



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Commission on Veterans' Affairs**Notice of Meeting**

The Kansas Commission on Veterans' Affairs will meet at 10 a.m. Friday, October 20, in the Eisenhower Building at the Kansas Soldier's Home, Fort Dodge. The public is invited to attend. For more information, call (785) 296-3976.

George Webb
Executive Director

Doc. No. 033684

State of Kansas

**Child Support Guidelines
Advisory Committee****Notice of Meetings**

The Kansas Child Support Guidelines Advisory Committee will meet at 11:30 a.m. November 3 and at 9:30 a.m. December 1 in Room 269, Kansas Judicial Center, 301 S.W. 10th Ave., Topeka. For more information, contact Mark Gleeson, OJA Family and Children Program Coordinator, at (785) 296-5938 or by e-mail at gleesonm@kscourts.org.

Persons requiring reasonable accommodations should contact Elizabeth Reimer at the Kansas Office of Judicial Administration, 301 S.W. 10th Ave., Topeka, 66612-1507, (785) 296-5938, by e-mail at reimere@kscourts.org or by TTY/TDD via the Kansas Relay Center, (800) 766-3777.

Mark Gleeson
OJA Family and Children
Program Coordinator

Doc. No. 033487

State of Kansas

Kansas Courthouse Security Project**Notice of Meetings**

The Kansas Courthouse Security Project will be conducting pre-assessment meetings on the following dates and in the following locations:

Oct. 13 — 30th Judicial District — 10 a.m. to noon
Kingman County Courthouse
130 N. Spruce, Kingman

Oct. 30 — 21st Judicial District — 2:30 to 4:30 p.m.
Riley County Courthouse
100 Courthouse Plaza, Manhattan

The meetings will be open to the public. For more information, contact Mark Gleeson, OJA Family and Children Program Coordinator, at (785) 296-5938 or by e-mail at gleesonm@kscourts.org. Persons requiring reasonable accommodations should contact Elizabeth Reimer at the Kansas Office of Judicial Administration, 301 S.W. 10th Ave., Topeka, 66612-1507, (785) 296-5938, by e-mail at reimere@kscourts.org, or by TTY/TDD via the Kansas Relay Center at (800) 766-3777.

Mark Gleeson
OJA Family and Children
Program Coordinator

Doc. No. 033632

State of Kansas

**Veterans Claims Assistance
Advisory Board****Notice of Meeting**

The Veterans Claims Assistance Advisory Board will meet at 10 a.m. Friday, October 20, in the Eisenhower Building at the Kansas Soldier's Home, Fort Dodge. The public is invited to attend. For more information, call (785) 296-3976.

George Webb
KCVA Executive Director

Doc. No. 033683

State of Kansas

Children's Cabinet and Trust Fund**Notice of Meeting**

The Kansas Children's Cabinet and Trust Fund will conduct a board meeting from 9 a.m. to 2:30 p.m. Monday, November 13, in the Marvin Auditorium, 101 C, Topeka-Shawnee County Public Library, 1515 S.W. 10th Ave., Topeka. For more information, contact Dyogga Adgebore, program consultant, at (785) 368-7044. Public comments and questions are a part of every Children's Cabinet meeting.

Jim Redmon
Executive Director

Doc. No. 033685

State of Kansas

Social and Rehabilitation Services**Request for Proposals**

The Department of Social and Rehabilitation Services announces the release of a request for proposals by Health Care Policy/Mental Health for fiscal year 2007 (January 1, 2007 through June 30, 2007). This is the Therapeutic Preschool Programs - Early Childhood Mental Health Consultation grant to assist early childhood professionals and families with understanding and incorporating a mental health perspective in their work and interactions with young children. Successful applicants will use recognized methods aimed at preventing, identifying, treating and reducing the impact of mental health problems among children from birth through age five. Further essential characteristics of successful applicants include use of capacity-building intervention within a collaborative relationship between a professional consultant with mental health expertise and one or more individuals with other areas of expertise—primarily child care professionals, early education and child development professionals, and families.

Groups interested in receiving a request for proposal should contact Pam Raiman at SRS/HCP/MH, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612, (785) 296-7272 or fax (785) 296-6142. Complete proposals must be received not later than 5 p.m. November 30.

Gary J. Daniels
Secretary of Social and
Rehabilitation Services

Doc. No. 033693

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of October 12-27. 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
Oct. 12	514-S	10:00 a.m.	Joint Committee on	Overview of adult and juvenile
Oct. 13	514-S	9:00 a.m.	Corrections and Juvenile Justice Oversight	community corrections, court services, and re-entry programs.
Oct. 16	514-S	10:00 a.m.	Joint Committee on Health Policy Oversight	Health Policy Authority (HPA) long-term goals; health care pricing and quality transparency; HPA contracts; e-prescribe initiatives; state RFP process; and Community Health Record Project.
Oct. 16	Tour		2010 Commission	Tour schools in Galena and Baxter Springs school districts and tour Southeast Kansas Education Service Center.
Oct. 17	519-S	10:00 a.m.	Legislative Post Audit	Performance audit reports: Board of Healing Arts—issues related to complaint investigations and composition of the board; Foster Care—reviewing decisions to remove children from their homes; Animal Health Dept.—reviewing issues related to recent animal tracking technology report (limited-scope audit); KTEC—reviewing bonuses paid to employees of KTEC and its subsidiaries (limited-scope audit). FY 2008 Legislative Post Audit budget request.
Oct. 18	514-S	10:00 a.m.	Legislative Educational	18th: Blue Ribbon Schools; Medicaid
Oct. 19	514-S	9:00 a.m.	Planning Committee	payments to USDs; federal funding for No Child Left Behind; timeline for USD budget preparation; State Board of Education standards for credentialing teachers of autistic children; and state educational performance standards (2006 SB 596). 19th: Report on recommendations of the At-Risk Council; career and technical education in Kansas; and report on State Dept. of Education's data warehousing project.
Oct. 19	241-N	10:00 a.m.	Kansas Criminal Justice	Agenda not available.
Oct. 20	241-N	9:00 a.m.	Recodification, Rehabilitation, and Restoration (3 Rs) Committee	
Oct. 23	519-S	10:00 a.m.	Special Committee on	23rd: Topic 2—Truth in taxation local budget law; Topic 4—City development excise taxes; Topic 9—Motor fuel tax at border; Topic 3—Residential property tax valuation cap; and Topic 6—
Oct. 24	519-S	9:30 a.m.	Assessment and Taxation	Qualifications and employment of SBOTA members. 24th: Topics 5 & 7—State and local tax policy; tax incidence and tax base erosion, and Topic 1—Homestead program expansion.

(continued)

Oct. 25	123-S	2:00 p.m.	Legislative Coordinating Council	Legislative matters.
Oct. 26	313-S	9:00 a.m.	House Investigative Committee on Legislative and Judicial Communications	Agenda not available.
Oct. 27	519-S	10:00 a.m.	KAN-ED Oversight Committee	Election of officers and overview of KAN-Ed.

Jeffrey M. Russell
Director of Legislative
Administrative Services

Doc. No. 033703

State of Kansas State Corporation Commission

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Tuesday, December 19, in the first floor hearing room of the State Corporation Commission, 1500 S.W. Arrowhead, Topeka, to consider the adoption of regulations related to the Kansas Underground Utility Damage Prevention Act, K.A.R. 82-14-1, 82-14-2, 82-14-3, 82-14-4 and 82-14-5.

The Kansas Underground Utility Damage Prevention Act (K.S.A. 66-1801 et seq.) places public safety obligations on underground utility operators and excavators. The proposed regulations are intended to codify industry accepted standards and practices in order to provide clear guidance for operators and excavators. Additionally, the proposed regulations establish reporting requirements and enforcement procedures. The specific regulations are proposed for the reasons and purposes stated as follows:

K.A.R. 82-14-1. This regulation offers clarification providing definitions for terms that are used in KUUDPA but not defined.

K.A.R. 82-14-2. This regulation augments K.S.A. 66-1804 by providing specific details to the requirements of the statute. The regulation will require specific details for the description of the excavation site contained in a notice of intent to excavate; the requirements for a permitted or preengineered project; the conditions and record keeping requirements for a "meet on site"; and the requirement to notify the utility operator when a facility or its associated tracer wire is damaged. As per K.S.A. 66-1809(b), this regulation also will prescribe the minimum operating guideline requirements for excavators using trenchless excavation techniques.

K.A.R. 82-14-3. This regulation augments K.S.A. 66-1806 by providing specific details to the KUUDPA requirements for facility operators. The regulation will specify the type of information to be filed with the notification center; the timing requirements allowed for the operator to provide utility information to the excavator; the operators' obligations when a "meet on site" is invoked by the excavator; and the operators' obligations if the operator requests an excavator to "whiteline" a proposed excavation site. As per K.S.A. 66-1802(g), this reg-

ulation also prescribes the minimum markings that are required of the operator in providing the facility information to the excavator. In order to assist the commission in evaluating the effectiveness of KUUDPA, this regulation also will require the operator to submit a semiannual report providing statistics on facility damages that are the result of excavation activity and have been discovered by the operator.

K.A.R. 82-14-4. While KUUDPA requires operators to be members of the notification center, it is silent on the obligation the notification center has to its members. This regulation sets requirements for the notification center in providing service to its membership. It also prescribes the minimum requirements for maintaining records of the excavator's notice.

K.A.R. 82-14-5. This regulation establishes procedures for enforcement actions. The procedures established are designed to provide for both informal and formal resolution of violations of KUUDPA standards.

The commission anticipates no significant economic impact through the implementation of these regulations. The commission anticipates no significant impact on other governmental agencies or private entities.

The adoption of the regulations constitutes the least expensive and least intrusive means by which to protect the public interests in this area.

The 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Matthew R. Tomc, Assistant General Counsel, State Corporation Commission, 1500 S.W. Arrowhead, Topeka, 66604. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing.

Copies of the regulations and the economic impact statement may be obtained by contacting Matthew R. Tomc at (785) 271-3118 or m.tomc@kcc.state.ks.us.

Any person requiring accommodations under the Americans With Disabilities Act should give notice to the commission at least 10 days prior to the hearing date.

Susan K. Duffy
Executive Director

Doc. No. 033686

(Published in the Kansas Register October 12, 2006.)

City of Lenexa, Kansas

Notice to Bidders

Sealed bids for **87th Street Parkway (Pflumm Road to Renner Blvd.) Fiberoptic Communication Project** will be accepted by the city of Lenexa, Kansas, at the Planning Department, Lenexa City Hall, 12350 W. 87th St. Parkway, Lenexa, KS 66215, until 2 p.m. November 6, 2006, at which time bids will be publicly opened and read aloud at the Lenexa City Hall. Any bid received after the designated closing time will not be considered and will be returned unopened.

All bids shall be submitted to the Planning Department customer service staff (main level) in sealed envelopes addressed to the city of Lenexa, Kansas, attention: city clerk, and marked "Bid for: 87th Street Parkway (Pflumm Road to Renner Blvd.) Fiberoptic Communication Project." Copies of plans, specifications, bidding documents and other contract documents are on file at the Public Works Department, lower level, Lenexa City Hall.

Bidders desiring contract documents for use in preparing bids may obtain a set of such documents at the address above upon payment of \$150, which amount is non-refundable.

In lieu of picking up plans and specifications at Lenexa City Hall, bidders may download plans and specs free of charge from the city of Lenexa's Web site at <http://www.ci.lenexa.ks.us/publicworks/index.html>.

Note: Davis-Bacon wage rates apply to this project.

Contractors should read and be fully familiar with all contract documents including addenda before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar therewith and that it has visited the site of the work to fully inform itself as to all existing conditions and limitations, and shall include in its bid a sum to cover the cost of all items of the work as specified in the contract documents.

No oral telegraphic, telephonic proposals or alterations will be considered. Facsimile transmissions will not be accepted.

The following items must be included in the sealed envelope with the bid:

- a. Bid form.
- b. 5% bid security—bid bond, cashier's check or certified check (see below).

Each bidder shall file with its bid a bid bond, a cashier's check or a certified check drawn on an acceptable bank, made payable to city of Lenexa, Kansas, in an amount equal to 5 percent of the total bid, which shall be retained by the city of Lenexa until a contract for the project has been executed. Bid bonds will be returned to the bidders, with the exception of the best and lowest and second best and second lowest responsible bidders, within 21 days after their bids are rejected. The bid deposit of the lowest and the second lowest responsible bidders will be returned when the performance bond, maintenance bond and statutory bond, each in an amount equal to 100 percent of the contract amount, required insurance certificates and other required documents shall have been fur-

nished and the contract documents have been executed by the successful bidder.

In the event the low bidder is unable to execute the contract, for whatever reason, within the time provided in the notice of award, the city may annul the notice of award and the bid deposit may be forfeited, and the city shall exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security or specific performance.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of city clerk prior to the time and date for bid opening.

All bidders agree that rejection shall create no liability on the part of the city because of such rejection, and the filing of any bid in response to this notice shall constitute an agreement of the bidder to these conditions.

A pre-bid conference will be held at 1:30 p.m. October 30 in the Public Works conference room, lower level, Lenexa City Hall.

Mary Sue Fry
City Clerk
City of Lenexa, Kansas

Doc. No. 033676

State of Kansas

**Department of Administration
Division of Purchases**

Notice to Bidders

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

10/24/2006	09854	Janitorial Services
10/25/2006	09862	State Park #1 Reclamation Project
10/26/2006	09843	DIS Hardware Maintenance Services-Scanners
10/26/2006	09864	Document Scanner System
11/03/2006	09772	Food and Related Products, Prime Vendor

The above-referenced bid documents may 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 or to obtain the following bid documents, call (785) 296-8899:

10/26/2006	A-010279	Replace Doors — Various Buildings, Wichita State University
10/31/2006	A-010212	Replace Rooftop Equipment, Department of Labor

Chris Howe
Director of Purchases

Doc. No. 033704

State of Kansas

Kansas Water Authority

Notice of Hearings

The Kansas Water Authority will conduct two public hearings on its policy recommendation to create a multi-agency group to work locally with private and public entities in their efforts to encourage development at and adjacent to federal reservoirs. However, there would be no private, exclusive use of public land. The group also would be charged with making sure that the development does not degrade the quality of the water in the reservoirs themselves.

