

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 23, No. 26    June 24, 2004    Pages 969-1006

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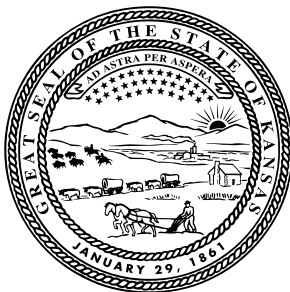
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## State of Kansas

## Board of Healing Arts

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 10 a.m. Thursday, August 26, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider adoption of three proposed amended rules and regulations (K.A.R. 100-28a-1, 100-29-7 and 100-69-5) all dealing with fees for physician assistants, physical therapists, physical therapist assistants and athletic trainers.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the above-referenced rules and regulations. All interested parties may submit comments prior to the hearing to the Board of Healing Arts at the address above. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the adoption of the regulations during the hearing. In order to give all persons an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulations being considered 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 Tammy Farr at (785) 296-8558 or Betty Johnson at (785) 296-3680. Handicapped parking is located at the west end of the Hutton Building, and the northwest entrance to the building is accessible.

The proposed amended rules and regulations to be considered at the hearing and the respective economic impact is as follows:

**K.A.R. 100-28a-1. Fees.** This regulation deals entirely with fees collected by the board for physician assistants for license application, reinstatement and renewal. Two new categories have been added to this fee regulation for those licensees who will have the option of renewing their license by paper or online.

**K.A.R. 100-29-7. Fees.** This regulation deals entirely with fees collected by the board for physical therapists and physical therapist assistants for license application, reinstatement and renewal. Two new categories have been added to this fee regulation for those licensees who will have the option of renewing their license by paper or online.

**K.A.R. 100-69-5. Fees.** This regulation deals entirely with fees collected by the board for athletic trainers for license application, reinstatement and renewal. Two new categories have been added to this fee regulation for those licensees who will have the option of renewing their license by paper or online. The paper renewal fee has increased from \$50 to \$70 and the online renewal fee will be \$67 plus an additional credit card and transaction fee that will equal \$70.

The board anticipates a loss of revenue totaling \$3,199 for the professions of physician assistants and physical

therapy due to decreasing the fee collected by the board by \$3 for online renewal and late renewal. However, the board anticipates an increase in revenue of \$4,159 for the profession of athletic training.

The regulations are not mandated by any federal law.

The online renewal and late renewal fees for all three professions will be less than a paper renewal to accommodate credit card processing and transaction fees so that the final cost to the licensee will be the same as if they had completed a paper renewal.

Copies of the proposed amended regulations and the associated economic impact statement may be obtained by contacting Betty Johnson, Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, 66603, (785) 296-3680, or by visiting the board's Web site at [www.ksbha.org/pubinfo.html](http://www.ksbha.org/pubinfo.html).

Lawrence T. Buening, Jr.  
Executive Director

Doc. No. 030842

(Published in the Kansas Register June 24, 2004.)

University Research and Development  
Enhancement Corporation

## Notice to Bidders

Competitive bids are being solicited for the following bid packages for the BioSecurity Research Institute at Kansas State University in Manhattan (CCR: A-9831):

**BP-1 Sanitary Sewer Package**

Construction of new force main, gravity main, lift station, manholes and improvements

**BP-2 Site Clearing/Rough Grading Package**

Site clearing and demolition and excavation/grading of building site

**BP-3 Augercast Pile/Pile Cap Package**

Construction of concrete building foundations

The construction manager for the project is Jason Sanders, Turner Construction Company, 2345 Grand Blvd., Suite 1850, Kansas City, MO 64108, (816) 283-0555, fax (816) 283-0558.

In accordance with Kansas statute, bidders must be prequalified. Interested potential bidders should contact Leeca Rollins at Turner Construction Company for prequalification information and construction documents.

Bids will be received at 2 p.m. July 8, 2004, at the offices of Turner Construction Company for the above bid packages. Turner Construction Company will receive, open and review bids privately and make recommendations to the University Research and Development Enhancement Corporation for award. Bidders will be notified of bid results.

Questions regarding the bid packages should be directed to Mike George at Turner Construction Company at the phone number above.

Joe M. Fritton, P.E.  
Executive Director

Doc. No. 030853

## State of Kansas

## Kansas Development Finance Authority

## Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, July 8, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFA to issue its Agricultural Development Revenue Bond for the projects 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 projects shall be located as shown:

**Project No. 000608—Maximum Principal Amount: \$38,000.** Owner/Operator: Myron D. and Ann M. Hiebert. Description: Acquisition of 50 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 30, Menno Township, Marion County, Kansas, approximately 2 miles north of Goessel at the corner of North Alamo and 140th.

**Project No. 000609—Maximum Principal Amount: \$80,000.** Owner/Operator: Eric M. Carlson. Description: Acquisition of 160 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the Northeast Quarter of Section 18, Township 18 South, Range 5 East, Marion County, Kansas, approximately 2 miles east of Lincolnville on gravel road 290th.

The bond, when issued, will be a limited obligation of the KDFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the KDFA, 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 KDFA 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 KDFA.

Any individual affected by the above-described projects may, at or prior to the hearing, file a written request with the KDFA 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. 030839

## State of Kansas

## Department on Aging

## Notice of Meeting

The Kansas Department on Aging will conduct an open meeting from 1 to 2 p.m. Wednesday, July 14, in the third floor conference room at the KDOA offices, 503 S. Kansas Ave., Topeka, for members of the public and aging advocates to provide comment on the Home- and Community-Based Services/Frail Elderly waiver renewal. Participants also may provide input via teleconference at several locations across the state. The addresses and phone numbers are listed below.

Anyone wishing to provide testimony during the meeting must submit a written copy of the testimony at that time. Other interested parties may submit written comments through July 28 to the Secretary of Aging, New England Building, 503 S. Kansas Ave., Topeka, 66603.

Any individual with a disability may request accommodation in order to participate in the open meeting. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Tina Langley at (785) 368-7331 or TDD (785) 291-3167.

Handicapped parking is located on the west side of Kansas Ave. in front of the KDOA building. The east entrance to the building is accessible to individuals with disabilities. Public fee parking is available in the Bank of America Building across the street from the KDOA offices on Kansas Ave.

The following locations will provide a teleconference site where participants may be a part of the open meeting and give comments:

Kansas Department on Aging  
503 S. Kansas Ave., Topeka  
Contact: Tina Langley, (785) 368-7331

North Central-Flint Hills Area Agency on Aging  
Conference Room, 401 Houston St., Manhattan  
Contact: Julie Govert Walter, (785) 776-9294

Southeast Kansas Area Agency on Aging  
1 W. Ash, Chanute  
Contact: Linda Meyer, (620) 431-2980

Southwest Kansas Area Agency on Aging  
240 San Jose Drive, Hennessey Hall, Dodge City  
Contact: David Geist, (620) 225-8230

South Central Kansas Area Agency on Aging  
304 S. Summit, Arkansas City  
Contact: Jodi Abington, (620) 442-0268

Sedgwick County Public Works  
1144 S. Seneca, Wichita, (316) 660-3501  
hosted by Central Plains Area Agency on Aging  
635 N. Main, Wichita  
Contact: Stacy Nilles, (316) 660-4730

Salina Senior Center  
245 N. 9th, Salina  
Contact: Julie Govert Walter, (785) 776-9294

Pamela Johnson-Betts  
Secretary of Aging

Doc. No. 030837

## State of Kansas

## Legislature

## Interim Committee Schedule

The following committee meetings have been scheduled during the period of June 28-July 9. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://kslegislature.org/klrd>.

Date	Room	Time	Committee	Agenda
June 28 June 29	123-S	10:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	Review of Schools for the Deaf and Blind; information from the Department of Administration.
June 28 June 29	313-S	10:00 a.m. 9:00 a.m.	Select Joint Committee on School Finance	Overview of current formula; major changes offered to the formula during 2004 session; suitability as defined in other states; and funding formulas in other states.
*July 6 *July 7	519-S	10:00 a.m. 9:00 a.m.	Joint Committee on Claims Against the State	Hearings on claims filed.
July 8 July 9	514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Administrative Rules and Regulations	Agenda not available.

Jeffrey M. Russell  
Director of Legislative  
Administrative Services

\* Pending LCC approval

Doc. No. 030854

## State of Kansas

## Department on Aging

## Notice of Meeting

The Kansas Department on Aging will conduct an open meeting at 9:30 a.m. Wednesday, July 14, in the third floor conference room at the KDOA offices, 503 S. Kansas Ave., Topeka, for members of the public and aging advocates to provide comment on fiscal year 2006 KDOA budget priorities. Participants also may provide input via teleconference at several locations across the state. The addresses and phone numbers are listed below.

Anyone wishing to provide testimony during the meeting must submit a written copy of the testimony at that time. Other interested parties may submit written comments through July 30 to the Secretary of Aging, New England Building, 503 S. Kansas Ave., Topeka, 66603.

Any individual with a disability may request accommodation in order to participate in the open meeting. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Lana Walsh at (785) 296-1299 or TDD (785) 291-3167.

Handicapped parking is located on the west side of Kansas Ave. in front of the KDOA building. The main entrance to the building is accessible to individuals with disabilities. Public fee parking is available in the Bank of America Building across the street from the KDOA offices on Kansas Ave.

The following locations will provide a teleconference site where participants may be a part of the open meeting and give comments:

Kansas Department on Aging, 503 S. Kansas Ave., Topeka  
Contact: Lana Walsh, (785) 296-1299

North Central-Flint Hills Area Agency on Aging  
Conference Room, 401 Houston St., Manhattan  
Contact: Julie Govert Walter, (785) 776-9294

Sedgwick County Public Works  
1144 S. Seneca, Wichita, (316) 660-3501  
hosted by Central Plains Area Agency on Aging  
635 N. Main, Wichita  
Contact: Stacy Nilles, (316) 660-4730

Southeast Kansas Area Agency on Aging  
1 W. Ash, Chanute  
Contact: Linda Meyer, (620) 431-2980

Southwest Kansas Area Agency on Aging  
240 San Jose Drive, Hennessey Hall, Dodge City  
Contact: David Geist, (620) 225-8230

South Central Kansas Area Agency on Aging  
304 S. Summit, Arkansas City  
Contact: Jodi Abington, (620) 442-0268

Johnson County Area Agency on Aging  
11875 S. Sunset, Suite 200, Olathe  
Contact: Christy Flynn, (913) 894-8811

Salina Senior Center, 245 N. 9th, Salina  
Contact: Julie Govert Walter, (785) 776-9294

Marion County Courthouse  
County Commissioners' Room  
South 3rd St., Marion  
(620) 382-3318

Pamela Johnson-Betts  
Secretary of Aging

Doc. No. 030836

State of Kansas

Department on Aging

Notice of Sliding Fee Scale

Pursuant to K.S.A. 2003 Supp. 75-5933, the Secretary of Aging shall develop a sliding fee scale that shall be published annually in the Kansas Register. The following fee scales will be used for state fiscal year 2005, beginning July 1, 2004.

SCA SLIDING FEE SCALE

Effective 7/1/2004

1 Person Family		2 Person Family	
Income	Assets	Income	Assets
0 to 765	0 to 765	0 to 1,027	0 to 1,027
766 to 865	766 to 865	1,028 to 1,127	1,028 to 1,127
866 to 965	866 to 965	1,128 to 1,227	1,128 to 1,227
966 to 1,065	966 to 1,065	1,228 to 1,327	1,228 to 1,327
1,066 to 1,165	1,066 to 1,165	1,328 to 1,427	1,328 to 1,427
1,166 to 1,265	1,166 to 1,265	1,428 to 1,527	1,428 to 1,527
1,266 to 1,365	1,266 to 1,365	1,528 to 1,627	1,528 to 1,627
1,366 to 1,465	1,366 to 1,465	1,628 to 1,727	1,628 to 1,727
1,466 to 1,565	1,466 to 1,565	1,728 to 1,827	1,728 to 1,827
1,566 to 1,665	1,566 to 1,665	1,828 to 1,927	1,828 to 1,927
1,666 to 1,765	1,666 to 1,765	1,928 to 2,027	1,928 to 2,027
1,766 to 1,865	1,766 to 1,865	2,028 to 2,127	2,028 to 2,127
1,866 and Above	1,866 and Above	2,128 and Above	2,128 and Above
<b>INCOME</b>		<b>INCOME</b>	
<b>LIQUID ASSETS</b>		<b>LIQUID ASSETS</b>	
0-10,000	0-10,000	0-13,500	0-13,500
10,001-20,000	5	13,501-23,500	5
20,001-30,000	10	23,501-33,500	10
30,001-40,000	15	33,501-43,500	15
40,001-50,000	20	43,501-53,500	20
50,001-60,000	30	53,501-63,500	30
60,001-70,000	40	63,501-73,500	40
70,001-80,000	50	73,501-83,500	50
80,001-90,000	60	83,501-93,500	60
90,001-100,000	70	93,501-103,500	70
100,001-110,000	80	103,501-113,500	80
110,001-120,000	90	113,501-123,500	90
120,001 and Above	100	123,501 and Above	100
<b>INCOME</b>		<b>INCOME</b>	

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

Pamela Johnson-Betts  
Secretary of Aging

## State of Kansas

## Office of the Governor

## Executive Order 2004-08

WHEREAS, the Director of the Kansas Water Office has informed me, pursuant to K.S.A. 74-2608, of the present status of drought conditions within the state; and

WHEREAS, there is every indication that the present drought conditions will not abate in the near future and that drought conditions may develop in additional areas; and

WHEREAS, the Kansas Emergency Management Act (K.S.A. 48-924) states that the Governor shall be responsible for meeting the dangers to the state and its people from disasters, including drought.

NOW THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby:

1. Declare a Drought Watch, Drought Warning or Drought Emergency for the counties identified below; and

2. Authorize and direct all agencies under the jurisdiction of the Governor to implement the appropriate Watch, Warning or Emergency-level drought response actions assigned to them in the Operations Plan of the Governor's Drought Response Team.

## Drought Emergency counties by Climate/Crop Reporting District

Northwest: Cheyenne, Decatur, Graham, Norton, Rawlins, Sheridan, Sherman, Thomas.

West Central: Gove, Greeley, Lane, Logan, Ness, Scott, Trego, Wallace and Wichita.

Southwest: Clark, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Meade, Morton, Seward, Stanton, Stevens.

## Drought Warning counties by Climate/Crop Reporting District

North Central: Osborne, Phillips, Rooks, Smith.

Central: Ellis, Rush, Russell.

South Central: Comanche, Edwards, Kiowa, Pawnee, Pratt.

## Drought Watch counties by Climate/Crop Reporting District

North Central: Jewell, Mitchell, Republic.

Central: Barton, Ellsworth, Lincoln.

South Central: Barber, Harper, Kingman, Stafford, Sumner.

Northeast: Atchison, Brown, Doniphan.

## Declarations Rescinded - Previous drought stage declarations for the following counties are rescinded

North Central: Clay, Cloud, Ottawa, Washington.

Central: Dickinson, McPherson, Marion, Rice, Saline.

South Central: Harvey, Reno, Sedgwick.

Northeast: Jackson, Jefferson, Leavenworth, Marshall, Nemaha, Pottawatomie, Riley, Wyandotte.

East Central: Anderson, Chase, Coffey, Douglas, Franklin, Geary, Johnson, Linn, Lyon, Miami, Morris, Osage, Shawnee, Wabaunsee.

Southeast: Allen, Bourbon, Butler, Chautauqua, Cherokee, Cowley, Crawford, Elk, Greenwood, Labette, Montgomery, Neosho, Wilson, Woodson.

This document shall be filed with the Secretary of State as Executive Order No. 04-08 and shall become effective immediately.

County drought stages declared in this Executive Order shall remain in effect until revised or rescinded by a subsequent Executive Order.

Dated June 15, 2004.

Kathleen Sebelius  
Governor

Attest: Ron Thornburgh  
Secretary of State

Doc. No. 030851

## State of Kansas

## Office of the Governor

## Notice of Available Grant Funding

Grant funds are available from the Governor's Discretionary Portion of the Federal Safe and Drug-Free Schools and Communities Act for federal year October 1, 2004 through September 30, 2005. The purpose of the Governor's Discretionary Portion of the Federal Safe and Drug-Free Schools and Communities Act (SDFSCA) is to support programs that prevent violence in and around schools; prevent the illegal use of alcohol, tobacco and drugs; involve parents and communities; and coordinate with related federal, state, school and community efforts and resources to foster a safe and drug-free learning environment that supports student academic achievement. The Governor's Federal Grants Program also defines prevention as the "active process that creates and rewards conditions that lead to healthy behaviors and lifestyles."

