



Kansas Register

Ron Thornburgh, Secretary of State

Vol. 23, No. 14 April 1, 2004 Pages 367-406

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State of Kansas

Department of Agriculture

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Wednesday, June 2, in Room 401 of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of proposed changes in existing egg rules and regulations.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Agriculture, 109 S.W. 9th, 4th Floor, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

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

K.A.R. 4-11-2. This proposal updates several definitions for clarification purposes.

K.A.R. 4-11-3. This proposal requires the permit number to be contained on the container.

K.A.R. 4-11-6. This proposal is revoked to coincide with United States Department of Agriculture standards already listed in K.S.A 2-2503.

K.A.R. 4-11-7. This proposal is revoked to eliminate redundancy concerning registration of place of business addressed in K.S.A. 2-2508.

K.A.R. 4-11-8. This proposal is to coincide with K.S.A. 2-2505 and to clarify inspection sampling procedures.

K.A.R. 4-11-9. This proposal is to eliminate redundancy concerning inspection fees addressed in K.S.A 2-2507.

K.A.R. 4-11-14. This proposal is an editorial change to coincide with the United States Department of Agriculture standards for shell eggs.

There will not be an economic impact on other government agencies.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic and environmental impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Leslie Garner at (785) 296-4623 or fax (785) 368-6668. Handicapped parking is located at the southwest corner of 9th and Kansas Ave., and the north entrance to the building is accessible to individuals with disabilities.

Copies of the regulations and their economic and environment impact statements may be obtained by contacting the Department of Agriculture or by accessing the department's Web site at <http://www.accesskansas.org/kda>.

Adrian J. Polansky
Secretary of Agriculture

Doc. No. 030506

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.

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State of Kansas

State Records Board

Notice of Meeting

The Kansas State Records Board will meet at 8:30 a.m. Thursday, April 8, at the Kansas History Center, 6425 S.W. 6th Ave., Topeka. The board will consider requests from state agencies submitting proposals for retention and disposition of noncurrent government records. In addition, general administrative matters and other business will be discussed.

Patricia A. Michaelis
State Archivist

Doc. No. 030519

State of Kansas

Department of Human Resources

Request for Comments

The state of Kansas received authorization June 26, 2000, from the U.S. Department of Labor to implement its Strategic Five-Year State Plan for Title I of the Workforce Investment Act and the Wagner-Peyser Act. This plan became effective July 1, 2000. A copy of this plan is available on the Internet at <http://entkhdr.state.ks.us/newWIA.htm>. The state of Kansas is proposing to modify its Workforce Investment Act (WIA) Five-Year Strategic Plan to include the following:

1. Wagner-Peyser 7A funds will be used to fund the Work Opportunity Tax Credit (WOTC) activities, at an estimated cost of \$11,000 per month, until the program is reauthorized. The WOTC program's legislative authority expired December 31, 2003. To be eligible for the tax credit during the hiatus, employers must have properly filed requests for certification in a timely manner. The Kansas WOTC Unit will continue to accept certification requests for employers' new hires made after December 31, 2003, and will conduct all steps necessary to process certification requests up to, but not including, issuance of the actual certification or denial.

2. Wagner-Peyser 7B funds will be used to fund State Registered Apprenticeship activities effective July 1, 2004, at an estimated cost of \$150,000 annually. Registered Apprenticeship is a formal system of employee training that is driven by the needs of employers. It combines supervised, structured work-based training with related technical instruction. It is designed to produce skilled workers who are fully competent in all aspects of an occupation. This is especially beneficial to employers who want to train their workers in the latest technologies and not lose valuable production time.

3. WIA state set aside funds, in the approximate amount of \$200,000, will be used to develop customized apprenticeship training programs in the Topeka and Wichita One-Stop Centers. There is a documented shortage of skilled workers in the Energy, Health Care and Social Service industries. Specialists will be located in the Topeka and Wichita One-Stop Centers to promote and expand the Registered Apprenticeship concept to these targeted industries, in addition to other industries wanting to benefit from the structured training system. If these

pilots are successful, similar programs may be proposed in other areas of the state at an additional cost.

4. WIA state set aside funds, in the approximate amount of \$100,000 annually, will be used for Neighborhood Improvement and Youth Employment Act activities previously funded by state general funds. The program provides employment opportunities to eligible youth through payments for labor and related costs associated with the repair, maintenance and renovation of essential community facilities; community services; and/or working with low-income senior citizens. Each of the five local areas will receive an equal share of monies to be contracted out to project operators through a request for proposals process recommended by its Youth Advisory Council to the Local Workforce Investment Board.

5. The State Senior Employment Services Coordination Plan (SSECP) will be submitted to the Department of Labor as part of the WIA Strategic Five-Year Plan. The SSECP State Plan is intended to improve coordination among organizations that can be engaged in older worker activities, and to enhance employment services for older workers. It should serve as a guide for program operators as they prepare plans for operations in the state. In addition to this notice, the SSECP Plan was distributed to interested parties and posted on the KDHR Web site at www.hr.state.ks.us for public comment.

Comments must be submitted by 5 p.m. Friday, April 30. Comments may be submitted, identified by MOD 03, by any of the following methods:

- **E-mail:** Comments may be submitted by e-mail to ljweaver@hr.state.ks.us. Include MOD 03 in the subject line of the message.

- **Fax:** Comments of five pages or less may be submitted by fax (785) 291-3512. This is not a toll-free number.

- **U.S. Mail:** Comments may be mailed to: Linda J. Weaver, Director for Policy and Planning and Employer Services, Kansas Department of Human Resources, 401 S.W. Topeka Blvd., Topeka, 66603. Comments transmitted by mail should be sent early in order to be received by the due date.

Receipt of submissions, whether by U.S. mail, fax transmittal or e-mail, will not be acknowledged. Comments will be available for public inspection during normal business hours at the address listed above for mailed comments.

Persons who need assistance to review the comments will be provided with appropriate aids such as readers or print magnifiers. Copies of this proposed plan modification will be made available in large print, electronic file on computer disk and audiotape. To schedule an appointment to review the comments and/or to obtain the proposed plan modification in an alternate format, contact Linda J. Weaver at (785) 296-2159 or ljweaver@hr.state.ks.us. Individuals with hearing or speech impairments may call the toll-free Kansas Relay Center at 1-800-766-3777.

For more information contact Linda J. Weaver, Director for Policy and Planning and Employer Services.

Jim Garner
Secretary of Human Resources

Doc. No. 030503

(Published in the Kansas Register April 1, 2004.)

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

Heartland Works, Inc. is accepting bids for the purchase of group health/dental, life and disability insurance. To receive a request for proposal, including all specifications, contact the Heartland Works office at 610 S.W. 10th Ave., Suite 210, Topeka, 66612, (785) 234-0500. Bids must be received not later than 3 p.m. Thursday, April 29. Heartland Works welcomes all interested companies/agents to submit proposals.

Nancy Leonard
Administrative Assistant

Doc. No. 030523

State of Kansas**Legislature****Legislative Bills and Resolutions Introduced**

The following numbers and titles of bills and resolutions were introduced March 18-24 by the 2004 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at www.kslegislature.org.

House Bills

HB 2941, An act creating the Kansas criminal justice recodification, rehabilitation and restoration project; duties thereof; establishing a committee to govern the project; providing for the membership thereof, by Committee on Appropriations.

HB 2942, An act enacting Miki's law; requiring registration of offenders convicted of certain felonies; prescribing penalties for certain violations; amending K.S.A. 12-16,123 and K.S.A. 2003 Supp. 22-3717, 45-221 and 75-5291 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2943, An act concerning educational institutions; relating to technical colleges; governing body thereof; powers and duties; amending K.S.A. 2003 Supp. 72-4470 and repealing the existing section; also repealing K.S.A. 2003 Supp. 72-4470a and 72-4478, by Committee on Taxation.

HB 2944, An act concerning agriculture; relating to duty of care of livestock producers, by Committee on Appropriations.

HB 2945, An act relating to technical colleges; amending K.S.A. 2003 Supp. 72-4470a and repealing the existing section, by Committee on Appropriations.

HB 2946, An act concerning tobacco; relating to requirements for sale of cigarettes; concerning payments by certain tobacco product manufacturers under the master settlement agreement; prescribing penalties for certain unlawful acts; amending K.S.A. 2003 Supp. 50-6a01, 50-6a02, 50-6a03, 50-6a04, 79-3301 and 79-3321 and repealing the existing sections, by Committee on Appropriations.

House Resolutions

HR 6029, A resolution memorializing the Congress of the United States to permit children of state employees to be eligible recipients of health care benefits under HealthWave.

HR 6030, A resolution concerning persecution by the People's Republic of China.

Senate Bills

SB 562, An act concerning state agencies; allowing state agencies to purchase collision and comprehensive coverage for vehicles; amending K.S.A. 74-4707 and repealing the existing section, by Committee on Ways and Means.

Senate Concurrent Resolutions

SCR 1621, A concurrent resolution urging the United States Congress to reevaluate the requirement of the No Child Left Behind Act and to fund the authorized levels required by the act.

SCR 1622, A proposition to amend section 3c of article 15 of the constitution of the state of Kansas, relating to lotteries.

Senate Resolutions

SR 1830, A resolution congratulating and commending Larry Friend: A great athlete, a great coach, and a great person.

SR 1831, A resolution congratulating and commending Dr. Ted K. Kessinger.

SR 1832, A resolution congratulating and commending Marian Washington upon her retirement as head women's basketball coach at the University of Kansas.

SR 1833, A resolution congratulating and commending the Hanston High School boys' basketball team and Coach Oliver Salmans for winning the Class 1A State Basketball Championship.

SR 1834, A resolution urging the United States Congress to reevaluate the requirements of the No Child Left Behind Act and to fund the authorized levels required by the act.

SR 1835, A resolution commending the Greater Kansas City Chapter of LINKS, Inc.; The Jackson County (MO) Chapter of LINKS, Inc.; The Topeka Chapter of LINKS, Inc.; and The Wichita Chapter of LINKS, Inc.

Doc. No. 030494

State of Kansas**Department of Agriculture
Division of Water Resources****Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 10:30 a.m. Friday, June 4, in the fourth floor training room of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of proposed new water banking regulations.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, Attention: Leslie Garner, 109 S.W. 9th, 4th Floor, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

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

K.A.R. 5-3-50. Amending water use reports. This regulation specifies the procedure that must be followed if a water user requests the division to correct information filed on a water use report. This regulation is of general application under the KWAA and the banking act.

K.A.R. 5-17-1. Definitions for water banking. Adopts eight definitions for use in administering this act.

K.A.R. 5-17-2. Application to deposit a water right into a water bank or withdraw a deposit. This regulation outlines the required contents of an application to deposit a water right and sets requirements for withdrawing a water right from deposit with a bank.

K.A.R. 5-17-3. Contract for deposit of a water right. Specifies terms that must be included in a contract to deposit a water right. It requires a water bank to notify the chief engineer when a deposit has been made. It also specifies that if a portion of a water right has been deposited, the total quantity of water diverted under the lease and from the portion of the water right that was not deposited cannot exceed the bankable portion of the entire water right.

K.A.R. 5-17-4. Application to lease water. Specifies terms that must be included in the application to lease a water right and sets limits on the length of leases.

K.A.R. 5-17-5. Contract to lease water. Specifies provisions that must be included in the contract to lease water.

K.A.R. 5-17-6. Conditions on the term permits to exercise a contract to lease water. Specifies conditions that will be placed on the term permit to divert leased water.

K.A.R. 5-17-7. Contract to deposit water in a safe deposit account. Specifies provisions that must be included in a contract to deposit water in safe deposit account. This regulation sets limits on the quantity of water that can be deposited. The regulation also allows the term of a safe deposit account to be extended under specified circumstances. It provides that when a safe deposit account expires, including all extensions, all remaining water will be forfeited.

K.A.R. 5-17-8. Depositing water in a safe deposit account. This regulation specifies procedures for depositing water into a safe deposit account.

K.A.R. 5-17-9. Term permit to use water that was deposited in a safe deposit account. This regulation requires the bank to certify the quantity of water in the account before the chief engineer issues a term permit to use the water. A term permit is required to divert water from a safe deposit account.

K.A.R. 5-17-10. Water bank charter proposal. The water banking act sets the requirements a water bank charter must meet in order to be approved. This regulation specifies the information that must be provided to the chief engineer in the charter so that the chief engineer can determine if the proposed charter meets the requirements of the act.

K.A.R. 5-17-11. Annual reports of water bank. The act requires that each water bank file an annual report with the chief engineer by February 10 for the preceding year. This regulation specifies what must be included in that annual report.

K.A.R. 5-17-12. Water use reports. This regulation specifies that irrigators that deposited a water right, or persons who leased water for irrigation, must file their water use reports by December 1 of the year the water is used. Reports of water use for non-irrigation uses must be filed by January 10 of the year following use. These reports must be filed earlier than March 1 of the following year because the information must be entered, quality controlled and furnished to the water bank by the chief engineer so that the water bank can prepare its annual report, which is due by the February 10 statutory deadline. These reports will allow the chief engineer, the Legislature, the Kansas Water Office and others to monitor

the operations of the water bank and its impact on water use and the aquifer.

K.A.R. 5-17-13. Enforcement. This regulation specifies the type of enforcement action the chief engineer can take for violation of term permits, orders of the chief engineer and water rights that are partially deposited.

K.A.R. 5-17-14. Water flowmeters. This regulation requires all wells located within the bank boundaries to be metered.

K.A.R. 5-17-15. Private sale or lease of water right facilitated by a water bank. If a bank merely facilitates the sale or lease between two persons, and the water is not deposited into the bank or leased from the bank, that sale or lease is subject to all requirements of the Kansas Water Appropriation Act and regulations promulgated thereunder, pertaining to changes in water rights.

K.A.R. 5-17-16. Priority of use of water rights and permits. If there are multiple water rights or permits authorizing water use from a single point of diversion, the water will be considered to be used in the order of priority with the earliest priority being used first. If the total quantity of water authorized from that point of diversion is exceeded, all water rights and permits under which water was diverted will be considered to be violated.

K.A.R. 5-17-17. Waste of leased water and safe deposit account water. If water is leased or withdrawn from a safe deposit account, the total annual quantity of water diverted for irrigation shall not exceed 150 percent of the reasonable quantity for irrigation use. This allows the use of more than an average quantity of water during dry years, but puts an upper limit on the quantity of water that can be used.

K.A.R. 5-17-18. Reimbursable and non-reimbursable costs. The act provides that the water bank shall repay the chief engineer for assistance and services provided pursuant to the water banking act. This regulation specifies which costs are reimbursable and which are not.

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 statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Leslie Garner at (785) 296-4623 or fax (785) 368-6668. Handicapped parking is located at the southwest corner of 9th and Kansas Ave., and the north entrance to the building is accessible to individuals with disabilities.

Copies of the regulations and their economic impact statements may be obtained by contacting the Department of Agriculture or by accessing the department's Web site at <http://www.accesskansas.org/kda>.

David L. Pope
Chief Engineer
Division of Water Resources

Doc. No. 030507

State of Kansas

Department of Commerce

Notice of Hearings

The Department of Commerce, Division of Community Development, will conduct four public hearings on the division's proposed FFY 2005 programs. The purpose of the hearings is to gain citizen input on the proposed changes to the federally-funded Community Development Block Grant (CDBG) program, as well as take comments on the performance of past administration of this program. The public hearings also will discuss the Community Assistance Programs—namely, the Main Street, PRIDE, Community Capacity Building Grants and Flood Mitigation Assistance—as well as the Community Services Tax Credit Program.

All citizens are invited to attend the public hearings scheduled as follows:

Date	Location	Time
April 19	Chanute, SRS Building, 1500 W. 7th St., Kansas Room	1:00 p.m.
April 21	Garden City, City Hall, 301 N. 8th, 2nd Floor Conference Room	9:00 a.m.
April 21	Hays, Sternburg Museum, 3000 Sternburg Drive	1:00 p.m.
April 26	Topeka, Curtis Building, 1000 S.W. Jackson, Room 530	10:00 a.m.

Anyone needing special accommodations should contact the Kansas Department of Commerce at least five business days in advance of the hearing at (785) 296-6158, fax (785) 296-3665 or TTY (785) 296-3487.

John Moore
Secretary of Commerce

Doc. No. 030508

State of Kansas

Department of Administration
Division of Facilities ManagementNotice of Commencement of
Negotiations for Engineering Services

Notice is hereby given of the commencement of negotiations for structural/civil engineering services for the Kansas Department of Agriculture. The selected firm will provide on-call engineering services for the department in its enforcement of the fertilizer and pesticide containment laws and supervision of approximately 900 facilities in Kansas. Services will include reviewing the drawings and plans proposed by the facilities and providing recommendations to the Kansas Department of Agriculture after reviewing the plans; some on-site visits of containment facilities; and conducting training of KDA inspectors. A contract will be offered for one year with the option of renewing each year, for a total of three years.

For more information concerning the scope of services, contact Gary Meyer, (785) 296-3786.

To be considered, a letter of interest, SF255 form and information regarding similar projects should be provided in one bound proposal. Also required are four bound copies of the same information and one CD with one PDF file of the same information. Each submittal

should include an e-mail address, be concise and follow the State Building Advisory Commission guidelines, which have previously been distributed to firms. If copies of the guidelines are needed, contact Phyllis Fast, Division of Facilities Management, Room 600, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796. Submittals not complying with the guidelines will not be considered.

Expressions of interest and the SF255 submittals should be received by Phyllis Fast before noon April 16.

D. Keith Meyers
Director, Division of
Facilities Management

Doc. No. 030501

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 2004-06 by adding the following projects:

Project C-4019-01, Surfacing, RS-1909 4 miles north of Kinsley then north 3.977 miles, Edwards County

Project K-9665-01, Surfacing, Lewis and Clark Hiking and Biking Trail access road from just north of downtown Atchison to Historic Independence Creek, Atchison County

Project X-2385-01, Railway-highway crossing signals flashing light straight post-type with gates, Union Pacific Railroad crossing with W. 383rd St. south of Osawatomie, Miami County

Project X-2386-01, Railway-highway crossing signals flashing light straight post-type with gates, Union Pacific Railroad crossing with Eagle Drive 1 mile southeast of Paola, Miami County .

Project X-2387-01, Railway-highway crossing signals flashing light straight post-type with gates, Burlington Northern Santa Fe Railroad crossing with 383rd St. north of Fontana, Miami County.

Project X-2388-01, Railway-highway crossing signals flashing light straight post-type with gates, Burlington Northern Santa Fe Railroad crossing with Lone Elm Road south of Fontana, Miami County

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 April 26.