The hearings will be held Tuesday, October 17, at the Kansas Water Office, 901 S. Kansas Ave., Topeka, and Wednesday, October 18, at the El Dorado Civic Center, 201 E. Central, El Dorado. Both hearings will begin at 10 a.m.

It is unnecessary to provide advance notice of your intent to testify. A written copy of your testimony, however, is requested.

Persons unable to attend either hearing may submit written comments or testimony to the Kansas Water Office, Attn: Economic Development Testimony, 901 S. Kansas Ave., Topeka, 66612-1249, until 4 p.m. October 31.

Specific initiatives include:

- Provide information and assistance to prospective developers.
- Work with local governments and others who want to increase the economic value of their local reservoirs.
- Promulgate rules and regulations under the general authority of the Kansas Department of Health and Environment to require any person wishing to develop land within a designated area adjacent to a reservoir to demonstrate how wastewater and sewage, stormwater runoff, and solid waste produced during and after development will be managed to minimize reservoir water quality impacts.
- Provide developers with access to reservoirs as appropriate through state parks and wildlife areas as part of public-private developments that enhance and increase the use of the federal reservoirs.
- Upgrade state park infrastructure and develop fee structures that support the entire costs of operating the parks and needed enhancements.
- Work cooperatively to reduce sedimentation rates at all reservoirs to preserve their recreational and economic value.
- Pursue initiatives that would enhance the recreational use and economic value of central and western Kansas reservoirs primarily by improving the reliability of their water levels, particularly by negotiating with irrigation districts to sell all or part of their water rights.

The full Kansas Water Authority study, "Economic Development Opportunities at Federal Reservoirs," and the Kansas Department of Commerce study, "Kansas Water Reservoirs-Analysis of Development Potential," may be found on the Kansas Water Office Web site at www.kwo.org.

For further information or to request special accommodations at the hearing locations, contact Ken Grote-wiel, Assistant Director of the Kansas Water Office, at (888) 526-9283 (KAN-WATER) or (785) 296-3185, or e-mail at kgrotewiel@kwo.state.ks.us.

Steve Irsik
Chairman

Doc. No. 033665

(Published in the Kansas Register October 12, 2006.)

**Summary Notice of Bond Sale
City of Newton, Kansas**

\$9,595,000*

**General Obligation Bonds
Series 2006-A**

\$1,100,000

**Taxable General Obligation Bonds
Series 2006-B**

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

Bids

Subject to the notice of bond sale dated September 26, 2006, separate written and electronic bids will be received on behalf of the clerk/finance director of the city of Newton, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through *PARITY*, until 2 p.m. October 24, 2006, for the purchase of the above-referenced bonds (collectively, the bonds). No bid of less than 100 percent of the principal amount of each series of 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 authorized denomination). The bonds will be dated November 1, 2006 (the dated date), and will bear interest from the dated date 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, 2007.

2006-A Bonds

The Series 2006-A Bonds will become due in principal installments on September 1 in the years as follows:

Year	Principal Amount*
2007	\$320,000
2008	270,000
2009	275,000
2010	285,000
2011	300,000
2012	310,000
2013	330,000
2014	340,000
2015	360,000
2016	370,000
2017	530,000
2018	555,000

(continued)

2019	575,000
2020	600,000
2021	625,000
2022	650,000
2023	675,000
2024	710,000
2025	740,000
2026	775,000

2006-B Bonds

The Series 2006-B Bonds will become due in principal installments on September 1 in the years as follows:

Year	Principal Amount
2007	\$ 95,000
2008	90,000
2009	95,000
2010	100,000
2011	105,000
2012	110,000
2013	115,000
2014	125,000
2015	130,000
2016	135,000

Adjustment of Issue Size

The issuer reserves the right to adjust the total principal amount of the Series 2006-A Bonds and the maturities set forth above, depending upon the payment of certain special assessments.

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. Separate deposits should be submitted with each separate proposal. The amount of the deposit for each series of bonds is as follows: (a) Series 2006-A — \$191,900, and (b) Series 2006-B — \$22,000.

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 November 16, 2006, 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 2006 is \$115,914,753. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$23,500,000*.

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 financial advisor at the address set forth below.

Written Bid and Good Faith Deposit Delivery Address:

City Hall
201 E. 6th, P.O. Box 426
Newton, KS 67114
Attn: Ronald Ahsmuhs, Clerk/Finance Director

Financial Advisor-Facsimile Bid and Good Faith Deposit Delivery Address:

George K. Baum & Company
100 N. Main, Suite 810
Wichita, KS 67202
Attn: Charles M. Bouilly
Phone No. (316) 264-9351
Fax (316) 264-9370
E-mail: bouilly@gkbaum.com

Dated September 26, 2006.

City of Newton, Kansas

*Subject to change.

Doc. No. 033690

(Published in the Kansas Register October 12, 2006.)

Summary Notice of Bond Sale

City of Pittsburg, Kansas
\$2,000,000

General Obligation Bonds
Series 2006C

(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the official notice of bond sale and official statement dated October 10, 2006, sealed, facsimile and electronic bids will be received on behalf of the city clerk of the city of Pittsburg, Kansas (the issuer), at the offices of Springsted Incorporated, 380 Jackson St., Suite 300, St. Paul, MN 55101, by delivery or via facsimile at (651) 223-3046, or, in the case of electronic proposals, via BiDCOMP/PARITY electronic bid submission system, until 2 p.m. C.D.T. on Tuesday, October 24, 2006, for the purchase of \$2,000,000 principal amount of General Obligation Bonds, Series 2006C. No bid of less than 99.00 percent of the aggregate principal amount of the bonds and accrued interest thereon to the date of delivery will be considered, and no supplemental interest payments will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated November 1, 2006, and will become due on September 1 in the years as follows:

Year	Principal Amount
2007	\$180,000
2008	175,000
2009	180,000
2010	185,000
2011	195,000
2012	200,000
2013	210,000
2014	215,000
2015	225,000
2016	235,000

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

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 September 1, 2007.

Paying Agent and Bond Registrar

The Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$40,000 (2 percent of the principal amount of the bonds).

Delivery

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

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the city for the year 2006 is \$132,996,341. The total general obligation indebtedness of the issuer following the issuance of the bonds is \$12,485,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the city clerk at (620) 231-4100 or from the city's financial advisor, Springsted Incorporated of St. Paul, Minnesota, at (651) 223-3000.

Dated September 26, 2006.

City of Pittsburg, Kansas
 Tammy Nagel, City Clerk
 City Hall
 201 W. 4th St.
 Pittsburg, KS 66762
 (620) 231-4100

Doc. No. 033691

State of Kansas

Department of Administration

Public Notice

Under requirements of K.S.A. 65-34,117 (c), records of the Division of Accounts and Reports show the unobligated balances are \$2,173,352.11 in the underground petroleum storage tank release trust fund and \$826,126.15 in the aboveground petroleum storage tank release trust fund at September 30, 2006.

Duane Goossen
 Secretary of Administration

Doc. No. 033689

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 10-9-06 through 10-15-06

Term	Rate
1-89 days	5.24%
3 months	5.01%
6 months	5.04%
1 year	4.89%
18 months	4.81%
2 years	4.70%

Derl S. Treff
 Director of Investments

Doc. No. 033688

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the projects listed below. A response may be submitted by e-mail to neil@ksdot.org or seven signed copies of the response can be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754.

Responses shall be limited to four pages and must be received by 5 p.m. November 9 for the consulting engineering firm to be considered.

From the firms expressing interest, the Consultant Selection Committee will select a list of the most highly qualified (not less than three, not more than five) and invite them to attend an individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand and will be expected to discuss, in some detail, their approach to this project and the personnel to be assigned to the project. Firms not selected to be short-listed will be notified by letter.

(continued)

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct the discussions with the firms invited to the individual interview conferences.

The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

**135-87 KA-0733-01
Sedgwick County**

Roadway surface rehabilitation with light grading and guard fence from 37th Street north 6.3 miles to the north city limits of Park City. Surveys are scheduled to begin in July 2007 and the field check is scheduled for April 2008.

**75-104 KA-0749-01
Woodson County**

Mill and overlay with light grading and guard fence from north city limits of Yates Center north 10.5 miles to the Woodson-Coffey county line. Surveys are scheduled to begin in June 2007 and the field check is scheduled for March 2009.

**59-3 KA-0746-01
Atchison County**

Mill and overlay with light grading and guard fence from K-116 northeast 9.6 miles to the west city limits of Atchison. Surveys are scheduled to begin in September 2007 and the field check is scheduled for June 2009.

**47-67 KA-0791-01
Neosho County**

Mill and overlay, add 8-foot shoulders and extend culverts from US-169 east 11.0 miles to US-59. Surveys are scheduled to begin in November 2006 and the field check is scheduled for February 2009.

It is KDOT's policy to use the following criteria as the basis for selection of the consulting engineering firms:

1. Size and professional qualifications;
2. experience of staff;
3. location of firm with respect to proposed project;
4. work load of firm; and
5. firm's performance record.

Deb Miller
Secretary of Transportation

Doc. No. 033696

**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 07-10 by adding the following projects:

Project C-4084-01, Bridge Replacement and Grading, Southwest Hodges Road over Wakarusa River, in Shawnee County

Project KA-0692-01, Preliminary Engineering for Bridge Replacement, K-25 over North Fork of Sappa Creek 7 miles south of Atwood, Rawlins County

Project KA-0696-01, Preliminary Engineering for Bridge Replacement, K-42 over Rose Bud Creek .2 mile west of K-14, Kingman County

Project KA-0697-01, Preliminary Engineering for Bridge Replacement, K-47 over Second Cow Creek and Clear Creek 2 miles east of K-7, Crawford County

Project KA-0698-01, Preliminary Engineering for Bridge Replacement, K-47 over First Cow Creek 1 mile west of Franklin, Crawford County

Project KA-0702-01, Preliminary Engineering for Bridge Replacement, K-99 over Homer Creek 5 miles north of US-54, Greenwood County

Project KA-0704-01, Preliminary Engineering for Bridge Replacement, US-160 over Camp Creek .2 mile west of Attica, Harper County

Project KA-0706-01, Preliminary Engineering for Bridge Replacement, US-169 over Abandoned Atchison Topeka Santa Fe Railroad just west of Welda, Anderson County

Project KA-0709-01, Preliminary Engineering for Bridge Replacement, US-24 over West Pipe Creek Drainage .2 mile east of US-81, Cloud County

Project KA-0710-01, Preliminary Engineering for Bridge Replacement, US-24 over Bourbonais Creek 3 miles northwest of Rossville, Shawnee County

Project KA-0718-01, Preliminary Engineering for Heavy Roadway Rehabilitation, I-70 from Colorado state line east to RS-1668 (Caruso), Sherman County

Project KA-0725-01, Preliminary Engineering for Moderate Roadway Rehabilitation, I-70 from .4 mile west of K-216 (Grinnell) east to 1 mile west of K-23 Spur, Gove County

Project KA-0726-01, Preliminary Engineering for Moderate Roadway Rehabilitation, I-70 from 1 mile west of K-23 Spur (east of Grainfield) east to 4 miles east of K-211, Gove County

Project KA-0727-01, Preliminary Engineering for Moderate Roadway Rehabilitation, I-70 from 4 miles east of K-211 (Park) east to Gove-Trego county line, Gove County

Project KA-0791-01, Preliminary Engineering for Roadway Reconstruction, K-47 from Jct. US-169 east to Jct. US-59, Neosho County

Project TE-0315-01, Restoration of Bridge and Scenic Area to View Bridge, 1885 Spencer Bridge 2 miles northwest of Greeley, Anderson County

The amendment of the STIP requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Bureau of Program and Project Management, 2nd Floor Tower, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754, (785) 296-3526, fax (785) 368-6664.

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 November 13.

Deb Miller
Secretary of Transportation

Doc. No. 033699

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 06-08 by adding the following project:

Project K-5070-07, Statewide Program to Provide Skill Training for Highway Work Through the Topeka YWCA

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, Bureau of Program and Project Management, 2nd Floor Tower, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754, (785) 296-3526, fax (785) 368-6664.

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 November 13.

Deb Miller
Secretary of Transportation

Doc. No. 033702

State of Kansas

Department of Transportation

Notice of Public Auction

(Editor's Note: The following notice, which was published in the October 5, 2006 Kansas Register, is being republished to reflect that bidding will open at the appraised values of the tracts being auctioned.)

The Kansas Secretary of Transportation will offer for sale at public auction at 11 a.m. Thursday, November 9, two tracts of land at 21st Street and Rice Road in Topeka that have been declared excess to the state highway system.

An inspection of property will take place from 10 to 11 a.m. Monday, November 6, and from 10 to 11 a.m. on the day of the sale. The sale will be conducted on-site.

The property consists of two tracts of land acquired as right of way for I-70 and the intersection of I-70 with Rice Road, east of Topeka in Shawnee County, Kansas. The two tracts contain a total of approximately 20.31 acres. There is good highway access in all directions in and out of the neighborhood onto I-70, the Kansas Turnpike and Kansas Highway 4.

Tract I, consisting of parcels "a" and "b" as described in the complete legal descriptions, is 12 acres more or less and will be accessible only to an adjacent landowner. Access from Tract I to Tract II would be by a very narrow strip, described as "c" in the following legal descriptions. Tract I has been appraised at \$72,000.

Tract II consisting of parcels "c," "d," "e," "f," "g" and "h" as described in the complete legal descriptions,

is 8.31 acres, more or less, adjacent to Rice Road. This tract could be developed with access to 21st Street and Rice Road. Tract II has been appraised at \$133,000.

Opening bids will begin at appraised values.

Complete legal descriptions for the parcels are available upon request by calling Kurt Daniels at (785) 296-4426.

The tracts are irregular in shape. They are nearly at grade but slope to the west and off I-70 to the south.

Highway Access: I-70 is a controlled access highway; therefore the tracts would have no direct access to the interstate highway.