Priority will be given to programs and activities that prevent illegal drug use and violence for the following:

1. Children and youth who are not normally served by the state educational agencies or local educational agencies; or

2. Populations that need special services or additional resources, such as youth in juvenile detention facilities, runaway or homeless children and youth, pregnant and parenting teenagers, and suspended or expelled students.

Special consideration will be given to applicants that pursue a comprehensive approach to drug and violence prevention that includes providing and incorporating mental health services related to drug and violence prevention in their program.

Grant applications may be obtained by contacting the Office of the Governor's Federal Grants Program at (785) 291-3205. Applications also may be accessed via the Internet at [www.ksgovernor.org](http://www.ksgovernor.org). This is to obtain a printed copy only. Applications cannot be submitted online.

All grant applications must be received by 5 p.m. Friday, July 30.

Juliene Maska  
Federal Grants Program Administrator

Doc. No. 030860

## State of Kansas

**Secretary of State****Executive Appointments**

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A complete listing of Kansas state agencies, boards and commissions, and county officials are included in the Kansas Directory, which is available on the Secretary of State's Web site at [www.kssos.org](http://www.kssos.org). The following appointments were recently filed with the Secretary of State:

**State Representative, 37th District**

**Kathleen Reardon**, 2206 Everett Ave., Kansas City, KS 66102. Succeeds William J. Reardon, resigned.

**Kansas Energy Council**

(Created pursuant to Executive Order 2004-05)

**Richard N. Anderson**, 1461 Briarwood Lane, McPherson, 67460. Term expires June 30, 2006.

**David M. Dayvault**, 904 Shadyway, Wichita, 67203. Term expires June 30, 2008.

**Sarah Dean**, 1835 Republic Road, Lawrence, 66044. Term expires June 30, 2007.

**Spencer L. Depew**, 6322 E. English, Wichita, 67218. Term expires June 30, 2006.

**Stephen M. Dillard**, 240 Penrose Drive, Wichita, 67206. Term expires June 30, 2008.

**Colin M. Hansen**, 623 S. Walnut, McPherson, 67460. Term expires June 30, 2007.

**Barry Hart**, 4113 S.E. 34th St., Topeka, 66605. Term expires June 30, 2006.

**Donna A. Johnson**, 1373 Stone Creek Drive, Lawrence, 66049. Term expires June 30, 2007.

**Gregory P. Krissek**, 1362 N. Hickory Creek St., Wichita, 67235. Term expires June 30, 2007.

**Galen B. Menard**, 1516 Trail West, McPherson, 67460. Term expires June 30, 2008.

**Gene L. Merry**, 700 Neosho St., Burlington, 66839. Term expires June 30, 2006.

**Richard G. Nelson**, 2825 Lawrence, Manhattan, 66502. Term expires June 30, 2007.

**David R. Phelps**, 800 S. Kansas Ave., Topeka, 66603. Term expires June 30, 2006.

**Bruce Snead**, 810 Pierre St., Manhattan, 66502. Term expires June 30, 2008.

**Michael J. Volker**, 504 W. 40th St., Hays, 67601. Term expires June 30, 2008.

**Curt Wright**, P.O. Box 93, Wellsville, 66092. Term expires June 30, 2006.

**Kansas Geographical Information Systems Policy Board**

**John F. Rogers**, 525 N. Main, Wichita, 67203. Term expires September 30, 2006. Succeeds Kathleen B. Sexton.

**Kansas Humanities Council**

**Cindy Howard**, 904 Toh-n-hah Trail, Wichita, 67212. Term expires June 30, 2007. Succeeds Janet A. Juhnke.

**Council on Travel and Tourism**

**Ron Barkley**, 12430 W. 85th Terrace, Lenexa, 66215. Term expires September 30, 2004. Succeeds Francis G. Walters, resigned.

Ron Thornburgh  
Secretary of State

Doc. No. 030855

(Published in the Kansas Register June 24, 2004.)

**Marmaton Watershed Joint District No. 102****Request for Engineering Services**

The Marmaton Watershed Joint District No. 102 is seeking qualified consulting engineering firms for the project listed below. A response may be mailed to Charles Bruner, Contracting Officer, Marmaton Watershed District, P.O. Box 114, Uniontown, 66779. Responses must be received by 5 p.m. July 15 for the consulting engineering firm to be considered.

**Project: Marmaton Watershed Site C-2 Dam Construction**

The scope of services is to provide engineering services for the design plans, drawings, specifications, permit application, construction bidding process, contract documents and other required documentation to be submitted to the Kansas Division of Water Resources for the construction of the Marmaton Watershed Site C-2. Services also will include geologic site investigation, laboratory soil testing, site staking, surveying, construction inspection and testing, and submittal of all required as-built plans and certificates of completion to the Division of Water Resources.

Site C-2 is located approximately 2 miles west and 1 mile north of Uniontown in Section 17, Township 25 South, Range 22 East, Bourbon County, Kansas, and consists of the construction of an earthen dam that controls approximately 5.3 square miles of drainage area.

The following criteria will be used as the basis for selection of the consulting engineering firms:

1. Professional qualifications necessary for satisfactory performance of required services;
2. specialized experience and technical competence with respect to watershed dam design and construction;
3. location of firm in the general geographic area of the project and knowledge of the locality of the project;
4. work load of firm and capacity to accomplish the work in the required time; and
5. firm's performance record in contracts with watershed districts and private industry in terms of cost control, quality of work and compliance with performance schedules.

Charles Bruner  
Contracting Officer

Doc. No. 030857



**State of Kansas  
Pooled Money Investment Board**

**Notice of Investment Rates**

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

**Effective 6-21-04 through 6-27-04**

Term	Rate
1-89 days	1.01%
3 months	1.30%
6 months	1.68%
1 year	2.11%
18 months	2.53%
2 years	2.76%

Derl S. Treff  
Director of Investments

Doc. No. 030833

**State of Kansas  
Social and Rehabilitation Services**

**Permanent Administrative  
Regulations**

**Article 46.—CHILD ABUSE AND NEGLECT**

**30-46-10. Definitions.** Pursuant to K.S.A. 38-1523 and amendments thereto, the following definitions shall apply. (a) "Abuse" means any act or failure to act that results in any of the following to a child under the age of 18 who resides in Kansas or is found in Kansas, regardless of where the act or failure to act occurred:

- (1) Death;
- (2) physical injury or deterioration or the imminent risk of serious injury;
- (3) mental or emotional injury or deterioration; or
- (4) sexual abuse.

This term shall include any act or failure to act that occurred in Kansas, regardless of where the child is found or resides.

(b) "Alleged perpetrator" means the person identified in the initial report or during the investigation as the person suspected of perpetrating an act of abuse or neglect.

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

(d) "Investigation" means the gathering and assessing of information to determine if a child has been abused or neglected.

(e) "Mental or emotional abuse" means the infliction of mental or emotional injury on a child or the causation of a child's deterioration. This term may include the following:

- (1) Any act or omission that impairs a child's social, emotional, or intellectual functioning;
- (2) terrorizing a child, by creating a climate of fear or engaging in violent or threatening behavior toward the child or toward others in the child's presence that demonstrates a flagrant disregard for the child;
- (3) emotionally abandoning a child, by being psychologically unavailable to the child, demonstrating no at-

tachment to the child, or failing to provide adequate nurturance of the child;

(4) corrupting a child, by teaching or rewarding the child for unlawful, antisocial, or sexually mature behavior;

(5) maltreating or exploiting a child to the extent that the child's health or emotional well-being is endangered; and

(6) engaging in any behavior having substantially the same effect on the child as that of any of the actions specified in paragraphs (e)(1) through (e)(5).

(f) "Neglect" means any act or omission resulting in harm to a child or presenting a likelihood of harm if the act or omission is not due solely to the lack of financial means of a child's parent or other custodian. This term shall include any act or omission involving a child under the age of 18 who resides in Kansas or is found in Kansas, regardless of where the act or failure to act occurred. This term shall also include any act or failure to act that occurred in Kansas, regardless of where the child is found or resides, and may include the following:

(1) Failure to provide the child with food, clothing, or shelter necessary to sustain the life or health of the child;

(2) failure to provide adequate supervision of a child or to remove a child from a situation that requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or the likelihood of harm to the child;

(3) failure to use resources available to treat a diagnosed medical condition if the treatment would make the child substantially more comfortable, reduce pain and suffering, correct or substantially diminish a crippling condition, lengthen the life span, or prevent the condition from worsening; and

(4) any behavior or omission having substantially the same effect on the child as that of any of the actions specified in paragraphs (f)(1) through (f)(3).

(g) "Physical abuse" means the infliction of physical injury on a child or the causation of a child's deterioration. This term shall include any nonaccidental or intentional action or inaction that results in bodily injury or that presents the imminent risk of serious injury.

(h) "Sexual abuse" means any act committed with a child that is described in K.S.A. 21-3501 et seq. and amendments thereto and the acts described in K.S.A. 21-3602 and K.S.A. 21-3603 and amendments thereto. This term may include the following:

(1) Any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child, or another person; and

(2) allowing, permitting, or encouraging a child to engage in prostitution or to be photographed, filmed, or depicted in obscene or pornographic material.

(i) "Substantiated abuse or neglect" means that a report of abuse or neglect has been confirmed by clear and convincing evidence.

(j) "Substantiated perpetrator" and "perpetrator" mean a person who has been validated by the secretary or designee, using clear and convincing evidence, to have committed an act of substantiated abuse or neglect, regardless of where the person resides and, consequently,

*(continued)*

to pose a danger to children. These terms shall replace the term "validated perpetrator." (Authorized by K.S.A. 38-1523 and K.S.A. 39-708c; implementing K.S.A. 38-1523 and K.S.A. 65-516; effective Jan. 2, 1989; amended Jan. 2, 1990; amended Oct. 1, 1993; amended Jan. 1, 1997; amended Oct. 3, 1997; amended July 9, 2004.)

**30-46-13. Right to interview.** Each alleged perpetrator shall have an opportunity to be interviewed before a finding is issued substantiating a perpetrator under K.A.R. 30-46-15. (Authorized by K.S.A. 39-708c; implementing K.S.A. 38-1523, K.S.A. 39-708c, and K.S.A. 65-516; effective Jan. 2, 1989; amended Oct. 28, 1991; amended July 1, 1997; amended July 9, 2004.)

**30-46-15. Notice of decision.** The substantiated perpetrator shall be notified in writing of the secretary's decision to substantiate the perpetrator for the purpose of placing the name of the perpetrator in the child abuse and neglect central registry. The notice shall set forth the reasons for the finding and shall inform the substantiated perpetrator of the perpetrator's right to appeal the decision. (Authorized by K.S.A. 39-708c; implementing K.S.A. 38-1523, K.S.A. 39-708c, and K.S.A. 65-516; effective Jan. 2, 1989; amended Oct. 28, 1991; amended July 1, 1997; amended July 9, 2004.)

**30-46-16. Child abuse and neglect central registry.** The name of a substantiated perpetrator shall not be entered into the department's child abuse and neglect central registry until the person has exhausted or failed to exercise the appeal process in K.A.R. 30-7-64 through 30-7-104. (Authorized by K.S.A. 39-708c; implementing K.S.A. 38-1523, K.S.A. 39-708c, and K.S.A. 65-516; effective Jan. 2, 1989; amended July 1, 1997; amended July 9, 2004.)

**30-46-17. Expungement of name of perpetrator from central registry.** (a) Application for expungement.

(1) Any perpetrator of abuse or neglect may apply in writing to the secretary to have the perpetrator's name expunged from the central registry when three years have passed since the perpetrator's name was entered on the central registry or when information is presented that was not available at the time of the finding of abuse or neglect.

(2) Each application for expungement shall be referred to the expungement review panel. The panel shall consist of the commissioner of children and family services or the commissioner's designee, the chief legal counsel of the department or the counsel's designee, and a representative of the public appointed by the secretary. The commissioner of children and family services or the commissioner's designee shall chair the panel.

(3) A review hearing shall be convened by the panel, at which time the applicant may present evidence supporting expungement of the applicant's name from the central registry. Evidence in support of or in opposition to the application may be presented by the regional office that conducted the original investigation. A request for expungement from a perpetrator shall receive a hearing by the review panel only once every 12 months.

(4) Recommendations of the review panel shall be determined by majority vote. The following factors shall be considered by the panel in making its recommendation:

(A) The nature and severity of the act of abuse or neglect;

(B) the number of findings of abuse or neglect involving the applicant;

(C) if the applicant was a child at the time of the finding of the abuse or neglect for which expungement is requested, the age of the applicant at the time of this occurrence;

(D) circumstances that no longer exist that contributed to the finding of abuse or neglect by the applicant; and

(E) actions taken by the applicant to prevent the reoccurrence of acts of abuse or neglect.

(5) The review hearing shall be set within 30 days from the date the application for expungement is received by the department. A written notice shall be sent to the applicant and the regional office that made the finding by the director of children and family services or the director's designee at least 10 days before the hearing. The notice shall state the day, hour, and place of the hearing. Continuances may be granted only for good cause.

(6) A written recommendation to the secretary shall be rendered by the panel within 60 days from the date of the hearing. The decision of the secretary shall be in writing and shall set forth the reasons for the decision.

(b) Expungement by the secretary. Any record may be expunged from the central registry by the secretary or the designee of the secretary when 18 years have passed since the most recent finding of abuse or neglect. (Authorized by K.S.A. 39-708c; implementing K.S.A. 38-708c and K.S.A. 65-516; effective Jan. 2, 1989; amended Jan. 1, 1990; amended July 1, 1997; amended July 9, 2004.)

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 030844

State of Kansas

State Fire Marshal

Permanent Administrative  
Regulations

#### Article 1.—KANSAS FIRE PREVENTION CODE

**22-1-2. Compliance with certain building codes.** A building shall be deemed to comply with the Kansas fire prevention code if the building conforms to one of the following building codes and to any additional special requirements of the Kansas fire prevention code and if the building has been issued a certificate of occupancy:

(a) The 1997 edition of the uniform building code (UBC);

(b) the 1999 edition of the building officials and code administrators (BOCA) basic building code;

(c) the 1997 edition of the standard building code, which is also known as the southern building code (SBC); or

(d) the 2000 edition of the international building code (IBC). (Authorized by and implementing K.S.A. 31-134a; effective May 1, 1985; amended Aug. 28, 1989; amended May 10, 1993; amended July 9, 2004.)

**22-1-7. Code footprint.** (a)(1) "Code footprint" shall mean a building and life safety code compliance docu-

ment that contains both graphic and narrative information and that meets the requirements of this regulation.

(2) Each code footprint shall be submitted in the following format:

(A) A full-sized drawing consisting of a complete floor plan, including existing facilities and new construction, for each floor of the facility, including basements and mezzanines; and

(B) an 11-inch by 17-inch reduction of the full-sized drawing, sealed by a Kansas-licensed design professional.

(3) A code footprint shall be prepared for all new buildings, new building additions, changes in occupancy, or building renovation, with the exception of buildings used solely as dwelling houses containing no more than two families. Each code footprint shall be prepared by a Kansas-licensed design professional. Upon request, a code footprint shall be provided to the fire or building official in the municipality where the work is occurring.

(4) A code footprint shall be submitted to the state fire marshal for review and approval for any new construction, renovation, or change of occupancy for the following types of buildings:

(A) Any group A assembly occupancy having a combined occupant load in excess of 2,000 persons;

(B) any group B business occupancy used at any community college, area vocational school, vocational-technical school, technical college, or any institution under the governance of the state board of regents;

(C) any group A assembly occupancy mixed with a group E educational occupancy or a group I institutional occupancy;

(D) any group E educational occupancy, including any day care facility for more than 24 persons;

(E) any group I institutional occupancy, including any state or other governmental entity's detention facilities, and any occupancy physically attached to a group I occupancy regardless of fire barrier separation; and

(F) any group R-1 or R-2 residential occupancy that is three or more stories in height, including basements, or more than 12,000 square feet in area, and any R-4 residential occupancy.

