1138  
 115-16-6 New V. 21, p. 1139

115-17-6	through	
115-17-9	Amended	V. 22, p. 437-439
115-17-11	Amended	V. 21, p. 1561
115-17-12	Amended	V. 21, p. 1562
115-17-13	Amended	V. 21, p. 1562
115-17-14	Amended	V. 21, p. 1890
115-18-7	Amended	V. 21, p. 453
115-18-10	Amended	V. 22, p. 439
115-18-13	Amended	V. 21, p. 1562
115-18-14	Amended	V. 21, p. 1563
115-20-2	Amended	V. 21, p. 1891
115-30-8	Amended	V. 21, p. 1891

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-1-1	Amended	V. 22, p. 684
117-2-1	Amended	V. 22, p. 684

117-3-1 Amended V. 22, p. 685  
 117-4-1 Amended V. 22, p. 686  
 117-6-1 Amended V. 22, p. 687  
 117-6-2 Amended V. 22, p. 688  
 117-6-3 Amended V. 22, p. 688  
 117-8-1 Amended V. 22, p. 689

**AGENCY 118: STATE HISTORICAL SOCIETY**

Reg. No.	Action	Register
118-5-1	through	
118-5-10	New	V. 21, p. 1205-1208

**AGENCY 126: UNMARKED BURIAL SITES PRESERVATION BOARD**

Reg. No.	Action	Register
126-1-1	New	V. 21, p. 1792
126-1-2	New	V. 21, p. 1792