Deb Miller
Secretary of Transportation

Doc. No. 030500

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. April 21 and then publicly opened:

District One—Northeast

Atchison—3 C-3873-01—County road 4.5 miles east and 0.2 mile south of Effingham, 0.3 mile, grading, bridge and surfacing. (Federal Funds)

Douglas—23 U-1894-01—O'Connell Road from 23rd to 31st in Lawrence, 0.6 mile, grading and surfacing. (Federal Funds)

Douglas—56-23 K-9227-01—U.S. 56 and 6th Street in Baldwin City, traffic signals. (State Funds)

Nemaha—9-66 K-6410-01—K-9, South Branch Black Vermillion drainage bridges, 0.3 mile, bridge replacement. (Federal Funds)

Osage—31—70 K-8412-01—Hollman Street to Emporia Street on K-31 in Melvern, 0.1 mile, curb and gutter. (State Funds)

Pottawatomie—13-75 K-9557-01—K-13 from the Riley-Pottawatomie county line north to the junction of K-16, 13.6 miles, crack repair. (State Funds)

Riley—13-81 K-9556-01—K-13 from the junction of U.S. 24 north to the Riley-Pottawatomie county line, 1 mile, crack repair. (State Funds)

Riley—18-81 K-9554-01—K-18 from the east junction of K-177 east to the Riley-Wabaunsee county line, 8.9 miles, sealing. (State Funds)

Wabaunsee—4-99 K-6806-01—K-4 Dragoon Creek drainage bridge 1.9 miles northeast of the east junction of K-99, bridge replacement. (Federal Funds)

Wabaunsee—18-99 K-9555-01—K-18 from the Riley-Pottawatomie county line east to the junction of K-99, 5.2 miles, sealing. (State Funds)

District Two—Northcentral

Clay—24-14 K-8407-01—U.S. 24 west of 2nd Street to west of the K-15/U.S. 24 junction in Clay Center, 0.5 mile, overlay. (State Funds)

District—106 K-5926-04—Various locations in District 2, 150.2 miles, signing. (State Funds)

Marion—50-57 K-9533-01—U.S. 50, approximately .5 mile east of the east city limits of Peabody, northeast to the west city limits of Florence, sealing and overlay, 9.6 miles. (State Funds)

Marion—50-57 K-9533-02—U.S. 50, approximately .5 mile east of the east city limits of Peabody, northeast to the west city limits of Florence, pavement repair, 9.6 miles. (State Funds)

McPherson—59 U-1930-01—First Street and Centennial in McPherson, intersection improvement. (Federal Funds)

Morris—64 C-3802-01—County road 1 mile south and 2.3 miles west of Dwight, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

District Three—Northwest

District—106 K-5927-03—Various locations in District 3, signing. (State Funds)

Ellis—26 C-3693-01—County road 1977 from Yocemento to the U.S. 183 alternate, surfacing. (Federal Funds)

Gove—70-32 K-9447-01—I-70, 1 mile east of the junction of K-23 east to the Gove-Trego county line, 18.3 miles, seal. (State Funds)

Phillips—74 C-3717-01—County road 7 miles west and 2 miles south of Phillipsburg, grading and bridge. (Federal Funds)

Phillips—74 C-3765-01—County road 9.3 miles west and 2 miles south of Phillipsburg, 0.1 mile, grading and bridge. (Federal Funds)

Rooks—82 K-8421-01—Ash Avenue to Douglas Avenue on Main Street in Palco, 0.2 mile, pavement reconstruction. (State Funds)

District Four—Southeast

District—106 K-6254-03—Various locations in District 4, 332.4 miles, signing. (State Funds)

Greenwood-Woodson—54-106 K-9433-01—U.S. 54 from the east junction of K-99 east to the Greenwood-Woodson county line; U.S. 54 from the Greenwood-Woodson county line east to the west city limits of Yates Center, 24.9 miles, seal. (State Funds)

Wilson—103 C-3744-01—County road 2 miles north and 0.8 mile east of Altoona, 0.2 mile, grading and bridge. (Federal Funds)

Woodson—104 C-3826-01—County road 6.1 miles east of the U.S. 75/U.S. 54 junction, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

Montgomery—75-63 K-8405-01—Fifth Street north to 1st Street on U.S. 75 in Caney, 0.3 mile, intersection improvement. (State Funds)

District Five—Southcentral

Harvey—50-40 K-9530-01—U.S. 50 from the east city limits of Walton, east to the Harvey-Marion county line, sealing, 6.9 miles. (State Funds)

Harvey—50-40 K-9530-02—U.S. 50 from the east city limits of Walton, east to the Harvey-Marion county line, pavement repair, 6.9 miles. (State Funds)

Pratt—281-76 K-8413-01—South of the Central Kansas Railroad crossing north to 10th Street on U.S. 281 in Pratt, 0.1 mile, pavement reconstruction. (State Funds)

Reno—50-78 K-7886-01—U.S. 50 from the Stafford-Reno county line east to the junction of K-14, guard fence. (Federal Funds)

District Six—Southwest

District—23-106 K-5929-03—Various locations in District 6, 132.4 miles, signing. (State Funds)

Finney-Hamilton—50-106 K-7885-01—Various locations on U.S. 50 in Finney and Hamilton county, guard fence. (Federal Funds)

Ford—29 K-8418-01—Casey Jones Avenue south to Jewell Road on St. Andrews Street in Wright, 0.3 mile, pavement reconstruction. (State Funds)

Stanton—160-94 C-3883-01—U.S. 160, 1.5 miles east of the junction of U.S.160 and K-27, 0.3 mile, grading and surfacing. (Federal Funds)

Wichita—96-102 K-9644-01—K-96 from the west city limits of Leoti east to the Wichita-Scott county line, 13.1 miles, crack repair. (State Funds)

Scott—96-86 K-9645-01—K-96 from the Wichita-Scott county line east to Scott City, 11.4 miles, crack repair. (State Funds)

(continued)

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. 030488

State of Kansas

Board of Regents

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Thursday, July 8, in the Board of Regents' conference room, 1000 S.W. Jackson, Suite 520, Topeka, to consider the adoption of new rules and regulations relating to community colleges and Washburn University.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Shery Smith, Kansas Board of Regents, 1000 S.W. Jackson, Suite 520, Topeka, 66612-1368. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing.

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 statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Shery Smith at (785) 296-3689.

Copies of the regulations and the economic impact statement may be obtained by contacting Shery Smith. A summary of the proposed regulations and the economic impact follows:

These regulations update and streamline regulations applicable to community colleges and Washburn University originally promulgated by the Kansas State Department of Education (KSDE). (Coordination of the community colleges and Washburn University was transferred from KSDE to the Kansas Board of Regents (KBOR) in 1999.)

K.A.R. 88-26-1 through 88-26-16, and 88-27-1 through 88-27-2, include a number of structural and technical amendments that serve to clean up the regulations, such as consolidating all definitions into one regulation, and substituting the words "Kansas Board of Regents" for the "Kansas State Department of Education." These amendments do not substantially change the substance or the policy presented in the proposed regulations from the current KSDE regulations.

Revocation of K.A.R. 91-8-2, 91-8-15, 91-8-16, 91-8-17, 91-8-19, 91-8-26, 91-8-30, 91-8-31 through 91-8-33, 91-9-11, 91-25-1a, 91-25-1c, 91-25-2, 91-25-3a, 91-25-4a, 91-25-17, 91-25-18 and 91-25-19. These regulations are being revoked to change the K.A.R. chapter and section because oversight of community colleges and Washburn University was switched from the Department of Education to the Kansas Board of Regents in 1999 with the passage of the Higher Education Coordination Act, 1999 SB 345. They will be replaced with proposed 88-26-1 through 88-26-14, and 88-27-1.

Economic Impact: Under KBOR's proposed regulations, the community colleges will be presumed to meet KBOR standards if accredited by North Central. The proposed approach will save KBOR an unquantified amount of staff time, and resulting moneys, related to the duplicative effort of accreditation. Other administrative changes, such as streamlining the appeals process for residency and out-district determinations, result in unquantifiable savings to KBOR.

Community colleges arguably will incur an unquantifiable cost because the regulation amendments offer community colleges more flexibility and responsibility to determine their own policies in the areas of student admissions, advanced standing, credit transfers and tuition setting.

Community colleges and Washburn University will benefit economically from a simplified appeals process regarding out-district determinations because they will not have to dedicate as much time to each level of appeals.

Other regulatory changes will not economically impact either the colleges or Washburn as they reflect the status quo.

The proposed regulations will not have any measurable economic impact on private citizens except that students who appeal a residency determination will have a faster appeals process.

The revocations will not have an impact because they will be replaced with new regulations.

Reginald L. Robinson
President and CEO

Doc. No. 030502

State of Kansas

Continuing Legal Education Commission

Notice of Meeting

The Kansas Continuing Legal Education Commission will meet at noon Friday, April 9, at 400 S. Kansas Ave., Suite 202, Topeka.

Shelley Sutton
Executive Director

Doc. No. 030504

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, April 15, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the K DFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

Project No. 000601—Maximum Principal Amount: \$69,035.53. Owner/Operator: Andrew J. Dettke. Description: Acquisition of 80 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at Section 10, Walnut Township, Marshall County, Kansas, approximately 2 miles north and 4 miles west of Marysville on Matador Road.

The bond, when issued, will be a limited obligation of the K DFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the K DFA, nor will it be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the K DFA at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the K DFA.

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

Stephen R. Weatherford
President

Doc. No. 030521

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared and/or permit applications have been received for discharges to the waters of the United States and the state of Kansas for the class of discharges described below.

The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the EPA, and when issued will result in a State Water Pollution Control Permit and National Pollutant Discharge Elimination System Authorization subject to certain conditions.

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

**Public Notice No. KS-AG-04-085
Application(s) for New or Expansion of Existing Swine Facilities**

Name and Address of Applicant	Owner of Property Where Facility Will Be Located
Jerry Sleichter 733 2500 Ave. Abilene, KS 67410	Jerry Sleichter 733 2500 Ave. Abilene, KS 67410
Legal Description	Receiving Water
SW/4 of Section 31, T12S, R02E, Dickinson County Kansas Permit No. A-SHDK-S020	Smoky Hill River Basin

This is an application for a permit for an existing swine facility that includes a hoop structure constructed after the registration of the facility in 1990. A new or modified permit will not be issued without additional public notice.

The application is for a maximum of 790 head of swine weighing more than 55 pounds (316 animal units) and 320 head of swine weighing 55 pounds or less (32 animal units), for a total of 1,100 head (348 animal units) of swine.

**Public Notice No. KS-AG-04-086/092
Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Jerry Sleichter 733 2500 Ave. Abilene, KS 67410	NW/4 of Section 1, T13S, R01E & NW/4 of Section 6, T13S, R2E, Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-S019

This is a new permit for an existing facility for a maximum of 61 head of swine weighing more than 55 pounds (24.4 animal units), 360 head of swine weighing 55 pounds or less (36 animal units), 180 head of cattle weighing more than 700 pounds (180 animal units) and 180 head of cattle weighing 700 pounds or less (90 animal units), for a total of 781 head (330.4 animal units) of cattle and swine.

(continued)

Name and Address of Applicant	Legal Description	Receiving Water
Pine Ridge Inc. 477 K 246 Morrill, KS 66515 Kansas Permit No. A-MOBR-B008	NE/4 of Section 03, T02S, R15E, Brown County	Missouri River Basin

This is a new permit for an existing facility for 999 head (499.5 animal units) of cattle weighing less than 700 pounds and 450 head (45 animal units) of swine weighing less than 55 pounds, for a total of 544.5 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Osborne Livestock Commission, Inc. P.O. Box 88 Osborne, KS 67473 Kansas Permit No. A-SOQB-B012	SW/4 of Section 18, T07S, R12W, Osborne County	Solomon River Basin

This is a permit renewal for a sale barn providing an average sales capacity of 93 head of cattle per day (55 animal units) confined two days a week. The sale barns animal capacity has been revised from 700 head of cattle per week (700 animal units) to 93 head of cattle per day (55 animal units) confined two days a week pursuant to K.S.A. 171d(c)(3), as amended by Senate Bill No. 131.

Name and Address of Applicant	Legal Description	Receiving Water
Mendenhall & Sons 5076 County Road N Gove, KS 67736 Kansas Permit No. A-SHGO-B013	S/2 of Section 28, T13S, R28W, Gove County	Smoky River Basin

This is a permit renewal for an existing facility having a maximum capacity of 800 head (800 animal units) of cattle weighing greater than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Michael Taylor dba Taylor Land & Cattle Co. Route 1, Box 121A Greensburg, KS 67054 Kansas Permit No. A-ARKW-B001	SE/4 of Section 22, T27S, R18W, Kiowa County	Arkansas River Basin

This is a renewal permit for an existing facility for 999 head (499.5 animal units) of beef cattle. The facility is downsizing from 1,600 head to 999 head.

Permeability tests shall be conducted on the earthen wastewater retention structure. Permeability tests shall be completed within 12 months of the effective date of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Augustine Dairy Galen Augustine 2063 CC Road Lenora, KS 67645 Kansas Permit No. A-SOGH-M003	NE/4 of Section 14, T06S, R24W, Graham County	Solomon River Basin

This is a renewal permit for an existing dairy facility for 70 head (98 animal units) of mature dairy cows.

Name and Address of Applicant	Legal Description	Receiving Water
Charlotte S Hatcher Revocable Trust 1224 N. Grant Liberal, KS 67901 Kansas Permit No. A-CISW-C006	SW/4 of Section 26, T34S, R34W, Seward County	Cimarron River Basin

This is a permit modification and expansion for an existing facility. The facility is modifying its wastewater control system and changing the number and type of cattle from 950 head (950 animal units) of cattle weighing more than 700 pounds to 2,000 head (1,000 animal units) of cattle weighing 700 pounds or less. There will be no change in facility boundaries.

Permeability tests shall be conducted on the earthen wastewater retention structures (north and south lagoons). Permeability tests shall be completed within 12 months of the effective date of the 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 attention of April Romero 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 May 1 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-04-085/092) 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 copy-

ing 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. 030513

State of Kansas

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment, Office of the Secretary, will conduct a public hearing at 9 a.m. Friday, June 4, in Suite 520, 1000 S.W. Jackson, Topeka, to consider the following regulations: school-age programs (amended), K.A.R. 28-4-576, 577, 578, 583, 585, 587, 590 and 591; and drop-in programs (new), K.A.R. 28-4-700 to 705. The regulations were effective as temporary regulations on March 19, 2004. Following is a summary of the proposed amendments and the new regulations:

School-Age Programs

28-4-576. Definitions. Terms used in the school-age program regulations: changed the definition of "drop-in program," deleted the definition of "national organization," and changed the definition of "school-age program and program."

28-4-577. Terms of temporary permit or license. Deleted the language in (a)(1)(B) relating to an operator of a building-based program affiliated with a national organization.

28-4-578. Licensure; amended license; exceptions; notification; renewal. Added a section to subsection (b) to exclude a program that is operated by a local unit of government or school district and that operates not more than four hours per day or operates for not more than two consecutive weeks.

28-4-583. Access to the premises; safety of off-premises activities. Deleted the language in subsection (b)(2) relating to drop-in programs; this language is now in the new drop-in programs regulations.

28-4-585. Building and outdoor premises. Deleted language that referred to drop-in programs; this language is now in the new drop-in programs regulations.

28-4-587. Staff qualifications; professional development; staffing requirements. Deleted language that referred to drop-in programs.

28-4-590. Health-related requirements. Deleted language that referred to drop-in programs.

28-4-591. Food preparation, service, safety and nutrition. Deleted language that referred to drop-in programs.

Drop-In Programs

28-4-700. Definitions. Defines terms used in the drop-in program regulations.

28-4-701. Licensure; application; renewal. Specifies the licensure required, application procedures and annual renewals.

28-4-702. Inspections; investigations. Gives the secretary or secretary's designee the immediate entry and access to the premises and to any records kept to determine compliance with the regulations.

28-4-703. Recordkeeping. Identifies the records of children and youth that are needed, along with the emergency contact information and authorization for emergency medical care.

28-4-704. Attendance policy; supervision. Specifies the attendance policy that is used by the drop-in program and the supervision that is provided.

28-4-705. Criminal history and child abuse registry background check. Requires criminal history and child abuse registry background check on all persons who work, substitute or regularly volunteer in the program.

The economic impact for school-age programs is negligible since the majority of the school-age programs that these regulations address are currently licensed. There should be no additional cost to the licensee or the consumer (parent) for these amendments. The only additional costs would be incurred by school-age programs in recreation centers and schools and to programs under contract with the Juvenile Justice Authority for opening of new programs.

The economic impact for drop-in programs for the agency would be absorbed without additional funding. The only cost to the licensees will be a \$20 annual license fee. The agency has an MOU with the KBI to provide all record checks to child care facilities at a set rate. These checks would fall under the existing MOU.

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 Sandy McAdam, Office of Legal Services, 1000 S.W. Jackson, Suite 560, Topeka, 66612. Interested parties will be given a reasonable opportunity to orally present their views of the proposed regulations 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 permanent proposed amendments, the new regulations and the economic impact statement may be obtained by contacting Sandy McAdam at the address above, (785) 296-6917, or by accessing the agency's Web site at www.kdhe.state.ks.us under "hot topics."

Any individual with a disability may request accommodation in order to participate in the public hearing and may request copies of the proposed regulations 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 Sandy McAdam.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 030505

State of Kansas

Department of Health
and Environment

Notice Concerning Kansas Brine Pond Permits

In accordance with Kansas Administrative Regulations 28-45-2a through 30, permit applications have been received and draft permits developed for the construction, monitoring, reporting, operation and maintenance of brine ponds associated with underground hydrocarbon storage caverns. The determinations for permit content are based on staff review, applying the appropriate standards and regulations of the state of Kansas, and when issued will result in a Brine Pond Permit subject to certain conditions.

Public Notice No. KS-LPG-04-001/002

Name and Address of Applicant	Type of Brine Pond
Ferrellgas 2610 Mohawk Road Hutchinson, KS 67501	Brine pond associated with underground hydrocarbon storage operations
Brine Pond Number and Permit Number	Location
Brine Pond No. 3 KS-BP-001-003	NE¼ in Section 29, T23S, R6W
Brine Pond No. 4 KS-BP-001-004	NE¼ in Section 29, T23S, R6W

Facility Description: The proposed action is to issue permits for new brine ponds associated with underground hydrocarbon storage wells at an existing facility. The brine ponds will store brine used in solutioning storage caverns and used in the displacement of hydrocarbon during cavern operations. The proposed permits include general conditions for the construction, monitoring, reporting and operation of the brine ponds. The permit requirements are pursuant to the Kansas Underground Hydrocarbon Storage Wells and Associated Brine Ponds regulations, K.A.R. 28-45-2a through K.A.R. 28-45-30.

Persons wishing to comment on the draft permits must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments considered in the decision making process. Comments should be submitted to the attention of Cina Poyer 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 permits or application notice postmarked or received on or before May 3 will be considered in the formulation of final determinations regarding these permits. Please refer to the appropriate Kansas public notice number (KS-LPG-04-001/002) and the name of applicant/application as listed when preparing comments. The public comment period will close May 3.

The draft permits and supporting documents are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka. 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. 030512

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Tyson Foods, Inc., located in Hutchinson, has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to limit the potential to emit of particulate matter to below the major source emission levels.

Tyson Foods, Inc. owns and operates the stationary source located at 521 S. Main, Hutchinson. The company has requested a federally-enforceable limit to require installation, operation and maintenance of fabric filter control equipment on two existing corn silos. Use of the control equipment, as described in the permit, will limit the potential to emit of particulate matter to below the major source emission level.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE South Central District Office, 130 S. Market, Wichita. To obtain or review the proposed permit and supporting documentation, contact John Ramsey, (785) 296-1992, at the KDHE central office; and to review the proposed permit only, contact David Butler, (316) 337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to John Ramsey, 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 before the close of business May 3.

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 Brie Wilkins, Bureau of Air and Radiation, not later than the close of business May 3 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 030509

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. Anadarko Gathering 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.