(b) The following shall be required on all code footprints:

(1) A graphic bar scale;

(2) a north directional indicator;

(3) a complete building floor plan, with a clear identification of new, remodeled, and existing portions;

(4) identification of all permanent partitions taller than six feet;

(5) a label with plain text, keynotes, or legends for each room and space;

(6) the occupant load of assembly rooms and total occupant load for each floor level;

(7) identification of openings and ratings of stair and shaft enclosures;

(8) identification of openings and ratings of corridors and openings;

(9) identification of occupancy and area separations;

(10) identification of all horizontal exit arrangements, exit passageways, and smoke compartments;

(11) identification of all required exterior exits and exit capacity;

(12) the location of the central fire alarm control panel and any remote annunciator panels;

(13) the location of each fire department supply connection;

(14) the location of fire department access roads and fire hydrants;

(15) the distances to property line and exposures;

(16) identification of any special hazards or conditions; and

(17) the location of any anticipated future additions.

(c) The following narrative information shall be required on each code footprint submitted:

(1) The project construction purpose: new, addition, change in use, renovation, or other;

(2) the reason for submittal: new construction, new licensure, certificate of occupancy, or plan of correction for existing code deficiencies;

(3) the code or codes used;

(4) the street address, city, state, zip code, and county of the building;

(5) the name, address, city, state, zip code, phone number, and fax number of the owner;

(6) the date developed and any revision dates;

(7) the name, address, city, state, zip code, phone number, and fax number of the designer;

(8) the designer's seal (RA or PE);

(9) the name of the responding fire service;

(10) the name of the local building inspection department, if available;

(11) each occupancy group and type;

(12) the type of construction;

(13) the structural code requirements, including the following:

(A) The total floor area of each occupancy, both actual and allowable;

(B) height and area limitations, both actual and allowable; and

(C) structural fire ratings, both actual and allowable;

(14) identification of active fire safety features, including the following:

(A) The type of automatic suppression systems and locations;

(B) the fire alarm signaling system;

(C) emergency lighting and power features; and

(D) the smoke control system;

(15) water supply requirements of the facility for fire suppression; and

(16) alternative methods of design or construction, or both. (Authorized by and implementing K.S.A. 31-133; effective July 9, 2004.)

Joseph P. Odle  
State Fire Marshal

Doc. No. 030843

## State of Kansas

## Wildlife and Parks Commission

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Thursday, August 26, at the Highland Hotel and Convention Center (formerly the Holiday Inn), 3017 10th St., Great Bend, to consider the approval and adoption of a proposed administrative regulation of the Kansas Department of Wildlife and Parks.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. August 26 at the location listed above. The meeting will recess at 5 p.m., then resume at 7 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. August 27 at the same location.

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

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulation. All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, 1020 S. Kansas Ave., Suite 200, Topeka, 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulation. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulation.

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

**K.A.R. 115-18-1.** This permanent regulation sets the application, reporting and general requirements for wildlife rehabilitation permits. The proposed amendments include minimum age for permittees, a base level of knowledge and experience, examination of applicants and continuing education, inspection of facilities, wildlife care requirements, transfer requirements, provisions for emergency care and transfer, record keeping and cancellation of permits.

Economic Impact Summary: The proposed amendments will have an impact on the department and current rehabilitation permittees. However, after implementation

of the new program, impact to the department and permittees will diminish substantially.

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

John R. Dykes  
Chairman

Doc. No. 030838

## State of Kansas

Department of Health  
and Environment

## Request for Comments

The Kansas Department of Health and Environment and the Unified Government of Wyandotte County/Kansas City, Kansas Department of Air Quality are soliciting comments regarding a proposed air quality construction permit. Conoco Phillips Company has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to construct an additional bay at its bulk gasoline terminal loading rack. Emissions of volatile organic compounds, oxides of nitrogen and carbon monoxide were evaluated during the permit review process.

Conoco Phillips Company, Ponca City, Oklahoma, owns and operates the stationary source located at 2029 Fairfax Trafficway, Kansas City, Kansas, at which the additional bay is to be constructed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection 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 Department of Air Quality, 619 Ann Ave., Kansas City, Kansas. To obtain or review the proposed permit and supporting documentation, contact Brie Wilkins, (785) 296-6422, at the KDHE central office, or Andrew Beard, (913) 573-6700, at the Department of Air Quality. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Andrew Beard, Department of Air Quality, 619 Ann Ave., Kansas City, KS 66101. In order to be considered in formulating a final permit decision, written comments must be received before the close of business July 26.

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, KDHE, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366, not later than the close of business July 26 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 030848

## State of Kansas

**State Conservation Commission****Notice of Meeting**

The State Conservation Commission will meet at 10 a.m. Tuesday, June 29, in the commission's conference room, 109 S.W. 9th, Suite 500, Topeka, to conduct an executive session related to non-elected personnel. For more information, contact the commission office at (785) 296-3600.

Tracy D. Streeter  
Executive Director

Doc. No. 030846

## State of Kansas

**Kansas Military Board****Notice of Meeting**

The Kansas Military Board of the Adjutant General's Department will meet at 10 a.m. Wednesday, July 7, at the State Defense Building, Conference Room 102, 2800 S.W. Topeka Blvd., Topeka. Requests for special accommodations should be made at least two working days in advance of the meeting by contacting Tracey Tally at (785) 274-1001.

Col. Tod M. Bunting  
Adjutant General of Kansas

Doc. No. 030858

## 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. Pioneer Natural Resources 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.

Pioneer Natural Resources, Irving, Texas, owns and operates Ulysses Compressor Station located at Section 10, Township 30 South, Range 37 West, Grant 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 Michael J. Parhomek, (785) 296-1580, at the KDHE central office; and to review the pro-

posed 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 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 July 25.

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 July 25 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. 030849

## 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 and amending previously-issued construction approval. The Coleman Company, Inc. 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

(continued)

and reporting requirements applicable to each source as of the effective date of permit issuance. Notice also is given that certain requirements in the construction approvals dated December 20, 1995, and June 11, 1999, are being modified by a modification of approval conditions.

The Coleman Company, Inc., Wichita, owns and operates a fabricated metal products facility located at 5605 N. 119th St. West, Maize.

A copy of the proposed permit, permit application, all supporting documentation, all information relied upon during the permit application review process and a copy of the modification of approval conditions are 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 Wichita Department of Environmental Health, 1900 E. 9th, Wichita. To obtain or review either document, contact David Behzadpour, (785) 291-3278, at the KDHE central office; and to review the proposed permit only, contact Randy Owen, (316) 268-8448, at the Wichita Department of Environmental Health. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the documents to David Behzadpour, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating final document decisions, written comments must be received before the close of business July 26.

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 Brienne Wilkins, Bureau of Air and Radiation, not later than the close of business July 26 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. 030850

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-04-193/201  
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Eckhardt Farms Partnership Dallas Eckhardt 2365 Road 64 Goodland, KS 67735	SW/4 of Section 31, T08S, R38W, Sherman County	Upper Republican River Basin

Kansas Permit No. A-URSH-B008  
This is a new permit for a new facility for 900 head (900 animal units) of beef cattle weighing more than 700 pounds each.

Name and Address of Applicant	Legal Description	Receiving Water
Crosson Farms, Inc Kent Crosson 1537 Nugget Road Minneapolis, KS 67467	SW/4 of Section 22, T10S, R03W, Ottawa County	Solomon River Basin

Kansas Permit No. A-SOOT-B005  
This is a new permit for an existing facility for a maximum of 600 head of cattle weighing 700 pounds or less (300 animal units). A wastewater retention structure is being added to control runoff from the existing pens.

Name and Address of Applicant	Legal Description	Receiving Water
Lynn Hanson Hanson Farming Co. Route 1, Box 47 Pawnee Rock, KS 67567	NE/4 of Section 15, T20S, R16W, Pawnee County	Upper Arkansas River Basin

Kansas Permit No. A-UAPN-C007 Federal Permit No. KS0093688  
This is a renewal and modified permit for an expanding facility for 2,000 head (2,000 animal units) of beef cattle. The expansion includes the addition of 800 head of cattle, pens and a retention lagoon.

Name and Address of Applicant	Legal Description	Receiving Water
Maurice Flavin and/or Gary Kriley Route 1, Box 5 Esbon, KS 66941	SE/4 of Section 15, T01S, R10W, Jewell County	Lower Republican River Basin

Kansas Permit No. A-LRJW-B003  
This is a renewal permit for an existing facility for a maximum of 500 head (500 animal units) of cattle.

Name and Address of Applicant	Legal Description	Receiving Water
Ronald Holling 2105 W. 70th Drive Alton, KS 67623	NE/4 of Section 09, T07S, R14W, Osborne County	Solomon River Basin

Kansas Permit No. A-SOQB-S004

This is a renewal permit for an existing facility for a decrease in head capacity from 480 head (195 animal units) of swine weighing more than 55 pounds and 100 head (10 animal units) of swine weighing 55 pounds or less, for a total of 580 head (205 animal units), to a maximum of 190 head (76 animal units) of swine weighing more than 55 pounds and 100 head (10 animal units) of swine weighing 55 pounds or less, for a total of 290 head (86 animal units).

Name and Address of Applicant	Legal Description	Receiving Water
David and Jean Kerl Dairy 2107 Kestrel Road Hiawatha, KS 66434	SE/4 of Section 01, T03S, R16E, Brown County	Missouri River Basin

Kansas Permit No. A-MOBR-M008

This is a renewal permit and modification of an existing facility for 60 head (84 animal units) of dairy cows and 6 head of dry dairy cows (6 animal units) and 10 head of dairy calves (5 animal units), for a total of 95 animal units. The modification consists of including the 6 head of dry dairy cows and 10 head of dairy calves that existed but were not counted in the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Max Menefee 33670 Quivira Road Paola, KS 66071	NW/4 of Section 02, T18S, R24E, Miami County	Marais des Cygnes River Basin

Kansas Permit No. A-MCMI-S028

This is a renewal permit for an existing facility with a maximum of 575 head (230 animal units) of swine greater than 55 pounds and 300 head (30 animal units) of swine less than 55 pounds, for a total of 260 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Cedar Creek Ranch 7715 Hwy. 13 Manhattan, KS 66502	S/2 of Section 30, T09S, R08E, Riley County	Big Blue River Basin

Kansas Permit No. A-BBRL-B003

This is a renewal permit for an existing facility for a maximum of 750 head of cattle weighing 700 pounds or more (750 animal units).

Name and Address of Applicant	Legal Description	Receiving Water
Larry Dennis 1270 E. Eagle Road Kensington, KS 66951	NE/4 of Section 26, T01S, R16W, Phillips County	Solomon River Basin

Kansas Permit No. A-SOPL-S018

This is an expansion of an existing facility for a maximum of 100 head (40 animal units) of swine weighing greater than 55 pounds each, a maximum of 100 head (10 animal units) of swine weighing 55 pounds or less, a maximum of 200 head (100 animal units) of cattle weighing 700 pounds or less and a maximum of 25 head (35 animal units) of dairy cows, for a total of 185 animal units of swine, cattle and dairy cows. The expansion is the addition of the 200 head (100 animal units) of cattle weighing 700 pounds or less. The swine and dairy amounts remain unchanged.

the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft permit or application notice postmarked or received on or before July 24 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-04-193/201) and name of applicant/application as listed when preparing comments.

If no objections are received during the public notice period regarding any proposed permit, the Secretary of Health and Environment will issue the final determination regarding issuance or denial of the proposed permit. If response to this notice indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

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

Northwest District Office, 2301 E. 13th, Hays, 67601-2651, (785) 625-5664

North Central District Office, 2501 Market Place, Salina, 67401-7699, (785) 827-9639

Northeast District Office, 800 W. 24th, Lawrence, 66046-4417, (785) 842-4600

Southwest District Office, 302 W. McArtor Road, Dodge City, 67801-6098, (620) 225-0596

South Central District Office, 130 S. Market, 6th Floor, Wichita, 67202-3802, (316) 337-6020

Southeast District Office, 1500 W. 7th, Chanute, 66720, (620) 431-2390

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

For all other proposed permits, the draft permit(s), including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received and other information, are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water.

Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays. These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 030847

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

State of Kansas

**Kansas Arts Commission**

**Notice of Meeting**

The Kansas Arts Commission will convene its quarterly business meeting at 9 a.m. Tuesday, June 29, at the Salina Community Theater, 303 E. Iron, Salina. Meetings of the Kansas Arts Commission, a state agency, and its advisory panels are open to public observation in accessible locations. All proceedings are recorded on audiotape. Individuals who require special accommodation are asked to make such requests in advance.

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

David M. Wilson  
Executive Director

Doc. No. 030840

(Published in the Kansas Register June 24, 2004.)

**Summary Notice of Bond Sale**

**City of Junction City, Kansas**

**\$4,960,000**

**General Obligation Bonds, Series DN**

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

**Bids**

Subject to the notice of bond sale dated June 15, 2004, sealed, facsimile and electronic bids will be received by the clerk of the city of Junction City, Kansas (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at City Hall, 7th and Jefferson, P.O. Box 287, Junction City, KS 66441, and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 1 p.m. July 6, 2004, for the purchase of \$4,960,000 principal amount of General Obligation Bonds, Series DN. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 15, 2004, and will become due September 1 in the years as follows:

Year	Principal Amount
2005	\$ 10,000
2006	15,000
2007	180,000
2008	190,000
2009	205,000
2010	210,000
2011	220,000
2012	230,000
2013	240,000
2014	250,000

2015	260,000
2016	270,000
2017	280,000
2018	300,000
2019	310,000
2020	325,000
2021	340,000
2022	355,000
2023	375,000
2024	395,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2005.

**Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$99,200 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about July 29, 2004, to DTC for the account of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2003 is \$97,020,316. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, but excluding temporary notes to be retired in conjunction therewith, is \$24,255,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the clerk, (785) 238-3103, fax (785) 223-5165; or from the financial advisor, George K. Baum & Company, 435 Nichols Road, Suite 200, Kansas City, MO 64112, Attention: David Arteberry, 1-800-821-7195, fax (816) 283-5326.

Dated June 15, 2004.

City of Junction City, Kansas

Doc. No. 030841



(Published in the Kansas Register June 24, 2004.)

**Summary Notice of Bond Sale  
City of Montezuma, Kansas  
\$210,000  
General Obligation Bonds, Series 2004  
(General obligation bonds payable from  
unlimited ad valorem taxes)**

**Bids**

Subject to the notice of bond sale dated June 15, 2004, written bids will be received by the clerk of the city of Montezuma, Kansas (the issuer), on behalf of the governing body at 300 W. Geronimo, Montezuma, Kansas, until 5 p.m. July 6, 2004, for the purchase of \$210,000 principal amount of General Obligation Bonds, Series 2004. No bid of less than 98.5 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$2,000 (or such amount added to \$5,000 or any integral multiple thereof). The bonds will be dated July 15, 2004, and will become due on July 15 in the years as follows:

Year	Principal Amount
2005	\$20,000
2006	20,000
2007	20,000
2008	20,000
2009	20,000
2010	20,000
2011	20,000
2012	20,000
2013	25,000
2014	25,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on January 15 and July 15 in each year, beginning January 15, 2005.

**Optional Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$4,200 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about July 22, 2004, to DTC for the account of the successful

bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2003 is \$5,268,714. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$210,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the clerk, (620) 846-2267, fax (620) 846-2984, e-mail: monte@ucom.net; or from the financial advisor, Chapman Securities, Inc., 801 E. 1st, Suite 400, Wichita, KS 67202, Attention: Dave Warren, (316) 265-3331, fax (316) 265-6178, e-mail: dave@chapmansecurities.com.

Dated June 15, 2004.

City of Montezuma, Kansas

Doc. No. 030863

**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:

- 07/06/2004 07562 Rock Salt for Snow and Ice Removal
- 07/07/2004 07523 Yearbook Printing
- 07/16/2004 07559 Statewide Indirect Cost Allocation Plan
- 07/16/2004 07566 Court Reporting Services

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>

Contractors wishing to bid on the projects listed below must be prequalified. For more information about the prequalification process, call (785) 296-8899. The following bid documents may be obtained by calling (785) 296-8899:

- 07/06/2004 A-9833 Reroof Lamm Cafeteria & Foltz Gym
- 07/24/2004 A-9815 Renovation of Restrooms

Keith Meyers  
Director of Purchases

Doc. No. 030861

State of Kansas

**African-American Affairs Commission**

**Notice of Meeting**

The Kansas African American Affairs Commission (KAAAC) will be meet at 10 a.m. Monday, July 19, at the Kansas Department of Human Resources, 512 S.W. 6th Ave., Topeka. The public is invited to attend. Persons requiring special accommodations are asked to call the KAAAC at (785) 296-4874.