Zoning: The property has no zoning designation, since it has been a part of highway right of way. Properties in the area are zoned light industrial, residential and some office.

Utilities: Public sewer is not available.

Terms of Sale:

A cashier's check for \$7,200 for Tract I and \$13,300 for Tract II, representing 10 percent of the minimum acceptable bid for each tract, is due at the time of the sale. The balance of the purchase price must be paid by cashier's check before 5 p.m. Monday, December 11, 2006. The successful bidder will receive a bill of sale on the day of the sale and a quit claim deed after the balance is paid. If the balance of the purchase price is not paid before 5 p.m. Monday, December 11, 2006, the 10 percent down payment will be forfeited to the seller.

The seller reserves the right to reject any and all bids and is not responsible for accidents.

Sold Subject to the Following:

Tracts will be sold subject to the easement for the right of ingress and egress, reconstruction and maintenance of all existing utilities and appurtenances thereto, as well as the following restrictive covenant: Grantees, for their heirs and assigns, do hereby covenant and agree, said covenant to run with the land, that the land conveyed herein shall not be used for billboards, signboards or other outdoor advertising purposes.

The prospective buyer is encouraged to research the chain of title of these tracts.

The Kansas Department of Transportation makes no representations concerning the condition, value or suitability of use for this property or the improvements, attachments, fixtures, apparatuses and appliances thereof, if any. The property and said improvements, etc. will be sold in the present "as is" condition, without warranties or guarantees of any kind.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

For additional information, contact the Bureau of Right of Way at (877) 461-6817.

Deb Miller
Secretary of Transportation

Doc. No. 033707

State of Kansas

Department of Health
and EnvironmentNotice of Hearing on Proposed
Administrative Regulations

The Kansas Department of Health and Environment, Division of Environment, Bureau of Water, will conduct a public hearing at 10 a.m. Wednesday, December 20, in the Azure Room, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider action on the following proposed underground injection control (UIC) regulations: adopting new regulation K.A.R. 28-46-34a, revoking regulations K.A.R. 28-46-2 and K.A.R. 28-46-26 and replacing these with new regulations K.A.R. 28-46-2a and K.A.R. 28-46-26a, and amending regulations K.A.R. 28-46-25 and K.A.R. 28-46-38.

A summary of the proposed regulations, their environmental benefits and the estimated economic impact follows:

These regulations will prohibit two types of Class V shallow injection wells, which pose a significant risk to public health and the environment. Because of the design of these wells, contaminants can be placed directly into or directly above the groundwater. These two types of wells are motor vehicle waste disposal wells (MVWDWs) and large capacity cesspools. The regulations will require closure notification and reporting, and provide closure requirements for these wells. Contaminants associated with MVWDWs include solvents, heavy metals, waste oil, brake fluid and antifreeze. Contaminants associated with large capacity cesspools include bacteria and nitrates. In addition, the regulations update the inventory requirements for all types of Class V wells.

There is no additional cost to KDHE, the public or those affected by these regulations. KDHE has been implementing the prohibition on MVWDWs for a number of years under general authority of existing regulations. Cesspools of any size also have been prohibited for a number of years under KDHE's Article 5 (sewage and excreta disposal). The purpose of the regulations is to clarify and consolidate KDHE's authority under the UIC program to address these two types of wells, to establish regulations specifically addressing this injection activity, and to be consistent with the EPA requirements.

The time period between publication of this notice and the date of the public hearing serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed regulations. Interested parties may submit written comments during the public comment period to Kirk Hoeffner, KDHE Geology Section, Suite 420, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612-1367, or by e-mail at khoeffner@kdhe.state.ks.us. All interested parties intending to provide oral comments will be given a reasonable opportunity at the hearing to present their views of the proposed regulations. In order to give each individual or entity an opportunity to present their view, it may be necessary for the hearing officer to request that each presenter limit their presentation to an appropriate timeframe.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and regulatory impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Kirk Hoeffner at (785) 296-1843 or fax at (785) 296-0086.

Complete copies of the proposed regulations and corresponding regulatory impact statement may be obtained on the Bureau of Water's Web site at www.kdheks.gov or by contacting the Bureau of Water at the address and phone number above.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 033681

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, October 26, 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 project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the KDFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

Project No. 000679—Maximum Principal Amount: \$62,500. Owner/Operator: Daniel Vathauer. Description: Acquisition of livestock to be used by the owner/operator for farming purposes. The project is being financed by the lender for Daniel Vathauer and is located at Section 27, Lincoln Township, Washington County, Kansas, approximately 8.5 miles south of Barnes on All American Road.

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.

Stephen R. Weatherford
President

Doc. No. 033695

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

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, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-06-360/366

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Tom Doperalski P.O. Box 295 Wamego, KS 66547	SE/4 of Section 26, T08S, R09E, Pottawatomie County	Kansas River Basin

Kansas Permit No. A-KSPT-S022

This is a renewal permit for an existing facility for a maximum capacity of 200 head (80 animal units) of swine greater than 55 pounds. The swine operation consists of one enclosed building and one earthen wastewater retention structure.

Name and Address of Applicant	Legal Description	Receiving Water
James Dobbins Route 2, Box 105 Goff, KS 66428	SE/4 of Section 32, T04S, R13E, Nemaha County	Kansas River Basin

Kansas Permit No. A-KSNM-S006

This is a renewal permit for an existing facility for a maximum of 75 head (30 animal units) of swine weighing more than 55 pounds and 320 head (32 animal units) of swine weighing 55 pounds or less, for a total of 62 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Holste Homestead Inc. Harlan G. Holste Route 2, Box L-19 Ludell, KS 67744	SE/4 of Section 19, T02S, R32W, Rawlins County	Upper Republican River Basin

Kansas Permit No. A-URRA-M003

This is a new permit for an existing facility for 100 head (140 animal units) of mature dairy cattle.

Name and Address of Applicant	Legal Description	Receiving Water
J-Bar Kennel James D. Gulick 4441 SW 60th St. El Dorado, KS 67042	NE/4 of Section 06, T27S, R05E, Butler County	Walnut River Basin

Kansas Permit No. A-WABU-K001

This is a renewal permit for an existing facility for 100 head of dogs.

Name and Address of Applicant	Legal Description	Receiving Water
Denver Lawson 367 W. 126 Highway Pittsburg, KS 66762	NW/4 of Section 27, T30S, R23E, Crawford County	Neosho River Basin

Kansas Permit No. A-NECR-F001

This is a renewal and permit modification for an existing facility for 54,000 head (972 animal units) of turkeys. The modification is due to a change in building sizes not reflected in previous permits.

Name and Address of Applicant	Legal Description	Receiving Water
L-Bo Land and Livestock Terry Ryan Box 186 Scott City, KS 67871	SW/4 of Section 13, T18S, R34W, Scott County	Upper Arkansas River Basin

Kansas Permit No. A-UASC-C014

Federal Permit No. KS0079316

This is a renewal permit for an existing facility for 1,400 head (1,400 animal units) of beef cattle.

Name and Address of Applicant	Legal Description	Receiving Water
Sperflsage Dairy Steven Sperflsage Route 3, Box 205 Seneca, KS 66538	NW/4 of Section 14, T03S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-M022

This is a renewal permit for an existing facility for a maximum of 140 head (196 animal units) of dairy cattle, 157 head (157 animal units) of cattle weighing more than 700 pounds, 64 head (32 animal units) of cattle weighing 700 pounds or less, 120 head (48 animal units) of swine weighing more than 55 pounds and 120 head (12 animal units) of swine weighing 55 pounds or less, for a total of 445 animal units.

Public Notice No. KS-06-157/166

Name and Address of Applicant	Waterway	Type of Discharge
John Morrell & Company 805 E. Kemper Road Springdale, Ohio 45246	Arkansas River	Process Wastewater

Kansas Permit No. I-UA16-BO01

Federal Permit No. KS0000078

Facility Name: Great Bend Packing Co., Inc.

Facility Address: 30 S.E. 10 Road, Great Bend, Kansas

Facility Description: The proposed action is to reissue an existing permit for discharge of wastewater from an existing hog processing facility. This facility processes hog cuts into ham and bacon. No slaughtering or rendering is currently performed at this facility. Deboning, curing, cooking, smoking, packaging, muscle thawing and cleanup operations also are performed. Process wastewater is treated with rotary screens, diffused air floatation (DAF), two anaerobic lagoons, an activated sludge aeration basin, a final clarifier and an Aquadisk filter prior to being directed to a Class I disposal well. About 0.078 mgd of noncontact cooling water from refrigerator condensers and compressors is directed into a 2-acre lagoon and discharged at Outfall 001. Alternatively when the disposal well is taken out of service, the flow from the filter is directed to the 5-acre aerobic stabilization lagoon that overflows into the 2-acre lagoon to commingle with non-contact cooling water prior to discharge. Noncontact cooling water may also be directed to 5-acre lagoon to help maintain a 2-foot water depth to protect the lagoon seal. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, oil and grease, ammonia, fecal coliform, chloride, total nitrogen and pH. Monitoring of total residual oxidant, nitrate, nitrite, total Kjeldahl nitrogen, total phosphorus and effluent flow also will be required. Contained in the permit is a schedule of compliance requiring the permittee to submit an acceptable schedule for repairs and/or replacement of items listed in the latest KDHE facility inspection. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

(continued)

Name and Address of Applicant
 Hunt Martin Materials, Inc.
 11252 Aurora Ave.
 Des Moines, IA 50322

Waterway
 Marais des Cygnes River via Middle Creek

Type of Discharge
 Pit Dewatering & Stormwater Runoff

Kansas Permit No. I-MC38-PO01 Federal Permit No. KS0080403
 Legal: NW¼, S24, T18S, R19E, Franklin County
 Facility Name: Princeton Quarry

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation with some washing. Outfall 001 consists of treated wash water from a settling pond and stormwater runoff. The proposed permit includes limits for total suspended solids and pH. Also included in the permit is generic water-quality language to protect waters of the state. Contained in the permit is a schedule of compliance requiring the permittee to develop and implement an industrial stormwater pollution prevention plan within one year of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant
 Unified Government of Kansas City/Wyandotte Co.
 50 Market St.
 Kansas City, KS 66118

Waterway
 Kansas River via Unnamed Tributary

Type of Discharge
 Treated Domestic Wastewater

Kansas Permit No. M-KS27-OO14 Federal Permit No. KS0080209
 Legal: SW¼, SE¼, NE¼, S28, T11S, R24E, Wyandotte County
 Facility Name: Kansas City Treatment Plant #14

Facility Location: 73rd & Holiday Drive, Kansas City, KS 66118
 Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, fecal coliform and pH. Monitoring of ammonia, total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen, total recoverable copper and effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant
 Lecompton, City of
 P.O. Box 100
 Lecompton, KS 66050

Waterway
 Kansas River via Unnamed Tributary

Type of Discharge
 Treated Domestic Wastewater

Kansas Permit No. M-KS33-OO01 Federal Permit No. KS0055581
 Legal Description: SW¼, S35, T11S, R18E, Douglas County

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and pH. Monitoring of ammonia, fecal coliform, total recoverable beryllium and total recoverable copper also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant
 Liberty, City of
 P.O. Box 152
 Liberty, KS 67351

Waterway
 Big Hill Creek via Unnamed Tributary

Type of Discharge
 Treated Domestic Wastewater

Kansas Permit No. M-VE24-OO01 Federal Permit No. KS0086223
 Legal Description: SE¼, SW¼, S19, T33S, R17E, Montgomery County.

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and fecal coliform, as well a monitoring of ammonia and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant
 N.R. Hamm Quarry, Inc.
 P.O. Box 17
 Perry, KS 66073

Waterway
 Delaware River via Rock Creek via Claywell Creek

Type of Discharge
 Pit Dewatering & Stormwater Runoff

Kansas Permit No. I-KS43-PO02 Federal Permit No. KS0117439
 Legal: N½, SW¼, and S½, NW¼, S9, T10S, R17E, Jefferson County
 Facility Name: #16 Clark Quarry

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation with no washing. Outfall 001 consists of stormwater runoff. Included in the permit is generic water-quality language to protect waters of the state. Contained in the permit is a schedule of compliance requiring the permittee to develop and implement an industrial stormwater pollution prevention plan within one year of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant
 N.R. Hamm Quarry, Inc.
 P.O. Box 17
 Perry, KS 66073

Waterway
 Kansas River via Muddy Creek via Elm Creek

Type of Discharge
 Pit Dewatering & Stormwater Runoff

Kansas Permit No. I-KS86-PO01 Federal Permit No. KS0117463
 Legal: SE¼, S16, T11S, R17E, Jefferson County

Facility Name: #77 Grantville Quarry

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation with no washing. Outfall 001 consists of stormwater runoff. Included in the permit is generic water-quality language to protect waters of the state. Contained in the permit is a schedule of compliance requiring the permittee to develop and implement an industrial stormwater pollution prevention plan within one year of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant
 N.R. Hamm Quarry, Inc.
 P.O. Box 17
 Perry, KS 66073

Waterway
 Kansas River via Stranger Creek via Rock Creek

Type of Discharge
 Pit Dewatering & Stormwater Runoff

Kansas Permit No. I-KS96-PO01 Federal Permit No. KS0117358
 Legal: SE¼, S2, T9S, R21E, Leavenworth County

Facility Name: #17 Leavenworth Quarry

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation with some washing. Outfall 001 consists of treated wash water. Outfall 002 consists of stormwater runoff. The proposed permit contains limits for total suspended solids and pH. Also included in the permit is generic water-quality language to protect waters of the state. Contained in the permit is a schedule of compliance requiring the permittee to develop and implement an industrial stormwater pollution prevention plan within one year of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant
 N.R. Hamm Quarry, Inc.
 P.O. Box 17
 Perry, KS 66073

Waterway
 Kansas River via Unnamed Tributary

Type of Discharge
 Pit Dewatering & Stormwater Runoff

Kansas Permit No. I-KS36-PO02 Federal Permit No. KS0085570
 Legal: NW¼, S23, T12S, R21E, Leavenworth County

Facility Name: #20 Linwood Quarry

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility

ity is a limestone quarry and crushing operation with some washing. Outfall 001 consists of stormwater runoff. Outfall 002 consists of treated wash water. The proposed permit contains limits for total suspended solids and pH. Also included in the permit is generic water-quality language to protect waters of the state. Contained in the permit is a schedule of compliance requiring the permittee to develop and implement an industrial stormwater pollution prevention plan within one year of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

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

Kansas Permit No. I-KS89-PO01 Federal Permit No. KS0096326
 Legal: NW¼, S1, T12S, R19E, Douglas Co. and SW, S36, T11S, R19E,
 Jefferson County

Facility Name: #70 Ousdahl Quarry

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation with some washing. Wash water is directed to a settling pond, via an underground pipeline, for treatment. The proposed permit contains limits for total suspended solids and pH. Also included in the permit is generic water-quality language to protect waters of the state. Contained in the permit is a schedule of compliance requiring the permittee to develop and implement an industrial stormwater pollution prevention plan within one year of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Persons wishing to comment on the draft documents 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 considered in the decision-making process. Comments should be submitted to the attention of the Livestock Waste Management Section for agricultural-related draft documents or applications, or to the Technical Services Section for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft documents or application notices received on or before November 11 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-06-360/366, KS-06-157/166) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and

expanding swine facilities are available on the Internet at <http://www.kdhe.state.ks.us/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays.