Anadarko Gathering Company, Houston, Texas, owns and operates South S. Breech Compressor Station located at Section 16, Township 35 South, Range 38 West, Stevens 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 before the close of business May 3.

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 Brie Wilkins, Bureau of Air and Radiation, not later than the close of business May 3 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. 030510

State of Kansas

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

The Kansas Department of Health and Environment is soliciting comments regarding a proposed modification to an air quality operating permit. ONEOK - Kirkman Compressor Station has applied for a Class II operating permit modification in accordance with the provisions of K.A.R. 28-19-544. Emissions of hazardous air pollutants (HAPs) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

ONEOK - Kirkman Compressor Station, Tulsa, Oklahoma, owns and operates a natural gas compressor station located at S25-T28S-R12W, Pratt 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 public review for a period of 30 days from the date of publication 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 Daizy Dandass-Peter, (785) 296-3651, at the KDHE central office, or David Butler, (316) 337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Daizy Dandass-Peter, 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 before the close of business May 3.

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 Brie Wilkins, Bureau of Air and Radiation, not later than the close of business May 3 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 030517

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 3-29-04 through 4-4-04

Term	Rate
1-89 days	1.00%
3 months	0.92%
6 months	1.00%
1 year	1.11%
18 months	1.28%
2 years	1.56%

Derl S. Treff
Director of Investments

Doc. No. 030495

State of Kansas

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

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Tyson Fresh Meats, Inc. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to allow the burning of natural gas, distillate fuel oil, yellow grease and tallow in six boilers. Emissions of oxides of nitrogen (NO_x), sulfur dioxide (SO₂), carbon monoxide (CO), particulate matter (PM) and volatile organic compounds (VOCs) were evaluated during the permit review process.

Tyson Fresh Meats, Inc., Dakota Dunes, South Dakota, owns and operates the stationary source located at 2101 W. 6th Ave., Emporia, at which six existing boilers are to be modified to allow the combustion of yellow grease and tallow as fuel.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Southeast District Office, 1500 W. 7th, Chanute. To obtain or review the proposed permit and supporting documentation, contact Michael Stewart, (785) 296-1994, at the KDHE central office; and to review the proposed permit only, contact Doug Cole, (620) 431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Dana Morris, 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 before the close of business May 3.

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 Brie Wilkins, Bureau of Air and Radiation, not later than the close of business May 3 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 030515

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

DeBruce Grain, Inc., Kansas City, Missouri, owns and operates a grain elevator located at 513 W. 1st St., Abilene, 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 public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Daizy Dandass, (785) 296-3651, at the KDHE central office; and to review the proposed permit only, contact Craig Forsberg, (785) 271-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Daizy Dandass, 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 before the close of business May 3.

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 Brie Wilkins, Bureau of Air and Radiation, not later than the close of business May 3 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 030518

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed significant permit modification of an air quality operating permit. Fiberglass Engineering, dba Cobalt Boats, has applied for a significant permit modification of the facility's Class I operating permit in accordance with the provisions of K.A.R. 28-513 et seq. The significant modification of the Class I operating permit was necessary due to errors in the original permit dated January 27, 2003. The Class I operating permit also has been updated to meet current permit standards.

Fiberglass Engineering, dba Cobalt Boats, Neodesha, owns and operates a fiberglass boat manufacturing facility located at 1709 N. 9th, Neodesha.

A copy of the proposed significant permit modification, significant permit modification application, all supporting documentation and all information relied upon during the significant permit modification 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 Southeast District Office, 1500 W. 7th, Chanute. To obtain or review the proposed significant permit modification and supporting documentation, contact William Stone, (785) 296-6427, at the KDHE central office, or David Stutt, (620) 431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the documents to William Stone, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final decision, written comments must be received before the close of business May 3.

A person may request a public hearing be held on the proposed documents. 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 Brie Wilkins, Bureau of Air and Radiation, not later than the close of business May 3 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. 030511

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) 296-2113:

04/13/2004	07231	Furnish and Install Containment System
04/13/2004	07232	Furnish and Install Water and Electrical Services
04/13/2004	07244	Moving Services
04/14/2004	07221	Precast Concrete Vault Toilets
04/14/2004	07237	White Lighting System
04/14/2004	07238	General Dynamics Service Monitors
04/15/2004	07227	KAN-eD Bandwidth Connectivity and Services
04/20/2004	07222	Furnish and Install Refurbished PBX Equipment

The above referenced bid documents can be downloaded at the following Web site:

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

Additional files may be located at the following Web site (please monitor this Web site on a regular basis for any changes/addenda):

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

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

04/21/2004	A-9788	Floor Covering Replacements
04/21/2004	A-9893	Reroof Corbin Education Center
04/22/2004	A-9652(A)	Reroute Utilities Required to Various Buildings
04/22/2004	A-9738	Reroof District Crew Storage Building
04/27/2004	A-9640(A)	Connector to Activity Therapy Building
04/28/2004	A-9639(B)	Expand Building and Install Switchgear Upgrade Campus Primary Electrical System
04/29/2004	A-9762	Job Service Center Renovation

Keith Meyers
Director of Purchases

Doc. No. 030522

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. Anadarko Gathering 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.

Anadarko Gathering Company, Houston, Texas, owns and operates a natural gas compressor station located at Hugoton Gathering Plant #3, S2-T33S-R39W, Stevens 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 a copy of the proposed permit can be reviewed at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita. To obtain or review the proposed permit and supporting documentation, contact Tibisay Marin, (785) 296-4875, at the KDHE central office; and to review the proposed permit only, contact 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 Tibisay Marin, 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 before the close of business May 3.

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 Brie Wilkins, Bureau of Air and Radiation, not later than the close of business May 3 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. 030516

State of Kansas

Board of Pharmacy

Permanent Administrative
Regulations

Article 7.—MISCELLANEOUS PROVISIONS

68-7-20. Shared services. (a) (1) "Order" means either of the following:

(A) A prescription order as defined in K.S.A. 65-1626 and amendments thereto; or

(B) a medication order as defined in K.A.R. 68-5-1.

(2) "Shared order filling" means the following:

(A) Preparing, packaging, compounding, or labeling an order, or any combination of these functions, by a person authorized by the pharmacy act to do so and located at a pharmacy on behalf of and at the request of another pharmacy; and

(B) returning the filled order to the requesting pharmacy for delivery to the patient or patient's agent or, at the request of the requesting pharmacy, directly delivering the filled order to the patient.

(3) "Shared order processing" means the following order processing functions that are performed by a person authorized by the pharmacy act and located at a pharmacy, on behalf of and at the request of another pharmacy:

(A) Interpreting and entering the order; and

(B) performing drug utilization reviews, claims adjudication, refill authorizations, or therapeutic interventions, or any combination of these functions.

(4) "Shared services" means shared order filling or shared order processing, or both.

(b) Each pharmacy participating in shared services shall be registered by the board as either a resident or a non-resident pharmacy.

(c) Pharmacies may provide or utilize shared services functions only if the pharmacies involved meet the following requirements:

(1) Share a common electronic file or appropriate technology to allow access to sufficient information necessary to fill, refill, or perform shared services in conformance with the pharmacy act and the board's regulations; and

(2) (A) Have the same owner; or

(B) have a written contract outlining the services provided and the shared responsibilities of each party in

complying with the pharmacy act and the board’s regulations.

(d) Pharmacies engaged in shared services shall meet the following requirements:

(1) Maintain records identifying, individually for each order processed, the name of each pharmacist, technician, pharmacy student, and intern who took part in the drug utilization review, refill authorization, or therapeutic intervention functions performed at that pharmacy;

(2) maintain records identifying, individually for each order filled or dispensed, the name of each pharmacist, technician, pharmacy student, and intern who took part in the filling, dispensing, and counseling functions performed at that pharmacy;

(3) report to the board as soon as practical the results of any disciplinary action taken by another state’s pharmacy board involving shared services;

(4) maintain a mechanism for tracking the order during each step of the processing and filling procedures performed at the pharmacy;

(5) maintain a mechanism to identify on the prescription label all pharmacies involved in filling the order;

(6) provide for adequate security to protect the confidentiality and integrity of patient information; and

(7) be able to obtain for inspection any required record or information within 72 hours of any request by a board representative.

(e) Each pharmacy providing or utilizing shared services shall adopt and maintain a joint policies and procedures manual that meets both of the following criteria:

(1) The manual describes how compliance with the pharmacy act and the board’s regulations will be accomplished while engaging in shared services.

(2) A copy of the manual is maintained in each pharmacy.

(f) Nothing in this regulation shall prohibit an individual pharmacist licensed in Kansas who is an employee of or under contract with the pharmacy or a pharmacy technician, pharmacy student, or intern working under the direct supervision and control of the pharmacist from accessing the pharmacy’s electronic database from inside or outside the pharmacy and performing the order processing functions permitted by the pharmacy act, if both of the following conditions are met:

(1) The pharmacy establishes controls to protect the privacy and security of confidential records.

(2) None of the database is duplicated, downloaded, or removed from the pharmacy’s electronic database. (Authorized by K.S.A. 65-1630 and 65-1656; implementing K.S.A. 65-1626(cc), 65-1626a, 65-1637, 65-1642, and 65-1656; effective April 16, 2004.)

Debra Billingsley
Executive Secretary

Doc. No. 030520

State of Kansas

Kansas Dental Board

Permanent Administrative
Regulations

Article 6.—DENTAL AUXILIARIES

71-6-1. Definitions. As used in these regulations, the following terms shall have the meanings indicated:

(a) “Approved instruction course” means a course of instruction that the board has found to meet the requirements listed in K.A.R. 71-6-3.

(b) “Coronal” means the portion of a tooth or tooth replacement visible above the gum line.

(c) “Coronal polish teeth” means to remove soft accretions and stains from coronal surfaces of teeth or tooth replacements.

(d) “Coronal scale teeth” means to remove hard deposits and accretions from the coronal surfaces of teeth or tooth replacements.

(e) “Direct supervision” means that the dentist is in the dental office, personally diagnoses the condition to be treated, personally authorizes the procedure, and, before dismissal of the patient, evaluates the performance or has it evaluated by another person licensed by the board. (Authorized by K.S.A. 74-1406; implementing K.S.A. 65-1423; effective Feb. 12, 1999; amended April 16, 2004.)

Larry Williamson
Executive Director

Doc. No. 030496

State of Kansas

Board of Healing Arts

Temporary Administrative
Regulations

Article 54. OCCUPATIONAL THERAPY

100-54-4. Fees. The following fees shall be collected by the board:

(a) Application for license	\$80.00
(b) License renewal:	
(1) Paper renewal	\$70.00
(2) On-line renewal	\$67.00
(c) License late renewal:	
(1) Paper late renewal	\$75.00
(2) On-line late renewal	\$72.00
(d) License reinstatement	\$80.00
(e) Certified copy of license	\$15.00
(f) Temporary license	\$25.00

(Authorized by K.S.A. 65-5405; implementing K.S.A. 65-5409; effective, T-88-17, July 1, 1987; effective May 1, 1988; amended, T-100-10-17-89, Oct. 17, 1989; amended Feb. 5, 1990; amended May 1, 1998; amended Sept. 29, 2000; amended Jan. 10, 2003; amended Nov. 21, 2003; amended, T-100-3-19-04, March 19, 2004.)

Article 55.—RESPIRATORY THERAPY

100-55-4. Fees. The following fees shall be collected by the board:

(continued)

- (a) Application for a license \$80.00
- (b) License renewal:
- (1) Paper renewal \$70.00
- (2) On-line renewal \$67.00
- (c) License late renewal :
- (1) Paper late renewal \$75.00
- (2) On-line late renewal \$72.00
- (d) License reinstatement \$80.00
- (e) Certified copy of license \$15.00
- (f) Special permit \$15.00
- (g) Temporary license \$25.00

(Authorized by K.S.A. 65-5505; implementing K.S.A. 65-5509; effective, T-88-17, July 1, 1987; effective May 1, 1988; amended, T-100-10-17-89, Oct. 17, 1989; amended Feb. 5, 1990; amended Jan. 3, 1997; amended May 1, 1998; amended June 30, 2000; amended Sept. 29, 2000; amended Jan. 10, 2003; amended, T-100-3-19-04, March 19, 2004.)

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 030497

State of Kansas
Department of Corrections
Temporary Administrative
Regulations

Article 5.—INMATE MANAGEMENT

44-5-115. Service fees. (a) Each inmate in the custody of the secretary of corrections shall be assessed a charge of one dollar each payroll period, not to exceed \$12.00 per year, as a fee for administration by the facility of the inmate’s trust account. The facility shall be authorized to transfer the fee from each inmate’s account from the balance existing on the first of each month. If an inmate has insufficient funds on the first of the month to cover this fee, the fee shall be transferred as soon as the inmate has sufficient funds in the account to cover the fee. All funds received by the facility pursuant to this paragraph shall be paid on a quarterly basis to the crime victims’ compensation fund.

(b) (1) Each offender under the department’s parole supervision, conditional release supervision, postrelease supervision, and interstate compact parole and probation supervision in Kansas shall be assessed a supervision service fee of a maximum of 25 dollars per month. This fee shall be paid by the offenders to the department’s designated collection agent or agents. Payment of the fee shall be a condition of supervision. All fees shall be paid as directed by applicable internal management policy and procedure and as instructed by the supervising parole officer.

(2) A portion of the supervision service fees collected shall be paid to the designated collection agent or agents according to the current service contract, if applicable. Twenty-five percent of the remaining amount collected shall be paid on at least a quarterly basis to the crime victims’ compensation fund. The remaining balance shall be paid to the department’s general fees fund for the department’s purchase or lease of enhanced parole super-

vision services or equipment including electronic monitoring, drug screening, and surveillance services.

(3) Indigent offenders shall be exempt from this subsection of the regulation, as set forth by criteria established by the secretary in an internal management policy and procedure.

(4) The fees authorized by subsection (d) of this regulation shall not be considered a portion of the monthly supervision service fee.

(c) Each inmate in the custody of the secretary of corrections shall be assessed a fee of \$2.00 for each primary visit initiated by the inmate to an institutional sick call. A primary visit shall be the initial visit for a specific complaint or condition. Inmates shall not be charged for the following:

- (1) Medical visits initiated by medical or mental health staff;
- (2) institution intake screenings;
- (3) routinely scheduled physical examinations;
- (4) clinical service reports, including reports or evaluations requested by any service provider in connection with participation in the reentry program;
- (5) evaluations requested by the Kansas parole board;
- (6) referrals to a consultant physician;
- (7) infirmary care;
- (8) emergency treatment, including initial assessments and first-aid treatment for injuries incurred during the performance of duties on a work detail or in private industry employment;
- (9) mental health group sessions;
- (10) facility-requested mental health evaluations;
- (11) follow-up visits initiated by medical staff; and
- (12) follow-up visits initiated by an inmate within 14 days of an initial visit.

No inmate shall be refused medical treatment for financial reasons. If an inmate has insufficient funds to cover the medical fee, the fee shall be transferred as soon as the inmate has sufficient funds in the account to cover the balance of the fee.

(d) Each offender shall be assessed a fee for each urinalysis or other test approved by the department of corrections that is administered to the offender for the purpose of determining the use of illegal substances and that has a positive result. The amount of the fee shall be adjusted periodically to reflect the actual cost of administering these tests, including staff participation.

(e) Each offender shall be assessed a fee, if applicable, for global positioning system (GPS) tracking, electronic monitoring, application for transfer under the interstate compact for adult offender supervision, polygraph examinations, community residential bed housing, and sexual abuser’s treatment services, if these services are required as a part of postincarceration release supervision. If applicable, each offender on postincarceration release supervision shall also be assessed a fee for the collection of specimens of blood and saliva for the purpose of providing DNA profiles to the Kansas bureau of investigation, pursuant to K.S.A. 21-2511 and amendments thereto. (Authorized by K.S.A. 2003 Supp. 75-5210, K.S.A. 75-5251, K.S.A. 75-52,139; implementing K.S.A. 2003 Supp. 22-3717, K.S.A. 75-52,139; effective Jan. 3, 1995; amended, T-44-3-19-04, March 19, 2004.)

Article 7.—PROGRAMS AND ACTIVITIES

44-7-104. Inmate visitation. (a) Orders shall be promulgated by the warden to govern inmate communication with family, friends, relatives, and others through visits to the facility. Further elaboration of this regulation through the internal management policies and procedures shall be made by the secretary, particularly with respect to establishing a system of identifying a primary visitor for each inmate. The following procedures shall be observed by the facility in the administration of visits.

(1) A suitable area and reasonable space within the facility shall be provided for inmate visitation. All visits shall be held in this area, except when authorization is granted by the warden to visit an inmate elsewhere. For the reasons of security and order in the facility, a visit may be directed by the warden to be allowed under circumstances in which physical contact between the inmate and visitor is not permitted. All visits shall be subject to visual and sound monitoring of conversations and actions during the visit, except any visit with an attorney or clergy member, or any other visits with persons having a statutory right of privileged communication as specified in subsection (b).

(2) Any inmate may make a list of not more than 20 friends or relatives for the purpose of visiting the inmate in the facility. All proposed visitors shall be informed of the following requirements:

(A) Persons below the age of 18 shall not be allowed to visit, unless they are members of the inmate's immediate family. For the purpose of this subsection, "immediate family" shall mean siblings, stepsiblings, children, stepchildren, grandchildren, stepgrandchildren, and spouse; and

(B) Persons below the age of 18 who are members of the immediate family, except a spouse, shall not be allowed to visit unless they are accompanied by a parent, legal guardian, or an adult who has been given the power of attorney by the parent or legal guardian vesting the person with authority to transport and supervise the minor child on the premises of the institution or facility for the purpose of visiting an inmate. In those instances in which no one has a power of attorney, an adult who is a temporary caregiver of a minor child may authorize visits by the child after providing an affidavit verifying the adult's status and relationship with the child and inmate. Whether or not the visit will be permitted shall be determined by the warden.

(3) Additional visitation guidelines.

(A) Regardless of any visiting list restrictions, an inmate's attorney or a clergy member shall be permitted to visit the inmate at reasonable times, unless a clear abuse of this privilege has occurred or unless such a visit may prove dangerous or harmful to the security and order of the facility or the rehabilitation of any inmate.

(B) Each individual who is requesting a visit with an inmate but who is not designated on the list or has not yet been approved for visitation shall be interviewed and identified by authorized personnel. If the requested visit conforms to all facility and departmental requirements,

one visit may be approved pending further investigation and approval of subsequent visits.

(C) Ex-inmates shall be prohibited from visiting any facility or inmate, unless approval is given by the warden. Parolees and probationers shall first be approved by the warden and have written authorization from their supervisor before visitation. An individual involved in or convicted of any narcotic offense shall not be permitted to visit a facility without the prior approval of the warden.

(D) If an inmate refuses to see a particular visitor, the refusal shall be documented in the records of the facility.

(4) Visitors in the facility shall meet the following requirements:

(A) Wear appropriate attire as described and published by the warden;

(B) not give or receive any written material, article, or merchandise of any sort, except in accordance with the warden's orders or departmental regulations or with the permission of the warden;

(C) be prohibited from placement on more than one inmate's visiting list, unless the visitor is a member of the immediate family, as defined in K.A.R. 44-5-113(a), of more than one inmate confined in a facility or unless the visitor is an approved mentor to an offender, without limit on number, pursuant to a mentoring program approved by the department of corrections;

(D) sign the register of the facility before and after each visitation;

(E) be subject to search, photographing, and fingerprinting;

(F) have visitation restricted or terminated if the facility security needs so warrant; and

(G) not distribute anything inside a correctional facility without written permission from the warden.