Danielle Dempsey-Swopes  
Executive Director

Doc. No. 030831

State of Kansas

**Wichita State University**

**Request for Bids**

Sealed bids for the following items will be received by the Wichita State University Office of Purchasing, Room 021, Morrison Hall, 1845 Fairmount, Wichita, 67260-0012, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (316) 978-5171 for additional information:

**Wednesday July, 14, 2004**

**Bid Number 040128-05**

Slurry Disc Cutter  
Precision Ion Polishing System  
Dimple Grinder

Margaret A. Haddock  
Interim Director of Purchasing

Doc. No. 030845

(Published in the Kansas Register June 24, 2004.)

**Summary Notice of Sale  
City of Salina, Kansas**

**\$1,000,000\***

**General Obligation Temporary Notes  
Series 2004-1**

**\$775,000\***

**General Obligation Temporary Notes  
Series 2004-2**

**\$4,053,000\***

**General Obligation Internal Improvement Bonds  
Series 2004-B**

**(General obligations payable from  
unlimited ad valorem taxes)**

**Bids**

Subject to the notice of sale and preliminary official statement, sealed, facsimile and electronic bids for the purchase of \$1,000,000\* of General Obligation Temporary Notes, Series 2004-1, and \$775,000\* of General Obligation Temporary Notes, Series 2004-2 (collectively referred to herein as the notes); and \$4,053,000\* of General Obligation Internal Improvement Bonds, Series 2004-B, of the city of Salina, Kansas, will be received (1) in the case of sealed and facsimile bids, by the city clerk at the address

and fax number hereinafter set forth, and (2) in the case of electronic bids, through *PARITY* electronic bid submission system, until 1 p.m. for the notes and until 2 p.m. for the bonds, on Monday, July 12, 2004, at which time such bids will be publicly read. No bid will be considered of (a) less than 99.25 percent of the principal amount of a series of the notes and accrued interest to the date of delivery, and (b) less than 100.00 percent of the principal amount of the bonds and accrued interest to the date of delivery.

**Note Details**

The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof. Notes shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the notes will be made. Individual purchases of notes will be made in book-entry form only. Purchasers will not receive certificates representing their interest in notes purchased. The Series 2004-1 Notes will be dated July 15, 2004, and will become due on July 1, 2007. The Series 2004-2 Notes will be dated July 15, 2004, and will become due on August 1, 2005. The notes will bear interest from the dated date at a rate to be determined when the notes are sold. The interest on the Series 2004-1 Notes will be payable semiannually on January 1 and July 1, beginning January 1, 2005. The interest on the Series 2004-2 Notes will be payable at maturity on August 1, 2005. The Kansas State Treasurer, Topeka, Kansas, will be the note paying agent and note registrar for the notes.

**Bond Details**

The bonds will consist of fully registered certificated bonds in the denomination of \$5,000 or any integral multiple thereof, except for one bond maturing in 2005 will be in the denomination of \$8,000 or any integral multiple of \$5,000 in excess thereof. Bonds shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated July 15, 2004, and will become due annually on October 1 in the years as follows:

Principal Amount*	Maturity October 1
\$383,000	2005
380,000	2006
380,000	2007
380,000	2008
380,000	2009
380,000	2010
380,000	2011
380,000	2012
380,000	2013
380,000	2014
50,000	2015
50,000	2016
50,000	2017
50,000	2018
50,000	2019

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold, and interest will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 2005. The Kansas State Treasurer, Topeka, Kansas, will be the bond paying agent and bond registrar for the bonds.

#### Redemption Prior to Maturity

The Series 2004-1 Notes and the bonds will be subject to redemption prior to maturity as provided in the notice of sale and preliminary official statement. The Series 2004-2 Notes will not be subject to optional redemption prior to maturity.

#### Good Faith Deposit

A good faith deposit is not required for bids on the notes. Each bid for the bonds must be accompanied by a good faith deposit in the form of a certified or cashier's check or a financial surety bond in the amount of 2 percent of the principal amount of the bonds, payable to the order of the city.

#### Delivery

The city will pay for preparing the notes and the bonds. The city will deliver the notes and bonds in book-entry form only through the facilities of the Depository Trust Company, New York, New York, on or about July 28, 2004.

#### Assessed Valuation and Bonded Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations is \$375,273,018. The total general obligation indebtedness of the city as of the date of the notes and bonds, including the notes and bonds being sold, but excluding the temporary notes to be retired with the proceeds of the bonds, is \$43,259,862.

#### Approval of Bonds

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

#### Additional Information

Additional copies of this notice of sale, official bid forms or further information may be obtained from the undersigned or from George K. Baum & Company, Twelve Wyandotte Plaza, Kansas City, MO 64105, (816) 474-1100, the city's financial advisor.

Dated June 7, 2004.

City of Salina, Kansas  
Lieu Ann Eley  
City Clerk  
City/County Building  
Room 206  
300 W. Ash  
Salina, KS 67402-0736  
(785) 309-5735  
Fax (785) 309-5738

\* Preliminary; subject to change.

Doc. No. 030859

#### State of Kansas

#### Department of Transportation

#### Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Capitol Plaza Hotel, Topeka, until 2 p.m. July 21, and then publicly opened:

#### District One—Northeast

**District**—106 K-9873-01—Various locations in District 1, mudjacking. (State Funds)

**Jackson**—43 C-3887-01—County road 3 miles south and 1 mile east of Netawaka, 0.3 mile, grading, bridge and surfacing. (Federal Funds)

**Jackson**—75-43 K-9817-01—U.S. 75 from the Shawnee-Jackson county line north to the junction with K-16, 17.3 miles, pavement marking. (State Funds)

**Jefferson**—4-44 K-9815-01—K-4 from the Shawnee-Jefferson county line, north to the Jefferson-Atchison county line, 29.1 miles, seal. (State Funds)

**Lyon**—56 C-3926-01—County road 2.5 miles west of Americus over the Neosho River, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

**Leavenworth**—52 U-1785-01—Eisenhower Road from Shrine Park Road to 155th Street in Leavenworth, 1 mile, grading and surfacing. (Federal Funds)

**Leavenworth**—32-52 K-7388-01—K-32, Stranger Creek bridge, 8.2 miles east of the Kansas Turnpike Authority, bridge replacement. (Federal Funds)

**Pottawatomie**—13-75 K-9561-01—K-13 bridges 2.2 and 4.1 miles north of the Riley-Pottawatomie county line, bridge overlay. (State Funds)

**Pottawatomie**—24-75 K-9732-01—U.S. 24 westbound lanes, 3.6 miles east of the Riley-Pottawatomie county line, 9.2 miles, pavement marking. (State Funds)

**Shawnee**—89 K-9510-01—Various locations on I-470, I-70 and U.S. 75 in Shawnee County, pavement marking. (State Funds)

**Shawnee**—470-89 K-9573-01—Twelve bridges on I-470 in Topeka, bridge repair. (State Funds)

**Shawnee**—4-89 K-9816-01—K-4 junction with U.S. 24 north to the Shawnee-Jefferson county line, 0.9 mile, seal. (State Funds)

**Shawnee**—75-89 K-9818-01—U.S. 75 from 46th Street north to the Shawnee-Jackson county line, 5.8 miles, pavement marking. (State Funds)

**Wyandotte**—105 N-0254-01—Mission Road south of I-35 to Southwest Blvd. in Kansas City, 0.3 mile, grading, bridge and surfacing. (Federal Funds)

**Wyandotte**—70-105 K-9571-01—I-70 ramp over local road, 0.1 mile east of the old K-32 west junction, bridge repair. (State Funds)

**Wyandotte**—70-105 K-9662-01—I-70 bridges 1.6 miles east of the junction with old K-132, bridge repair. (State Funds)

(continued)

**District Two — Northcentral**

**Chase**—9 C-3858-01—County road 1.5 miles south and 1.7 miles east of Wonselvu, 0.2 mile, grading and bridge. (Federal Funds)

**Dickinson**—70-21 K-6794-01—I-70, from the Saline-Dickinson county line east 8.8 miles, grading, bridge and surfacing. (Federal Funds)

**Dickinson**—70-21 K-9577-01— I-70 bridge, 2.6 miles east of K-15, bridge overlay. (State Funds)

**Marion**—56-57 K-9666-01—U.S. 56, Mud Creek bridge, 0.8 mile east of K-256, bridge repair. (State Funds)

**McPherson**—59 C-3510-01—County road 2 miles west of Marquette, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

**McPherson**—56-59 U-1989-01—U.S. 56 and U.S. 81B in the city of McPherson, intersection improvement. (Federal Funds)

**Ottawa**—72 K-9867-01—K-41 from the east city limits of Delphos east to the junction of U.S. 81; U.S. 81 southbound 0.7 mile north of the junction of K-106; U.S. 81 northbound 6.8 miles north of the junction of K-106 north to the Ottawa-Cloud county line, 16.6 miles, seal. (State Funds)

**Republic**—81-79 K-9875-01—U.S. 81 from 1.4 miles south of the junction of U.S. 81/U.S. 36, north 4.6 miles, sealing. (State Funds)

**Washington**—148-101 K-9578-01—K-148 Parsons Creek, 6.1 miles east of the Republic-Washington county line, bridge overlay. (State Funds)

**District Three — Northwest**

**Logan**—83-55 K-9871-01—U.S. 83 from the junction of U.S. 40 north to the Logan-Thomas county line, 1 mile, crack repair. (State Funds)

**Logan**—40-55 K-9872-01—U.S. 40 from the Wallace-Logan county line east to the west junction with U.S. 83, 35.8 miles, crack repair. (State Funds)

**Rawlins**—77 C-3905-01—County road 0.2 mile north and 0.3 mile east of Ludell, 0.2 mile, grading and bridge. (Federal Funds)

**Sherman**—70-91 K-9581-01—I-70 bridges 3 miles east of the junction of K-253, bridge overlay. (State Funds)

**Thomas**—83-97 K-9870-01—U.S. 83 from the Logan-Thomas county line north 10 miles, crack repair. (State Funds)

**District Four— Southeast**

**Miami**—61 C-3796-01—County road 2 miles south and 1.3 miles east of Spring Hill, grading, bridge and surfacing. (Federal Funds)

**District Five — Southcentral**

**Barton-Pawnee**—56-106 K-9789-01—U.S. 56 from the Pawnee-Barton county line northeast to the east city limits of Pawnee Rock; U.S. 56 from the east city limits of Larned northeast to the Pawnee-Barton county line, 8.1 miles, seal. (State Funds)

**Butler**—54-8 K-8001-01—South approach to U.S. 54 on Andover Road, 0.1 mile, grading and surfacing. (State Funds)

**Edwards**—19-24 K-9814-01—K-19 with the junction of U.S. 50 north to the Edwards-Pawnee county line, 3.7 miles, seal. (State Funds)

**Harvey**—50-40 K-8256-01—Intersection of K-15 and 14th Street in Newton north of U.S. 50, intersection improvement. (State Funds)

**Pawnee**—19-73 K-9812-01—K-19 from the Edwards-Pawnee county line north to the junction with K-19 spur, 11.5 miles, seal. (State Funds)

**Pawnee**—19S K-9813-01—K-19 spur junction with K-19, north to the south city limits of Larned, 0.4 mile, seal. (State Funds)

**Rush**—83 C-3723-01—County road 1.2 miles south of Nekoma, 0.2 mile, grading and bridge. (Federal Funds)

**Reno**—96-78 K-9874-01—K-96 from the south city limits of Hutchinson east to 0.8 mile east of Haven/Buhler Road, 14.1 miles, seal. (State Funds)

**Sedgwick**—135-87 K-9006-01— I-135 and 85th Street interchange in Park City, lighting. (State Funds)

**Sedgwick**—235-87 K-9730-01—South junction of I-35 north to the junction of North Broadway, 15.2 miles, pavement marking. (State Funds)

**Sedgwick**—96-87 K-9731-01—Junction of I-35 east to the junction of U.S. 54/U.S. 400, 10.6 miles, pavement marking. (State Funds)

**Sumner**—81-96 K-9166-01—U.S. 81, Ninnescah River-bridge, bridge repair. (State Funds)

**District Six—Southwest**

**Ford**—29 C-3934-01—County road 5.5 miles east of Wright, 0.3 mile, grading, bridge and surfacing. (Federal Funds)

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

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

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

Deb Miller  
Secretary of Transportation

Doc. No. 030862

## 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 04-06 by adding the following projects:

**Project K-9079-05**, Conduct sobriety testing and checkpoints, County Sheriff's Department, Barton County

**Project K-9084-05**, Conduct sobriety testing and checkpoints, County Sheriff's Department, Ellis County

**Project K-9091-05**, Conduct sobriety testing and checkpoints, County Sheriff's Department, Pottawatomie County

**Project K-9092-05**, Conduct sobriety testing and checkpoints, County Sheriff's Department, Riley County

**Project K-9095-05**, Conduct sobriety testing and checkpoints, County Sheriff's Department, Sumner County

**Project K-9101-05**, Kansas Highway Patrol roving aggressive violations enforcement, statewide

**Project K-9102-05**, Conduct sobriety testing and checkpoints, County Sheriff's Department, Ford County

**Project K-9104-05**, Conduct sobriety testing and checkpoints, Hays Police Department, Ellis County

**Project K-9106-05**, Conduct sobriety testing and checkpoints, Kansas Highway Patrol, statewide

**Project K-9474-05**, Conduct sobriety testing and checkpoints, Salina Police Department, Saline County

**Project K-9477-05**, Conduct sobriety testing and checkpoints, Dodge City Police Department, Ford County

**Project K-9478-05**, Conduct sobriety testing and checkpoints, Liberal Police Department, Seward County

**Project K-9479-05**, Conduct sobriety testing and checkpoints, Arkansas City Police Department, Cowley County

**Project K-9481-05**, Conduct sobriety testing and checkpoints, Coffeyville Police Department, Montgomery County

**Project K-7339-04**, Statewide FY-2004 Highway Use Tax Evasion Project administered by the Kansas Department of Revenue

The amendment of the STIP requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State

Office Building, 915 S.W. Harrison, Topeka, 66612-1568, (785) 296-7916, fax (785) 296-0723.

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

The comment period regarding the STIP amendment will conclude July 26.

Deb Miller  
Secretary of Transportation

Doc. No. 030809

## State of Kansas

Social and Rehabilitation Services  
Department on Aging

**Notice of Final Nursing Facility Medicaid Rates for State Fiscal Year 2005; Methodology for Calculating Final Rates, and Rate Justifications; Response to Written Comments; and Notice of Intent to Amend the Medicaid State Plan**

Under the Medicaid program, 42 U.S.C. 1396 et seq., the state of Kansas pays nursing facilities, nursing facilities for mental health, and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The Secretary of Aging administers the Medicaid nursing facility services payment program on behalf of the Secretary of Social and Rehabilitation Services. As required by 42 U.S.C. 1396a(a)(13), as amended by Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the Secretary of the Kansas Department of Social and Rehabilitation Services (SRS) and the Secretary of the Kansas Department on Aging (KDOA) are publishing the final Medicaid per diem rates for Medicaid-certified nursing facilities for state fiscal year 2005, the methodology underlying the establishment of the final nursing facility rates, and the justifications for those final rates. SRS and KDOA also are providing notice of the state's intent to submit amendments to the Medicaid State Plan to the U. S. Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) on or before September 30, 2004.

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

In general, the state uses a prospective, cost-based, facility-specific rate-setting methodology to calculate nursing facility Medicaid per diem rates, including the rates listed in this notice. The state's rate-setting methodology is contained primarily in the following described documents and authorities and in the exhibits, attachments, regulations, or other authorities referenced in them:

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

1. Attachment 4.19D, Part I, Subpart C, Exhibit C-1, inclusive;
2. Attachment 4.19D, Part I, Subpart E; and
- B. SRS regulations set out in K.A.R. Article 30-10.

(continued)

The text of those portions of the Medicaid State Plan identified above in sections IA.1-2, but not the documents, authorities and the materials incorporated into them by reference, are reprinted in this notice. Those Medicaid State Plan provisions set out in this notice appear in the versions that the state currently intends to submit to CMS on or before September 30, 2004. The Medicaid State Plan amendments that the state ultimately submits to CMS may differ from the versions contained in this notice.

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

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

#### **A.1 Attachment 4.19D, Part I, Subpart C, Exhibit C-1: Methods and Standards for Establishing Payment Rates for Nursing Facilities**

Under the Medicaid program, the state of Kansas pays nursing facilities, nursing facilities for mental health, and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The narrative explanation of the nursing facility (NF) reimbursement formula is divided into 12 sections. The sections are: Cost Reports, Rate Determination, Quarterly Case Mix Index Calculation, Resident Days, Inflation Factors, Upper Payment Limits, Quarterly Case Mix Index Rate Adjustments, Real and Personal Property Fee, Incentive Factors, Rate Effective Date, Retroactive Rate Adjustments, and Comparable Private Pay Rates.