Roderick L. Bremby
 Secretary of Health
 and Environment

Doc. No. 033687

State of Kansas

**Department of Health
 and Environment**

Request for Water Quality Information/Data

The Kansas Department of Health and Environment, on behalf of the state of Kansas, is in the process of developing its 2006 List of Impaired Waters, pursuant to Section 303(d) of the Clean Water Act. This list includes the streams, lakes and wetlands in the state that require development of a total maximum daily load in order to attain their water quality standards. As part of the listing process, federal regulations (40 CFR 130.7) require that "all existing and readily available water quality related data and information" be assembled and evaluated in developing the list. Those data include data and information from local, state and federal agencies, members of the public and academic institutions conducting research.

This solicitation requests any data or information on the water quality condition of waters of the state covering the period 2000-2006. Submitted data may include chemical, physical or biological measurements and should be accompanied by information to identify the water body with as much geographic specificity as possible, possible sources of the pollutant causing the impairment and which uses of the water body are being impaired. In order to be considered for evaluation, information also should include any procedures for ensuring quality control and quality assurance of the data provided to KDHE.

KDHE will evaluate any submitted data and information and incorporate appropriate and accurate data into its decision process for listing waters on the 2006 List of Impaired Waters. KDHE decisions on the use of any submitted data will be documented in its submittal of the 2006 list to the Environmental Protection Agency in November. In order to support the listing process, data and information should be submitted to the Watershed Planning Section of KDHE, either as hard copy or electronically, by November 17. Data and information may be directed to Thomas C. Stiles, Watershed Planning Section, Suite 420, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612, or via e-mail to tstiles@kdhe.state.ks.us.

Roderick L. Bremby
 Secretary of Health
 and Environment

Doc. No. 033701

State of Kansas

Department of Health
and Environment

Notice of Hearings

Section 303d of the Clean Water Act requires states to biennially prepare a list of waters failing to meet state water quality standards. Such waters are required to have total maximum daily loads (TMDLs) prepared by the state to restore their water quality. A total maximum daily load is the maximum amount of the impairing pollutant that can enter the water without causing a violation of its water quality standards. Kansas has developed TMDLs for impaired surface waters in each of the state's 12 river basins. KDHE is now embarking on its second round of TMDL development in the Marais des Cygnes, Missouri, Neosho, Verdigris and Walnut basins. The draft 2006 Kansas 303d list will emphasize waters in those five basins, including an initial designation of TMDLs to be developed over the next two years.

A series of three public hearings on the 2006 Kansas 303d List of Impaired Waters are scheduled October 24-26. KDHE will take testimony on the draft 303d list at the public hearings. The three hearings will be held in the vicinity of the five basins where the state intends to develop TMDLs over 2006-2008. The list and its methodology are available for review on the Internet at: <http://www.kdhe.state.ks.us/tmdl/>.

The hearings will open with a brief summary of the list and its methodology as it pertains to the waters of the applicable river basin. Public testimony will then be taken after the presentation. Please provide a written copy of any testimony at the hearings. Written testimony will be accepted by KDHE anytime prior to the close of business November 17. KDHE will prepare a response to all public comments and revise the draft list as necessary, and will submit the list, the methodology, the public comments and the KDHE response to Region VII of the U.S. Environmental Protection Agency December 15.

The public hearings are scheduled as follows:

October 24 — Ottawa — 2 to 4 p.m.

City Commission Chambers, Room 104
City Hall, 101 S. Hickory

October 25 — Neodesha — 2 to 4 p.m.

Neodesha Housing Authority, 118 S. 6th St.

October 26 — Topeka — 2 to 4 p.m.

Heartland Conference Room, 1st Floor
Curtis State Office Building, 1000 S.W. Jackson

If accommodations at the hearing locations are needed by persons with disabilities, contact Thomas Stiles, Watershed Planning Section, Suite 420, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612, (785) 296-6170, at least five business days before the respective hearing. Other inquiries regarding this notice also should be directed to Thomas Stiles.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 033700

(Published in the Kansas Register October 12, 2006.)

City of Wichita, Kansas

Notice to Bidders

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, November 3, for the following project:

(KDOT Project No. 54 87K-8258-01/472-84457/401363)

(OCA Code 702349)

Paving

Kellogg/Rock (US-54, US-400) Mainline and
Bridges from Gouverneur to Cypress, not
including the Eastern Bridge

Requests for the bid documents and plans should be directed to City Blue Print at (316) 265-6224. Other questions should be directed to the respective design engineer, (316) 268-4501.

All bids received will thereafter be publicly opened, read aloud, and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the city manager and according to plans and specifications on file in the office of the city engineer. Bidders are required to enclose a bid bond in the amount of 5 percent with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.

Marty Murphy
Administrative Aide
City of Wichita—Engineering

Doc. No. 033694

State of Kansas

Kansas State Treasurer

Permanent Administrative
Regulations**Article 4.—LOW-INCOME FAMILY
POSTSECONDARY SAVINGS ACCOUNTS
INCENTIVE PROGRAM**

3-4-1. Definitions. In addition to the terms and definitions in K.S.A. 75-643 and L. 2006, ch. 189, sec. 3, and amendments thereto, the following terms shall have the meanings specified in this regulation:

(a) "Contribution" means any deposit made by a participant to the participant's account during a calendar year, except any deposit that is one of the following:

(1) A rollover from another account in the Kansas post-secondary education savings program;

(2) a rollover from another state's qualified tuition program as defined in internal revenue code section 529;

(3) a transfer from a Coverdell education savings account as defined in internal revenue code section 530; or

(4) a transfer of proceeds from a qualified U.S. savings bond as described in internal revenue code section 135(c)(2)(C).

(b) "Household" means a group of individuals who are related by birth, marriage, or adoption and who share a residence.

(c) "Participant" has the meaning specified in L. 2006, ch. 189, sec. 3, and amendments thereto. Each participant shall be an account owner. Each set of joint account owners shall be treated as one participant, but each joint account owner shall separately meet the program's eligibility requirements. (Authorized by and implementing L. 2006, ch. 189, sec. 3; effective, T-3-6-29-06, June 29, 2006; effective Oct. 27, 2006.)

3-4-2. Eligibility requirements. (a) Each applicant shall meet the following requirements:

- (1) Be a resident of the state of Kansas;
- (2) reside in a household with a combined federal adjusted gross income for all individuals residing in the household that is not more than 200 percent of the current federal poverty level; and
- (3) be a taxpayer listed on an income tax return used to verify income and not be claimed as a dependent by another taxpayer.

(b) Any individual who files a joint income tax return may apply individually or jointly with the other individual listed on the income tax return if that other individual also meets the program's eligibility requirements. (Authorized by and implementing L. 2006, ch. 189, sec. 3; effective, T-3-6-29-06, June 29, 2006; effective Oct. 27, 2006.)

3-4-3. Applications. Each application shall be processed in the order received for awarding the number of matching grants authorized by L. 2006, ch. 189, sec. 3, and amendments thereto. Each application shall be accompanied by a copy of the federal income tax return for the previous tax year for each individual residing in the household who is required to file an income tax return. (Authorized by and implementing L. 2006, ch. 189, sec. 3; effective, T-3-6-29-06, June 29, 2006; effective Oct. 27, 2006.)

3-4-4. Eligibility period. Each participant shall be entitled to a matching grant equal to the amount of the participant's contributions to the participant's account or accounts for the calendar year in which the participant's application is approved. Each participant shall reapply each year to remain eligible for the program. (Authorized by and implementing L. 2006, ch. 189, sec. 3; effective, T-3-6-29-06, June 29, 2006; effective Oct. 27, 2006.)

3-4-5. Matching grant accounts. The matching grant funds for each participant shall be deposited in a separate account in the participant's name, with the following restrictions:

(a) Only the participant shall be the account owner of the matching grant account. Joint applications shall be joint account owners of both their joint account and the corresponding matching grant account.

(b) No change in ownership of the participant's account or the corresponding matching grant account shall be allowed, except upon the participant's death, divorce, or incapacity.

(c) Any participant may change the designated beneficiary for that participant's account or accounts. However, the designated beneficiary for the matching grant account shall always be the same as the designated beneficiary for the participant's account.

(d) The investment portfolio for the corresponding matching grant account shall always be the same as the investment portfolio selected for the participant's account.

(e) Each request for a withdrawal from the matching grant account shall be submitted to the treasurer's office for approval. If the treasurer determines that the request is for qualified higher education expenses, then the request shall be approved. Each approved withdrawal from the matching grant account shall be paid either directly to the educational institution or to the participant or the designated beneficiary, upon presentation of documentation acceptable to the treasurer that the participant or designated beneficiary has paid qualified higher education expenses at least equal to the amount of the request withdrawal. Each approved withdrawal shall be equally funded from the participant's account and the corresponding matching grant account. (Authorized by and implementing L. 2006, ch. 189, sec. 3; effective, T-3-6-29-06, June 29, 2006; effective Oct. 27, 2006.)

3-4-6. Multiple accounts. Each participant with multiple accounts shall receive only one matching grant and shall allocate the grant between or among the participant's corresponding matching grant accounts. The portion of the matching grant funds allocated to each corresponding matching grant account shall not exceed the participant's contributions to each of the participant's accounts for the applicable calendar year. (Authorized by and implementing L. 2006, ch. 189, sec. 3; effective, T-3-6-29-06, June 29, 2006; effective Oct. 27, 2006.)

3-4-7. Forfeit of matching grant funds. (a)(1) Except as specified in paragraphs (a)(2) and (a)(3), funds in a participant's matching grant account shall be forfeited in an amount equal to either of the following:

(A) Any nonqualified withdrawal from the participant's account; or

(B) any rollover distribution to another qualified tuition plan.

(2) If any nonqualified withdrawal or rollover distribution closes the participant's account, the corresponding matching grant account shall be closed and its entire balance shall be forfeited.

(3) Any participant who contributes more than the \$600 maximum matching grant amount may make a nonqualified withdrawal or rollover distribution of the excess contribution without forfeiting funds from the matching grant account.

(b) If the treasurer determines that a participant has made a material misrepresentation on the participant's application, all matching grant funds resulting from the application shall be forfeited.

(c) If a participant's account ever becomes reportable as unclaimed property under K.S.A. 58-3934 et seq. and amendments thereto or the laws of any other state, the remaining balance in the matching grant account shall be forfeited.

(d) All forfeited funds shall be returned to the Kansas postsecondary education savings trust fund. (Authorized

(continued)

by and implementing L. 2006, ch. 189, sec. 3; effective, T-3-6-29-06, June 29, 2006; effective Oct. 27, 2006.)

Lynn Jenkins
Kansas State Treasurer

Doc. No. 033680

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 51.—HOME HEALTH AGENCY LICENSURE - HOME HEALTH AIDE

28-51-100. Definitions. (a) "Administrator" means either a person who has training and experience in health services administration and at least one year of supervisory or administrative experience in health care, or a qualified health professional.

(b) "Admission note" means a dated notation that is written by a professional member of the health team after the initial assessment of a patient and that documents the relevant diagnoses; the patient's health history; environmental, safety, and social factors of the patient's home; the patient's nutritional requirements, medications, and treatments; and the patient's physical and mental levels of functioning.

(c) "Branch office" means a location or site from which a home health agency provides services within a portion of the total geographic area served by the parent agency. The branch office shall be part of the home health agency and shall be located close to share administration, supervision, and services in a manner that renders it unnecessary for the branch to independently meet the conditions of licensure as a home health agency. Each branch office shall be within 100 miles of the parent agency.

(d) "Bylaws" means a set of rules adopted by a home health agency for governing the agency's operation.

(e) "Clinical record" means a legal document containing facts that meet the following criteria:

(1) Provide a basis for planning and implementing the patient's care program;

(2) indicate the patient's status and response to treatment;

(3) serve as a record of communication for the professional groups responsible for the patient's care; and

(4) serve as a repository of data that can be used to review and evaluate the care provided.

(f) "Dietitian" means a person who is licensed by the Kansas department of health and environment as a dietitian.

(g) "Direct supervision" means that the supervisor is on the facility premises and is accessible for one-on-one consultation, instruction, and assistance, as needed.

(h) "Discharge summary report" means a concise statement, signed by a qualified health professional, reflecting the care, treatment, and response of the patient in accordance with the patient's plan of care and the final disposition at the time of discharge.

(i) "Home health aide" means an individual who has a home health aide certificate issued by the licensing agency as specified in K.A.R. 28-51-113.

(j) "Home health aide trainee" means an individual who meets either of the following:

(1) The individual has completed a 90-hour nurse aide course prescribed in K.A.R. 28-39-165.

(2) The individual's training has been endorsed as specified in K.A.R. 28-51-115.