(5) Each individual who was an employee of a correctional facility, who regularly worked at a correctional facility as an employee of an entity under contract to provide services to the institution or facility, or who was a volunteer at a correctional facility shall meet the following conditions:

(A) Not be permitted to have visits with an inmate, in other than a professional capacity, for a minimum of two years after the employment or volunteer status is terminated, unless the individual is related by blood or marriage to the inmate. If the individual has a blood or marital relationship with an inmate, the ex-employee, ex-contract employee, or ex-volunteer may nonetheless be subject to the minimum two-year waiting period under the circumstance set forth in paragraph (a)(5)(B). Approval of visits after two years shall be at the discretion of the warden upon application of the inmate or ex-employee, ex-contract employee, or ex-volunteer. If the warden disapproves the visits, the inmate and ex-employee, ex-contract employee, or ex-volunteer shall be notified by the warden of the specific reasons for the denial; or

(B) if barred from a facility because of undue familiarity with an inmate or for trafficking in contraband, whether or not convicted of any criminal offense in connection with the instance of undue familiarity or trafficking, not be permitted to have visits with any inmate for a minimum of two years after the effective date of the order

(continued)

barring the individual from any facility. The approval of visits after two years shall be given at the discretion of the warden and with the approval of the deputy secretary of facilities management, upon application of an inmate or the ex-employee, ex-contract employee, or ex-volunteer.

(6) An individual who is currently an employee, contract employee, or volunteer and who is related by blood or marriage to an inmate may be permitted to visit the inmate, at the discretion of the warden of the facility where the individual is employed or volunteers and with the approval of the warden of the facility where the inmate is assigned.

(7) Designated personnel shall be present during all visitations and shall supervise visits to the extent appropriate to protect the nature and privacy of the relationship between the inmate and visitor and to maintain security and control.

(8) Any visitor's visiting privileges may be suspended if the visitor violates any visitation policy and procedure or any visitation order while in the facility. An inmate's visiting privileges may likewise be suspended, whether or not the inmate is convicted of violation of any disciplinary regulation in connection with violation of any visitation policy and procedure or any visitation order.

(A) The length of any suspension shall be determined by the warden, subject to the limitations specified in paragraph (a)(8)(B).

(B) The initial length of a suspension imposed for violation of an institutional rule shall not exceed one year. At its termination, the suspension shall be subject to review by the warden and may be extended for successive periods of no more than one year each. Each extension of a suspension shall be reviewed by the warden at its termination.

(9) Any person may be permanently barred from entering on the grounds of any KDOC facility if the permanent suspension of visiting privileges meets all of the following conditions:

(A) Some credible evidence demonstrates that the person has committed, attempted, conspired regarding, or solicited any of the following types of misconduct:

- (i) Facilitation of escape;
- (ii) assault of an employee, contract employee, or volunteer;
- (iii) communication of a threat proscribed by K.S.A. 21-3419, and amendments thereto, to an employee, contract employee, or volunteer;
- (iv) engaging in sexual intercourse, sodomy, or lewd fondling and touching with an inmate while on the grounds of a correctional facility, whether or not the sexual contact at issue was consensual; or
- (vi) violation of K.S.A. 21-3826, and amendments thereto.

(B) The permanent suspension of the person's entry and visitation privileges is recommended by the warden of the affected facility.

(C) The permanent suspension of the person's entry and visitation privileges is approved by the deputy secretary of facilities management.

(10) Each person, including any visitor, shall be subject to search, including a strip search upon a determination

of reasonable suspicion, before entering on the grounds of a correctional facility. A person's visiting privilege shall be suspended for a period of one year and restricted to noncontact visiting for an additional six months, if the person refuses to be searched before or after gaining access to facility grounds for the purpose of visiting an inmate.

(b) A place shall be provided for private consultation by attorneys, clergy members, and other persons having a statutory right of privileged communication, except for spouses, to permit confidential conversation. Only those measures necessary to preserve security shall be permitted to interfere with the consultation. Sound monitoring shall not be conducted. Visual monitoring shall be permitted only if necessary to maintain security.

(c) This regulation shall apply only to the regular inmate visitation program. All visits to inmates resulting from a program otherwise implemented by the department of corrections shall be governed by policies and procedures established specifically for that program. (Authorized by and implementing K.S.A. 2003 Supp. 75-5210, K.S.A. 75-5251, 75-5252; effective May 1, 1980; amended May 1, 1987; amended May 1, 1988; amended Nov. 12, 1990; amended Jan. 11, 1993; amended July 11, 1994; amended, T-44-3-19-04, March 19, 2004.)

44-7-113. Religious activity. (a) Clergy members from recognized religious faiths may hold religious services in the facilities, at their own expense and at the times authorized by and in accordance with the warden's general orders.

(b) A group of two or more inmates of a common religious faith who are without the benefit of a clergy member may request that the chaplain recommend to the warden for consideration for approval a proposal allowing these inmates to meet as a group and hold religious services among themselves.

(c) Upon the request of any inmate, a bible or any other related religious text material that has been previously donated to the secretary shall be made available by the warden of the facility to the inmate. The term "bible" shall mean the main religious text of the inmate's religion. Other related religious text materials may be limited in numbers and amounts according to established correctional practice and management, including the amount of space per inmate in each cell. A religious reading section shall be established by the warden in the inmate library. A donated main text of religious doctrine for each religion may be made available by the warden in the inmate library.

(d) All religious services and meetings shall be conducted in accordance with the orders of the warden. (Authorized by K.S.A. 2003 Supp. 75-5210, K.S.A. 75-5251; implementing K.S.A. 75-5223 and K.S.A. 75-5251; effective May 1, 1981; amended April 20, 1992; amended, T-44-3-19-04, March 19, 2004.)

Article 12.—CONDUCT AND PENALTIES

44-12-313. Sexually explicit materials. (a) No inmate shall have in possession or under control any sexually explicit materials, including drawings, paintings, writing, pictures, items, and devices.

(b) The material shall be considered sexually explicit if the material meets either of the following conditions:

(1) Contains nudity, which shall be defined as the depiction or display of any state of undress in which the human genitals, pubic region, buttock, or female breast at a point below the top of the areola is less than completely and opaquely covered, for the purpose of sexual arousal or gratification; or

(2) contains any display, actual or simulated, or description of any of the following, for the purpose of sexual gratification:

(A) Sexual intercourse or sodomy, including genital-genital, oral-genital, anal-genital, and anal-oral contact, whether between persons of the same or differing gender;

(B) masturbation;

(C) bestiality; or

(D) sadomasochistic abuse.

(c) Each violation of this regulation by inmates classified as sex offenders shall be a class I violation.

(d) Each violation of this regulation by inmates not classified as sex offenders shall be a class II violation.

(e) Each violation of this regulation by any inmate if the sexually explicit material depicts, describes, or exploits any child under the age of 18 years shall be a class I offense. (Authorized by and implementing K.S.A. 2003 Supp. 75-5210; effective May 1, 1980; amended April 20, 1992; amended Feb. 15, 2002; amended, T-44-3-19-04, March 19, 2004.)

44-12-601. Mail. (a) Definitions.

(1) (A) "Legal mail" means mail affecting the inmate's right of access to the courts or legal counsel. This term shall include letters between the inmate and any lawyer, a judge, a clerk of a court, or any intern or employee of a lawyer or law firm, legal clinic, or legal services organization, including legal services for prisoners.

(B) "Official mail" means any mail between an inmate and an official of the state or federal government who has authority to control, or to obtain or conduct an investigation of, the custody or conditions of confinement of the inmate.

(C) "Privileged mail" means any mail between the inmate and the inmate's physician, psychiatrist, psychologist, or other licensed mental health therapist.

(2) (A) "Censor" means to remove or change any part or all of the correspondence or literature.

(B) "Inspect" means to open, shake out, look through, feel, or otherwise check for contraband without reading or censoring. This term shall include any cursory reading necessary to verify that mail is legal or official in nature as permitted by paragraph (f)(3).

(C) "Read" means to read the contents of correspondence or literature to ascertain the content.

(b) General provisions.

(1) Each inmate shall comply with the mail procedures and restrictions established by the order of the warden of the facility. Failure to comply with mail procedures or restrictions, or circumventing or attempting to circumvent mail procedures or restrictions by any means, shall be prohibited. The delivery of mail through an employee, volunteer, teacher, or any other person who is not authorized to perform functions related to the established mail-handling system shall be prohibited.

(2) Contraband. Items identified as contraband shall be dealt with as provided in subsection (d) and then either returned to the sender at the inmate's expense or destroyed, at the inmate's option. Items illegal under Kansas or U.S. federal law shall be seized and held as evidence for other law enforcement officers.

(3) All incoming mail shall identify the inmate recipient by name and inmate identification number.

(4) Violation of mail regulations of the department of corrections, orders of the warden, or the laws of Kansas or the United States may result in additional mail restrictions upon the offender that are sufficient to prevent the continuation or reoccurrence of the violation.

(5) All funds sent to inmates shall be in the form of a money order, a cashier's check, or a certified check.

(6) Any incoming or outgoing mail other than legal, official, or privileged mail may be inspected or read at any time.

(7) Incoming mail addressed solely to a specific inmate and not otherwise subject to censorship shall be delivered regardless of whether the mail is sent free of charge or at a reduced rate. All incoming mail shall nonetheless bear the sender's name and address on the envelope, or this mail shall not be delivered and shall be subject to censorship in accordance with subsection (d).

(8) Any outgoing first-class letters may be sent to as many people and to whomever the inmate chooses, subject to the restrictions in this regulation.

(9) Outgoing inmate mail shall bear the full conviction name, inmate number, and address of the sender, and the name and address of the intended recipient. No other words, drawings, or messages shall be placed on the outside of the envelope or package by an inmate except words describing the mail as being legal, official, privileged, or intended to aid postal officials in delivery of the item. Outgoing inmate mail shall be stamped by the facility to indicate that it was mailed from facility operated by the department of corrections and that it has not been censored.

(10) Inmates shall not correspond with any person who has filed a written objection to the correspondence with the warden of the facility.

(A) The inmate shall be notified of the objection in writing when it is received, but shall not be required to be informed of the exact contents of the objection.

(B) In the instance of unwanted correspondence to a minor, the objection shall be filed by the parent or guardian of the minor.

(C) Orders shall be developed by the warden of each facility to prevent further correspondence from being sent to those who have filed an objection.

(D) This regulation shall not prevent an inmate from writing to the inmate's natural or adoptive child, unless the child was the victim of the crime for which the inmate is incarcerated and the person having legal custody of the child files a written objection with the warden, and the inmate has not obtained a court order permitting this written communication with the child.

(c) Legal, official, and privileged mail.

(1) Subject to the provisions of paragraph (f)(3), outgoing privileged, official, or legal mail sent by any inmate

(continued)

shall not be opened. However, if any inmate threatens or terrorizes any person through this mail, any subsequent mail, including official or legal mail, from the inmate to the person threatened or terrorized may, at the request of that person, be read and censored for a time period and to the extent necessary to remedy the abuse.

(2) Incoming mail clearly identified as legal, official, or privileged mail shall be opened only in the inmate's presence. This mail shall be inspected for contraband but shall not be read or censored, unless authorized by the warden based upon a documented previous abuse of the right or other good cause.

(d) Censorship grounds and procedures.

(1) Incoming or outgoing mail, other than legal, official, or privileged mail, may be censored only when there is reasonable belief in any of the following:

(A) There is a threat to institutional safety, order, or security.

(B) There is a threat to the safety and security of public officials or the general public.

(C) The mail is being used in furtherance of illegal activities.

(D) The mail is correspondence between offenders, including any former inmate regardless of current custodial status, that has not been authorized according to subsection (e). Correspondence between offenders may be inspected or read at any time.

(E) The mail contains sexually explicit material, as defined and proscribed by K.A.R. 44-12-313.

(2) If any communication to or from an inmate is censored, all of the following requirements shall be met:

(A) Each inmate shall be given a written notice of the censorship and the reason for the censorship, without disclosing the censored material.

(B) Each inmate shall be given the name and address of the sender of incoming mail, if known, or the addressee of outgoing mail and the date the item was received in the mail room. It shall be the responsibility of the inmate to contact the sender of censored incoming mail or the addressee of censored outgoing mail, if the inmate so desires.

(C) The author or addressee of the censored correspondence shall be given a reasonable opportunity to protest that decision.

(D) All protests shall be referred to a prison official other than the person who originally disapproved the correspondence.

(e) Offender correspondence with other offenders.

Offenders sentenced to the custody of the Kansas department of corrections shall not correspond with any person who is in the custody of or under the supervision of any state, federal, county, community corrections, or municipal law enforcement agency, or with any former inmate regardless of current custodial status, unless either of these conditions is met:

(1) The proposed correspondents are members of the same immediate family or are parties in the same legal action, or one of the persons is a party and the other person is a witness in the same legal action.

(2) Permission for the correspondence is granted due to exceptional circumstances. Verification and approval of offender correspondence shall be conducted pursuant

to the internal policies and procedures of the department of corrections.

(f) Writing supplies and postage.

(1) Stationery shall be available for purchase from the inmate canteen.

(2) Indigent inmates, as defined by the internal management policies and procedures of the department of corrections, shall receive reasonable amounts of free writing paper, envelopes, and postage for first-class domestic mail weighing one ounce or less, not to exceed four letters per month.

(3) All postage for legal and official mail shall be paid by the inmate, unless the inmate is indigent, as defined by the internal management policies and procedures of the department of corrections. The cost of postage for legal or official mail paid by the facility on behalf of an indigent inmate shall be deducted from the inmate's funds, if available. Credit for postage for legal and official mail shall be extended to indigent inmates under the terms and conditions of the internal management policies and procedures of the department of corrections. Outgoing legal or official mail sent with postage provided on credit shall be subject to inspection and a cursory reading in the presence of the inmate for the purpose of ascertaining that the mail is indeed legal or official mail, and the inmate shall then be permitted to seal the envelope containing the mail.

(4) The facility shall not pay postage for inmate groups or organizations.

(g) Publications.

(1) Inmates may receive books, newspapers, and periodicals as permitted by the internal management policies and procedures of the department of corrections. All books, newspapers, and periodicals shall be purchased through special purchase orders. Only books, newspapers, and periodicals received directly from a publisher or a vendor shall be accepted. However, an inmate shall be permitted to receive printed material, including newspaper and magazine clippings, if the material is included as part of a first-class letter that does not exceed one ounce in total weight.

(2) The procedures for censorship of mail listed in subsection (d) of this regulation shall be used for censorship of publications.

(3) No publication that meets either of the following conditions shall be allowed into the facility:

(A) Contains sexually explicit material, as described in K.A.R. 44-12-313, or is otherwise illegal, in whole or in part; or

(B) meets, in whole or in part, the test for censorship of mail in subsection (d) of this regulation.

(4) Inmates shall have the option of having censored publications in their entirety either mailed out of the facility at their own expense or discarded.

(5) Before transferring between institutions or facilities, the inmate shall arrange for a change of address for newspapers and periodicals. Newspapers and periodicals shall not be forwarded for more than 30 days after the date of transfer.

(h) Each violation of this regulation shall be a class II offense. (Authorized by K.S.A. 2003 Supp. 75-5210, K.S.A. 75-5251; implementing K.S.A. 2003 Supp. 75-5210, K.S.A.

75-5251, 75-5256; effective May 1, 1980; amended May 1, 1981; amended May 1, 1984; amended May 1, 1986; amended May 1, 1988; amended April 20, 1992; amended Jan. 3, 1995; amended April 17, 1998; amended Feb. 15, 2002; amended, T-44-3-19-04, March 19, 2004.)

Roger K. Werholtz
Secretary of Corrections

Doc. No. 030498

State of Kansas

Department of Health and Environment

Temporary Administrative Regulations

Article 4.—MATERNAL AND CHILD HEALTH

28-4-576. Definitions. (a) "Academic credit hour" means credit earned for coursework through an accredited postsecondary educational institution.

(b) "Administrative order" means an order that is issued by the secretary as specified in K.S.A. 65-501 et seq., and amendments thereto, and that is subject to the Kansas administrative procedures act.

(c) "Administrator" means the staff member who is responsible for the general and fiscal management of the program.

(d) "Adult responsible for a child or youth" means any of the following adults who is other than the child's or youth's legal parent and who is responsible for the care and upbringing of the child or youth:

- (1) A stepparent;
- (2) a grandparent;
- (3) another relative; or
- (4) a foster parent.

(e) "Animal" means any living creature, other than a human being, that has the ability to move voluntarily and shall include mammals, rodents, fish, reptiles, insects, spiders, and birds.

(f) "Annual renewal date" means the date assigned to each licensee for the submission of the documents required to renew the license and payment of the annual license fee.

(g) "Applicant" means any person who has submitted an initial application for a license to operate a school-age program but has not received a temporary permit or license.

(h) "Available space for activities" means the indoor and outdoor space on the premises that is used by children and youth during the hours of operation in carrying out the program of activities. The following shall not be counted as available space for activities:

- (1) Kitchens;
- (2) rest rooms;
- (3) hallways and passageways;
- (4) storage areas;
- (5) offices;
- (6) teacher or employee lounges and workrooms; and
- (7) any other space not used by the children or youth for activities.

(i) "Basement" means an area with a floor level more than 30 inches below ground level on all four sides.

(j) "Building" means a structure used for shelter that has a roof and is enclosed by walls on all sides.

(k) "Child or youth with special needs" means a child or youth who requires specialized programs, services, interventions, or technologies while attending the program, due to any of the following conditions:

- (1) A developmental disability;
- (2) mental retardation;
- (3) mental illness;
- (4) an emotional or behavioral difficulty;
- (5) sensory or motor impairment; or
- (6) a chronic illness.

(l) "Day reporting program" means a program that provides specialized services designed to enable juvenile offenders 10 years of age and older to remain offense-free while living in the community.

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

(n) "Drop-in program" means a child care facility that serves exclusively school-age children and youth and in which the operator permits children and youth to arrive at and depart from the program at their own volition and at unscheduled times.

(o) "Group" means a limited number of children or youth assigned to a staff member or team of staff members.

(p) "High-risk sport or recreational activity" means a sport or recreational activity that poses a significant risk of injury to the participant. Safe participation in the activity shall require specialized instruction and may require protective safety gear.

(q) "Individualized program plan" and "IPP" mean a written, goal-oriented plan of specialized services for each child or youth with special needs or for each juvenile offender attending a day reporting program. Each operator shall ensure that the IPP assigns responsibility for the delivery of the specialized services.

(r) "Job-related experience" means experience approved by the secretary that includes teaching, working, and volunteering with school-age children and youth.

(s) "Kindergarten-age child" means a child who is attending kindergarten or who has completed kindergarten and has not entered first grade.

(t) "License" means the document issued by the secretary that authorizes a person to operate a school-age program.

(u) "License capacity" means the maximum number of children or youth, or both, authorized by the temporary permit or license to attend the program at any one time.

(v) "Meal" means breakfast, lunch, or dinner.

(w) "Mobile summer program" means a program that operates only during the summer months. Children and youth meet at a designated pick-up and drop-off site, and are transported daily to locations off the premises for program activities.