##### **1) Cost Reports**

The Nursing Facility Financial and Statistical Report (MS2004) is the uniform cost report. It is included in Kansas Administrative Regulation (K.A.R.) 30-10-17. It organizes the commonly incurred business expenses of providers into three reimbursable cost centers (operating, indirect health care and direct health care). Ownership costs (i.e., mortgage interest, depreciation, lease and amortization of leasehold improvements) are reported but reimbursed through the real and personal property fee. There is a non-reimbursable/non-resident related cost center so that total operating expenses can be reconciled to the providers accounting records.

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

##### Calendar Year End Cost Reports

All providers that have operated a facility for 12 or more months on December 31 shall file a calendar year cost report. The requirements for filing the calendar year cost report are found in K.A.R. 30-10-17.

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

##### Projected Cost Reports

The filing of projected cost reports are limited to: 1) newly constructed facilities; 2) existing facilities new to the Medicaid program; or 3) a provider re-entering the Medicaid program that has not actively participated or billed services for 24 months or more. The requirements are found in K.A.R. 30-10-17.

##### **2) Rate Determination**

##### Rates for Existing Nursing Facilities

Medicaid rates for Kansas NFs are determined using a prospective, facility-specific rate-setting system. The rate is determined from the base year cost data submitted by the provider. The current base year is 2001.

The allowable expenses are divided into three cost centers. The cost centers are Operating, Indirect Health Care and Direct Health Care. They are defined in K.A.R. 30-10-18.

The allowable historic per diem cost is determined by dividing the allowable resident-related expenses in each cost center by resident days. The allowable historic per diem cost may be adjusted by an inflation factor. The resident days and inflation factors used in the rate determination will be explained in greater detail in the following sections.

The inflated allowable historic per diem cost for each cost center is then compared to the cost center upper payment limit. The allowable per diem rate is the lesser of the inflated allowable historic per diem cost in each cost center or the cost center upper payment limit. Each cost center has a separate upper payment limit. If each cost center upper payment limit is exceeded, the allowable per diem rate is the sum of the three cost center upper payment limits. There also is a separate upper payment limit for owner, related party, administrator, and co-administrator compensation. The upper payment limits will be explained in more detail in a separate section.

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

There are add-ons to the allowable per diem rate. The add-ons consist of the incentive factor and the real and personal property fee. The incentive factor and real and

personal property fee are explained in separate sections of this exhibit. The add-ons plus the allowable per diem rate equal the total per diem rate.

Rates for New Construction and New Facilities

The per diem rate for newly constructed nursing facilities or new facilities to the Kansas Medical Assistance program shall be based on a projected cost report submitted in accordance with K.A.R. 30-10-17.

Rates for Facilities Recognized as a Change of Provider

The payment rate for the first 24 months of operation shall be based on the base year historical cost data of the previous owner or provider. If base year data is not available the most recent calendar year data for the previous provider shall be used. Beginning with the first day of the 25th month of operation the payment rate shall be based on the historical cost data for the most recent calendar year submitted by the new provider.

Rates for Facilities Re-entering the Program

The per diem rate for each provider re-entering the Medicaid program shall be determined from a projected cost report if the provider has not actively participated in the program by the submission of any current resident service billings to the program for 24 months or more. The per diem rate for all other providers re-entering the program shall be determined from the last historic cost report filed with the agency.

**3) Quarterly Case Mix Index Calculation**

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

The Resource Utilization Groups-III (RUG-III) Version 5.12b, 34 group, index maximizer model is used as the resident classification system to determine all case mix indices, using data from the MDS submitted by each facility. Standard Version 5.12b case mix indices developed by the Health Care Financing Administration (now the Centers for Medicare and Medicaid Services) shall be the basis for calculating facility average case mix indices to be used to adjust the Direct Health Care costs in the determination of upper payment limits and rate calculation. Resident assessments that cannot be classified will be assigned the lowest CMI for the state.

Each resident in the facility on the first day of each calendar quarter with a completed and submitted assessment shall be assigned a RUG-III 34 group calculated on the resident's most current assessment available on the first day of each calendar quarter. This RUG-III group shall be translated to the appropriate CMI. From the individual resident case mix indices, three average case mix indices for each Medicaid nursing facility shall be determined four times per year based on the assessment information available on the first day of each calendar quarter.

The facility-wide average CMI is the simple average, carried to four decimal places, of all resident case mix indices. The Medicaid-average CMI is the simple average, carried to four decimal places, of all indices for residents where Medicaid is known to be a per diem payer source

on the first day of the calendar quarter or at any time during the preceding quarter. The private-pay/other average CMI is the simple average, carried to four decimal places, of all indices for residents where neither Medicaid nor Medicare were known to be the per diem payer source on the first day of the calendar quarter or at any time during the preceding quarter. Case mix indices for ventilator-dependent residents for whom additional reimbursement has been determined shall be excluded from the average CMI calculations.

The resident listing cut off for calculating the average CMIs will be the first day of the quarter before the rate is effective. The following are the dates for the resident listings and the quarter in which the average Medicaid CMIs will be used in the quarterly rate-setting process.

<u>Rate Effective Date:</u>	<u>Cutoff Date:</u>
July 1	April 1
October 1	July 1
January 1	October 1
April 1	January 1

The resident listings will be mailed to providers prior to the dates the quarterly case mix adjusted rates are determined. This will allow the providers time to review the resident listings and make corrections before they are notified of new rates. The cutoff schedule may need to be modified in the event accurate resident listings and Medicaid CMI scores cannot be obtained from the MDS database.

**4) Resident Days**

The allowable historic per diem costs for the Direct Health Care cost center and for food and utilities in the Indirect Health Care cost center are determined by dividing the allowable resident related expenses by the actual resident days during the cost report period used to establish the base year rate. The allowable historic per diem cost for the Operating and Indirect Health Care Cost Centers less food and utilities is subject to an 85% minimum occupancy rule. The greater of the actual resident days for the cost report period used to establish the base year rate or the 85% minimum occupancy based on the number of licensed bed days during the cost report period used to establish the base year rate is used as the total resident days in the rate calculation for the Operating cost center and the Indirect Health Care cost center less food and utilities. All licensed beds are required to be certified to participate in the Medicaid program.

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

The second exception is for the first cost report filed by a new provider who assumes the rate of the previous provider. If the 85% minimum occupancy rule was applied to the previous provider's rate, it is also applied when the rate is assigned to the new provider. However, when the new provider files a historic cost report for any part of

*(continued)*

the first 12 months of operation, the rate determined from the cost report will be based on actual days and not be subject to the 85% minimum occupancy rule for the months in the first year of operation. The 85% minimum occupancy rule is then reapplied to the rate when the new provider reports resident days and costs for the 13th month of operation and after.

#### 5) Inflation Factors

An additional 12 months of inflation will be applied to the allowable reported costs from the calendar year end 2001 cost reports. The inflation will be based on the Data Resources, Inc.- WEFA, National Skilled Nursing Facility Market Basket Without Capital Index (DRI Index).

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

The inflation factor will not be applied to the following costs:

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

The inflation factor for the real and personal property fees will be based on the Data Resources, Inc.-WEFA, National Skilled Nursing Facility Total Market Basket Index (DRI Index). An additional 12 months of inflation will be applied to the real and personal property fees in effect June 1, 2004.

#### 6) Upper Payment Limits

There are three types of upper payment limits that will be described. One is the owner/related party/administrator/co-administrator limit. The second is the real and personal property fee limit. The last type of limit is an upper payment limit for each cost center. The upper payment limits are in effect during the payment rate period unless otherwise specified by a State Plan amendment.

##### Owner/Related Party/Administrator/Co-Administrator Limits

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

The compensation paid to owners and related parties shall be allocated to the appropriate cost center for the type of service performed. Each cost center has an expense line for owner/related party compensation. There also is a cost report schedule titled, "Statement of Owners

and Related Parties." This schedule requires information concerning the percent of ownership (if over 5 percent), the time spent in the function, the compensation, and a description of the work performed for each owner and/or related party. Any salaries reported in excess of the Kansas Civil Service based salary chart are transferred to the Operating cost center where the excess is subject to the Owner/Related Party/Administrator/Co-Administrator per diem compensation limit.

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

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

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

##### Real and Personal Property Fee Limit

The property component of the reimbursement methodology consists of the real and personal property fee that is explained in more detail in a later section. The upper payment limit will be 105% of the median determined from a total resident day-weighted array of the inflated property fees.

##### Cost Center Upper Payment Limits

The Schedule B computer run is an array of all per diem costs for each of the three cost centers—Operating, Indirect Health Care and Direct Health Care. The schedule includes the base year cost data from all active nursing facility providers. Projected cost reports are excluded from the database.

The per diem expenses for the Operating cost center and the Indirect Health Care cost center less food and utilities are subject to the 85% minimum occupancy. All previous desk review and field audit adjustments are considered in the per diem expense calculations. The



costs are adjusted by the owner/related party/administrator/co-administrator limit.

Prior to the Schedule B arrays, the cost data on certain expense lines will be adjusted for historical and forecasted inflation, where appropriate. This will bring the costs reported by the providers to a common point in time for comparisons. The historic inflation will be based on the DRI Index for the cost center limits effective July 1, 2004. This historic inflation factor will adjust costs from the midpoint of each providers cost report period to December 31, 2003 for the Schedule B processing.

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

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

Operating	110% of the median
Indirect Health Care	115% of the median
Direct Health Care	120% of the median

Direct Health Care Cost Center Limit

The Kansas reimbursement methodology has a component for a case mix payment adjustment. The Direct Health Care cost center rate component and upper payment limit are adjusted by the facility average CMI.

For the purpose of setting the upper payment limit in the Direct Health Care cost center, the facility cost report period CMI and the statewide average CMI will be calculated. The facility cost report period CMI is the resident day-weighted average of the quarterly facility-wide average case mix indices, carried to four decimal places. The quarters used in this average will be the quarters that most closely coincide with the financial and statistical reporting period. For example, a 01/01/20XX-12/31/20XX financial and statistical reporting period would use the facility-wide average case mix indices for quarters beginning 04/01/XX, 07/01/XX, 10/01/XX and 01/01/XY. The statewide average CMI is the resident day-weighted average, carried to four decimals, of the facility cost report period case mix indices for all Medicaid facilities calculated effective each payment rate period.

The statewide average CMI and facility cost report period CMI are used to set the upper payment limit for the Direct Health Care cost center. The limit is based on all facilities with a historic cost report in the database. There are three steps in establishing the base upper payment limit.

The first step is to normalize each facility's Direct Health Care inflated per diem cost to the statewide average CMI. The following will describe the normalization process. A facility has an average inflated per diem cost of \$60(A) and a facility cost report period CMI of 1.4000(B). The statewide average CMI is .9500(C). First, divide the statewide average CMI (C) by the facility cost report period CMI (B) (.9500/1.4000=.68). Second, the quotient is then multiplied by the average inflated per

diem cost (A) to determine the normalized inflated cost at the statewide average CMI ( $\$60 \times .68 = \$40.80$ ). Normalizing each facility's cost to the statewide average CMI ensures a level comparison of direct health care costs can be made when setting the upper payment limit.

The second step is to array the normalized inflated costs, based on the statewide average CMI, to determine the median. The median is located using a day-weighted methodology. That is, the median cost is the per diem cost for the facility in the array at which point the cumulative total of all resident days first equals or exceeds half the number of the total resident days for all providers. The facility with the median resident day in the array sets the median inflated direct health care cost. For example, if there are 8 million resident days, the facility in the array with the 4 millionth day would set the median.

The final step in calculating the base Direct Health Care upper payment limit is to apply the percentage factor to the median cost. For example, if the median cost is \$45 and the upper payment limit is based on 120% of the median, then the upper payment limit for the statewide average CMI would be \$54 ( $D=120\% \times \$45$ ).

Once the base limit for the Direct Health Care cost center is established at the statewide average CMI, the base limit is adjusted by each facility's cost report period CMI to determine a facility specific Direct Health Care cost center upper payment limit. The following will describe the facility-specific upper payment limit process. A facility has an average facility cost report period CMI of 1.4000(A). The statewide average CMI is .9500(B). First, divide the facility cost report period average CMI (A) by the statewide average CMI (B) ( $1.4000/.9500=1.47$ ). Second, the statewide average CMI limit D (\$54) is multiplied by the quotient to determine the upper payment limit for the facility ( $\$54 \times 1.47 = \$79.38$ ). In the example above, the facility inflated Direct Health Care cost was \$60, which is less than the upper payment limit of \$79.38 for a facility average CMI of 1.4000.

**7) Quarterly Case Mix Rate Adjustment**

The allowance for the Direct Health Care cost component will be based on the average Medicaid CMI in the facility. The first step in calculating the allowance is to determine the lower of the inflated Direct Health Care cost or the facility's specific Direct Health Care upper payment limit. Using the example in the Upper Payment Limit section, the Direct Health Care cost of \$60 was less than the upper payment limit of \$79.38 for an average CMI of 1.4000.

The next step is to determine the Medicaid acuity adjusted allowable Direct Health Care cost. The Medicaid CMI is divided by the facility cost report period CMI. Using the example above, if the Medicaid average CMI is 1.6000, it is divided by 1.4000 to arrive at a quotient of 1.1400 ( $1.6000/1.4000$ ). The lower of the inflated per diem cost or the facility specific Direct Health Care upper payment limit is multiplied by the quotient to determine the Medicaid acuity adjusted allowable Direct Health Care cost. In the example, the allowable Medicaid acuity adjusted Direct Health Care cost will be \$68.40 ( $\$60 \times 1.1400$ ).

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For illustrative purposes, if the facility-specific upper payment limit had been \$55 for an average CMI of 1.4000, the Medicaid rate would have been calculated using the upper payment limit since it was lower than the cost of \$60. In this situation, the allowable Medicaid acuity adjusted cost would be \$62.70 ( $1.1400 \times \$55$ ).

The Direct Health Care component of the Medicaid rate is adjusted quarterly for changes in the Medicaid CMI. Using the first example above, if the average Medicaid CMI increases from 1.6000 to 1.7000 the following quarter, the allowance for the Direct Health Care cost would increase from \$68.40 to \$72.60. The first step is to divide the new average Medicaid CMI by the facility cost report period CMI established for the rate year (July 1 through June 30) to determine the new quotient ( $1.7000/1.4000=1.2100$ ). The lower of the facility specific Direct Health Care upper payment limit or the inflated Direct Health Care per diem cost is multiplied by the new quotient to determine the Medicaid allowance. ( $1.21 \times \$60=\$72.60$ ).

Conversely, if the average Medicaid CMI decreases from 1.6000 to 1.5000 the following quarter, the allowance for the Direct Health Care cost would decrease from \$68.40 to \$64.20. Again, the first step is to divide the new average Medicaid CMI by the facility cost report period CMI established for the rate year (July 1 through June 30) to determine the new quotient ( $1.5000/1.4000=1.0700$ ). The lower of the facility specific Direct Health Care upper payment limit or the inflated Direct Health Care per diem cost is multiplied by the new quotient to determine the Medicaid allowance. ( $1.0700 \times \$60=\$64.20$ ).

#### 8) Real And Personal Property Fee

The property component of the reimbursement methodology consists of the real and personal property fee (property fee). The property fee is paid in lieu of an allowable cost of mortgage interest, depreciation, lease expense and/or amortization of leasehold improvements. The fee is facility specific and does not change as a result of a change of ownership, change in lease, or with re-enrollment in the Medicaid program. The original property fee was comprised of two components—a property allowance and a property value factor. The differentiation of fee into these components was eliminated effective July 1, 2002. At that time each facility's fee was re-established based on the sum of the property allowance and value factor.

The property fees in effect on June 1, 2004, were inflated with 12 months of inflation effective July 1, 2004. The inflation factor was from the Data Resources, Inc.-WEFA, National Skilled Nursing Facility Total Market Basket Index (DRI Index). The providers received the lower of the inflated property fee or the upper payment limit.

For providers re-enrolling in the Kansas Medical Assistance program or providers enrolling for the first time but operating in a facility that was previously enrolled in the program, the property fee shall be the sum of the last effective property allowance and the last effective value factor for that facility. The property fee will be inflated and then compared to the upper payment limit. The property fee will be the lower of the facility-specific inflated property fee or the upper payment limit.