(k) "Licensed nursing experience" means experience as a registered nurse or licensed practical nurse.

(l) "Licensing agency" means the Kansas department of health and environment.

(m) "Occupational therapist" means a person who is licensed with the Kansas state board of healing arts as an occupational therapist.

(n) "Occupational therapy assistant" means a person who is licensed with the Kansas state board of healing arts as an occupational therapy assistant.

(o) "Parent home health agency" means a home health agency that develops and maintains administrative control of subunits or branch offices, or both.

(p) "Physical therapist" means a person who is licensed with the Kansas state board of healing arts as a physical therapist.

(q) "Physical therapist assistant" means a person who is certified by the Kansas state board of healing arts as a physical therapist assistant.

(r) "Physician" means a person licensed in Kansas or an adjoining state to practice medicine and surgery.

(s) "Plan of care" means a plan based on the patient's diagnosis and the assessment of the patient's immediate and long-range needs and resources. The plan of care is established in consultation with the home health services team. If the plan of care includes procedures and services that, according to professional practice acts, require a physician's authorization, the plan of care shall be signed by a physician and shall be renewed every 62 days.

(t) "Progress note" means a dated, written notation by a member of the home health services team summarizing the facts about the patient's care and response during a given period of time.

(u) "Qualified health professional" means a physician, a registered nurse, a physical therapist, an occupational therapist, a respiratory therapist, a speech therapist, a dietitian, or a social worker.

(v) "Registered nurse" means a person who is licensed by the Kansas state board of nursing as a registered professional nurse.

(w) "Respiratory therapist" means a person who is licensed by the Kansas state board of healing arts as a respiratory therapist.

(x) "Simulated laboratory" means an enclosed area that is in a school, adult care home, or other facility and that is similar to a home setting. In a simulated laboratory, trainees practice and demonstrate basic home health aide skills while an instructor observes and evaluates the trainees.

(y) "Social worker" means a person who is licensed by the Kansas behavioral sciences regulatory board as a social worker.

(z) "Speech therapist" means a person who is licensed by the Kansas department of health and environment as a speech-language pathologist.

(aa) "Summary report" means a concise statement, signed by a qualified health professional, that reflects the care and treatment given and the response by the patient.

(bb) "Supervision" means the authoritative procedural guidance that is given by a qualified health professional. This term shall include initial direction and periodic inspection of the act of accomplishing the function or activity. (Authorized by and implementing K.S.A. 65-5109; effective, T-86-23, July 1, 1985; amended May 1, 1987; amended Feb. 28, 1994; amended Dec. 29, 2003; amended Oct. 27, 2006.)

28-51-112. Home health aide training program. (a) Each individual employed or contracted by a home health agency who is not licensed or registered to provide home health services but who assists, under supervision, in the provision of home health services and who provides related health care to patients shall meet the training requirements in K.A.R. 28-51-113 through K.A.R. 28-51-116.

(b) This regulation shall not apply to any individual providing only attendant care services as defined in K.S.A. 65-6201, and amendments thereto. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5115; effective, T-86-23, July 1, 1985; effective May 1, 1986; amended Feb. 28, 1994; amended Oct. 27, 2006.)

28-51-113. Home health aide training program. (a) Each home health aide candidate shall be a Kansas-certified nurse aide in good standing on the public nurse aide registry and complete a 20-hour home health aide course approved by the licensing agency.

(b) Upon completing a home health aide course as specified in subsection (a) of this regulation, each home health aide shall be required to pass a state test as specified in K.A.R. 28-51-116.

(c) Each person who completes the requirements specified in subsections (a) and (b) of this regulation shall be issued a home health aide certificate by the licensing agency and shall be listed on the public nurse aide registry.

(d) (1) Each home health aide trainee shall be allowed to provide home health aide services to clients of the home health agency under the supervision of a registered nurse.

(2) Each home health aide trainee who completes an approved 20-hour course shall be issued a home health aide certificate by the licensing agency, upon completion of the requirements specified in subsections (a) and (b) of this regulation, within 90 days from the beginning date of the initial course in order to continue employment providing home health aide services. Home health aide trainee status shall be for one 90-day period only.

(3) Any Kansas certified nurse aide who is eligible for employment and who is enrolled in a 20-hour home health aide course may work for a home health agency as a home health aide trainee. The home health agency's registered nurse shall retain in the trainee's personnel file a department-approved form attesting that the trainee

has met the minimum competencies for a home health aide trainee.

(e) Each 20-hour home health aide course shall be administered according to the following criteria:

(1) Any person issued a nurse aide certificate by the licensing agency or enrolled in a 90-hour nurse aide course as specified in K.A.R. 28-39-165 may enroll in a 20-hour home health aide course after being prescreened and tested for reading comprehension at an eighth-grade level.

(2) Each 20-hour course shall be sponsored by one of the following:

(A) A home health agency;

(B) A postsecondary school under the jurisdiction of the state board of regents; or

(C) a postsecondary school accredited by the north central association of colleges and schools.

(3) A home health agency shall not sponsor or provide clinical instruction for a 20-hour home health aide course if that home health agency meets any of the conditions listed in 42 C.F.R. 484.36(a)(2)(i), as in effect on October 1, 2001, which is hereby adopted by reference.

(4) Each 20-hour course shall be prepared and administered in accordance with the guidelines established by the licensing agency in the "Kansas certified home health aide guidelines (20 hours)," dated July 1, 2005, and the "Kansas home health aide sponsor and instructor manual," excluding the appendices, dated July 1, 2005, which are hereby adopted by reference.

(f) No correspondence course shall be accepted as a 20-hour home health aide course.

(g) Distance-learning educational offerings and computer-based educational offerings shall meet the requirements specified in subsection (e) of this regulation. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5115; effective Dec. 29, 2003; amended Oct. 27, 2006.)

28-51-114. Home health aide course instructors.

(a) Each instructor for the 20-hour course shall meet the following requirements:

(1) Each person who intends to be a course instructor shall submit a completed instructor approval application form to the licensing agency at least three weeks before offering an initial course and shall be required to receive approval as an instructor before the first day of an initial course.

(2) Each instructor shall be a registered nurse with a minimum of two years of licensed nursing experience, including at least 1,750 hours of experience in the provision of home health care services.

(b) Each instructor and course sponsor shall be responsible for ensuring that the following requirements are met:

(1) Each student in a 20-hour home health aide course shall be prescreened and tested for reading comprehension of the written English language at an eighth-grade reading level before enrolling in the course.

(2) A completed course approval application form shall be submitted to the licensing agency at least three weeks before offering the course. Approval of the course shall be obtained from the licensing agency at the beginning of

(continued)

each course whether the course is being offered initially or after a previous approval. Each change in course location, schedule, or instructor shall require prior approval by the licensing agency.

(3) All course objectives shall be accomplished.

(4) Health care professionals with appropriate skills and knowledge may be selected to conduct any part of the training. Each health care professional shall have at least one year of experience in the subject area in which the individual is providing training.

(5) Each person providing a portion of the training shall do so under the direct supervision of the instructor.

(6) If clinical instruction is included in the course, each student shall be under the direct supervision of the instructor.

(7) During the clinical instruction, the instructor shall perform no other duties than the provision of direct supervision to the students.

(8) The 20-hour home health aide course shall be prepared and administered in accordance with the guidelines in the "Kansas certified home health aide guidelines (20 hours)" and the "Kansas home health aide sponsor and instructor manual," as adopted in K.A.R. 28-51-113.

(c) Any instructor or course sponsor who does not fulfill the requirements of this regulation may be subject to withdrawal of approval to serve as a course instructor or a course sponsor. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5115; effective Dec. 29, 2003; amended Oct. 27, 2006.)

28-51-115. Allied health training endorsement for home health aide. (a) Each person who meets one of the following conditions shall be deemed to have met the requirements of K.A.R. 28-51-113(a) and shall be eligible to take the state test as specified in K.A.R. 28-51-116:

(1) The person has been licensed in Kansas or another state, within 24 months from the date of application, as a licensed practical nurse whose license is inactive or a registered nurse whose license is inactive, and there are no pending or current disciplinary actions against the individual's license.

(2) The person is currently licensed in Kansas or another state, or has been licensed within 24 months from the date of application, as a licensed mental health technician, and there are no pending or current disciplinary actions against the individual's license.

(3) The person has received training from an accredited nursing or mental health technician training program within the 24-month period before applying for endorsement. Training shall have included a basic skills component comprised of personal hygiene, nutrition and feeding, safe transfer and ambulation techniques, normal range of motion and positioning, and supervised clinical experience in geriatrics.

(b) Each person qualified under subsection (a) of this regulation shall receive written notice from the licensing agency that the person is eligible to take the state test. Upon receiving written approval from the licensing agency, that person may be employed by a home health agency as a home health aide trainee to provide patient care on behalf of the home health agency. Each person employed as a home health aide trainee shall be certified

as a home health aide by the licensing agency, upon successful completion of the requirements specified in K.A.R. 28-51-113(a) or subsection (a) of this regulation, within one 90-day period starting from the date of approval, in order to continue employment providing home health aide services on behalf of the home health agency. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5115; effective Dec. 29, 2003; amended Oct. 27, 2006.)

28-51-116. State home health aide test eligibility.

(a) Each person shall have a maximum of three attempts per year from the beginning date of the course to pass the state written test after successfully completing an approved 20-hour course pursuant to K.A.R. 28-51-113.

(1) If the person does not pass the state test within one year from the starting date of taking an approved 20-hour course, the person shall retake the entire course to be eligible to retake the state test.

(2) If a person whose training has been endorsed as specified in K.A.R. 28-51-115 does not pass the state test on the first attempt, the person shall complete an approved 20-hour course as specified in K.A.R. 28-51-113 before retaking the state test.

(3) The state test shall be comprised of 30 multiple-choice questions for persons who have successfully completed an approved 20-hour course or have successfully completed training that has been endorsed as specified in K.A.R. 28-51-115. A score of 22 or higher shall constitute a passing score.

(b) Each home health aide trainee shall pay a nonrefundable application fee of \$20.00 before taking the state test. A nonrefundable test application fee shall be required each time the test is scheduled to be taken. Each person who fails to take the state test and who has made payment for the test shall submit another fee before being scheduled for another opportunity to take the test.

(c) Each course instructor shall collect the application fee for each home health aide trainee eligible to take the state test and shall submit the fees, class roster, and application forms to the licensing agency or its designated agent.

(d) Each person who is eligible to take the state test and who has submitted the application fee and application form shall be issued written approval, which shall be proof of eligibility to sit for the test.

(e) Any reasonable test accommodation or auxiliary aid to address a disability may be requested by any person who is eligible to take the state test.

(1) A request for reasonable accommodation or auxiliary aid shall be submitted each time a candidate is scheduled to take the test.

(2) No test shall be given orally or by a sign language interpreter since reading and writing instructions or directions is an essential job task of a home health aide.

(3) Each person requesting a test accommodation shall submit an accommodation request form along with an application form to the instructor. The instructor shall forward these forms to the licensing agency or its designated agent at least three weeks before the desired test date. Each instructor shall verify the need for the accommodation by signing the accommodation request form.

(f) Each person whose second language is English shall be allowed to use a bilingual dictionary while taking the

state test. Limited English proficiency shall not constitute a disability with regard to accommodations. An extended testing period of up to one additional hour may be offered to persons with limited English proficiency. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5115; effective Dec. 29, 2003; amended Oct. 27, 2006.)

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 033679

State of Kansas

Board of Regents

Permanent Administrative Regulations

(Editor's Note: A portion of subsection (a)(2) in K.A.R. 88-28-7 was published incorrectly in the October 5, 2006 Kansas Register. The entire regulation is being republished below. The effective date of the regulation will remain October 20, 2006.)

Article 28.—PRIVATE AND OUT-OF-STATE POSTSECONDARY EDUCATION INSTITUTIONS

88-28-7. Enrollment agreement. (a) (1) Before any institution may accept payment from a student, an official of the institution shall provide that student with an enrollment agreement that explicitly outlines the obligations of the institution and the student and the enrollment period for which this agreement applies. When the official of the institution provides any student with the institution's enrollment agreement, the official shall also physically or electronically provide the student with a copy of the institution's catalog and any other supporting documents that detail the services to be provided by the institution that are outlined in the enrollment agreement.

(2) The enrollment agreement shall be written so that it can be understood by the prospective student or, if the prospective student is a minor, that prospective student's parent or legal guardian, regardless of the educational background of the individual.

(b) Each enrollment agreement shall contain the following elements:

(1) A title that identifies the enrollment agreement as a contract or legal agreement;

(2) the name and address of the institution;

(3) the title of the program or each course in which the student is enrolling, as identified in the course catalog;

(4) the number of clock-hours or credit hours and the number of weeks or months required for completion of the program or each course in which the student is enrolling;

(5) identification of the type of certificate, diploma, or degree to be received by the student upon successful completion of the program or each course;

(6) the total amount of tuition required for the program or each course in which the student is currently enrolling. If the total number of clock-hours or credit hours required for completion of the program will span more than one enrollment period, the enrollment agreement shall include a statement that tuition is subject to change;

(7) the cost of any required books and supplies, which may be estimated if necessary;

(8) any other costs and charges to be paid by the student;

(9) the scheduled start and end dates of the program or each course and a description of the class schedule;

(10) the grounds for termination of the enrollment agreement by the institution before the student's completion of the program or each course. These grounds may include the student's insufficient progress, nonpayment, and failure to comply with the institution's published rules;

(11) the method by which the student can cancel or voluntarily terminate the enrollment agreement;

(12) the institution's refund policy for cancellations and terminations, as described in K.S.A. 74-32,169 and amendments thereto. Reference may be given to the page where the refund policy is listed in the institution's catalog in effect at the time of enrollment;

(13) a statement disclaiming any guarantee of employment for the student after the program or each course is completed;

(14) the reasons why the institution could postpone the scheduled starting date or the class schedule, the maximum period of any possible delay, and any effect that the postponement could have on the institution's refund policy;

(15) a description of the nature and extent of any possible major or unusual change in any course content, program content, or materials and the amount of any extra expenses that could be charged to the student;

(16) the date on which the enrollment agreement becomes effective;

(17) an acknowledgment that the student who signs the enrollment agreement has read and received a copy of the agreement;

(18) the signature of the student or the student's legal representative, if the student is a minor, and the date of this signature;

(19) the signature of an official at the institution who is authorized to sign for the institution and the date of this signature;

(20) if any extra charges are assessed, a description of what each charge is for and, if payment of these charges is collected in advance, a reasonable refund policy; and

(21) a description of any items or services required to be purchased from sources other than the institution, if any. (Authorized by K.S.A. 2005 Supp. 74-32,165; implementing K.S.A. 2005 Supp. 74-32,165, 74-32,169, and 74-32,176; effective Oct. 20, 2006.)