(x) "Notice of survey findings" means a written record documenting the results of an inspection or investigation conducted by the secretary's designee to determine compliance with applicable statutes and regulations.

(continued)

(y) "Operator" means a person who holds a temporary permit or license to conduct a school-age program.

(z) "Outdoor summer camp" means a program that operates only during the summer months and is conducted at an outdoor location for the duration of the program, but does not include any summer instructional camps as defined in K.S.A. 65-501, and amendments thereto.

(aa) "Premises" means the location, including the building or buildings and adjoining grounds, for which the operator has a temporary permit or license to conduct a school-age program.

(bb) "Professional development training" means training approved by the secretary that is related to working with school-age children and youth.

(cc) "Program director" means the staff member who is approved by the secretary as meeting the qualifications specified in K.A.R. 28-4-587 and who is responsible for implementing and supervising the program of activities.

(dd) "Program director designee" means the staff member whom the operator designates to conduct the program in the temporary absence of the program director for a period not to exceed two consecutive weeks, or at the beginning and end of any day that exceeds eight hours.

(ee) "Program of activities" means a comprehensive and coordinated plan of activities that meets the following criteria:

(1) Promotes cognitive, emotional, social, and physical development;

(2) supports the well-being of each child or youth; and

(3) protects the safety of each child and youth in attendance.

(ff) "Public recreation center" means any building used by a political or taxing subdivision of this state, or by an agency of a state subdivision, for recreation programs that serve children and youth.

(gg) "Regularly volunteering" means working in a program on a recurring basis and without compensation. This term shall not apply to guest speakers and to persons who make one or more presentations on a specific subject.

(hh) "School-age child" and "child" mean an individual who is of kindergarten age through the academic year in which the child is in the sixth grade and who is attending the program. Each school-age child shall be included in the license capacity.

(ii) "School-age program" and "program" mean a child care facility that serves exclusively school-age children and youth, but shall not include a drop-in program as defined in this regulation.

(jj) "School-age youth" and "youth" mean an individual who meets the following conditions:

(1) Has completed sixth grade or is 12 years of age or older;

(2) is less than 18 years of age;

(3) is attending the program; and

(4) is not a volunteer or employee.

Each school-age youth shall be included in the license capacity.

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

(ll) "Secretary's designee" means the person designated by the secretary to assess compliance with program regulations.

(mm) "Snack" means supplemental food served between meals.

(nn) "Specialized services" means additional services provided by the program to meet the special needs identified in the IPP for a specific child or youth.

(oo) "Staff member" means both of the following:

(1) All personnel, including employees, substitutes, and volunteers, who provide administrative or direct services to children and youth; and

(2) auxiliary personnel, including cooks, drivers, office workers, and housekeeping staff, who provide indirect services.

(pp) "Supervisory ratio" means the ratio consisting of the number of staff members required to provide direct services and supervision to a specified number of children or youth.

(qq) "Temporary permit" means the document pursuant to K.S.A. 65-504, and amendments thereto, that authorizes a person to operate a school-age program before receiving a license as required by K.S.A. 65-501, and amendments thereto.

(rr) "Time-out area" means a designated, supervised space in the activity area that is used to separate a child or youth from the group for a limited period of time, to allow the child or youth to regain self-control.

(ss) "Use zone" means the surface under and around a piece of equipment onto which a child or youth falling from or exiting the equipment would be expected to land. (Authorized by and implementing K.S.A. 65-508; effective, T-28-4-1-02, April 1, 2002; effective Jan. 10, 2003; amended, T-28-3-19-04, March 19, 2004.)

28-4-577. Terms of temporary permit or license.

(a) License capacity.

(1) Building-based programs. The license capacity of each building-based program shall be determined by the combined indoor and outdoor available space for activities. For each child or youth counted in the license capacity, each operator shall provide 35 square feet of indoor available space for activities. If outdoor space is used, the license capacity may be increased by one child or youth for each 75 square feet of outdoor available space for activities, with the total license capacity not to exceed 175% of the license capacity based on the indoor space.

(2) Outdoor summer camps. The license capacity of each outdoor summer camp shall be determined by the available space for activities. For each child or youth counted in the license capacity, the operator shall provide 75 square feet of available space for activities.

(3) Mobile summer programs. The license capacity of each mobile summer program shall be determined by the available space for activities at the drop-off and pick-up site. Each operator shall provide 20 square feet of available space for activities at the site for each child and youth.

(b) Posting temporary permit or license. Each operator shall post each temporary permit or license in a conspicuous place on the premises that is visible to parents.

(c) License capacity not to be exceeded. Each operator shall limit the number of children and youth attending

the program at any one time within the license capacity specified on the license.

(d) Provisions for issuing license. No license shall be issued by the secretary until all the applicable provisions of the following have been met:

- (1) K.S.A. 65-501 through K.S.A. 65-516, and amendments thereto;
- (2) K.S.A. 65-523 through K.S.A. 65-529, and amendments thereto;
- (3) K.S.A. 65-531, and amendments thereto; and
- (4) all applicable regulations.

(e) Validity of temporary permit or license.

(1) Each temporary permit or license shall be valid only for the person and the address specified on the temporary permit or license.

(2) When an initial or amended license becomes effective, all temporary permits, licenses, or certificates of registration previously issued to the operator at the same address shall become invalid.

(f) Withdrawal of application. Any applicant or operator may, at any time, submit a request to withdraw the application for a license or a license renewal. If an application for license or license renewal is withdrawn, each temporary permit or license issued to the operator based on that application shall become invalid. (Authorized by K.S.A. 65-508; implementing K.S.A. 65-504; effective, T-28-4-1-02, April 1, 2002; effective Jan. 10, 2003; amended, T-28-3-19-04, March 19, 2004.)

28-4-578. Licensure; amended license; exceptions; notification; renewal. Each person shall have a temporary permit or license to operate a school-age program before children or youth are in attendance.

(a) Temporary permit or license required. Each person desiring to operate a school-age program that meets one or more of the following criteria shall obtain a temporary permit or license from the secretary to operate a child care facility as specified in K.S.A. 65-503, and amendments thereto:

(1) The program is designed to allow two or more school-age children on a drop-in or enrolled basis to attend 12 hours a week or more for more than two consecutive weeks, and is not an instructional class or activity as specified in paragraph (b)(3) of this regulation.

(2) The public agency providing funding to the program requires the program to be licensed as a child care facility.

(3) The program is a day reporting program for children 10 years of age or older and youth.

(4) The program is a specialized treatment, therapeutic, correctional, or rehabilitative program for school-age children or youth that children or youth attend 12 hours a week or more for more than two consecutive weeks.

(b) Exclusions. The following shall not be considered child care facilities:

(1) An "extraordinary school program," as defined in K.S.A. 72-8238, and amendments thereto, or a similar extended school day program that is conducted on the premises of an accredited non-public school, is attended only by pupils enrolled in the school in which the program is being conducted, and is staffed by certified elementary school teachers;

(2) a "summer program," as defined in K.S.A. 72-8237, and amendments thereto;

(3) an instructional class or activity in which a child or youth is enrolled for the purpose of participating in only one specific subject or skill-building area, including religious instruction in a specific doctrine or tenet, academic or remedial instruction, a basketball clinic, a baseball league, dance or drama class, or a class in martial arts;

(4) a program of activities that serves exclusively school-age youth and that is not required to be licensed as specified in subsection (a) of this regulation;

(5) a program of activities that serves exclusively youth who are 16 years of age and older; and

(6) a program that is operated by a local unit of government or school district and that operates for no more than four hours per day or for no more than two consecutive weeks.

(c) New temporary permit or license required. Each operator shall submit a new application, the required forms, and the license fee, and shall obtain a new temporary permit or license from the secretary, as follows:

(1) Before a program that has been closed is reopened;

(2) if there is a change in the location of the program;

or

(3) if there is a change of ownership of the program.

(d) Amended temporary permit or license.

(1) Each operator who intends to change the terms of the temporary permit or license, including the license capacity or the age of children and youth served, shall submit an application for an amended temporary permit or license on a form supplied by the department, and a non-refundable \$35 amendment fee. An amendment fee shall not be required if the request to change the terms of license is made at the time of the annual review of the program.

(2) The operator shall not consider the amendment granted until the amended temporary permit or license is issued by the secretary.

(e) Exceptions.

(1) Any operator may submit a written request for an exception to a school-age program regulation on a form supplied by the department.

(2) An exception may be granted if the secretary determines that the exception is in the best interest of a child's or youth's health, safety, or well-being, serves the needs of the child's or youth's family, and does not violate statutory requirements.

(3) If an exception is granted, each operator shall receive written notice of the approval of the exception and its duration. The approval shall be posted with the temporary permit or license. The exception shall not be considered granted until written approval is given by the secretary.

(f) Notification requirements. Each applicant or operator shall notify the secretary in writing before withdrawing the application, closing the program, or changing any of the following:

(1) High-risk sports or recreational activities offered by the program;

(2) the program director;

(continued)

(3) the physical structure of the program site due to new construction or substantial remodeling that affects the license capacity; or

(4) the use of any part of the premises that affects the license capacity.

(g) Annual renewal.

(1) Before the annual renewal date, each licensee wishing to renew the license shall submit the annual nonrefundable license fee and shall complete and submit the following to the secretary on forms supplied by the department:

(A) An application to renew the license;

(B) the program director's annual report; and

(C) a request to conduct a criminal history and child abuse registry background check.

(2) Failure to submit the annual renewal documents and fee as required by paragraph (g)(1) of this regulation shall result in an assessment of a \$10.00 late renewal fee payable to the secretary and may result in suspension of the license. Each late renewal fee assessed shall be paid upon request. (Authorized by K.S.A. 65-508; implementing K.S.A. 65-501, 65-504, 65-505, and 65-516; effective, T-28-4-1-02, April 1, 2002; effective Jan. 10, 2003; amended, T-28-3-19-04, March 19, 2004.)

28-4-583. Access to the premises; safety of off-premises activities. (a) Access to the premises. Each operator shall give each custodial parent or other adult responsible for a child or youth attending the program immediate access to the premises during all hours of operation.

(b) Arrivals and departures. Each operator of a program in which children and youth attend on a regular basis shall meet the following requirements:

(1) Each operator shall develop and implement a policy regarding the hours of operation, the times for arrival and departure of each child and youth, and supervision during arrival and departure. The operator shall define in the policy the supervisory and notification responsibilities of each staff member if a child or youth does not arrive at the established time or if a parent or other authorized individual is late picking up the child or youth.

(2) Each operator shall inform each parent or other adult responsible for a child or youth of the policy specified in paragraph (b)(1) and shall ensure that each staff member complies with the policy.

(c) Program-sponsored off-premises activities.

(1) Each operator shall obtain prior written permission, as specified in K.A.R. 28-4-582, for each child or youth to go off the premises for program-sponsored activities.

(2) Each off-premises location and activity shall be related directly to the program of activities and the goals and purpose of the program. Each location shall be used with strict regard for the health and safety of each child or youth, shall be age-appropriate, and shall have sufficient space and equipment for the activities being conducted at that location.

(3) Each operator shall maintain on the premises a record of the following information:

(A) Each destination;

(B) the time at which the children or youth leave the premises;

(C) the name of each adult supervising the children or youth while the children or youth are off the premises;

(D) a telephone number for reaching an adult supervising the children or youth, in case of emergency; and

(E) the estimated time of return.

(4) Each operator shall ensure that a method is in place for notifying each parent or other adult responsible for the child or youth before each off-premises activity occurs. These methods for notification may consist of any of the following:

(A) Posting the notification in a place accessible to the parent or other adult responsible for each child or youth;

(B) providing a calendar of scheduled off-premises activities to the parent or other adult responsible for each child or youth; or

(C) providing a written notification to the parent or other adult responsible for each child or youth before each off-premises activity.

(5) Each operator and each staff member shall have a method of accounting for each child or youth while off the premises to ensure that no child or youth is forgotten or left behind. (Authorized by and implementing K.S.A. 65-508; effective, T-28-4-1-02, April 1, 2002; effective Jan. 10, 2003; amended, T-28-3-19-04, March 19, 2004.)

28-4-585. Building and outdoor premises. (a) Safety and maintenance of each building.

(1) Each operator shall ensure that the program is located in a building that meets the requirements specified in K.S.A. 65-508 and amendments thereto, the applicable building code, and any applicable local ordinances. Each operator shall ensure that no child or youth is knowingly exposed to environmental hazards, including asbestos, lead paint, and pesticides.

(2) Hot and cold running water shall be supplied to hand sinks except as specified in this paragraph. The hot water temperature shall not exceed 120° F. Outdoor summer camps and mobile summer programs shall be exempt from the requirement to provide hot running water to hand sinks.

(3)(A) Each operator shall ensure that each building shall have a minimum of one working flush toilet and one working hand sink for each 30 children or youth in the license capacity. One urinal may be substituted for each additional toilet in the boys' rest room.

(B) Each operator shall designate the rest rooms to be used by the program. A separate rest room shall be provided for each gender unless the rest room is designed for single occupancy.

(C) Each rest room shall be located to allow for the following:

(i) Supervision of children and youth;

(ii) immediate access to the rest room facilities by children, youth, and adults; and

(iii) privacy while using the toilet.

(D) If the rest rooms are also used by non-program participants during the hours of operation of the program, the operator shall develop and implement policies for rest room use for the protection of children and youth attending the program.

(E) Toilet paper, soap, and either paper towels or hand dryers shall be available in each rest room.

(4) Each operator shall provide adequately for the health, safety, and comfort of each child, youth, and adult by maintaining the space used by the program according to the following requirements:

(A) The space shall be uncluttered and free from accumulated dirt, trash, vermin, and rodent infestation.

(B) Each indoor trash container shall be emptied daily or more often if the contents are overflowing or the removal is needed to control odor.

(C) Floors shall not be slippery or cracked.

(D) Each rug or carpet used as a floor covering shall be slip-resistant and free from tripping hazards. A floor covering, paint, or sealant shall be required over concrete floors for all buildings.

(E) Each exit shall be marked. No exit shall be blocked at any time.

(5) Heating appliances shall be vented, used as intended, safely located, and maintained in operating condition. Power strips, if used, shall have a UL rating.

(6) Each operator shall safely store toxic substances and materials, including cleaning supplies, pesticides, and poisons, in a locked janitor's closet, locked room, or other locked area. No child or youth shall have unsupervised access to toxic substances and materials.

(b) Public and accredited non-public school buildings.

(1) Inside premises. If a program is located in a public or accredited non-public school building, the operator shall ensure that the building complies with subsection (a) of this regulation and with fire safety and building code requirements applicable to schools as required by K.S.A. 65-527, and amendments thereto.

(2) Outside premises.

(A) Each existing outside playground or activity area and equipment acceptable for use by students of the same age during the academic day may be used by children and youth in the program if the equipment is in sound condition.

(B) Additional impact-absorbent surfacing material shall not be required under anchored climbing equipment, slides, and swings if the equipment is acceptable for use by students of the same age during the academic day.

(c) Public recreation center buildings. If the program is located in a public recreation center, the operator shall ensure that the building complies with subsection (a) of this regulation and with fire safety and building code requirements applicable to public recreation centers as specified in K.S.A. 65-527, and amendments thereto.

(d) Buildings that are not public or accredited non-public school buildings or public recreation centers.

(1) If the program is located in a building that is not a public or accredited non-public school or a public recreation center, the operator shall ensure that the following requirements are met for the building used:

(A) The building shall meet the requirements in subsection (a) of this regulation.

(B) The building shall not be a residence or a single-family dwelling.

(C) Each stairway with more than two steps shall be railed.

(D) If windows and doors are left open, they shall be screened, with each screen in good condition to prevent insects from entering the premises.

(2) If a program uses a non-public source for the water supply, the water shall be safe for drinking and shall be tested annually by a department-certified laboratory. The well shall be approved by the local environmental protection program (LEPP).

(e) Outside premises of public recreation centers and of other programs, including outdoor summer camps, that are not conducted in public schools or accredited non-public schools.

(1) General requirements.

(A) Each operator shall ensure that the outdoor activity area meets the following requirements:

(i) The area shall be located and arranged to reduce the risk of injury and to enable staff to provide close visual supervision at all times.

(ii) Each area shall be well drained and free of known health and environmental hazards.

(iii) There shall be no tall weeds or grass, untrimmed shrubbery, or trash in the activity area.

(iv) Each outdoor trash and garbage container shall be covered, and the contents shall be removed weekly.

(B) If the outdoor activity area is accessible to the public, each operator shall define boundaries for the children and youth attending the program and, to the extent possible, use space reserved exclusively for the program.

(2) Safety of outdoor equipment and the activity area. Each operator shall comply with the following safety requirements in the outside activity area:

(A) Equipment shall be safely located, age-appropriate, and in good repair. Equipment that is broken, hazardous, or unsafe or that does not have adequate impact-absorbent surfacing material in the use zone as specified in this regulation shall not be used.

(B) Impact-absorbent surfacing material shall be installed in each use zone under and around anchored play or recreational equipment over four feet in height, including climbing equipment, slides, and swings. Impact-absorbent surfacing material shall consist of any loose fill material specified in paragraph (e)(2)(G) of this regulation, unitary surfacing material, or synthetic impact material. Before any equipment over 11 feet in height is used, the operator shall meet the requirements specified in K.A.R. 28-4-588(e).

(C) Each use zone shall be at least six feet from all sides of the structure. However, the side of some equipment, including a swing, shall not be required to have impact-absorbent surfacing material on each side if the potential for a fall to the side is minimal.

(D) Hard-surfacing materials, including asphalt, concrete, and hard-packed dirt, shall not be used in any use zone under and around climbing equipment, slides, and swings. This requirement shall apply regardless of the height of the climbing equipment, slides, and swings.

(E) If unitary surfacing material or synthetic impact material, including rubber mats, rubber tiles, and poured-in-place material, is installed in the use zone, the material shall be used and maintained according to the manufacturer's recommendations. The manufacturer's recommendations shall be on file on the premises or at a designated central office location and shall be accessible for review by the secretary's designee.

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(F) Surfaces made of loose materials shall be maintained by replacing, leveling, or raking the material.

(G) If loose fill material is installed in the use zone, the material shall be specifically developed for playground use, and the type and depth of material used shall conform to the following chart:

Required depth of impact-absorbent surfacing material for the height of equipment

Maximum height of equipment	Type of material	Minimum depth of material
6 feet 10 feet 11 feet	shredded bark mulch	6 inches 9 inches 12 inches
7 feet 10 feet 11 feet	wood chips	6 inches 9 inches 12 inches
6 feet 9 feet	fine sand	6 inches 12 inches
7 feet 10 feet	fine gravel	9 inches 12 inches
10 feet or less	shredded rubber	6 inches

(3) Protection from environmental hazards. Each operator shall ensure that each child or youth is protected from environmental hazards as follows:

(A) If a small fish pond or decorative pool with water 24 inches deep or less is on the premises, no child shall have unsupervised access to it.

(B) Each outdoor activity area shall have a fence, partial fence, or other barrier to reduce the safety risk to children and youth, and to prevent chance access to any adjacent hazard, including the following:

- (i) A busy street;
 - (ii) railroad tracks; or
 - (iii) a water hazard, including a ditch, irrigation ditch, pond, lake, and any standing water over 24 inches deep.
- Each public recreation center shall be exempt from paragraph (e)(3) of this regulation. (Authorized by K.S.A. 65-508; implementing K.S.A. 65-508 and K.S.A. 65-527; effective, T-28-4-1-02, April 1, 2002; effective Jan. 10, 2003; amended, T-28-3-19-04, March 19, 2004.)