Providers entering the Kansas Medical Assistance program for the first time, who are operating in a building for which a fee has not previously been established, shall have a property fee calculated from the ownership costs reported on the cost report. This fee shall include appropriate components for rent or lease expense, interest expense on real estate mortgage, amortization of leasehold improvements, and depreciation on buildings and equipment. The process for calculating the property fee for providers entering the Kansas Medical Assistance program for the first time is explained in greater detail in Exhibit A-14 (K.A.R. 30-10-25).

There is a provision for changing the property fee. This is for a rebasing when capital expenditure thresholds are met (\$25,000 for homes under 51 beds and \$50,000 for homes over 50 beds). The original property fee remains constant but the additional factor for the rebasing is added. The property fee rebasing is explained in greater detail in Exhibit A-14 (K.A.R. 30-10-25). The rebased property fee is subject to the upper payment limit.

#### 9) Incentive Factor

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

The incentive is designed to encourage economy and efficiency in the operating cost center. Property taxes are excluded. There is an inverse relationship between the incentive factor and the per diem cost used to determine it. The higher the per diem cost, the lower the incentive factor.

The Schedule E is an array of the per diem costs used to determine the incentive factor. The schedule includes costs from the base year historical cost report for all active providers. No projected cost reports are included. The 85% occupancy rule is applied in determining the per diem costs. The costs are not adjusted for inflation.

The Schedule E summarizes all expense lines from the Operating cost center, less property taxes. The ownership costs are excluded from the array so that both older facilities (with relatively lower ownership costs) and newer facilities (with relatively higher ownership costs) can benefit from the incentive factor through efficient operations.

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

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

#### 10) Rate Effective Date

Rate effective dates are determined in accordance with K.A.R. 30-10-19. The rate may be revised for an add-on

reimbursement factor (i.e., rebased property fee), desk review adjustment or field audit adjustment.

### 11) Retroactive Rate Adjustments

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

A retroactive rate adjustment and direct cash settlement is made if the agency determines that the base year cost report data used to determine the prospective payment rate was in error. The prospective payment rate period is adjusted for the corrections.

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

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

### 12) Comparable Private Pay Rates

The last factor considered in determining a provider's Medicaid per diem payment rate is their private pay rate. Providers are reimbursed the lower of the calculated Medicaid rate or their private pay rate. The agency maintains a registry of private pay rates. It is the responsibility of the providers to send in private pay rate updates so that the registry is updated. When new Medicaid rates are determined, if the private pay rate reflected in the registry is lower, then the provider is held to that private pay rate until the provider sends notification that it has a higher private pay rate.

#### Case Mix Adjustments to Private Pay Rates

Private pay rates submitted to the agency are adjusted up if a provider's average private pay/other CMI is lower than its Medicaid average CMI. This is accomplished by multiplying the provider's average private pay rate in the private pay registry by the ratio of their Medicaid average CMI to their average private pay/other CMI. This ensures that providers' Medicaid rates are not limited to a lower private pay rate that may be attributed to the lower acuity of the private pay residents. There is no adjustment to private pay rates if the facility's Medicaid average CMI is less than its average private pay/other CMI. There is also no adjustment to private pay rates if the facility's total Medicaid rate is less than its average private pay rate.

#### A.2 Attachment 4.19D, Part I, Subpart E: Rates When Two or More Nursing Facilities Merge Under One License

The Kansas Department on Aging maintains a policy wherein if two nursing facilities meet certain policy criteria, KDOA will issue one license for two facilities. Subpart E will explain the methods and standards for establishing payment rates when two or more facilities are merged under one license.

#### Cost Reports

Providers who have participated in the Medicaid program for 12 months or longer as of December 31 are required to file a calendar year Nursing Facility Financial and Statistical Report (cost report). For facilities that

merge under one license, the provider will file one cost report for the facilities for the complete calendar year following the merger and all subsequent calendar years while the facilities remain merged under one license for any portion of the calendar year. The calendar year end cost report will be for 12 months. The cost report will consist of the individual operations of each facility for any part of the calendar year that they operate under separate licenses and the combined operations during any part of the year that they operate under one license. The number of beds, resident days, Medicaid days and Medicare days will be the total for the facilities merged under one license. All changes in the number of beds during the calendar year will need to be reflected for the merged facilities.

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

#### Rate Determination

Medicaid rates for Kansas NFs and NFs-MH are determined using a prospective, facility-specific rate-setting system. The rate is determined from the base year cost data submitted by the provider. When multiple facilities are joined on one license, the reimbursement rates for each facility will be determined in accordance with the methodology found in Subpart C and as though the facilities remained as separate providers. The only time a new rate will be determined from a combined cost report is when a base year is established that occurs during or after the calendar year that the merger occurred.

#### Resident Days Used in Denominator

The allowable historic per diem costs for the Direct Health Care cost center and food and utilities in the Indirect Health Care cost center are determined by dividing the allowable resident related expenses by the actual resident days during the cost report period. The allowable historic per diem cost for the Operating cost center and Indirect Health Care cost center less food and utilities is subject to an 85% minimum occupancy rule. The greater of the actual resident days reported for the merged facilities or days calculated at the 85% minimum occupancy will be used in the denominator of the rate calculation. If the 85% occupancy rule does not apply during the first 12 months of operation of a facility, then actual days will be used for that facility for the period that the rule does not apply. If only one of the facilities did not have the 85% occupancy rule applied then the provider will need to report the number of beds and resident days separate

*(continued)*

for that facility so that the available bed days for the merged facilities can be determined.

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

A combined Real and Personal Property Fee will be determined for facilities merged under one license only when a base year is established that occurs during or after the calendar year that the merger occurred. The property fee for two or more facilities that are merged under one license will be based on the day-weighted average property fee for the merged facility. The cost report used to determine the current rates would be used for the resident days for the day weighting.

For example, Facility A has a property fee of \$4.00 per day and 10,000 resident days and Facility B has a property fee of \$5.00 per day and 15,000 resident days. The day-weighted average property fee will be \$4.60 ( $\$4 \times 10,000 \text{ days} + \$5 \times 15,000 = \$115,000 / 25,000 \text{ total days} = \$4.60$ ). There will no longer be a value factor in the merged property fees.

**Resident Assessments and Case Mix Index**

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

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

Cost Reports and Rates

If two or more facilities merge under one license and later decide to go back to individual licenses, they will file separate calendar year cost reports for the complete calendar year following the year in which they separate. Rates for each facility will be determined from base year cost report data whether that report is a combined report or not.

Real and Personal Property Fees

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

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

**Resident Assessments and Case Mix Index**

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

**II. Final Medicaid Per Diem Rates for Kansas Nursing Facilities**

**A. Cost Center Limitations:** The state establishes the following cost center limitations that are used in setting rates effective July 1, 2004.

Cost Center	Limit Formula	Per Day Limit
Operating	110% of the Median Cost	\$21.11
Indirect Health Care	115% of the Median Cost	\$34.53
Direct Health Care	120% of the Median Cost	\$64.02
Real and Personal Property Fee	105% of the Median Fee	\$6.45

These amounts were determined according to the "Reimbursement Limitations" section. The Direct Healthcare Limit is calculated based on a CMI of 0.9197, which is the statewide average.

**B. Case Mix Index.** These final rates are based upon each nursing facility's Medicaid average CMI calculated with a cutoff date of April 1, 2004, using the July 1, 2004, Kansas Medicaid/Medikan CMI Table. In Section II.C below, each nursing facility's Medicaid average CMI is listed beside its final per diem rate.

**C. Final Nursing Facility Per Diem Rates and CMI.**

Facility Name	City	Proposed	
		Daily Rate	Medicaid CMI
Infinia at Abilene, Inc.	Abilene	112.66	0.9238
Village Manor	Abilene	106.09	1.0675
Alma Manor	Alma	123.21	0.9175
Andover Health Care Center	Andover	102.65	1.0411
Anthony Community Care Center	Anthony	111.78	0.9877
Medicalodge East Healthcare Center	Arkansas City	115.70	0.9033
Medicalodge North of Arkansas City	Arkansas City	121.83	0.9833
Arkansas City Presbyterian Manor	Arkansas City	115.82	1.0304
Infinia at Arma	Arma	105.76	0.8348
Ashland Health Center - LTCU	Ashland	112.09	0.8385
Atchison Hospital SNF	Atchison	103.48	0.8423
Medicalodge of Atchison	Atchison	111.62	0.9145
Atchison Senior Village	Atchison	95.94	0.8018
Dooley Center	Atchison	108.27	0.7107
Attica Long Term Care	Attica	104.96	0.9600
Atwood Good Samaritan Center	Atwood	116.20	1.0600
Lake Point Nursing Center	Augusta	97.18	0.9021
Baldwin Care Center	Baldwin City	100.66	0.8928
Quaker Hill Manor	Baxter Springs	81.96	0.9386
Great Plains of Republic County, Inc.	Belleville	128.86	1.0564
Belleville Health Care Center	Belleville	94.77	0.9427
Great Plains of Mitchell County, Inc.	Beloit	127.30	1.0378
Hilltop Lodge Nursing Home	Beloit	111.58	1.0217
Centers for LTC of Bonner Springs	Bonner Springs	110.04	0.9062
Hill Top House	Bucklin	108.25	0.9700
Buhler Sunshine Home, Inc.	Buhler	113.09	0.9766

Facility Name	City	Proposed		Facility Name	City	Proposed	
		Daily Rate	Medicaid CMI			Daily Rate	Medicaid CMI
Life Care Center of Burlington	Burlington	114.80	0.9571	Medicalodge of Ft. Scott	Fort Scott	123.49	0.9330
Caney Nursing Center	Caney	81.17	0.7929	Fort Scott/Marmaton Valley	Fort Scott	95.94	0.9893
Shiloh Manor of Canton, Inc.	Canton	110.25	1.0182	Fowler Nursing Home	Fowler	110.34	0.9511
Cedar Vale Nursing Center	Cedarvale	75.29	0.7903	Frankfort Community Care	Frankfort	102.15	1.0636
Eastridge Nursing Home	Centralia	112.81	1.0259	Home, Inc.			
Heritage Health Care Center	Chanute	89.43	0.9559	Beverly Health & Rehab-	Fredonia	89.49	0.9786
Chanute Health Care Center	Chanute	112.02	0.9531	Fredonia			
Applewood Rehabilitation	Chanute	68.02	0.7418	Sunset Manor, Inc.	Frontenac	90.23	0.9419
Chapman Valley Manor	Chapman	91.83	0.9450	Emerald Pointe Health &	Galena	77.54	0.9341
Cheney Golden Age Home Inc.	Cheney	105.63	1.0045	Rehab Centre			
Cherryvale Care Center	Cherryvale	103.19	0.8937	Galena Nursing & Rehab	Galena	91.48	0.9797
Chetopa Manor	Chetopa	82.31	1.0332	Center			
The Shepherd's Center	Cimarron	96.69	1.0563	Garden Valley Retirement	Garden City	116.75	0.9314
Medicalodge of Clay Center	Clay Center	104.57	0.8241	Village			
Clay Center Presbyterian	Clay Center	121.61	0.9383	Terrace Garden Care Center	Garden City	118.24	0.8792
Manor				Meadowbrook Rehab Hosp.,	Gardner	145.31	1.1988
Clearwater Ret. Community,	Clearwater	108.84	0.9538	LTCU			
Inc. dba The				Medicalodge of Gardner	Gardner	119.92	0.8558
Community Care Inc.	Clifton	72.97	0.9480	Anderson County Hospital	Garnett	118.73	0.8611
Park Villa Nursing Home	Clyde	100.03	1.1745	Golden Heights Living Center	Garnett	102.88	0.9576
Coffeyville Regional Medical	Coffeyville	174.87	1.6250	The Heritage	Girard	85.16	1.0552
Center				The Nicol Home, Inc.	Glasco	95.01	0.8092
Windsor Place	Coffeyville	102.61	0.9935	Medicalodge of Goddard	Goddard	128.30	0.9798
Medicalodge East of	Coffeyville	102.48	0.9788	Bethesda Home	Goessel	123.65	0.9114
Coffeyville				Sherman Co. Good Samaritan	Goodland	105.23	0.8921
Lantern Park Manor	Colby	91.63	0.9017	Center			
Citizens Medical Center	Colby	120.33	0.9384	Cherry Village Benevolence	Great Bend	102.93	0.9950
Pioneer lodge	Coldwater	93.52	0.8757	Great Bend Health & Rehab	Great Bend	117.71	0.9581
Medicalodge of Columbus	Columbus	119.62	1.1121	Center			
Colwich Health Center	Colwich	104.33	0.8642	Halstead Health and Rehab	Halstead	127.17	0.9350
Mt Joseph Senior Village,LLC	Concordia	110.50	1.0642	Center			
Sunset Home	Concordia	107.65	1.0060	Washington Cnty Hosp.	Hanover	103.74	1.0200
Spring View Manor	Conway Springs	90.25	0.9722	Dist.#1/Hanover			
Chase County Health & Rehab	Cottonwood Falls	93.74	0.9264	Friendship Manor Rehab Ctr	Haviland	73.85	0.6705
Center				of Haviland			
Council Grove Healthcare	Council Grove	95.39	0.9083	Hays Medical Center	Hays	206.72	2.1000
Center				St. John's of Hays	Hays	98.09	0.9491
Hilltop Manor	Cunningham	86.89	0.9257	Hays Good Samaritan Center	Hays	111.36	0.9141
Westview Manor, Inc.	Derby	100.96	0.9695	Haysville Healthcare Center	Haysville	109.94	0.9596
Hillside Village of DeSoto	DeSoto	117.94	1.0020	Lutheran Home, Inc.	Herington	88.68	0.9212
Dexter Care Center	Dexter	91.15	0.8989	Schowalter Villa	Hesston	127.74	0.9431
Lane County Hospital - LTCU	Dighton	116.66	0.8500	Oak Ridge Acres	Hiawatha	79.42	0.8683
Trinity Manor	Dodge City	108.95	0.8844	Maple Heights of Hiawatha	Hiawatha	104.85	0.9042
Dodge City Good Samaritan	Dodge City	112.90	0.9947	Highland Care Center	Highland	102.89	0.9514
Center				Dawson Place, Inc.	Hill City	84.93	0.8571
Manor of the Plains	Dodge City	115.18	0.9185	Hillsboro Community Medical	Hillsboro	108.80	0.8196
Medicalodge of Douglass	Douglass	126.98	0.9546	Center			
Downs Nursing Center	Downs	84.26	0.8168	Parkside Homes, Inc.	Hillsboro	109.90	0.8976
Country Care Home	Easton	94.70	0.9058	Cheyenne Meadows Living	Hoisington	87.14	0.8045
Parkway Care Home	Edwardsville	101.37	0.9879	Center			
Edwardsville Convalescent	Edwardsville	116.05	0.8789	Jackson Co. Nursing Home,	Holton	91.60	0.9613
Center				Inc.			
Edwardsville Manor	Edwardsville	94.65	0.8365	Holton Manor	Holton	97.38	0.8775
Lakepoint Nursing Center-	El Dorado	101.25	1.0376	Tri County Manor Living	Horton	92.86	0.9636
El Dorado				Center, Inc.			
Beverly Health & Rehab-	El Dorado	89.39	0.8739	Howard Twilight Manor	Howard	111.55	1.1500
El Dorado				Sheridan County Hospital	Hoxie	117.61	1.0687
Morton County Hospital	Elkhart	110.79	1.0725	Pioneer Manor	Hugoton	123.03	0.9167
Woodhaven Care Center	Ellinwood	102.05	1.0186	Pinecrest Nursing Home	Humboldt	97.71	0.9800
Ellis Good Samaritan Center	Ellis	104.31	0.8715	Golden Plains	Hutchinson	118.29	0.9830
Ellsworth Good Samaritan Ret.	Ellsworth	112.33	0.9562	Hutchinson Good Samaritan	Hutchinson	114.14	0.9670
Village				Village			
Emporia Presbyterian Manor	Emporia	123.04	0.9613	Infinia at Hutchinson	Hutchinson	109.15	0.9956
Holiday Resort	Emporia	104.23	0.8806	Wesley Towers	Hutchinson	129.03	0.9617
Vintage Manor	Emporia	102.46	0.9225	Ray E. Dillon Living Center	Hutchinson	119.75	0.9400
Emporia Rehabilitation Center	Emporia	85.69	0.9820	Regal Estate	Independence	105.12	0.9575
Enterprise Estates Nursing	Enterprise	87.34	1.0238	Heatherwood Estates	Independence	80.85	0.9613
Center, Inc.				Glenwood Estate	Independence	83.70	0.9835
Heritage Village-Eskridge	Eskridge	80.61	0.7347	Pleasant View Home	Inman	114.18	0.8979
Eudora Nursing Center	Eudora	91.84	0.8409	Windsor Place at Iola, LLC	Iola	110.79	1.0746
Medicalodge of Eureka	Eureka	113.91	0.8353	Cheyenne Lodge, Inc.	Jamestown	79.62	0.8722