Reginald L. Robinson
President and CEO

Doc. No. 033669

State of Kansas

Behavioral Sciences Regulatory Board

Permanent Administrative
Regulations

Article 2.—LICENSING OF SOCIAL WORKERS

102-2-2a. Application for licensure. (a) Each applicant for licensure as a social worker shall request license application forms from the director of the board and shall indicate the level of license desired.

(b) Each applicant for a baccalaureate social work license or a master social work license shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the license application fee as provided in K.A.R. 102-2-3;

(2) submit, on board-approved forms, two professional references. Each individual submitting a reference shall meet all of the following conditions:

(A) Is not related to the applicant;

(B) is licensed, or academically eligible for licensure, as a social worker at or above the applicant's intended level of licensure. Under extenuating circumstances, references from individuals other than social workers may be accepted by the board; and

(C) can address the applicant's professional conduct, competence, and merit of the public trust;

(3) submit, on a board-approved form, a third professional reference from an individual who meets all of the following conditions:

(A) Is not related to the applicant; and

(B) except as provided in paragraphs (b)(3)(B)(i) and (b)(3)(B)(ii), has served as the applicant's social work field education program supervisor.

(i) If the field education program supervisor is unavailable, the director of the field education program or any person who has knowledge of the applicant's field education program experience based on the applicant's field education program records shall submit the reference.

(ii) If the applicant's field education program supervisor is not licensed or academically eligible for licensure at or above the applicant's intended level of licensure, the applicant shall submit a reference from the faculty field liaison for the applicant's social work field education program in addition to the reference from the social work field education program supervisor;

(4) arrange for the applicant's academic social work transcript or other official proof that the applicant has received the required degree and completed a qualified social work program to be provided directly to the board by the academic institution. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board; and

(5) demonstrate satisfactory completion of educational requirements as specified in K.A.R. 102-2-6.

(c) Each applicant for a specialist clinical social work license shall submit the completed application materials

to the board and complete the following application procedures:

(1) Submit the full payment of the license application fee as provided in K.A.R. 102-2-3;

(2) submit, on board-approved forms, two professional references. Each individual submitting a reference shall meet all of the following conditions:

(A) Is not related to the applicant;

(B) is licensed, or academically eligible for licensure, as a licensed specialist clinical social worker. Under extenuating circumstances, references from individuals other than social workers may be accepted by the board; and

(C) can address the applicant's professional conduct, competence, and merit of the public trust;

(3) submit, on a board-approved form, a third professional reference from an individual who meets all of the following conditions:

(A) Is not related to the applicant; and

(B) served in one of the following roles:

(i) served as the applicant's employment supervisor at the worksite for the applicant's supervised postgraduate work experience; or

(ii) served as the applicant's employment supervisor during the applicant's most recent employment in a position requiring social work licensure;

(4) submit the supervisory attestation form and other supportive documentation on board-approved forms as required by K.A.R. 102-2-12;

(5) if not previously provided, arrange for the applicant's academic social work transcript or other official proof that the applicant has received the required degree and completed a qualified social work program to be provided directly to the board by the academic institution. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board; and

(6) demonstrate satisfactory completion of graduate educational requirements as specified in K.A.R. 102-2-6 and K.A.R. 102-2-12.

(d) The examination required for licensure as a social worker may be waived only as provided in K.A.R. 102-2-9.

(e) Any applicant who is determined by the board to meet the requirements of K.S.A. 65-6309, and amendments thereto, may be granted a temporary license if the applicant submits a written request for a temporary license on a form approved by the board and the temporary license fee as provided in K.A.R. 102-2-2. Except as provided in subsection (f), the temporary license shall remain in effect for six months.

(f) Any applicant whose six-month temporary license is due to expire may request that the temporary license remain in effect for a period of time not to exceed an additional six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the temporary license expires. If the request is approved by the board, the temporary license shall re-

main in effect for the period of time stipulated by the board in its approval, which shall not exceed six months.

(g)(1) If either of the following conditions applies to an applicant, the applicant's application shall expire one year from the date on which it was submitted to the board or on the date on which the applicant's temporary license expires, whichever date is later, except as provided by paragraph (g)(2):

(A) The applicant has not met the qualifications.

(B) The applicant has not submitted a complete application.

(2) Any applicant whose application will expire under paragraph (g)(1) may request that the application be kept open for a period of time not to exceed an additional six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the application shall remain open for the period of time stipulated by the board in its approval, which shall not exceed six months.

(3) Upon expiration of an application, the applicant may submit a new application, fee, and all supporting documents.

(h) An applicant or prospective applicant shall not be given a judgment on the applicant's eligibility for licensure until the board receives all application materials and the applicant completes all application procedures.

(i) For purposes of this regulation, the term "extenuating circumstances" means any condition caused by events beyond a person's control that is sufficiently extreme in nature to result in either of the following:

(1) The person's inability to comply with the requirements of this regulation within the timeframes established by this regulation or K.S.A. 65-6309, and amendments thereto; or

(2) the inadvisability of requiring the applicant to comply with the requirements of this regulation within the timeframes established by this regulation and K.S.A. 65-6309, and amendments thereto. (Authorized by K.S.A. 2005 Supp. 74-7507 and K.S.A. 65-6314; implementing K.S.A. 65-6306, K.S.A. 2005 Supp. 65-6309, as amended by 2006 SB 470, §2, and K.S.A. 65-6314; effective, T-85-36, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended Feb. 25, 1991; amended Oct. 24, 1997; amended Aug. 4, 2000; amended, T-102-7-5-06, July 5, 2006; amended Oct. 27, 2006.)

102-2-6. Program approval. (a) Definitions. The following terms shall be defined as follows:

(1) "Core faculty member" means an individual who is part of the program's teaching staff and who meets the following conditions:

(A) is an individual whose education, training, and experience are consistent with the individual's role within the program and are consistent with the published description of the goals, philosophy, and educational purpose of the program;

(B) is an individual whose primary professional employment is at the institution in which the program is housed; and

(C) is an individual who is identified with the program and is centrally involved in program development, decision making, and student training as demonstrated by consistent inclusion of the individual's name in public and departmental documents.

(2) "In residence," when used to describe a student, means that the student is present at the physical location of the institution for the purpose of completing coursework during which the student and one or more core faculty members are in face-to-face contact.

(3) "Primary professional employment" means a minimum of 20 hours per week of instruction, research, any other service to the institution in the course of employment, and the related administrative work.

(b) To be recognized and approved by the board, an undergraduate or graduate social work program shall be accredited by the council on social work education or shall be in substantial compliance with all of the following standards:

(1) The program shall have a curriculum plan that has been or will be fully implemented during the current academic year.

(2) The program shall have graduated a class of students or shall graduate a class of students during the current academic year.

(3) The social work program shall meet the following conditions:

(A) Have autonomy with respect to an identified budget and an established governance and administrative structure;

(B) have responsibility for participation in personnel recruitment, retention, promotion, and tenure decisions;

(C) have support staff assigned to the program; and

(D) have other necessary resources and authority required for the achievement of specified program objectives.

(4) The program shall have a field education program that is clearly incorporated as an integral component of the curriculum and the social work degree requirements. The field education program shall engage the student in supervised social work practice and experiential opportunities that apply classroom learning in the field setting.

(5) The program shall have a clear plan for the organization, implementation, and evaluation of the class and field curricula.

(6) The program shall have social work faculty advisors who are sufficiently knowledgeable about the social work program and who are available to advise social work students.

(7) The program's written policies shall make explicit the criteria for evaluation of student academic and field performance.

(8) The program's written policies shall include procedures for the termination of student participation in the professional social work degree program, and each student shall be informed of these termination procedures.

(9) The social work program shall be contained within a college or university that is regionally accredited.

(continued)

(10) No less than 50% of the required program coursework shall be completed "in residence" at one institution, and the field education program shall be completed at the same institution.

(c) In addition to the standards in subsection (b) of this regulation, each undergraduate social work program that is not accredited by the council on social work education shall meet all of the following standards:

(1) The program shall specify in the university or college course catalog that its primary educational objective is preparation for beginning professional social work practice.

(2) The program coursework shall be identified and described in the course catalog of the university or college.

(3) The program shall have a designated director whose educational credentials include either a baccalaureate or a graduate degree in social work and who holds a full-time appointment in the educational institution.

(4) Each program faculty member who teaches the content on social work practice and each program faculty member who coordinates the field education program shall fulfill these requirements:

(A) Hold a graduate degree in social work; and

(B) have had two or more years of professional social work practice experience.

(5) The core faculty shall be responsible for essential program functions, including the following duties:

(A) Regular design, modification, approval, implementation, and evaluation of the program curriculum and educational policies;

(B) systematic and continual evaluation of program results in view of the specified objectives of the program;

(C) teaching of social work practice courses and other social work courses;

(D) coordination of field education program experiences and provision of instruction for the field education program; and

(E) establishment and maintenance of program integrity and attainment of program visibility.

(6) The program director shall have primary responsibility for the coordination and educational leadership of the program and shall be provided with the time and financial resources needed to fulfill those responsibilities.

(7) The program shall have a minimum of two full-time, core faculty members whose primary assignment is to the program.

(8) The field education program provided as part of the program shall consist of a minimum of 400 clock hours successfully completed in the field setting. Except as provided by paragraph (b)(3)(ii) of K.A.R. 102-2-2a, each student participating in the field education program shall be directly supervised by an individual either licensed or academically eligible for licensure in social work in the jurisdiction in which the supervised field education program is completed.

(d) In addition to the standards of subsection (b) of this regulation, each graduate social work education program that is not accredited by the council on social work education shall meet all of the following standards:

(1) The program shall be an integral part of an educational institution that is institutionally accredited to award the master's or doctoral degree in social work.

(2) The program shall specify in the university or college course catalog that it prepares graduate students for advanced social work practice.

(3) The educational level for which accreditation has been received shall be specified in any program documents referring to accreditation.

(4) The program shall have a full-time dean or director as its chief executive officer.

(5) The graduate program shall offer, as its basic program design, two full-time academic years of professional education that leads to a graduate degree in social work. A minimum of one academic year of the program shall be in full-time status, as defined by the educational institution.

(6) Each program faculty member who teaches the content on social work practice and each program faculty member who coordinates the field education program shall fulfill these requirements:

(A) Hold a master's degree in social work;

(B) have had post-master's professional social work practice experience; and

(C) be qualified for licensure to practice social work in the state of Kansas.

(7) The program faculty shall have responsibility for curriculum design, modification, approval, and implementation and for systematic, continual evaluation of the program.

(8) The faculty shall be responsible for educational policy in matters of admission, advising, retention, and graduation of students.

(9) The faculty shall be responsible for continual and systematic guidance of students through the professional educational program.

(e) Upon request of the board, each school shall present documentation to the board that it has satisfactorily met the standards of subsection (b) and the standards of either subsection (c) or (d), as applicable. (Authorized by K.S.A. 2005 Supp. 74-7507; K.S.A. 65-6306; implementing K.S.A. 65-6306; effective May 1, 1982; amended May 1, 1987; amended Oct. 24, 1997; amended Oct. 27, 2006.)

Article 3.—PROFESSIONAL COUNSELORS; FEES

102-3-3a. Education requirements. To qualify for licensure as a professional counselor or a clinical professional counselor, the applicant's education shall meet the applicable requirements provided in the following subsections.

(a) Definitions. (1) "Core faculty member" means an individual who is part of the program's teaching staff and who meets the following conditions:

(A) Is an individual whose education, training, and experience are consistent with the individual's role within the program and are consistent with the published description of the goals, philosophy, and educational purpose of the program;

(B) is an individual whose primary professional employment is at the institution in which the program is housed; and

(C) is an individual who is identified with the program and is centrally involved in program development, decision making, and student training as demonstrated by

consistent inclusion of the individual's name in public and departmental documents.

(2) "In residence," when used to describe a student, means that the student is present at the physical location of the institution for the purpose of completing coursework during which the student and one or more core faculty members are in face-to-face contact.

(3) "Primary professional employment" means a minimum of 20 hours per week of instruction, research, any other service to the institution in the course of employment, and the related administrative work.

(b) Degree requirements. At the time of application, each applicant shall have fulfilled these requirements:

(1) Received either a master's or doctoral degree in counseling; and

(2) as a part of or in addition to the coursework completed for the counseling graduate degree, completed a minimum of 60 graduate semester hours, or the academic equivalent, of which at least 45 graduate semester hours, or the academic equivalent, shall clearly satisfy the coursework requirements provided in subsection (c).