28-4-587. Staff qualifications; professional development; staffing requirements. (a) Staff qualifications. Each operator and each staff member in contact with children or youth shall demonstrate emotional maturity, sound judgment, and an understanding of children and youth.

- (b) Program director qualifications.
 - (1) Each program shall have a program director who meets the following qualifications:
 - (A) Is 18 years of age or older, and is at least three years older than the oldest youth in the program;
 - (B) demonstrates the following:
 - (i) Knowledge of child and youth development;
 - (ii) knowledge of licensing regulations applicable to the program;
 - (iii) administrative and supervisory skills;
 - (iv) the ability to communicate clearly; and
 - (v) the competence to manage the program in compliance with the program policies, the program plan, and these regulations; and

(C) has either a high school degree or a general education degree (GED).

(2) In addition to meeting the requirements specified in paragraph (1) of this subsection, each program director shall meet one of the following qualifications, as appropriate to the license capacity of the program:

- (A) For a license capacity of 30 or fewer children or youth, has been approved as a program director as specified in K.A.R. 28-4-429(b) or (c), or has at least three months of job-related experience;
- (B) for a license capacity of 31 through 60 children or youth, meets one of the following requirements:
 - (i) Has been approved as a program director as specified in K.A.R. 28-4-429(d) or (e);
 - (ii) has 15 academic credit hours; or
 - (iii) has six months of job-related experience;
- (C) for a license capacity of 61 through 120 children or youth, meets one of the following requirements:
 - (i) Has been approved as a program director as specified in K.A.R. 28-4-429(e);
 - (ii) has 60 academic credit hours;
 - (iii) has 12 months of job-related experience; or
 - (iv) has a combination of 30 academic credit hours and six months of job-related experience; or
- (D) for a license capacity of 121 or more children and youth, has a minimum of a four-year bachelor's degree from an accredited college or university and job-related experience.

(3) Within 10 calendar days after hiring each program director, each operator shall comply with one of the following:

- (i) Obtain a copy of the approval letter issued by the secretary to document that the program director is qualified for the license capacity of the program; or
 - (ii) submit a request to the secretary for program director's approval of the program director who has been hired.
- (4) Each approval letter shall be kept on file in the program director's personnel file and shall be accessible for review by the secretary's designee.

(5) Each program director designee shall meet the requirements specified in paragraphs (b)(1) and (2)(A).

(c) Administrator qualifications. Each operator of a program that has a license capacity of 91 or more children or youth shall employ an administrator who meets the following qualifications:

- (1) Is not the program director or a group leader;
 - (2) is 18 years of age or older, and has either a high school degree or GED; and
 - (3) demonstrates administrative ability, knowledge of regulations governing school-age programs, and the skill to supervise the business operation of the program.
- (d) Group leader qualifications.
- (1) Each person designated as group leader shall meet the following qualifications:
 - (A) Is 18 years of age or older and is at least three years older than the oldest youth in the group; and
 - (B) has either a high school degree or GED and has job-related experience working with school-age children or youth.
 - (2) Each group leader shall demonstrate the following:
 - (A) Knowledge of child and youth development;

(B) knowledge of licensing regulations for school-age programs;

(C) an understanding of age-appropriate activities and services;

(D) the ability to communicate clearly;

(E) skills and abilities to implement the program of activities; and

(F) the ability to foster positive, healthy relationships with children or youth.

(3) Each group leader shall provide supervision and direction to the children and youth assigned to the group, shall supervise group activities during all hours children and youth are present, and shall provide supervision and direction to an assistant group leader.

(e) Assistant group leader qualifications.

(1) Each person designated as assistant group leader shall meet the following qualifications:

(A) Is 16 years of age or older and is at least three years older than the oldest youth in attendance in the group; and

(B) demonstrates the ability to provide supervision and guidance to a group of children or youth under the direction of a group leader, the skill and ability to carry out the program of activities, and the capability to foster positive, healthy relationships with children and youth.

(2) Each assistant group leader shall be under the supervision and direction of a group leader.

(f) Qualifications for substitute staff. Each program shall have substitutes who are available to work in case of illness or emergency. Each substitute shall meet the requirements for the staff person whom the substitute is temporarily replacing. The name and telephone number of each substitute shall be immediately available to the program director or the program director's designee.

(g) Qualifications for volunteers. Each volunteer shall be 14 years of age or older and, if working directly with the children and youth, shall be at least three years older than the oldest youth in the group. No volunteer shall be counted in the supervisory ratio unless the volunteer meets all the requirements of a group leader or assistant group leader and is designated as a group leader or assistant group leader by the program director.

(h) Professional development.

(1) Orientation training. Each operator shall provide orientation training to each program director and each staff member who is counted in the supervisory ratio. The operator shall offer the training before or within the first week of working with children or youth. The training shall be related to work duties and responsibilities and shall include the following:

(A) The mission and goals of the program;

(B) licensing regulations;

(C) the program policies and practices, including security and behavior management;

(D) the program of activities;

(E) supervision;

(F) health and safety practices;

(G) confidentiality;

(H) handling emergencies; and

(I) recognizing and reporting symptoms of illness, child abuse, child neglect, and critical incidents as specified in K.A.R. 28-4-592.

(2) Ongoing professional development training.

(A) Each program director shall annually obtain 15 clock-hours of professional development training as defined in K.A.R. 28-4-576. Documentation of the training attended and the number of clock-hours received for the training shall be kept in the program director's personnel file on the premises or at a designated central office location. This documentation shall be accessible for review by the secretary's designee.

(B) Each operator or program director shall assess the training needs of the staff members and shall provide staff training as needed to maintain the program in compliance with licensing regulations. Documentation of training shall be kept in the staff member's personnel file on the premises or at a designated central office location. This documentation shall be accessible for review by the secretary's designee.

(i) Staffing requirements.

(1) Staff coverage. Each operator shall have a sufficient number of staff members on duty to supervise the children and youth during all hours of operation and to provide for their health, safety, and well-being. Each operator shall provide staff coverage in case of emergencies and staff absences.

(2) Supervision.

(A) Each operator shall ensure that the program has a qualified group leader for each 30 children or youth attending the program, except as specified in K.A.R. 28-4-596.

(B) Each operator shall maintain additional qualified staff to ensure that the supervisory ratio of one staff member for each 15 children and youth is not exceeded.

(C) Each staff member counted in the supervisory ratio shall comply with the following:

(i) Meet the applicable qualifications for a group leader or assistant group leader;

(ii) be assigned responsibility for the supervision of children and youth; and

(iii) be physically present with the children or youth.

(3) Grouping. Except as specified in K.A.R. 28-4-596, the number of children and youth in a group shall be limited by the following:

(A) The available space for activities; and

(B) the type of program activity.

(4) Each staff member working with children and youth shall provide attentive supervision to protect the health, safety, and welfare of the children and youth, and to reduce the risk of injury, illness, or abuse.

(5) Each staff member shall encourage the development of positive adult-to-child and adult-to-youth relationships and shall be actively engaged with the children or youth under their supervision.

(6) Each group leader or assistant group leader shall know the location of each child or youth under the supervision of that group leader or assistant group leader, at all times.

(7) Any group leader or assistant group leader may, based on the policy of the program and the age and responsibility level of the child or youth, give a child or youth permission to walk unescorted from one supervised activity area to another supervised activity area or

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to the rest room. (Authorized by and implementing K.S.A. 65-508; effective, T-28-4-1-02, April 1, 2002; effective Jan. 10, 2003; amended, T-28-3-19-04, March 19, 2004.)

28-4-590. Health-related requirements. (a) Tobacco use prohibited. Each operator shall ensure that tobacco products are not used during the hours of operation of the program and while children or youth are in attendance.

(b) Health of individuals working or volunteering in the program.

(1) Each operator and each staff member shall be free from physical, mental, and emotional handicaps as necessary to protect the health, safety, and welfare of the children or youth.

(2) No individual working or volunteering in a program shall be under the influence of alcohol or illegal substances, or impaired due to the use of prescription or nonprescription drugs.

(3) Each individual working or volunteering in the program shall be free from any infectious or contagious disease, as specified in K.A.R. 28-1-6.

(4) Each operator and each staff member who has regular, ongoing contact with children or youth shall attest to that individual's health status on a form supplied by the department or approved by the secretary. The health status form shall indicate if the individual has been exposed to an active case of tuberculosis or has been diagnosed with suspect or confirmed active tuberculosis. Each individual shall update the health status form annually or more often if there is a change in the health status or if the individual has been exposed to an active case of tuberculosis.

(5) If an operator or staff member in contact with children or youth experiences significant changes in physical, mental, or emotional health or if the individual has been exposed to an active case of tuberculosis, an assessment of the individual's current health status may be required by the secretary. A licensed health care provider qualified to diagnose and treat the condition shall conduct the health assessment. Each assessment shall be kept in the individual's file and shall be submitted to the secretary on request.

(c) Tuberculin testing.

(1) If an operator, program director, staff member, child, or youth is exposed to an active case of tuberculosis or if the location of the program is in an area identified by the local health department or the secretary as a high-risk area for tuberculosis exposure, that individual shall obtain a Mantoux test or a chest x-ray.

(2) Each individual diagnosed with suspected or confirmed active tuberculosis shall be excluded from the program until the operator receives authorization from the secretary for the individual to return.

(3) Each operator shall notify the secretary if any individual identified in paragraph (c)(1) of this regulation indicates exposure to an active case of tuberculosis, has a diagnosis of suspected or confirmed active tuberculosis, or has a positive Mantoux test or positive chest x-ray indicating active disease.

(d) Health of children and youth.

(1) Each operator shall obtain a health history for each child or youth, on a form supplied by the department or

approved by the secretary. Each health history shall be maintained in the child's or youth's file on the premises.

(2) Each operator shall require that each child or youth attending the program has current immunizations as specified in K.A.R. 28-1-20 or has an exemption for religious or medical reasons.

(3) An exemption from immunization requirements shall be granted if one of the following is obtained:

(A) A written statement, submitted on a form supplied by the department and signed by a parent of the child or youth, that the parent is an adherent of a religious denomination whose teachings are opposed to health assessments or immunizations; or

(B) a certification from a licensed physician that the physical condition of the child or youth is such that immunizations would endanger the child's or youth's life or health.

(4) Children or youth who are currently attending or who had attended in the preceding school year a public or accredited non-public school in Kansas, Missouri, or Oklahoma shall not be required to provide documentation of current immunizations or exemptions from immunizations.

(e) Administration of medication.

(1) Nonprescription medication. If nonprescription medication is to be administered during the time children or youth are attending the program, each operator shall ensure compliance with the following procedures:

(A) Obtain written permission from the child's or youth's parent or other adult responsible for the child or youth before administering nonprescription medication to that child or youth;

(B) administer each medication from the original container and according to instructions on the label; and

(C) require that each nonprescription medication supplied by a parent or other adult responsible for the child or youth be in the original container that is labeled with the first and last name of the child or youth for whom the medication is intended.

(2) Prescription medication. If prescription medication is administered during the time children or youth are attending the program, each operator shall ensure compliance with the following procedures:

(A) Obtain written permission from the child's or youth's parent or other adult responsible for the child or youth before administering prescription medication to that child or youth;

(B) administer medication ordered by a licensed physician or licensed nurse practitioner only to the designated child or youth and in the dosage recommended;

(C) keep each prescription medication in the original container labeled by a pharmacist with the following information:

(i) The first and last name of the child or youth;

(ii) the date the prescription was filled;

(iii) the name of the licensed physician or licensed nurse practitioner who wrote the prescription;

(iv) the expiration date of the medication; and

(v) specific, legible instructions for administration and storage of the medication;

(D) consider the instructions on each label to be the order from the licensed physician or licensed nurse practitioner; and

(E) administer the medication in accordance with the instructions on the label.

(3) Requirements for administering medication.

(A) If nonprescription or prescription medication is administered, each operator shall designate staff members to administer the medication. Before administering medication, each designated staff member shall receive training in medication administration approved by the secretary.

(B) Each operator shall record in the file of each child or youth who is scheduled to receive medication the following identifying information, on forms supplied by the department:

(i) The name of each staff member who administered each medication;

(ii) the date and time the medication was given;

(iii) any change in the child's or youth's behavior, response to the medication, or adverse reaction; and

(iv) any change in the administration of the medication from the instructions on the label or a notation about each missed dose.

(C) Each record shall be signed by the individual who was responsible for administering the medication, and a copy of the record shall be made available to the parent or other adult responsible for the child or youth.

(4) Storage of medication. Each operator shall keep all medication at the recommended temperature and, except as specified in paragraph (e)(5)(D) of this regulation, in locked storage. Each medication container shall have a child-protective cap.

(5) Self-administration of medication.

(A) Any operator may permit each child or youth with a chronic illness, a condition requiring prescription medication on a regular basis, or a condition requiring the use of an inhaler to administer the medication under staff supervision. The operator shall obtain written permission for the child or youth to self-administer medication from the child's or youth's parent or other adult responsible for the child or youth, and from the licensed physician or nurse practitioner treating the condition of the child or youth.

(B) Written permission for self-administration of medication shall be kept in the child's or youth's file.

(C) Self-administration of each medication shall follow the procedures specified in paragraphs (e)(2)(B), (C), (D), and (E) of this regulation.

(D) Each child or youth who is authorized to self-administer medication shall have immediate access to that child's or youth's medication for administration purposes. Each operator shall safely store each medication to prevent unauthorized access by others.

(E) Each operator shall record the date and time each medication was self-administered.

(f) Health care practices.

(1) Hand washing.

(A) Each operator shall encourage each child and youth to wash the hands with soap and water before and after eating and after toileting.

(B) Each staff member shall wash the hands with soap and water before and after eating and after toileting.

(C) Waterless sanitizing cleanser and sanitizing wipes shall not be used as a substitute for soap and running water. Individuals shall not share towels or washcloths.

(2) Each staff member shall be sensitive to the health status of each child or youth and shall take precautions to prevent the following:

(A) Dehydration;

(B) heat exhaustion;

(C) sunburn;

(D) frostbite;

(E) allergic reactions; and

(F) other preventable conditions hazardous to a child's or youth's health. (Authorized by K.S.A. 65-508; implementing K.S.A. 65-507 and 65-508; effective, T-28-4-1-02, April 1, 2002; effective Jan. 10, 2003; amended, T-28-3-19-04, March 19, 2004.)

28-4-591. Food preparation, service, safety, and nutrition. (a) If meals or snacks are served in the program, the operator shall ensure that the following requirements are met:

(1) Sanitary practices.

(A) Each individual engaged in food preparation and food service shall know and use sanitary methods of food handling, food service, and storage.

(B) No individual shall be in the food preparation area who is vomiting, has diarrhea, or has other signs, symptoms, or positive laboratory tests indicative of an infectious illness that can be transmitted through food handling.

(C) No individual shall handle or serve food until the individual is no longer infectious as required by K.A.R. 28-1-6.

(D) Each individual involved in food handling shall comply with all of the following requirements:

(i) Hands shall be washed with soap and running water in a designated hand-washing sink immediately before the individual engages in food preparation and before the individual serves food.

(ii) If the food preparation sink is used for hand washing, the sink shall be sanitized before using it for food preparation.

(iii) Individual towels, disposable paper towels, or air dryers shall be used to dry hands.

(iv) Each individual serving food shall use utensils or single-use gloves.

(v) Each individual with infectious skin sores or with open or infected injuries on the hands or forearms shall cover the sores or injuries with a bandage when handling or serving food.

(2) Food service and preparation area. If food is prepared on the premises, each operator shall provide a food preparation area that is separate from the eating area, activity area, laundry area, and rest rooms and that is not used as a passageway during the hours of food preparation and cleanup.

(A) Surfaces used for food preparation and dining shall be made of smooth, nonporous material and shall be cleaned and sanitized before and after use.

(B) The floors shall be swept daily and mopped when spills occur.

(C) Garbage shall be disposed of in a garbage disposal or in a covered container. If a container is used, the container shall be removed at the end of the day or more often as needed to prevent overflowing or to control odor.

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(3) Food storage and refrigeration.

(A) Food shall be stored at least six inches above the floor in a clean, dry, well-ventilated area that is free from vermin and rodent infestation. Dry bulk foods that are not in their original, unopened containers shall be stored in metal, glass, or food-grade plastic containers with tightly fitting covers and shall be labeled.

(B) Food shall not be stored with poisonous or toxic materials. If cleaning agents cannot be stored in a room separate from food storage areas, the cleaning agents shall be clearly labeled and kept in locked cabinets not used for the storage of food.

(C) Each refrigerator and freezer used by the operator for food storage and refrigeration shall be kept clean inside and out and shall have an interior thermometer. The temperature shall be maintained at 40°F or lower in the refrigerator, and food stored in the freezer shall be maintained frozen.

(D) Hot foods that are to be refrigerated and stored shall be transferred to shallow containers in food layers less than three inches deep and shall not be covered until cool.

(E) All food stored in the refrigerator shall be covered, wrapped, or otherwise protected from contamination. Unserved, leftover perishable foods shall be dated, refrigerated immediately after service, and eaten within three days.

(F) Ready-to-eat commercially processed foods, including luncheon meats, cream cheese, and cottage cheese, shall be eaten within five days after opening the package.

(G) Hot foods shall be maintained at temperatures of at least 140°F.

(H) Cold foods shall be maintained at temperatures of 40°F or less.

(b) Table service.

(1) Each operator shall provide clean forks, spoons, and knives as appropriate for the food being served and shall provide one of the following:

(A) Clean cups and dishes that have smooth, hard-glazed surfaces and are free from cracks or chips; or

(B) disposable, single-use table service that is of food grade, medium weight, and disposed of after each use.

(2) If nondisposable table service and cooking utensils are used, each operator shall use one of the following methods to clean them:

(A) A commercial dishwasher for programs serving more than 30 children, or a domestic dishwasher for programs with 30 or fewer children;

(B) a three-compartment sink; or

(C) a two-compartment sink and a basin for sanitizing the table service and cooking utensils.

(c) Meals or snacks prepared on the premises.

(1) Food safety requirements. Each operator shall comply with the following requirements:

(A) Dairy products shall be pasteurized.

(B) Meat shall be from government-inspected sources.

(C) Raw fruits and vegetables shall be washed thoroughly before being eaten or used for cooking.

(D) Frozen foods shall be defrosted in the refrigerator, under cold running water, in a microwave oven using the defrost setting, or during the cooking process. Frozen

foods shall not be defrosted by leaving them at room temperature or in standing water.

(2) Each operator shall ensure that the following foods are prohibited:

(A) Home-canned food;

(B) food from dented, rusted, bulging, or leaking cans; and

(C) food from cans without labels.

(d) Meals or snacks not prepared on the premises.

(1) If the operator serves a meal or snack that is not prepared on the premises, the meal shall be obtained from a food service establishment, summer feeding program, or catering service licensed by the secretary. If perishable food is transported to the premises, each operator shall serve only food that has been transported promptly in temperature-controlled, clean, covered containers.

(2)(A) Any operator may permit parents or other adults responsible for a child or youth to provide snacks and sack lunches.