(continued)

Facility Name	City	Proposed		Facility Name	City	Proposed	
		Daily Rate	Medicaid CMI			Daily Rate	Medicaid CMI
Hodgeman Co Health Center-LTCU	Jetmore	133.98	1.0875	Minneapolis Good Samaritan Center	Minneapolis	108.36	0.9857
Stanton County Hospital-LTCU	Johnson	111.66	0.7506	Minneola District Hospital	Minneola	119.37	0.9694
Valley View Professional Care Center	Junction City	83.66	0.7996	Elk Manor Nursing Home	Moline	105.43	0.9711
Junction City Good Samaritan Center	Junction City	105.40	0.9735	Bethel Home, Inc.	Montezuma	105.83	0.9833
Medicalodge Post Acute Center	Kansas City	119.69	1.0025	Moran Manor	Moran	87.71	0.9745
Kansas City Presbyterian Manor	Kansas City	130.32	0.9787	Memorial Home for the Aged	Moundridge	117.41	0.8722
Medicalodge East of Kansas City	Kansas City	135.44	1.0550	Moundridge Manor, Inc.	Moundridge	88.51	0.8231
Alzheimer's Center of Kansas City	Kansas City	112.50	0.9541	Mt. Hope Nursing Center	Mt. Hope	108.50	0.9167
Lifecare Center of Kansas City	Kansas City	104.88	1.0062	Villa Maria, Inc.	Mulvane	109.88	0.9434
Infinia at Kensington	Kensington	98.94	0.8025	Golden Keys Nursing Home	Neodesha	95.74	0.8913
The Wheatlands	Kingman	100.28	0.9400	Beverly Health & Rehab of Neodesha	Neodesha	98.16	0.9733
Medicalodge of Kinsley	Kinsley	119.01	0.8931	Bethel Care Centre	Newton	117.90	1.0829
Kiowa Hospital District Manor	Kiowa	96.83	0.7977	Friendly Acres, Inc.	Newton	129.28	0.9698
Rush Co. Memorial Hospital	La Crosse	100.07	0.9100	Kansas Christian Home	Newton	125.57	0.9439
Rush County Nursing Home	La Crosse	109.85	0.9639	Newton Presbyterian Manor	Newton	127.42	0.9633
High Plains Retirement Village	Lakin	123.12	0.8871	Andbe Home, Inc.	Norton	106.37	0.8676
Colonial Manor of Lansing	Lansing	99.41	0.8252	Village Villa	Nortonville	108.51	0.8982
Larned Healthcare Center	Larned	115.49	0.9532	Norwich Health Care Center	Norwich	87.62	0.8378
St. Joseph Memorial Hospital	Larned	117.24	0.9615	Logan County Manor	Oakley	126.54	0.9259
Lake View Manor, LLC	Lawrence	121.43	0.9316	Decatur County Hospital	Oberlin	102.50	0.8492
Lawrence Presbyterian Manor	Lawrence	123.50	0.9320	Decatur Co. Good Samaritan Center	Oberlin	103.01	0.8753
The Health Center at Brandon Woods	Lawrence	118.96	0.9531	Villa St. Francis	Olathe	122.67	0.9339
Pioneer Ridge Retirement Community	Lawrence	111.34	0.8275	Centers for Long Term Care of Olathe	Olathe	118.77	1.0456
Broadway Heights	Leavenworth	98.76	0.8971	Royal Terrace Nrsng. & Rehab. Center	Olathe	109.88	0.9542
Medicalodge of Leavenworth	Leavenworth	123.40	0.9837	Olathe Good Samaritan Center	Olathe	124.52	0.9267
Delmar Gardens of Lenexa	Lenexa	110.44	0.9732	Johnson County Nursing Center	Olathe	135.08	1.0486
Lakeview Village	Lenexa	115.97	0.7740	Aberdeen Village, Inc.	Olathe	133.61	1.0539
Leonardville Nursing Home	Leonardville	83.28	1.0107	Golden Acres	Onaga	83.66	0.8515
Wichita County Health Center	Leoti	140.13	1.1850	Peterson Health Care, Inc.	Osage City	85.45	0.9214
Liberal Good Samaritan Center	Liberal	114.83	1.0317	Osage Nursing & Rehab Center	Osage City	102.77	0.9536
Wheatridge Park Care Center	Liberal	121.15	0.9660	Life Care Center of Osawatomie	Osawatomie	128.79	0.9735
Mid-America Healthcare-Lincoln	Lincoln	99.19	1.0445	Parkview Care Center	Osborne	110.22	1.0082
Bethany Home Association	Lindsborg	119.12	0.9463	Hickory Pointe Care & Rehab Ctr	Oskaloosa	104.34	0.8958
Linn Community Nursing Home	Linn	78.76	0.8239	Infinia at Oswego	Oswego	112.40	0.9080
Sandstone Heights	Little River	110.11	0.9626	Ottawa Retirement Village	Ottawa	107.76	0.9883
Logan Manor Community Health Services	Logan	92.99	0.9413	Brookside Manor	Overbrook	108.34	0.9130
Louisburg Care Center	Louisburg	104.72	0.9023	Garden Terrace at Overland Park	Overland Park	115.38	0.9167
Beverly Health & Rehab of Lucas	Lucas	97.07	1.0955	Specialty Hospital of Mid-America SNF	Overland Park	138.94	1.1040
Lyons Good Samaritan Center	Lyons	100.79	0.8469	Manorcare Hlth Services of Overland Park	Overland Park	120.10	0.9090
Meadowlark Hills Retirement Community	Manhattan	123.20	0.9762	Villa Saint Joseph	Overland Park	123.15	0.9542
Stoneybrook Retirement Community	Manhattan	115.63	0.9958	Delmar Gardens of Overland Park	Overland Park	123.54	0.9315
St. Joseph Village, Inc.	Manhattan	113.39	0.9197	Overland Park Manor	Overland Park	120.81	0.9259
Jewell County Hospital	Mankato	117.82	0.9087	Indian Creek Healthcare Center	Overland Park	124.45	1.0597
St. Luke Living Center	Marion	105.15	1.0194	Village Shalom, Inc.	Overland Park	136.28	1.0658
Marion Manor	Marion	89.29	0.8904	Riverview Manor, Inc.	Oxford	93.59	0.9845
Riverview Estates, Inc.	Marquette	91.13	0.9025	Medicalodge of Paola	Paola	91.53	0.6983
Community Memorial Healthcare, Inc.	Marysville	90.82	0.7758	North Point Skilled Nursing Center	Paola	120.02	1.0200
Cambridge Place	Marysville	105.29	1.0497	Elmhaven East	Parsons	81.75	1.0250
Infinia at McPherson	McPherson	105.68	0.9013	Elmhaven West	Parsons	89.45	0.9529
The Cedars, Inc.	McPherson	114.70	0.9182	Parsons Presbyterian Manor	Parsons	117.77	0.9560
Lone Tree Compassionate Care Corporation	Meade	113.86	0.9611	Parsons Good Samaritan Center	Parsons	100.28	0.8861
Trinity Lutheran Manor	Merriam	116.57	0.8688	Legacy Park	Peabody	107.39	0.9831
Great Plains of Ottawa County, Inc.	Minneapolis	80.68	0.9633	Westview Manor of Peabody	Peabody	76.73	0.6641
				Phillips County Hospital LTCU	Phillipsburg	117.39	0.8947
				Phillips County Retirement Center	Phillipsburg	86.44	0.8556

Facility Name	City	Proposed		Facility Name	City	Proposed	
		Daily Rate	Medicaid CMI			Daily Rate	Medicaid CMI
Medicalodge South of Pittsburg	Pittsburg	115.27	0.9806	Topeka Community Healthcare Center	Topeka	120.64	1.0058
Medicalodge North of Pittsburg	Pittsburg	104.22	0.9185	McCrite Plaza Health Center	Topeka	106.55	0.9041
Mt. Carmel Regional Medical Ctr. SNF	Pittsburg	166.45	1.5350	Rolling Hills Health Center	Topeka	114.19	0.9625
Beverly Rehabilitation Center	Pittsburg	89.60	0.9000	Manorcare Health Services of Topeka	Topeka	112.97	0.8824
Cornerstone Village	Pittsburg	125.26	0.9383	Woodland Health Center	Topeka	92.91	0.8808
Rooks County Home	Plainville	101.57	0.9513	Westwood Manor	Topeka	105.38	1.0267
Pratt Regional Medical Center	Pratt	114.74	0.9619	IHS of Brighton Place	Topeka	82.13	0.7315
Friendship Manor of Pratt	Pratt	93.62	0.8620	Countryside Health Center	Topeka	82.36	0.6988
Prescott Country View Nursing Center	Prescott	79.82	0.8829	Indian Trails Manor	Topeka	73.99	0.7458
Prairie Sunset Manor	Pretty Prairie	115.59	0.7685	Infinia at Central Topeka	Topeka	99.54	0.8385
Protection Valley Manor	Protection	90.20	0.8220	Brighton Place North	Topeka	70.98	0.6766
Gove County Medical Center	Quinter	107.55	0.9637	Aldersgate Village	Topeka	127.48	0.9522
Grisell Memorial Hosp Dist #1-LTCU	Ransom	120.10	0.9435	Plaza West Care Center, Inc.	Topeka	127.07	0.9980
Richmond Care Center	Richmond	100.16	1.0141	Lexington Park Nursing and Post Acute Ca	Topeka	129.29	0.9654
Lakepoint Nursing Ctr-Rose Hill	Rose Hill	106.13	0.9575	Greeley County Hospital, LTCU	Tribune	113.06	0.8055
Rossville Valley Manor	Rossville	117.04	0.9714	Western Prairie Care Home	Ulysses	120.29	0.8797
Wheatland Nursing & Rehab Center	Russell	104.17	1.0825	Valley Health Care Center	Valley Falls	84.76	0.6668
Gateway Care Center	Russell	71.63	0.7068	St. John's Rest Home of Victoria	Victoria	98.10	0.8842
Russell Regional Hospital	Russell	117.19	0.8450	Trego Co. Lemke Memorial LTCU	WaKeeney	114.44	0.8956
Sabetha Nursing Center	Sabetha	100.25	1.0204	The Lutheran Home - WaKeeney	WaKeeney	92.61	0.9833
Apostolic Christian Home	Sabetha	96.69	1.0250	Wakefield Rehab Center	Wakefield	94.19	0.9721
Smokey Hill Rehabilitation Center	Salina	98.98	0.9296	Valley Vista Good Samaritan Center	Wamego	120.55	0.9505
Kenwood View Nursing Center	Salina	94.35	0.9397	The Centennial Homestead, Inc.	Washington	77.00	0.9661
Windsor Estates	Salina	104.06	0.8904	Wathena Nursing & Rehab Center	Wathena	93.48	0.9132
Center for LTC of Salina	Salina	107.25	0.9161	Coffey County Hospital	Waverly	124.72	0.9243
Salina Presbyterian Manor	Salina	117.70	0.8771	Beverly Health & Rehab-Wellington	Wellington	92.65	0.8929
Shalimar Health Center	Salina	75.87	0.9973	Slate Creek Good Samaritan Center	Wellington	110.16	0.9239
Holiday Resort of Salina	Salina	103.10	0.9662	Wellsville Manor Care Center	Wellsville	93.37	0.8721
Satanta Dist. Hosp. LTCU	Satanta	127.39	0.9896	Westy Community Care Home	Westmoreland	91.15	0.8730
Park Lane Nursing Home	Scott City	113.01	0.8632	Wheat State Manor	Whitewater	114.65	0.9457
Pleasant Valley Manor	Sedan	79.30	0.9273	Medicalodge of Wichita	Wichita	125.34	0.9217
Sedgwick Healthcare Center	Sedgwick	124.53	0.9010	Meridian Nursing & Rehab Center	Wichita	107.05	0.8906
Crestview Manor	Seneca	78.14	1.0345	Catholic Care Center Inc.	Wichita	122.95	0.9767
Life Care Center of Seneca	Seneca	79.03	0.8841	Kansas Masonic Home	Wichita	128.64	1.0096
Prairie Manor Good Samaritan Center	Sharon Springs	93.55	0.9514	Homestead Health Center, Inc.	Wichita	113.48	0.8810
Shawnee Gardens Nursing Center	Shawnee	123.35	0.9300	Horizon Specialty Hospital	Wichita	117.73	1.0096
Sharonlane Health Services	Shawnee	109.00	0.9142	Infinia at Wichita	Wichita	120.40	0.8609
Smith County Memorial Hospital LTCU	Smith Center	108.81	1.0320	Wichita Presbyterian Manor	Wichita	128.31	0.9733
Infinia at Smith Center	Smith Center	94.30	0.7800	Sandpiper Bay Health & Retirement Ctr.	Wichita	106.11	0.9139
Mennonite Friendship Manor, Inc.	South Hutchinson	122.89	0.9398	Lakepoint Ret.& Rehab Ctr of Wichita	Wichita	107.44	0.9998
Beverly Hlth & Rehab-Spring Hill	Spring Hill	114.99	0.9961	Manorcare Health Services of Wichita	Wichita	114.73	0.9244
St. Francis Good Samaritan Ctr	St. Francis	106.64	0.8841	College Hill Nursing and Rehab Center	Wichita	123.44	0.9379
Leisure Homestead at St. John	St. John	107.72	0.9675	Lakewood Heights Nursing Center	Wichita	103.83	0.9138
Community Hospital of Onaga, LTCU	St. Marys	112.80	0.9988	Lincoln East Nursing Home	Wichita	94.08	0.8179
Prairie Mission Retirement Village	St. Paul	113.65	1.1108	Cameo Care Center	Wichita	99.10	0.7355
Leisure Homestead at Stafford	Stafford	86.67	1.0279	The Health Care Center@Larksfield Place	Wichita	124.70	0.9394
Sterling Presbyterian Manor	Sterling	110.85	0.8544	Life Care Center of Wichita	Wichita	119.05	1.0209
Solomon Valley Manor	Stockton	105.76	0.7838	Wilson Nursing Center	Wilson	87.67	0.9175
Hamilton Co. Hospital-LTCU	Syracuse	128.30	1.0414	Jefferson Co. Memorial Hospital-LTCU	Winchester	113.56	0.9826
Tonganoxie Nursing Center	Tonganoxie	103.80	0.9585	Winfield Good Samaritan Center	Winfield	117.49	0.9116
Topeka Healthcare Center	Topeka	99.36	1.0065				
Brewster Place	Topeka	122.65	0.8700				
Topeka Presbyterian Manor Inc.	Topeka	129.10	0.9590				
Eventide Convalescent Center, Inc.	Topeka	88.18	0.8432				

(continued)

Facility Name	City	Proposed	
		Daily Rate	Medicaid CMI
Cumbernauld Village, Inc.	Winfield	105.86	0.7591
Winfield Rest Haven, Inc.	Winfield	97.33	0.8563
Infinia at Yates Center	Yates Center	97.88	0.9793

**III. Justifications for the Final Rates**

1. The final rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan and pending amendments thereto.

2. The final rates are calculated according to a methodology which satisfies the requirements of K.S.A. 39-708c(x) and the Department of Social and Rehabilitation Services regulations in K.A.R. Article 30-10 implementing that statute and applicable federal law.

3. The state's analyses project that the final rates:  
 a. Would result in payment, in the aggregate of 94.50% of the Medicaid day weighted average inflated allowable nursing facility costs statewide; and

b. Would result in a maximum allowable rate for the statewide average CMI of 0.9197 of \$126.11; with the total average allowable cost being \$117.05.

c. Estimated average rate July 1, 2004 \$107.36  
 Average payment rate July 1, 2003 \$102.50  
 Amount of change \$4.86  
 Percent of change 4.74%

4. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase by approximately \$8 million.