(c) Coursework requirements. Each applicant shall have satisfactorily completed formal academic coursework that contributes to the development of a broad conceptual framework for counseling theory and practice as a basis for more advanced academic studies. This formal academic coursework shall consist of a minimum of 45 graduate semester hours, or the academic equivalent, that is distributed across the substantive content areas provided in this subsection. None of these credit hours shall be earned through independent study courses. There shall be a minimum of at least two discrete and unduplicated semester hours, or the academic equivalent, in each of the following substantive content areas:

(1) Counseling theory and practice, which shall include studies in the basic theories, principles, and techniques of counseling and their applications to professional settings;

(2) the helping relationship, which shall include studies in the philosophical bases of helping relationships and the application of the helping relationship to counseling practice, as well as an emphasis on the development of practitioner and client self-awareness;

(3) group dynamics, processes, and counseling approaches and techniques, which shall include studies in theories and types of groups, as well as descriptions of group practices, methods, dynamics, and facilitative skills;

(4) human growth and development, which shall include the following:

(A) Studies that provide a broad understanding of the nature and needs of individuals at all developmental levels, with an emphasis on psychological, sociological, and physiological models; and

(B) studies in normal and abnormal behavior, personality theory, and learning theory;

(5) career development and lifestyle foundations, which shall include studies in vocational theory, the relationship between career choice and lifestyle, sources of occupational and educational information, approaches to career decision-making processes, and career development exploration techniques;

(6) appraisal of individuals and studies and training in the development of a framework for understanding the individual, including methods of data gathering and interpretation, individual and group testing, and the study of individual differences;

(7) social and cultural foundations, which shall include studies in change processes, ethnicity, subcultures, families, gender issues, the changing roles of women, sexism, racism, urban and rural societies, population patterns, cultural mores, use of leisure time, and differing life patterns. These studies may come from the behavioral sciences, economics, political science, and similar disciplines;

(8) research and evaluation, which shall include the following:

(A) Studies in the areas of statistics, research design, development of research, development of program goals and objectives, and evaluation of program goals and objectives; and

(B) thesis preparation;

(9) professional orientation, which shall include studies in the goals and objectives of professional organizations, codes of ethics, legal considerations, standards of preparation and practice, certification, licensing, and the role identities of counselors and others in the helping professions; and

(10) supervised practical experience, which shall include studies in the application and practice of the theories and concepts presented in formal study. This experiential practice shall be performed under the close supervision of the instructor with the use of direct observation and the preparation and review of written case notes. Direct observation may include the use of one-way mirrors in a counseling laboratory, the use of videotaped or audiotaped sessions, or the use of real-time video conferencing or similar synchronous communication devices.

(d) Each applicant for licensure as a clinical professional counselor whose master's or doctoral degree is earned before July 1, 2003 shall have earned the graduate degree in accordance with subsections (b) and (c).

(e) Each applicant for licensure as a clinical professional counselor whose master's or doctoral degree is earned on or after July 1, 2003 shall meet the following education requirements:

(1) Have earned a graduate degree in accordance with subsections (b) and (c);

(2) in addition to or as a part of the academic requirements for the graduate degree, have completed 15 graduate semester credit hours, or the academic equivalent, supporting diagnosis and treatment of mental disorders using the "diagnostic and statistical manual of mental disorders" as specified in K.A.R. 102-3-15. The 15 graduate semester credit hours, or the academic equivalent, shall include both of the following:

(A) The applicant shall have satisfactorily completed two graduate semester hours, or the academic equivalent, of discrete coursework in ethics and two graduate semester hours, or the academic equivalent, of discrete coursework in psychopathology and diagnostic assessment, including the study of the latest edition of the "di-

(continued)

agnostic and statistical manual of mental disorders" and assessment instruments that support diagnosis.

(B) The applicant shall have satisfactorily completed coursework addressing treatment approaches and interdisciplinary referral and collaboration; and

(3) completion of a graduate-level, supervised clinical practicum pursuant to K.S.A. 65-5804a(c)(1)(C), and amendments thereto.

(f) Program requirements. In order to be approved by the board, each educational program in professional counseling shall meet the following conditions:

(1) Have established program admission requirements that are based, in part or in full, on objective measures or standardized achievement tests and measures;

(2) require an established curriculum that encompasses a minimum of two academic years of graduate study;

(3) have clear administrative authority and primary responsibility within the program for the core and specialty areas of training in professional counseling;

(4) have an established, organized, and comprehensive sequence of study that is planned by administrators who are responsible for providing an integrated educational experience in professional counseling;

(5) be chaired or directed by an identifiable person who holds a graduate degree that was earned from a regionally accredited college or university upon that person's actual completion of a formal academic training program in professional counseling;

(6) have an identifiable, full-time, professional faculty whose members hold earned graduate degrees in professional counseling or a related field;

(7) have an established, identifiable body of students who are formally enrolled in the program for with the goal of obtaining a degree;

(8) require an appropriate practicum, internship, or field, or laboratory training in professional counseling that integrates didactic learning with supervised clinical experience;

(9) conduct an ongoing, objective review and evaluation of each student's learning and progress, and report this evaluation in the official student transcripts; and

(10) require that at least 30 graduate semester credit hours, or the academic equivalent, of coursework be completed "in residence" at one institution, and require that the practicum or internship be completed at the same institution.

(g) College or university requirements. In order for an applicant to qualify for licensure, the college or university at which the applicant completed the counseling degree requirements shall meet these requirements:

(1) Be regionally accredited, with accreditation standards equivalent to those met by Kansas colleges and universities;

(2) document in official publications, including course catalogs and announcements, the program description and standards and the admission requirements of the professional counseling education and training program;

(3) identify and clearly describe in pertinent institutional catalogs the coursework, experiential, and other academic program requirements that must be satisfied before conferral of the graduate degree in counseling;

(4) clearly identify and specify in pertinent institutional catalogs its intent to educate and train professional counselors;

(5) have clearly established the professional counselor education program as a coherent entity within the college or university that, at the time the applicant's graduate degree was conferred, met the program standards provided in subsection (f); and

(6) have conferred the graduate degree in counseling upon the applicant's successful completion of an established and required formal program of studies.

(h) The following types of study shall not be substituted for or counted toward the coursework requirements of subsections (b), (c), (d), and (e):

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

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

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

(4) coursework that the board determines is not closely related to the field or practice of counseling;

(5) graduate or postgraduate coursework or training provided by any college, university, institute, or training program that does not meet the requirements of subsections (f) and (g); and

(6) any continuing education, in-service activity, or on-the-job training.

(i) The following types of study may be counted toward the 60 graduate semester hours required under paragraph (b)(2):

(1) No more than six graduate semester hours of independent study that is related to the field or practice of counseling, except that independent study shall not be used to meet any of the substantive content area requirements specified in subsection (c); and

(2) no more than four graduate semester hours for thesis research and writing. (Authorized by K.S.A. 2005 Supp. 74-7507; implementing K.S.A. 65-5804a, as amended by L. 2006, Ch. 61, Sec. 1; effective Dec. 19, 1997; amended July 19, 2002; amended Aug. 8, 2003; amended Oct. 27, 2006.)

102-3-4a. Applications for licensure. (a) Each applicant for licensure as a professional counselor or clinical professional counselor shall request the appropriate licensure application forms from the director of the board.

(b) Each applicant for licensure as a professional counselor shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the licensure application fee as provided in K.A.R. 102-3-2;

(2) submit, on board-approved forms, references from three individuals, one of whom shall have provided direct clinical supervision of the applicant's graduate program practicum or internship. If this individual is unavailable, the graduate program director or any person who has knowledge of the applicant's practicum or internship experience on the basis of the applicant's practicum or internship records shall submit the reference.

Except as specified below in paragraph (b)(2)(C), each individual submitting a reference shall meet all of the following conditions:

(A) Is not related to the applicant;

(B) can address the applicant's professional conduct, competence, and merit of the public trust; and

(C) is authorized by law to practice professional counseling or to practice in a related field. However, this paragraph shall not apply to the individual specified above in paragraph (b)(2) who submits the reference if the supervisor of the practicum or internship is unavailable;

(3) arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board; and

(4) demonstrate satisfactory completion of graduate educational requirements as specified in K.S.A. 65-5804a, and amendments thereto, and in K.A.R. 102-3-3a.

(c) Each applicant for licensure as a clinical professional counselor shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the licensure application fee as provided in K.A.R. 102-3-2;

(2) demonstrate that the applicant is licensed by the board as a professional counselor or meets all requirements for licensure as a professional counselor;

(3) if not previously provided to the board, submit, on board-approved forms, references from three individuals, one of whom shall have provided direct clinical supervision of the applicant's graduate program practicum, internship, or post graduate work experience. If the individual who provided the clinical supervision is unavailable, the graduate program director or any person who has knowledge of the applicant's practicum, internship, or postgraduate work experience on the basis of the applicant's records shall submit the reference. At least one reference shall be from a licensed clinical professional counselor. Each individual submitting a reference shall meet all of the following conditions:

(A) Is not related to the applicant; and

(B) can address the applicant's professional conduct, competence, and merit of the public trust;

(4) if not previously provided to the board, arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board;

(5) for persons earning a degree in professional counseling before July 1, 2003, demonstrate satisfactory completion of educational requirements as specified in K.S.A. 65-5804a, and amendments thereto, and in K.A.R. 102-3-3a, if this documentation has not been provided to the board previously;

(6) for any applicant earning a degree in professional counseling on or after July 1, 2003, demonstrate completion of graduate education requirements as specified in K.S.A. 65-5804a, and amendments thereto, and in K.A.R. 102-3-3a. If an applicant who earns a degree in professional counseling on or after July 1, 2003 has not completed the 350 hours of clinical practice required by K.S.A. 65-5804a(c)(1), and amendments thereto, as a part of a graduate-level practicum or internship, the applicant may complete this requirement through 350 hours of postgraduate, supervised experience as set out in K.A.R. 102-3-7a, in addition to the 4,000 hours of postgraduate, supervised experience required by K.S.A. 65-5804a(c)(1); and

(7) submit an attestation from the clinical supervisor that the applicant has satisfactorily completed the postgraduate supervised professional experience requirements in accordance with a clinical supervision training plan approved by the board as specified in K.A.R. 102-3-7a.

(d) The following provisions shall apply to each applicant for licensure as a professional counselor and to each applicant for licensure as a clinical professional counselor:

(1) Upon the board's determination that the applicant has met the applicable educational requirements, each applicant shall pass the appropriate, nationally administered, standardized written examination approved by the board in accordance with K.A.R. 102-3-5a.

(2) An applicant or prospective applicant shall not be given a judgment on the applicant's eligibility for licensure until the board receives all application materials and the applicant completes all application procedures.

(3) Upon notification from the board that all eligibility requirements have been satisfied, each applicant shall submit the fee as provided in K.A.R. 102-3-2 for the original, two-year licensure period.

(4)(A) If any of the following conditions applies to the applicant, the applicant's application shall expire one year from the date on which the application was submitted to the board or on the date the applicant's temporary license expires, whichever date is later, except as provided by paragraph (d)(4)(B):

(i) The applicant has not met the qualifications.

(ii) The applicant has not submitted a complete application.

(iii) The applicant has not submitted the original license fee.

(B) Any applicant whose application will expire under paragraph (d)(4)(A) may request that the application be kept open for an additional period of time not to exceed six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the application shall remain open for the period of time stipulated by the board in its approval, which shall not exceed six months.

(continued)

(C) Upon expiration of the application, the applicant may submit a new application, the required fee, and all supporting documents, if the applicant wishes to reapply for licensure.

(e)(1) Any applicant who is determined by the board to meet the requirements of K.S.A. 65-5804a, and amendments thereto, may be granted a temporary license if the applicant submits a written request for a temporary license on a form approved by the board and the temporary license fee as provided in K.A.R. 102-3-2. Except as provided in paragraph (e)(2), the temporary license shall remain in effect for six months.

(2) Any applicant whose six-month temporary license is due to expire may request that the temporary license remain in effect for a period of time not to exceed six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the temporary license shall remain in effect for the period of time stipulated by the board in its approval, which shall not exceed six months.

(f) Any person who has been actively engaged in the practice of professional counseling as a licensed or registered professional counselor in Kansas at any time within the five years before July 1, 2000, may apply for a license as a clinical professional counselor by submitting transition application materials to the board and completing the following application procedures:

(1) Submit the completed transition application materials;

(2) submit the full payment of the licensure application fee as provided in K.A.R. 102-3-2;

(3) demonstrate that the applicant held a Kansas license or registration as a professional counselor in good standing at any time during the five years immediately before July 1, 2000;

(4) demonstrate active engagement in the practice of professional counseling at any time during the five years immediately before July 1, 2000; and

(5) demonstrate competence to diagnose and treat mental disorders by documenting completion of at least two of the three following requirements:

(A)(i) Completion of at least nine graduate semester credit hours, or their academic equivalent, as documented on the transcript, which shall address clinical theory, assessment, and treatment issues, including three semester credit hours, or their academic equivalent, addressing psychopathology; or

(ii) passage of the national clinical examination in professional counseling as specified by K.A.R. 102-3-5a at the time of taking the examination;

(B) three years of clinical practice, including at least eight hours of client contact per week for at least nine months of each year in a community mental health center or its affiliate, a state mental hospital, or any other setting in which the applicant engaged in clinical practice that included diagnosis or treatment of mental disorders; or

(C) one attestation, on a form provided by the board, from a person licensed by the board to diagnose and treat

mental disorders at the independent level or a person licensed to practice medicine and surgery, that the applicant has demonstrated competence in the diagnosis and treatment of mental disorders.

(g) For purposes of this regulation, the term "extenuating circumstances" means any condition caused by events beyond a person's control that is sufficiently extreme in nature to result in either of the following:

(1) The person's inability to comply with the requirements of this regulation within the timeframes established by this regulation or K.S.A. 65-5804a, and amendments thereto; or

(2) the inadvisability of requiring the applicant to comply with the requirements of this regulation within the timeframes established by this regulation and K.S.A. 65-5804a, and amendments thereto. (Authorized by K.S.A. 2005 Supp. 74-7507; implementing K.S.A. 65-5804a, as amended by 2006 SB 470, §1, and K.S.A. 65-5808; effective Dec. 19, 1997; amended Aug. 4, 2000; amended July 19, 2002; amended Aug. 12, 2005; amended, T-102-7-5-06, July 5, 2006; amended Oct. 27, 2006.)

Article 4.—MASTER'S LEVEL PSYCHOLOGISTS

102-4-1a. Definitions. (a) "Academic equivalent," as used in K.A.R. 102-4-3a, means the proportionate credit awarded for formal academic coursework when this coursework is completed on the basis of trimester credit hours or quarter credit hours rather than semester credit hours.

(b) "Alternate psychology supervisor" means a person who is not licensed or registered as a psychologist in the state or jurisdiction where the supervision occurred, but who satisfies all of the following alternate qualifications:

(1) The supervisor has received a graduate degree in psychology.