(B) If sack lunches are provided either by the operator or by the parent or other adult responsible for each child or youth, each operator shall ensure that all of the following requirements are met:

(i) Each sack lunch shall be labeled with the name of the child or youth, and sack lunches shall not be shared.

(ii) Perishable foods and drinks shall be kept at the temperatures specified in paragraph (a)(3)(H) through the use of insulated sacks and either a coolant or refrigeration.

(iii) Each sack lunch shall be positioned so that neither ice nor water causes the food in the sack to become wet or contaminated.

(iv) Ice that will be ingested shall be kept wrapped and shall not come in contact with sack lunches, food, cans, or other substances.

(e) Nutrition.

(1) Each operator shall ensure that safe drinking water is readily available at all times to each individual participating in the program.

(2) Each operator shall ensure that meals and snacks are available to each child or youth according to the following schedule:

Length of time at the program	Food served
at least 2½ hours but fewer than 4 hours	1 snack
at least 4 hours but fewer than 8 hours	1 snack and 1 meal
at least 8 hours but fewer than 10 hours	2 snacks and 1 meal or 1 snack and 2 meals
10 hours or more	2 meals and 2 snacks

(3) Each operator of a school-age program that meets after school during the school year shall ensure that at least one snack is served daily to each child or youth who attends the program after school. (Authorized by and implementing K.S.A. 65-508; effective, T-28-4-1-02, April 1, 2002; effective Jan. 10, 2003; amended, T-28-3-19-04, March 19, 2004.)

28-4-700. Definitions. (a) "Adult responsible for a child or youth" means any of the following adults who is other than the child's or youth's legal parent and who

is responsible for the care and upbringing of the child or youth:

- (1) A stepparent;
- (2) a grandparent;
- (3) another relative; or
- (4) a foster parent.

(b) "Annual renewal date" means the date assigned to each licensee for the submission of the documents required to renew the license and payment of the annual license fee.

(c) "Applicant" means any person who has submitted an initial application for a license to operate a drop-in program but has not received a temporary permit or a license.

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

(e) "Drop-in program" means a child care facility that serves exclusively school-age children and youth and in which the operator permits children and youth to arrive at and depart from the program at their own volition and at unscheduled times.

(f) "Kindergarten-age child" means a child who is attending kindergarten or who has completed kindergarten and has not entered first grade.

(g) "License" means the document issued by the secretary that authorizes a person to operate a drop-in program.

(h) "Operator" means a person who holds a temporary permit or a license to conduct a drop-in program.

(i) "Premises" means the location, including each building and the adjoining grounds, for which the operator has a temporary permit or a license to conduct a drop-in program.

(j) "School-age child" and "child" mean an individual who is of kindergarten age through the academic year in which the child is in the sixth grade and who is attending the drop-in program.

(k) "School-age youth" and "youth" mean an individual who meets the following conditions:

- (1) Has completed sixth grade or is 12 years of age or older;
- (2) is less than 18 years of age;
- (3) is attending the program; and
- (4) is not a volunteer or employee.

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

(m) "Secretary's designee" means the person designated by the secretary to assess compliance with drop-in program regulations.

(n) "Staff member" means both of the following:

- (1) All personnel, including employees' substitutes and volunteers, who provide administrative or direct services to children and youth; and
- (2) auxiliary personnel, including cooks, drivers, office workers, and housekeeping staff, who provide indirect services.

(o) "Temporary permit" means the document issued pursuant to K.S.A. 65-504, and amendments thereto, that authorizes a person to operate a drop-in program before receiving a license as required by K.S.A. 65-501, and amendments thereto. (Authorized by and implementing K.S.A. 65-508; effective, T-28-3-19-04, March 19, 2004.)

28-4-701. Licensure; application; renewal. (a) Each person shall have a temporary permit or a license to operate a drop-in program before children or youth are in attendance.

(b) Each operator shall submit a new application, the required forms, and the license fee, and shall obtain a new temporary permit or a new license from the secretary, as follows:

- (1) Before a drop-in program that has been closed is reopened;
- (2) if there is a change in the location of the drop-in program; or
- (3) if there is a change of ownership of the drop-in program.

(c) Each person wishing to conduct a drop-in program shall submit a complete application on forms supplied by the department. The application shall be submitted at least 90 calendar days before the planned opening date of the drop-in program and shall include the following:

- (1) A description of activities and services to be offered;
- (2) a request for a criminal history and child abuse registry background check as specified in K.A.R. 28-4-705; and
- (3) a nonrefundable license fee of \$20.00.

(d) Each individual submitting an application for a license shall be 21 years of age or older at the time of application.

(e) Each corporation applying for a license shall be in good standing with the Kansas secretary of state.

(f)(1) Before the annual renewal date, each licensee wishing to renew the license shall submit the annual nonrefundable license fee and shall complete and submit the following to the secretary, on forms supplied by the department:

- (A) An application to renew the license; and
- (B) a request to conduct a criminal history and child abuse registry background check.

(2) Each failure to submit the annual renewal documents and fee as required by paragraph (f)(1) of this regulation shall result in an assessment of a \$10.00 late fee payable to the secretary and may result in suspension of the license. Each late renewal fee assessed shall be paid upon request. (Authorized by K.S.A. 65-508; implementing K.S.A. 65-501, 65-504, 65-505, and 65-516; effective, T-28-3-19-04, March 19, 2004.)

28-4-702. Inspections; investigations. Each applicant and each operator shall give the secretary or the secretary's designee immediate entry and access to the premises and to any records kept, to determine compliance with applicable statutes and with the drop-in program regulations. (Authorized by K.S.A. 65-508; implementing K.S.A. 65-512; effective, T-28-3-19-04, March 19, 2004.)

28-4-703. Recordkeeping. (a) Each operator shall obtain the following information for each child or youth before or on the first day of attending the drop-in program:

- (1) The first and last name and date of birth; and
- (2) the name, address, and telephone number of each parent or other adult responsible for the child or youth,

(continued)

the names of any other person authorized to pick up the child or youth, and emergency contact information.

(b) Each operator shall obtain written authorization for emergency medical care, signed by the parent or legal guardian of each child or youth, before the child or youth attends the program or within the second week of attendance. (Authorized by K.S.A. 65-508; implementing K.S.A. 65-507 and 65-508; effective, T-28-3-19-04, March 19, 2004.)

28-4-704. Attendance policy; supervision. (a) Each operator of a drop-in program shall meet the following requirements:

(1) Each operator shall develop and implement an attendance policy that allows children and youth to arrive and depart the premises unsupervised, at unscheduled times and at their own volition.

(2) The operator shall inform the parent or other adult responsible for each child or youth of the policy specified in paragraph (a)(1). The parent or guardian of each child or youth utilizing the drop-in program shall receive a written disclosure describing the activities in which the child or youth can participate and the level of supervision provided.

(b) Each staff member working with children and youth shall provide attentive supervision to protect the

health, safety, and welfare of the children and youth, and to reduce the risk of injury, illness, and abuse. (Authorized by and implementing K.S.A. 65-508; effective, T-28-3-19,04, March 19, 2004.)

28-4-705. Criminal history and child abuse registry background check. (a) Each applicant and each operator shall submit the identifying information that is necessary to complete a criminal history and child abuse registry background check for each individual who works, substitutes, or regular volunteers in the program, as follows:

- (1) When applying for a license;
- (2) when submitting an application to renew the license; and
- (3) before allowing each new individual to work, substitute, or regularly volunteer in the program.

(b) The identifying information specified in subsection (a) shall be submitted on a form specified by the department. (Authorized by K.S.A. 65-508; implementing K.S.A. 65-516; effective, T-28-3-19-04, March 19, 2004.)

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 030499

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 2003 Volumes of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-6-21	Amended	V. 22, p. 1968
1-6-23	Amended (T)	V. 22, p. 466
1-6-23	Amended	V. 22, p. 1230
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	Revoked	V. 22, p. 226
1-45-16	Revoked	V. 22, 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 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-4-900	Amended	V. 22, p. 1191
4-4-956	Amended	V. 22, p. 1192
4-4-982	Amended	V. 22, p. 1192
4-4-983	Amended	V. 22, p. 1192
4-4-985	New	V. 22, p. 1193

4-4-986	New	V. 22, p. 1194
4-8-43	New (T)	V. 22, p. 82
4-8-43	New	V. 22, p. 432
4-13-1	Amended	V. 22, p. 1194
4-13-2	Amended	V. 22, p. 1195
4-13-4a	Amended	V. 22, p. 1195
4-13-6	Amended	V. 22, p. 1196
4-13-7	Amended	V. 22, p. 1196
4-13-26	Amended	V. 22, p. 1196
4-20-5	Amended	V. 22, p. 1747
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
4-25-16	Amended (T)	V. 22, p. 2176
4-25-16	Amended	V. 23, p. 95

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-1-1	Amended	V. 22, p. 1747
5-1-4	Amended	V. 22, p. 1751
5-1-6	Amended	V. 22, p. 1752
5-1-9	Amended	V. 22, p. 1753
5-1-12	Amended	V. 22, p. 1753
5-3-1	Amended	V. 22, p. 1753
5-3-1b	New	V. 22, p. 1754
5-3-3a	New	V. 22, p. 1754
5-3-4c	Amended	V. 22, p. 1754
5-3-4d	Amended	V. 22, p. 1754
5-3-5c	Amended	V. 22, p. 1755
5-3-7	Amended	V. 22, p. 1755
5-3-16a	New	V. 22, p. 1755
5-3-19	Amended	V. 22, p. 1756
5-5-2a	New	V. 22, p. 1756
5-5-16	Amended	V. 22, p. 1757
5-6-13a	New	V. 22, p. 1758
5-6-15	Amended	V. 22, p. 1758
5-7-1	Amended	V. 22, p. 1758
5-9-1	Amended	V. 22, p. 1759
5-9-6	Amended	V. 22, p. 1759
5-14-10	New	V. 22, p. 1759
5-14-11	New	V. 22, p. 1760

5-23-1	Amended	V. 23, p. 181
5-23-3	Amended	V. 23, p. 181
5-23-3a	Amended	V. 23, p. 182
5-23-4	Amended	V. 22, p. 1933
5-23-4a	Amended	V. 22, p. 1933
5-23-4b	Amended	V. 22, p. 1934
5-23-5	Revoked	V. 22, p. 1935
5-24-1	Amended	V. 23, p. 65
5-24-2	Amended	V. 23, p. 65
5-24-3	Amended	V. 23, p. 66
5-24-4	Amended	V. 23, p. 68
5-24-6	Amended	V. 23, p. 68
5-24-8	Amended	V. 23, p. 68
5-24-11	New	V. 23, p. 69
5-25-1	Amended	V. 22, p. 1819
5-25-2	Amended	V. 22, p. 1819
5-25-2a	New	V. 22, p. 1819
5-25-3	Amended	V. 22, p. 1820
5-25-4	Amended	V. 22, p. 1820
5-25-5	Amended	V. 22, p. 1820
5-25-8	Amended	V. 22, p. 1821
5-25-10	Amended	V. 22, p. 1821
5-25-11	Amended	V. 22, p. 1821
5-25-12 through 5-25-20	New	V. 22, p. 1821-1824

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-16-1	New (T)	V. 22, p. 1226
7-16-1	New	V. 22, p. 1650
7-16-2	New (T)	V. 22, p. 1226
7-16-2	New	V. 22, p. 1650

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-18-1	Amended	V. 22, p. 794
9-18-2	New (T)	V. 22, p. 1260
9-18-2	New	V. 22, p. 1850
9-18-3	New (T)	V. 22, p. 1260
9-18-3	New	V. 22, p. 1850
9-19-1 through 9-19-11	Revoked (T)	V. 22, p. 1261
9-19-1 through 9-19-11	Revoked	V. 22, p. 1816

9-19-12	New (T)	V. 22, p. 1261
9-19-12	New	V. 22, p. 1816
9-22-4	Amended (T)	V. 22, p. 1261
9-22-4	Amended	V. 22, p. 1507
9-22-5	Amended (T)	V. 22, p. 1262
9-22-5	Amended	V. 22, p. 1508
9-25-2	Amended (T)	V. 22, p. 1264
9-25-3	Amended (T)	V. 22, p. 1264
9-25-5	Amended (T)	V. 22, p. 1265
9-25-5	Amended	V. 22, p. 1817
9-25-6	Amended (T)	V. 22, p. 1266
9-25-6	Amended	V. 22, p. 1818
9-25-12	Amended (T)	V. 22, p. 1267
9-25-12	Amended	V. 22, p. 1850
9-26-1	Amended (T)	V. 22, p. 1267
9-26-1	Amended	V. 22, p. 1818

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Reg. No.	Action	Register
14-13-9	Amended	V. 22, p. 1929
14-15-1	New	V. 22, p. 123
14-15-2	New	V. 22, p. 123

AGENCY 17: STATE BANK COMMISSIONER (see Agency 75, this index)

Reg. No.	Action	Register
17-8-1	New	V. 22, p. 1574
17-11-18	Amended	V. 22, p. 798
17-24-1	Amended	V. 22, p. 1574
17-24-4	New	V. 22, p. 1816

AGENCY 19: GOVERNMENTAL ETHICS COMMISSION

Reg. No.	Action	Register
19-2-2	Amended	V. 23, p. 41
19-20-4	New	V. 23, p. 42
19-60-3	Amended	V. 23, p. 42
19-63-6	Amended	V. 23, p. 43

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-2-3	Amended	V. 22, p. 1258
26-2-9	Amended	V. 22, p. 1259

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-2	Amended (T)	V. 22, p. 2030
28-1-2	Amended	V. 23, p. 202
28-1-4	Amended (T)	V. 22, p. 2031
28-1-4	Amended	V. 23, p. 203
28-1-20	Amended	V. 23, p. 360
28-15-35	Amended	V. 23, p. 305
28-15-36	Amended	V. 23, p. 309
28-16-28b	Amended	V. 22, p. 1760
28-16-28d	Amended	V. 23, p. 39
28-16-28e	Amended	V. 22, p. 1763
28-17-6	Amended (T)	V. 22, p. 1225
28-17-6	Amended	V. 22, p. 1711
28-19-202	Amended	V. 23, p. 70
28-29-3	Amended	V. 22, p. 798
28-29-20	Amended	V. 22, p. 801
28-29-75	through	
28-29-82	Amended	V. 23, p. 203-205
28-29-101	Revoked	V. 22, p. 802
28-29-109	Amended	V. 22, p. 802
28-29-300	New	V. 22, p. 2131
28-29-302	New	V. 22, p. 2131
28-29-304	New	V. 22, p. 2133
28-29-308	New	V. 22, p. 2134
28-29-321	New	V. 22, p. 2137
28-29-325	New	V. 22, p. 2137
28-36-30	Amended	V. 22, p. 1771
28-38-18	Amended	V. 22, p. 1575
28-38-19	Amended	V. 22, p. 1575
28-39-164	through	
28-39-168	Amended	V. 22, p. 2094-2096
28-39-169	Revoked	V. 22, p. 2096
28-39-169a	New	V. 22, p. 2096
28-39-169b	New	V. 22, p. 2097

28-39-169c	New	V. 22, p. 2098
28-39-170	through	
28-39-174	Revoked	V. 22, p. 2099
28-45-2	Revoked (T)	V. 22, p. 531
28-45-2	Revoked	V. 22, p. 1304
28-45-2a	New (T)	V. 22, p. 531
28-45-2a	New	V. 22, p. 1304
28-45-3	Revoked (T)	V. 22, p. 532
28-45-3	Revoked	V. 22, p. 1305
28-45-3a	New (T)	V. 22, p. 532
28-45-3a	New	V. 22, p. 1305
28-45-4	Revoked (T)	V. 22, p. 533
28-45-4	Revoked	V. 22, p. 1306
28-45-4a	New (T)	V. 22, p. 533
28-45-4a	New	V. 22, p. 1306
28-45-5	Revoked (T)	V. 22, p. 533
28-45-5	Revoked	V. 22, p. 1306
28-45-5a	New (T)	V. 22, p. 533
28-45-5a	New	V. 22, p. 1306
28-45-6	Revoked (T)	V. 22, p. 534
28-45-6	Revoked	V. 22, p. 1306
28-45-6a	New (T)	V. 22, p. 534
28-45-6a	New	V. 22, p. 1306
28-45-7	Revoked (T)	V. 22, p. 535
28-45-7	Revoked	V. 22, p. 1308
28-45-7a	New (T)	V. 22, p. 535
28-45-7a	New	V. 22, p. 1308
28-45-8	Revoked (T)	V. 22, p. 536
28-45-8	Revoked	V. 22, p. 1309
28-45-8a	New (T)	V. 22, p. 536
28-45-8a	New	V. 22, p. 1309
28-45-9	Revoked (T)	V. 22, p. 536
28-45-9	Revoked	V. 22, p. 1309
28-45-9a	New (T)	V. 22, p. 536
28-45-9a	New	V. 22, p. 1309
28-45-10	Revoked (T)	V. 22, p. 536
28-45-10	Revoked	V. 22, p. 1309
28-45-10a	New (T)	V. 22, p. 536
28-45-10a	New	V. 22, p. 1309
28-45-11	Revoked (T)	V. 22, p. 537
28-45-11	Revoked	V. 22, p. 1310
28-45-11a	New (T)	V. 22, p. 537
28-45-11a	New	V. 22, p. 1310
28-45-12	through	
28-45-30	New (T)	V. 22, p. 537-548
28-45-12	through	
28-45-30	New	V. 22, p. 1310-1321
28-45a-1	through	
28-45a-19	New (T)	V. 22, p. 548-557
28-45a-1	through	
28-45a-19	New	V. 22, p. 1321-1331
28-51-100	Amended	V. 22, p. 2099
28-51-108	Amended	V. 22, p. 2100
28-51-113	through	
28-51-116	New	V. 22, p. 2100-2102

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-39	Amended	V. 22, p. 1533
30-4-55	Amended	V. 22, p. 1533
30-4-96	Revoked	V. 22, p. 249
30-4-110	Amended	V. 22, p. 1534
30-5-59	Amended	V. 22, p. 2087
30-5-64	Amended	V. 22, p. 2088
30-5-78	Amended	V. 22, p. 2090
30-5-81u	Amended (T)	V. 22, p. 83
30-5-81u	Amended	V. 22, p. 432
30-5-89	Amended	V. 22, p. 1355
30-5-89a	Amended	V. 22, p. 1355
30-5-102	Amended (T)	V. 22, p. 83
30-5-102	Amended	V. 22, p. 2090
30-5-105	Amended (T)	V. 22, p. 83
30-5-105	Amended	V. 22, p. 2091
30-5-107	Amended	V. 22, p. 1043
30-5-107a	Amended	V. 22, p. 1044
30-5-116	Amended	V. 22, p. 2091
30-5-300	Amended	V. 22, p. 2091