5. The state estimates that the final rates will continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general population in the geographic area. The state's analyses indicate:

a. Service providers operating a total of 312 nursing facilities (representing 98% of all the licensed nursing facilities in Kansas) participate in the Medicaid program, while an additional 43 hospital-based long-term care units also are certified to participate in the Medicaid program;

b. There is at least one Medicaid-certified nursing facility and/or nursing facility for mental health, or

Medicaid-certified hospital-based long-term care unit in each of the 105 counties in Kansas;

c. The statewide average occupancy rate for nursing facilities participating in Medicaid is 85.5%;

d. The statewide average Medicaid occupancy rate for participating facilities is 55.6%; and

e. The final rates would cover 94.01% of the estimated Medicaid direct health care costs incurred by participating nursing facilities statewide.

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

**IV. The State's Response to Written Comments on the Published Proposals**

The state received four letters with comments to the Notice of Proposed Nursing Facility Medicaid Rates for State Fiscal Year 2005, Methodology for Calculating Proposed Rates, and Rate Justifications; Notice of Intent to Amend the Medicaid State Plan and Request for Comments published in the April 29, 2004 Kansas Register. The state thanks the commenters for their interest, efforts and suggestions. The state reviewed, discussed and considered those comments before approving the final rate-setting methodology and the final per diem rates published in this notice

**V. Notice of Intent to Amend the Medicaid State Plan**

The state intends to submit the Medicaid State Plan amendments to CMS on or before September 30, 2004.

Rick Shults  
 Director of Management Operations  
 Division of Health Care Policy  
 Social and Rehabilitation Services

Pamela Johnson-Betts  
 Secretary of Aging

Doc. No. 030856

**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
1-9-4	Amended	V. 23, p. 718
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
1-45-18	Amended (T)	V. 23, p. 424
1-45-19	Amended (T)	V. 23, p. 424
1-45-20	Amended (T)	V. 23, p. 424
1-45-23	Amended (T)	V. 23, p. 425
1-45-24	Amended (T)	V. 23, p. 425
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
4-8-14a	Amended (T)	V. 23, p. 900
4-8-40	Amended (T)	V. 23, p. 901
4-8-43	New (T)	V. 22, p. 82
4-8-43	New	V. 22, p. 432
4-11-2	Amended	V. 23, p. 895
4-11-3	Amended	V. 23, p. 895
4-11-6	Revoked	V. 23, p. 896
4-11-7	Revoked	V. 23, p. 896
4-11-8	Amended	V. 23, p. 896
4-11-9	Amended	V. 23, p. 896
4-11-14	Amended	V. 23, p. 896
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
28-4-576	Amended (T)	V. 23, p. 389
28-4-577	Amended (T)	V. 23, p. 390
28-4-578	Amended (T)	V. 23, p. 391
28-4-583	Amended (T)	V. 23, p. 392
28-4-585	Amended (T)	V. 23, p. 392
28-4-587	Amended (T)	V. 23, p. 394
28-4-590	Amended (T)	V. 23, p. 396
28-4-591	Amended (T)	V. 23, p. 397
28-4-600 through		
28-4-613	New	V. 23, p. 957-962
28-4-700 through		
28-4-705	New (T)	V. 23, p. 398-400
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
28-45-30 through		
28-45-31	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
30-4-50	Amended	V. 23, p. 894
30-4-55	Amended	V. 22, p. 1533
30-4-90	Amended (T)	V. 23, p. 897
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. 23, p. 694

(continued)

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. 1043
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
30-6-91	New	V. 23, p. 894
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
<b>AGENCY 36: DEPARTMENT OF TRANSPORTATION</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
36-40-1 through 36-40-9	New	V. 22, p. 1806, 1807
<b>AGENCY 40: KANSAS INSURANCE DEPARTMENT</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
40-1-48	Amended	V. 23, p. 426
40-1-50	New (T)	V. 23, p. 244
40-1-50	New	V. 23, p. 951
40-1-51	New	V. 23, p. 361
40-2-26	Amended	V. 23, p. 151
40-2-27	New	V. 23, p. 825
40-3-20	Revoked	V. 23, p. 693
40-3-48	Amended	V. 22, p. 2008
40-4-1	Amended	V. 22, p. 1709
40-4-36	Amended	V. 22, p. 465
40-5-110	Amended	V. 22, p. 1709
<b>AGENCY 44: DEPARTMENT OF CORRECTIONS</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
44-5-115	Amended (T)	V. 23, p. 384
44-5-115	Amended	V. 23, p. 952
44-6-115a	Amended (T)	V. 22, p. 383
44-6-115a	Amended	V. 22, p. 1231
44-7-104	Amended (T)	V. 23, p. 385
44-7-104	Amended	V. 23, p. 953
44-7-113	Amended (T)	V. 23, p. 386
44-7-113	Amended	V. 23, p. 955
44-12-313	Amended (T)	V. 23, p. 386
44-12-313	Amended	V. 23, p. 955
44-12-601	Amended (T)	V. 23, p. 387
44-12-601	Amended	V. 23, p. 955
44-12-1002	Amended (T)	V. 22, p. 384
44-12-1002	Amended	V. 22, p. 1232
44-13-201b	Amended (T)	V. 22, p. 384
44-13-201b	Amended	V. 22, p. 1232
<b>AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS COMPENSATION</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
51-9-7	Amended	V. 22, p. 1804
51-9-17	New	V. 22, p. 2031
<b>AGENCY 61: BOARD OF BARBERING</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
61-4-2	Amended (T)	V. 22, p. 1304
61-7-1	Amended (T)	V. 22, p. 1304
<b>AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
65-4-3	Amended	V. 23, p. 893
65-5-6	Amended	V. 22, p. 1575
65-5-11	New	V. 23, p. 893
65-8-5	Revoked	V. 23, p. 893
<b>AGENCY 66: BOARD OF TECHNICAL PROFESSIONS</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
66-8-5	Amended	V. 23, p. 95
<b>AGENCY 68: BOARD OF PHARMACY</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
68-2-9	Amended	V. 22, p. 118
68-2-10	Amended	V. 22, p. 118
68-2-11	Amended	V. 22, p. 118
68-2-12a	Amended	V. 22, p. 118
68-2-15	Amended	V. 22, p. 430
68-2-20	Amended	V. 22, p. 119
68-7-12	Amended	V. 22, p. 119
68-7-12a	Amended	V. 22, p. 120
68-7-12b	New	V. 22, p. 120
68-7-20	New	V. 23, p. 382
68-8-1	Amended	V. 22, p. 431
68-9-2	Amended	V. 22, p. 121

68-11-1	Amended	V. 22, p. 122
68-11-2	Amended	V. 22, p. 122
68-12-2	Amended	V. 22, p. 122
68-13-1	Amended	V. 22, p. 122
<b>AGENCY 70: BOARD OF VETERINARY EXAMINERS</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
70-5-1	Amended	V. 23, p. 360
<b>AGENCY 71: KANSAS DENTAL BOARD</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
71-1-1	Revoked	V. 23, p. 151
71-1-2	Revoked	V. 23, p. 151
71-1-3	Revoked	V. 23, p. 151
71-1-8	Revoked	V. 23, p. 151
71-1-10	Revoked	V. 23, p. 151
71-1-11	Revoked	V. 23, p. 151
71-1-15	Amended	V. 23, p. 151
71-2-1	Revoked	V. 23, p. 151
71-2-4	Revoked	V. 23, p. 151
71-2-5	Amended	V. 23, p. 717
71-2-6	Revoked	V. 23, p. 718
71-2-7	Amended	V. 23, p. 718
71-2-9	Revoked	V. 23, p. 151
71-2-12	Revoked	V. 23, p. 151
71-3-5	Revoked	V. 23, p. 151
71-4-1	Amended	V. 23, p. 151
71-4-3	Revoked	V. 23, p. 152
71-6-1	Amended	V. 23, p. 383
71-6-5	Amended	V. 23, p. 718
71-7-1	New	V. 23, p. 152
<b>AGENCY 74: BOARD OF ACCOUNTANCY</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
74-1-1	Amended	V. 22, p. 1894
74-1-2	Amended	V. 22, p. 1894
74-1-3	Amended	V. 22, p. 1894
74-1-6	Amended	V. 22, p. 1895
74-1-8	New	V. 22, p. 1895
74-2-1	Amended	V. 22, p. 1896
74-2-4	Revoked	V. 22, p. 1896
74-4-7	Amended	V. 22, p. 1896
74-4-8	Amended	V. 22, p. 1896
74-4-9	Amended	V. 22, p. 1897
74-5-202	Amended	V. 22, p. 1898
74-11-6	Amended	V. 22, p. 1898
74-11-7	Amended	V. 22, p. 1898
74-12-1	Amended	V. 22, p. 1898
<b>AGENCY 75: STATE BANK COMMISSIONER—DIVISION OF CONSUMER AND MORTGAGE LENDING</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
75-6-33	New	V. 22, p. 1815
75-6-34	New	V. 22, p. 1454
<b>AGENCY 82: STATE CORPORATION COMMISSION</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
82-1-201	Revoked	V. 22, p. 1650
82-1-202	Amended	V. 22, p. 1650
82-1-204	Amended	V. 22, p. 1650
82-1-204a	New	V. 22, p. 1652
82-1-205	Amended	V. 22, p. 1652
82-1-206	Amended	V. 22, p. 1652
82-1-207	Amended	V. 22, p. 1652
82-1-208	Amended	V. 22, p. 1652
82-1-212	Amended	V. 22, p. 1652
82-1-214	Amended	V. 22, p. 1653
82-1-215	Amended	V. 22, p. 1653
82-1-216	Amended	V. 22, p. 1653
82-1-218	Amended	V. 22, p. 1653
82-1-219	Amended	V. 22, p. 1654
82-1-220	Amended	V. 22, p. 1655
82-1-221	Amended	V. 22, p. 1655
82-1-221b	Revoked	V. 22, p. 1656
82-1-222	Amended	V. 22, p. 1656
82-1-224	Amended	V. 22, p. 1656
82-1-225	Amended	V. 22, p. 1656
82-1-226	Amended	V. 22, p. 1657
82-1-227	Amended	V. 22, p. 1657
82-1-228	Amended	V. 22, p. 1657
82-1-229	Amended	V. 22, p. 1658

82-1-230	Amended	V. 22, p. 1659
82-1-230a	New	V. 22, p. 1659
82-1-231	Amended	V. 22, p. 1660
82-1-231a	Amended	V. 22, p. 1663
82-1-231b	Amended	V. 22, p. 1664
82-1-232	Amended	V. 22, p. 1665
82-1-235	Amended	V. 22, p. 1666
82-1-237	Amended	V. 22, p. 1666
82-1-238	Amended	V. 22, p. 1666
82-1-239	Amended	V. 22, p. 1667
82-3-101	Amended	V. 23, p. 426
82-3-600	Amended	V. 23, p. 429
82-3-600a	Amended	V. 23, p. 430
82-3-600b	Revoked	V. 23, p. 430
82-3-601a	Amended	V. 23, p. 430
82-3-601b	Amended	V. 23, p. 431
82-3-602	Amended	V. 23, p. 431
82-3-603	Amended	V. 23, p. 431
82-3-604	Amended	V. 23, p. 432
82-3-605	Revoked	V. 23, p. 432
82-3-606	Amended	V. 23, p. 432
82-3-607	New	V. 23, p. 433
82-3-700	through	
82-3-704	Amended (T)	V. 23, p. 152-155
82-3-700	through	
82-3-704	Amended	V. 23, p. 538-541
82-3-705	through	
82-3-710	New (T)	V. 23, p. 155-158
82-3-705	through	
82-3-710	New	V. 23, p. 541-544
82-4-2	Amended	V. 22, p. 86
82-4-3a	New (T)	V. 23, p. 578
82-4-20	Amended	V. 22, p. 86
82-4-21	Amended	V. 22, p. 87
82-4-23	Amended	V. 22, p. 87
82-4-26	Amended	V. 22, p. 87
82-4-26a	Amended	V. 22, p. 88
82-4-27	Amended	V. 22, p. 88
82-4-27a	Amended	V. 22, p. 88
82-4-27e	Amended	V. 22, p. 89
82-4-28	Amended	V. 22, p. 89
82-4-28a	Amended	V. 22, p. 89
82-4-29	Amended	V. 22, p. 90
82-4-29a	Amended	V. 22, p. 90
82-4-30a	Amended	V. 22, p. 90
82-4-32	Amended	V. 22, p. 90
82-4-35	Amended	V. 22, p. 91
82-4-46	Amended	V. 22, p. 91
82-4-49b	through	
82-4-49e	Revoked	V. 22, p. 91
82-7-2	through	
82-7-5	Revoked	V. 22, p. 91
82-8-1	Amended	V. 22, p. 91
82-8-2	Amended	V. 22, p. 91
82-8-3	Amended	V. 22, p. 92
82-11-1	Amended	V. 22, p. 1078
82-11-3	Amended	V. 22, p. 1079
82-11-4	Amended	V. 22, p. 1079
82-11-8	Amended	V. 22, p. 1084
82-11-10	Amended	V. 22, p. 1084

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-23-2	Amended	V. 23, p. 276
88-23-2a	New	V. 23, p. 278
88-23-3	Revoked	V. 23, p. 279
88-23-3a	New	V. 23, p. 279
88-23-7	New	V. 22, p. 1709

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-201	Amended	V. 22, p. 2125
91-1-203	Amended	V. 22, p. 2126
91-1-206	Amended	V. 22, p. 2129
91-1-213	Amended	V. 22, p. 2130
91-18-24	Revoked	V. 23, p. 280
91-18-27	Revoked	V. 23, p. 280

91-18-29	Revoked	V. 23, p. 280
91-18-34	Revoked	V. 23, p. 280
91-18-40	Revoked	V. 23, p. 280
91-31-16	through	
91-31-30	Revoked	V. 22, p. 124
91-31-31	through	
91-31-42	New	V. 22, p. 124-128
91-38-1	Amended	V. 22, p. 356
91-38-2	Amended	V. 22, p. 356
91-38-3	Amended	V. 22, p. 357
91-38-5	Amended	V. 22, p. 357
91-38-6	Amended	V. 22, p. 358
91-38-7	Amended	V. 22, p. 360

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-19-200	through	
92-19-203	New	V. 22, p. 431
92-51-24	Amended	V. 23, p. 40
92-51-25	Amended	V. 23, p. 40
92-51-28	New	V. 23, p. 40
92-51-29	New	V. 23, p. 41
92-51-34a	New	V. 23, p. 41
92-52-9	Amended	V. 23, p. 41

**AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION**

Reg. No.	Action	Register
93-6-4	Amended	V. 22, p. 666
93-6-7	New	V. 22, p. 666

**AGENCY 94: BOARD OF TAX APPEALS**

Reg. No.	Action	Register
94-2-4	Amended (T)	V. 22, p. 1504
94-2-4	Amended	V. 22, p. 2009
94-2-19	Amended (T)	V. 22, p. 1504
94-2-19	Amended	V. 22, p. 2009
94-2-20	Amended (T)	V. 22, p. 1504
94-2-20	Amended	V. 22, p. 2010
94-2-21	New	V. 22, p. 2010
94-2-21	Amended (T)	V. 23, p. 896

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-11-1	Amended (T)	V. 23, p. 580
100-22-4	New	V. 22, p. 690
100-29-9	Amended	V. 22, p. 1892
100-29-10	Amended	V. 22, p. 1893
100-54-2	through	
100-54-8	Amended	V. 22, p. 1926-1929
100-54-4	Amended (T)	V. 23, p. 383
100-55-4	Amended (T)	V. 23, p. 383
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. 23, p. 823

**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**

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:

Reg. No.	Action	Register
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
111-2-158	New	V. 23, p. 459
111-2-159	New	V. 23, p. 901
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

(continued)

111-4-2116		
through		
111-4-2125	New	V. 23, p. 311-318
111-4-2126		
through		
111-4-2146	New	V. 23, p. 459-471
111-4-2147		
through		
111-4-2160	New	V. 23, p. 901-909
111-5-96	Amended	V. 23, p. 101
111-5-111		
through		
111-5-115	New	V. 23, p. 245, 246
111-5-113	Amended	V. 23, p. 472
111-5-114	Amended	V. 23, p. 472
111-7-188		
through		
111-7-192	New	V. 23, p. 319, 320
111-7-190	Amended	V. 23, p. 473
111-7-192	Amended	V. 23, p. 473
111-9-122	New	V. 23, p. 910
111-9-123	New	V. 23, p. 910
111-1-1		
through		
111-11-11	New	V. 23, p. 911-914
111-12-1	New	V. 23, p. 914

**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
112-10-13	New	V. 23, p. 495
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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