30-6-65	Amended	V. 22, p. 1044
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
30-6-108	Amended	V. 22, p. 1045
30-6-109	Amended	V. 22, p. 1045
30-10-14	Revoked	V. 22, p. 1355
30-10-15a	Amended	V. 22, p. 1355
30-10-17	Amended (T)	V. 22, p. 990
30-10-17	Amended	V. 22, p. 1233
30-10-18	Amended (T)	V. 22, p. 991
30-10-18	Amended	V. 22, p. 1234
30-10-19	Amended (T)	V. 22, p. 994
30-10-19	Amended	V. 22, p. 1236
30-10-21	Amended	V. 22, p. 1357
30-10-23b	Amended	V. 22, p. 1357
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
30-60-1	Amended	V. 22, p. 1090
30-60-2	Amended	V. 22, p. 1090
30-60-5	Amended	V. 22, p. 1090
30-60-6	Amended	V. 22, p. 1091
30-60-7	Amended	V. 22, p. 1092
30-60-8	New	V. 22, p. 1092
30-60-10	Amended	V. 22, p. 1093
30-60-11	Amended	V. 22, p. 1093
30-60-12	Amended	V. 22, p. 1093
30-60-13	New	V. 22, p. 1094
30-60-14	New	V. 22, p. 1094
30-60-15	New	V. 22, p. 1094
30-60-16	New	V. 22, p. 1094
30-60-17	Amended	V. 22, p. 1095
30-60-18	Amended	V. 22, p. 1095
30-16-19	Amended	V. 22, p. 1096
30-60-25	Amended	V. 22, p. 1096
30-60-26	Amended	V. 22, p. 1097
30-60-27	Amended	V. 22, p. 1097
30-60-28	Amended	V. 22, p. 1097
30-60-29	New	V. 22, p. 1097
30-60-30	New	V. 22, p. 1098
30-60-40	Amended	V. 22, p. 1098
30-60-41	Amended	V. 22, p. 1098
30-60-45	Amended	V. 22, p. 1099
30-60-46	Amended	V. 22, p. 1099
30-60-47	Amended	V. 22, p. 1099
30-60-48	New	V. 22, p. 1099
30-60-49	New	V. 22, p. 1100
30-60-50	Amended	V. 22, p. 1100
30-60-51	New	V. 22, p. 1101
30-60-55	Amended	V. 22, p. 1102
30-60-56	New	V. 22, p. 1103
30-60-57	New	V. 22, p. 1103
30-60-60	Revoked	V. 22, p. 1103
30-60-61	Revoked	V. 22, p. 1103
30-60-62	Amended	V. 22, p. 1103
30-60-63	New	V. 22, p. 1104
30-60-64	New	V. 22, p. 1105
30-60-70	Amended	V. 22, p. 1108
30-60-71	Amended	V. 22, p. 1108
30-60-72	Amended	V. 22, p. 1108
30-60-73	Amended	V. 22, p. 1108
30-60-74	Amended	V. 22, p. 1109
30-60-75	Revoked	V. 22, p. 1109
30-60-76	Amended	V. 22, p. 1109
30-61-1	Amended	V. 22, p. 1109
30-61-2	Amended	V. 22, p. 1109
30-61-5	Amended	V. 22, p. 1109
30-61-6	Amended	V. 22, p. 1110
30-61-10	Amended	V. 22, p. 1110
30-61-11	New	V. 22, p. 1110
30-61-15	Amended	V. 22, p. 1110
30-61-16	Revoked	V. 22, p. 1111

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-40-1	through	
36-40-9	New	V. 22, p. 1806, 1807

(continued)

AGENCY 40: KANSAS INSURANCE DEPARTMENT			71-7-1	New	V. 23, p. 152	82-4-32	Amended	V. 22, p. 90
Reg. No.	Action	Register	AGENCY 74: BOARD OF ACCOUNTANCY			82-4-35	Amended	V. 22, p. 91
40-1-48	Amended	V. 22, p. 1709	Reg. No.	Action	Register	82-4-46	Amended	V. 22, p. 91
40-1-50	New (T)	V. 23, p. 244	74-1-1	Amended	V. 22, p. 1894	82-4-49b		
40-1-51	New	V. 23, p. 361	74-1-2	Amended	V. 22, p. 1894	through		
40-2-26	Amended	V. 23, p. 151	74-1-3	Amended	V. 22, p. 1894	82-4-49e	Revoked	V. 22, p. 91
40-3-48	Amended	V. 22, p. 2008	74-1-6	Amended	V. 22, p. 1895	82-7-2		
40-4-1	Amended	V. 22, p. 1709	74-1-8	New	V. 22, p. 1895	through		
40-4-36	Amended	V. 22, p. 465	74-2-1	Amended	V. 22, p. 1896	82-7-5	Revoked	V. 22, p. 91
40-5-110	Amended	V. 22, p. 1709	74-2-1	Amended	V. 22, p. 1896	82-8-1	Amended	V. 22, p. 91
AGENCY 44: DEPARTMENT OF CORRECTIONS			74-2-4	Revoked	V. 22, p. 1896	82-8-2	Amended	V. 22, p. 91
Reg. No.	Action	Register	74-4-7	Amended	V. 22, p. 1896	82-8-3	Amended	V. 22, p. 92
44-6-115a	Amended (T)	V. 22, p. 383	74-4-8	Amended	V. 22, p. 1896	82-11-1	Amended	V. 22, p. 1078
44-6-115a	Amended	V. 22, p. 1231	74-4-9	Amended	V. 22, p. 1897	82-11-3	Amended	V. 22, p. 1079
44-12-1002	Amended (T)	V. 22, p. 384	74-5-202	Amended	V. 22, p. 1898	82-11-4	Amended	V. 22, p. 1079
44-12-1002	Amended	V. 22, p. 1232	74-11-6	Amended	V. 22, p. 1898	82-11-8	Amended	V. 22, p. 1084
44-13-201b	Amended (T)	V. 22, p. 384	74-11-7	Amended	V. 22, p. 1898	82-11-10	Amended	V. 22, p. 1084
44-13-201b	Amended	V. 22, p. 1232	74-12-1	Amended	V. 22, p. 1898	AGENCY 88: BOARD OF REGENTS		
AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS COMPENSATION			AGENCY 75: STATE BANK COMMISSIONER—DIVISION OF CONSUMER AND MORTGAGE LENDING			Reg. No.	Action	Register
Reg. No.	Action	Register	Reg. No.	Action	Register	88-23-2	Amended	V. 23, p. 276
51-9-7	Amended	V. 22, p. 1804	75-6-33	New	V. 22, p. 1815	88-23-2a	New	V. 23, p. 278
51-9-17	New	V. 22, p. 2031	75-6-34	New	V. 22, p. 1454	88-23-3	Revoked	V. 23, p. 279
AGENCY 61: BOARD OF BARBERING			AGENCY 82: STATE CORPORATION COMMISSION			88-23-3a	New	V. 23, p. 279
Reg. No.	Action	Register	Reg. No.	Action	Register	88-23-7	New	V. 22, p. 1709
61-4-2	Amended (T)	V. 22, p. 1304	82-1-201	Revoked	V. 22, p. 1650	AGENCY 91: DEPARTMENT OF EDUCATION		
61-7-1	Amended (T)	V. 22, p. 1304	82-1-202	Amended	V. 22, p. 1650	Reg. No.	Action	Register
AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY			82-1-204	Amended	V. 22, p. 1650	91-1-201	Amended	V. 22, p. 2125
Reg. No.	Action	Register	82-1-204a	New	V. 22, p. 1652	91-1-203	Amended	V. 22, p. 2126
65-5-6	Amended	V. 22, p. 1575	82-1-205	Amended	V. 22, p. 1652	91-1-206	Amended	V. 22, p. 2129
AGENCY 66: BOARD OF TECHNICAL PROFESSIONS			82-1-206	Amended	V. 22, p. 1652	91-1-213	Amended	V. 22, p. 2130
Reg. No.	Action	Register	82-1-207	Amended	V. 22, p. 1652	91-18-24	Revoked	V. 23, p. 280
66-8-5	Amended	V. 23, p. 95	82-1-208	Amended	V. 22, p. 1652	91-18-27	Revoked	V. 23, p. 280
AGENCY 68: BOARD OF PHARMACY			82-1-212	Amended	V. 22, p. 1652	91-18-29	Revoked	V. 23, p. 280
Reg. No.	Action	Register	82-1-214	Amended	V. 22, p. 1653	91-18-34	Revoked	V. 23, p. 280
68-2-9	Amended	V. 22, p. 118	82-1-215	Amended	V. 22, p. 1653	91-18-40	Revoked	V. 23, p. 280
68-2-10	Amended	V. 22, p. 118	82-1-216	Amended	V. 22, p. 1653	91-31-16		
68-2-11	Amended	V. 22, p. 118	82-1-218	Amended	V. 22, p. 1653	through		
68-2-12a	Amended	V. 22, p. 118	82-1-219	Amended	V. 22, p. 1654	91-31-30	Revoked	V. 22, p. 124
68-2-15	Amended	V. 22, p. 430	82-1-220	Amended	V. 22, p. 1655	91-31-31		
68-2-20	Amended	V. 22, p. 119	82-1-221	Amended	V. 22, p. 1655	through		
68-7-12	Amended	V. 22, p. 119	82-1-221b	Revoked	V. 22, p. 1656	91-31-42	New	V. 22, p. 124-128
68-7-12a	Amended	V. 22, p. 120	82-1-222	Amended	V. 22, p. 1656	91-38-1	Amended	V. 22, p. 356
68-7-12b	New	V. 22, p. 120	82-1-224	Amended	V. 22, p. 1656	91-38-2	Amended	V. 22, p. 356
68-8-1	Amended	V. 22, p. 431	82-1-225	Amended	V. 22, p. 1656	91-38-3	Amended	V. 22, p. 357
68-9-2	Amended	V. 22, p. 121	82-1-226	Amended	V. 22, p. 1657	91-38-5	Amended	V. 22, p. 357
68-11-1	Amended	V. 22, p. 122	82-1-227	Amended	V. 22, p. 1657	91-38-6	Amended	V. 22, p. 358
68-11-2	Amended	V. 22, p. 122	82-1-228	Amended	V. 22, p. 1657	91-38-7	Amended	V. 22, p. 360
68-12-2	Amended	V. 22, p. 122	82-1-229	Amended	V. 22, p. 1658	AGENCY 92: DEPARTMENT OF REVENUE		
68-13-1	Amended	V. 22, p. 122	82-1-230	Amended	V. 22, p. 1659	Reg. No.	Action	Register
AGENCY 70: BOARD OF VETERINARY EXAMINERS			82-1-230a	New	V. 22, p. 1659	92-19-200		
Reg. No.	Action	Register	82-1-231	Amended	V. 22, p. 1660	through		
70-5-1	Amended	V. 23, p. 360	82-1-231a	Amended	V. 22, p. 1663	92-19-203	New	V. 22, p. 431
AGENCY 71: KANSAS DENTAL BOARD			82-1-231b	Amended	V. 22, p. 1664	92-51-24	Amended	V. 23, p. 40
Reg. No.	Action	Register	82-1-232	Amended	V. 22, p. 1665	92-51-25	Amended	V. 23, p. 40
71-1-1	Revoked	V. 23, p. 151	82-1-235	Amended	V. 22, p. 1666	92-51-28	New	V. 23, p. 40
71-1-2	Revoked	V. 23, p. 151	82-1-237	Amended	V. 22, p. 1666	92-51-29	New	V. 23, p. 41
71-1-3	Revoked	V. 23, p. 151	82-1-238	Amended	V. 22, p. 1666	92-51-34a	New	V. 23, p. 41
71-1-8	Revoked	V. 23, p. 151	82-1-239	Amended	V. 22, p. 1667	92-52-9	Amended	V. 23, p. 41
71-1-10	Revoked	V. 23, p. 151	82-3-700			AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION		
71-1-11	Revoked	V. 23, p. 151	through			Reg. No.	Action	Register
71-1-15	Amended	V. 23, p. 151	82-3-704	Amended (T)	V. 23, p. 152-155	93-6-4	Amended	V. 22, p. 666
71-2-1	Revoked	V. 23, p. 151	82-3-705			93-6-7	New	V. 22, p. 666
71-2-4	Revoked	V. 23, p. 151	through			AGENCY 94: BOARD OF TAX APPEALS		
71-2-9	Revoked	V. 23, p. 151	82-3-710	New (T)	V. 23, p. 155-158	Reg. No.	Action	Register
71-2-12	Revoked	V. 23, p. 151	82-4-2	Amended	V. 22, p. 86	94-2-4	Amended (T)	V. 22, p. 1504
71-3-5	Revoked	V. 23, p. 151	82-4-3a	New (T)	V. 22, p. 2175	94-2-4	Amended	V. 22, p. 2009
71-4-1	Amended	V. 23, p. 151	82-4-20	Amended	V. 22, p. 86	94-2-19	Amended (T)	V. 22, p. 1504
71-4-3	Revoked	V. 23, p. 152	82-4-21	Amended	V. 22, p. 87	94-2-19	Amended	V. 22, p. 2009
			82-4-23	Amended	V. 22, p. 87	94-2-20	Amended (T)	V. 22, p. 1504
			82-4-26	Amended	V. 22, p. 87	94-2-20	Amended	V. 22, p. 2010
			82-4-26a	Amended	V. 22, p. 88	94-2-21	New (T)	V. 22, p. 1505
			82-4-27	Amended	V. 22, p. 88	94-2-21	New	V. 22, p. 2010
			82-4-27a	Amended	V. 22, p. 88	AGENCY 100: BOARD OF HEALING ARTS		
			82-4-27e	Amended	V. 22, p. 89	Reg. No.	Action	Register
			82-4-28	Amended	V. 22, p. 89	100-22-4	New	V. 22, p. 690
			82-4-28a	Amended	V. 22, p. 89	100-29-9	Amended	V. 22, p. 1892
			82-4-29	Amended	V. 22, p. 90			
			82-4-29a	Amended	V. 22, p. 90			
			82-4-30a	Amended	V. 22, p. 90			

100-29-10	Amended	V. 22, p. 1893
100-54-2	through	
100-54-8	Amended	V. 22, p. 1926-1929
100-55-5	Amended	V. 22, p. 690
100-55-9	Amended	V. 22, p. 690
100-72-1	through	
100-72-7	New (T)	V. 22, p. 79-81
100-72-1	through	
100-72-6	New	V. 22, p. 691, 692
100-72-7	New	V. 22, p. 1893
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
102-1-3a	Amended (T)	V. 22, p. 1267
102-1-3a	Amended	V. 22, p. 1808
102-1-3b	New (T)	V. 22, p. 1268
102-1-3b	New	V. 22, p. 1809
102-1-8	Amended	V. 22, p. 1148
102-1-10a	Amended	V. 22, p. 2179
102-1-15	Amended	V. 22, p. 1149
102-2-2b	New (T)	V. 22, p. 1269
102-2-2b	New	V. 22, p. 1810
102-2-2c	New (T)	V. 22, p. 1270
102-2-2c	New	V. 22, p. 1811
102-2-4a	Amended	V. 22, p. 1150
102-2-7	Amended	V. 22, p. 2182
102-2-9	Amended	V. 22, p. 1151
102-2-11	Amended	V. 22, p. 1151
102-2-12	Amended	V. 22, p. 1084
102-3-3a	Amended	V. 22, p. 1302
102-3-4b	New (T)	V. 22, p. 1271
102-3-4b	New	V. 22, p. 1811
102-3-7a	Amended	V. 22, p. 1085
102-3-9a	Amended	V. 22, p. 1151
102-3-10a	Amended	V. 22, p. 1152
102-3-12a	Amended	V. 22, p. 2184
102-4-4b	New (T)	V. 22, p. 1272
102-4-4b	New	V. 22, p. 1812
102-4-6a	Amended	V. 22, p. 2186
102-4-9a	Amended	V. 22, p. 1153
102-4-10a	Amended	V. 22, p. 1153
102-4-12	Amended	V. 22, p. 2187
102-5-3	Amended	V. 22, p. 1087
102-5-4b	New (T)	V. 22, p. 1273
102-5-4b	New	V. 22, p. 1813
102-5-7a	Amended	V. 22, p. 1088
102-5-9	Amended	V. 22, p. 1155
102-5-10	Amended	V. 22, p. 1155
102-5-12	Amended	V. 22, p. 2189
102-5-16	New	V. 22, p. 1158
102-6-9	Amended	V. 22, p. 1159

102-6-10	Amended	V. 22, p. 1159
AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION		
Reg. No.	Action	Register
108-1-4	Amended	V. 22, p. 2177

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES		
Reg. No.	Action	Register
109-3-2	New	V. 23, p. 202
109-5-4	Amended	V. 22, p. 1805
109-7-1	Amended	V. 22, p. 1805

AGENCY 110: DEPARTMENT OF COMMERCE		
Reg. No.	Action	Register
110-8-1	through	
110-8-6	New	V. 22, p. 2032, 2033
110-8-8	through	
110-8-11	New	V. 22, p. 2033, 2034
110-10-1	New (T)	V. 22, p. 1815
110-10-1	New	V. 23, p. 180

AGENCY 111: KANSAS LOTTERY

Reg. No.	Action	Register
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. A list of regulations filed by the Kansas Lottery from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. The following regulations were filed after January 1, 2004:		
111-2-151	through	
111-2-156	New	V. 23, p. 95, 96
111-2-154	Amended	V. 23, p. 261
111-2-155	Amended	V. 23, p. 262
111-2-156	Amended	V. 23, p. 262
111-2-157	New	V. 23, p. 262
111-3-22	Amended	V. 23, p. 97
111-4-881	Amended	V. 23, p. 97
111-4-1448	Amended	V. 23, p. 98
111-4-2052	Amended	V. 23, p. 262
111-4-2055	Amended	V. 23, p. 263
111-4-2057	Amended	V. 23, p. 263
111-4-2074	Amended	V. 23, p. 98
111-4-2093	Amended	V. 23, p. 309
111-4-2094	New	V. 23, p. 100
111-4-2095	through	
111-4-2115	New	V. 23, p. 264-275
111-4-2097	Amended	V. 23, p. 310
111-4-2098	Amended	V. 23, p. 310

111-4-2116	through	
111-4-2125	New	V. 23, p. 311-318
111-5-96	Amended	V. 23, p. 101
111-5-111	through	
111-5-115	New	V. 23, p. 245, 246
111-7-188	through	
111-7-192	New	V. 23, p. 319, 320

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-3-11	Amended	V. 22, p. 1427
112-4-1	Amended	V. 22, p. 2057
112-4-1a	New	V. 22, p. 278
112-4-1b	New	V. 22, p. 279
112-6-4	Amended	V. 22, p. 85
112-8-4	Amended	V. 22, p. 1428
112-8-5	Amended	V. 22, p. 1428
112-9-44	Amended	V. 22, p. 279
112-10-2	Amended	V. 22, p. 85
112-10-3	Amended	V. 23, p. 93
112-11-20	Amended	V. 22, p. 281
112-12-10	Amended	V. 22, p. 86
112-13-2	Amended	V. 23, p. 94
112-18-9	Amended	V. 22, p. 1710
112-18-11	Amended	V. 22, p. 1710
112-18-18	Amended	V. 22, p. 1710

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-1-1	Amended	V. 22, p. 1930
115-2-1	Amended	V. 22, p. 1932
115-4-6	Amended	V. 22, p. 1227
115-4-11	Amended	V. 22, p. 436
115-17-6	through	
115-17-9	Amended	V. 22, p. 437-439
115-18-8	Amended	V. 22, p. 1229
115-18-10	Amended	V. 22, p. 439
115-21-1	Amended	V. 22, p. 1506
115-21-2	Amended	V. 22, p. 1507

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
117-5-2	Amended	V. 22, p. 2007
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. 23, p. 337
117-9-1	Amended	V. 23, p. 150

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