(2) The supervisor has practiced as a psychologist for no fewer than two calendar years before supervising the applicant.

(3) The supervisor had legal authority to engage in the independent practice of psychology in Kansas or in the state or jurisdiction where an applicant's supervision occurred.

(c) "Client" means a person who is a direct recipient of master's level psychology services or clinical psychotherapy services.

(d) "Clinical psychotherapy practice" means the independent practice of master's level psychology and the application of psychology theory and methods to the treatment and prevention of psychosocial dysfunction, disability, or impairment, including behavioral, emotional, and mental disorders. Clinical psychotherapy shall include the following:

(1) Assessment;

(2) diagnosis of mental disorders;

(3) planning of treatment, which may include psychotherapy and counseling;

(4) treatment intervention directed to interpersonal interactions, intrapsychic dynamics, and life management issues;

(5) consultation; and

(6) evaluation, referral, and collaboration.

(e) "Clinical supervision training plan" means a formal written agreement that establishes the supervisory framework for postgraduate clinical experience and describes the expectations and responsibilities of the supervisor and supervisee.

(f) "Consultation" means collegial deliberation within the context of a voluntary, professional relationship in which the consultant offers the consultant's best advice and expertise that the consultee can either accept or reject and in which the objectives and requirements of supervision as established in K.A.R. 102-4-7a are lacking. Professional consultation shall not be substituted for professional psychology supervision and shall not meet the requirements of K.S.A. 74-5362, and amendments thereto, regarding the practice of master's level psychology under the direction of a licensed practitioner.

(g) "Continuing education" means programs or activities that have content designed to enhance a licensee's knowledge, skills, values, ethics, or ability to practice as a master's level psychologist or a clinical psychotherapist.

(h) "Cooperating agency" means a public or private agency, institution, or organization that provides psychological services and that has a prior agreement with an academic institution to participate in a practicum program in compliance with the requirements of K.A.R. 102-4-6a.

(i) "Dual relationship" means a professional relationship in which the objectivity or competency of the licensee is impaired or compromised due to any of the following present or previous relationships with the client or supervisee:

- (1) Familial;
- (2) sexual;
- (3) emotional; or
- (4) financial.

(j) "Extenuating circumstances" means conditions caused by unexpected events that are beyond the individual's control.

(k) "Job orientation" or "on-the-job training" means a training program or presentation of information that is so specific to a particular job or employment position that the training or information cannot be generalized to another work setting.

(l) "Malfeasance" means the performance of an act by a licensee that is prohibited or that constitutes wrongdoing or misconduct.

(m) "Merits the public trust" means that an applicant or licensee possesses the high standard of good moral character and fitness that is required to practice master's level psychology or clinical psychotherapy as demonstrated by the following personal qualities:

- (1) Good judgement;
- (2) integrity;
- (3) honesty;
- (4) fairness;
- (5) credibility;
- (6) reliability;
- (7) respect for others;
- (8) respect for the laws of the state and the nation;
- (9) self-discipline;
- (10) self-evaluation;
- (11) initiative; and

(12) commitment to the psychology profession and its values and ethics.

(n) "Misfeasance" means the improper performance of a lawful act by a licensee.

(o) "Nonfeasance" means the omission of an act that a licensee is required to perform.

(p) "Postgraduate work experience" means the postgraduate, supervised practice of psychology that meets the requirements provided in K.A.R. 102-4-7a.

(q) "Practice of psychology," "practice of master's level psychology," and "practice of master's level psychology or clinical psychotherapy" mean the application by persons trained in psychology of established principles of learning, motivation, perception, thinking, and emotional relationships to problems of behavior adjustment, group relations, and behavior modification. The application of these principles may include the following activities and services:

(1) Counseling and the use of psychological remedial measures with persons having adjustment or emotional problems in the areas of work, family, school, and personal relationships, whether those services are provided to individuals or in groups;

(2) the measuring and testing of personality, intelligence, aptitudes, public opinions, attitudes, and skills;

(3) the teaching of the subject matter; and

(4) the conducting of research on problems relating to human behavior, except that in all cases involving the care of the sick and ill as defined by the laws of this state, the primary responsibility shall remain with those individuals licensed under the Kansas healing arts board.

(r) "Practicum," whether entitled a residency, an internship, or a field placement, means a formal component of the academic curriculum in the professional psychology program that engages the student in the supervised, professional practice of psychology and provides opportunities to apply classroom learning to actual practice situations in the field setting.

(s) "Prior-approved continuing education" means any of the following forms of continuing education:

(1) Any single program for which the program material has been submitted by a provider to the board, approved by the board, and assigned a continuing education number;

(2) any program offered by a provider with approved-provider status; or

(3) academic psychology courses audited or taken for credit.

(t) "Professional psychology supervision" means the oversight established in a formal relationship between the supervisor and supervisee for the purpose of developing the supervisee's responsibility, skill, knowledge, attitudes, and ethical standards in the practice of psychology.

(u) "Quarter credit hour" means two-thirds of a semester credit hour. Quarter credit hours shall be rounded as follows:

(1) One quarter credit hour equals .7 semester credit hours.

(2) Two quarter credit hours equal 1.3 semester credit hours.

(continued)

(3) Three quarter credit hours equal 2.0 semester credit hours.

(4) Four quarter credit hours equal 2.7 semester credit hours.

(5) Five quarter credit hours equal 3.3 semester credit hours.

(v) "Semester credit hour," as used in K.A.R. 102-4-3a, means a unit of academic credit based on a minimum of 13 clock-hours of formal didactic classroom instruction that occurred over the course of an academic semester and for which the applicant received formal graduate academic credit.

(w) "Substantially equivalent" means equal in value in all essential and material requirements.

(x) "Termination of the professional relationship" means the end of the professional relationship between a licensee and a client resulting from any of the following:

- (1) The mutual consent of the licensee and the client;
- (2) the completion of the professional services;
- (3) the dismissal of the licensee by the client;
- (4) the dismissal of the client by the licensee; or
- (5) the transfer of the client to another professional for active treatment or therapy with the belief that treatment will continue.

(y) "Trimester credit hour" means a unit of academic credit received under an academic year consisting of three equal terms. A trimester credit hour shall be equivalent to a semester credit hour.

(z) "Under the direction," when used to describe a licensed master's level psychologist, means that the licensee has a formal relationship with an individual providing guidance and oversight in which both of the following conditions are met:

(1) The directing individual provides the licensee with the following, commensurate with the welfare of the client and the education, training, and experience of the licensee:

(A) Professional monitoring and oversight of the licensed master's level psychology services provided by the licensee;

(B) regular and periodic evaluation of the treatment services provided to clients by the licensee; and

(C) verification that guidance and oversight was provided to the licensee.

(2) With each license renewal, the licensee receiving direction provides the board with the following:

(A) The name of the directing individual, the type of license held by the directing individual, and other pertinent identifying information; and

(B) a description of the work setting and the master's level psychology services conducted under direction.

(aa) "Undue influence" means misusing one's professional position of confidence, trust, or authority over a client or supervisee or taking advantage of a client's vulnerability, weakness, infirmity, or distress for either of the following purposes:

(1) To improperly influence or change a client's or supervisee's actions or decisions; or

(2) to exploit a client or supervisee for the financial gain, personal gratification, or advantage of the licensee or a third party. (Authorized by and implementing K.S.A.

2005 Supp. 74-7507; effective Dec. 19, 1997; amended Aug. 4, 2000; amended Oct. 27, 2006.)

102-4-3a. Educational requirements. To academically qualify for licensure as a master's level psychologist or a clinical psychotherapist, the applicant's educational qualifications and background shall meet the applicable requirements specified in the following subsections.

(a) Definitions.

(1) "Core faculty member" means an individual who is part of the program's teaching staff and who meets the following conditions:

(A) Is an individual whose education, training, and experience are consistent with the individual's role within the program and are consistent with the published description of the goals, philosophy, and educational purpose of the program;

(B) is an individual whose primary professional employment is at the institution in which the program is housed; and

(C) is an individual who is identified with the program and is centrally involved in program development, decision making, and student training as demonstrated by consistent inclusion of the individual's name in public and departmental documents.

(2) "In residence," when used to describe a student, means that the student is present at the physical location of the institution for the purpose of completing coursework during which the student and one or more core faculty members are in physical proximity and face-to-face contact.

(3) "Primary professional employment" means a minimum of 20 hours per week of instruction, research, any other service to the institution in the course of employment, and the related administrative work.

(b) Degree requirements. At the time of application, the applicant shall have fulfilled one of the following requirements:

(1) The applicant received a master's degree in psychology based on a program of studies that is substantially equivalent to the coursework requirements provided in subsection (c) if the degree was earned before July 1, 2003 or subsection (e) if the degree was earned on or after July 1, 2003.

(2) The applicant received a master's degree in psychology and has completed the coursework requirements provided in either subsection (c) if the degree was earned before July 1, 2003 or subsection (e) if the degree was earned on or after July 1, 2003.

(3) The applicant passed comprehensive examinations or equivalent final examinations in a doctoral program in psychology and has completed the coursework requirements provided in either subsection (c) if the program was completed before July 1, 2003 or subsection (e) if the program was completed on or after July 1, 2003.

(c) Coursework requirements for applicants who earned a psychology degree before July 1, 2003.

(1) Each applicant shall have satisfactorily completed at least 36 discrete and unduplicated graduate semester credit hours, or the academic equivalent, of formal, didactic academic coursework that is distributed across the coursework areas as specified in this paragraph (c)(1),

subject to the restrictions set out in subsection (d). This coursework shall have been completed at the time of application as a part of or in addition to the coursework completed for the graduate degree requirements:

(A) A minimum of six semester credit hours, or the academic equivalent, in psychotherapy that includes an in-depth study of the major theories, principles, and clinical methods and techniques of psychotherapy with individuals, groups, or families. These courses shall be completed while in residence;

(B) a minimum of six semester credit hours, or the academic equivalent, in psychological testing that includes studies in the selection, administration, scoring, and interpretation of objective and projective diagnostic tests as indicators of intelligence and scholastic abilities or as screening devices for organic pathologies, learning disabilities, and personality disturbances. These courses shall be completed while in residence;

(C) a minimum of 12 semester credit hours, or the academic equivalent, in any of the following psychological foundation courses:

(i) The philosophy of psychology, which may include studies that introduce the fundamental philosophical, conceptual, theoretical, or applied processes of psychology, and the issues central to professional orientation, role development, ethical and legal standards, and professional responsibility;

(ii) the psychology of perception, which may include studies of memory, language, speech, sensory functioning, motor functioning, reasoning, decision making, problem solving, and other cognitive processes;

(iii) learning theory, which may include studies pertaining to the fundamental theoretical assumptions about and applied principles of learning, conditioning, concept formation, and behavior;

(iv) the history of psychology, which may include studies that trace and analyze the historical development and contemporary evolution of the concepts and theories in psychology;

(v) motivation, which may include studies of the concepts, principles, and empirical findings concerning the innate, biological, and acquired factors that underlie human motivation; or

(vi) statistics, which may include studies in the theory, analysis, and interpretation of statistics, and the manual or computerized application of statistical measures; and

(D) a minimum of 12 semester credit hours, or the academic equivalent, in professional core courses: (i) The professional core courses shall include a minimum of three semester credit hours, or the academic equivalent, in psychopathology, which may include studies that examine the theories, definitions, and dynamics of the diagnostic classifications, and differentiation among diagnostic classifications. This subcategory may also include studies in abnormal psychology or studies that examine the etiological factors, clinical course, and clinical and psychopharmacological approaches to the treatment of mental, behavioral, and personality disorders. The remaining nine semester credit hours, or the academic equivalent, may consist of any of the following professional core courses:

(i) Personality theories, which may include studies that seek to explain or to compare and contrast the major theories of normal and abnormal personality development, functioning, adaptation, and assessment;

(ii) developmental psychology, which may include psychological or biologically based studies that provide a comprehensive overview of the biopsychosocial factors, determinants, and stages that pertain to and impact the physical, emotional, intellectual, and social development and adaptation of humans from infancy through senescence;

(iii) research methods, which may include studies in the principles, techniques, and ethics of research, as well as studies about the identification of research problems, selection of research designs, measurement strategies, sampling techniques, and methods of evaluating the results;

(iv) social psychology, which may include studies of the interactive and influencing effects of social, cultural, and ecological factors upon the emotions, beliefs, attitudes, expectations, roles, behaviors, and interactional dynamics of individuals, families, groups, organizations, and the larger society; or

(v) additional coursework in psychotherapy or psychological testing as specified in this subsection.

(2) In addition to or as a part of the 36 semester hours specified in paragraph (c)(1), each applicant for a clinical psychotherapist license shall have completed 15 graduate semester credit hours, or the academic equivalent, supporting diagnosis or treatment of mental disorders using the "diagnostic and statistical manual of mental disorders" as specified in K.A.R. 102-4-15. Three of the 15 semester credit hours, or the academic equivalent, shall consist of a discrete academic course with the primary and explicit focus of psychopathology and the diagnosis and treatment of mental disorders as classified in the "diagnostic and statistical manual of mental disorders." The remaining 12 semester credit hours, or the academic equivalent, shall consist of academic courses with the primary and explicit focus of diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches, and professional ethics or other coursework that specifically contains identifiable, equivalent instruction. The 15 semester credit hours shall be subject to the restrictions set out in subsection (d).

(d) The following activities shall not be substituted for or counted toward any of the educational coursework requirements set out in subsection (c):

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

(2) independent study courses, whether or not such coursework is taken for academic credit, unless the independent study course clearly occurred as a didactic course formally established and designed by the program to provide the student with specifically identified, organized, and integrated course content;

(3) thesis or independent research courses;

(4) academic courses that, by their experiential rather than didactic nature and content, are designed to precede,

(continued)

satisfy, or augment the practicum activities required for the graduate psychology degree;

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

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

(7) graduate or postgraduate coursework or training provided by colleges, universities, institutes, or training programs that do not meet the requirements in subsections (f) and (g); and

(8) continuing education, in-service, or on-the-job training activities or experience.

(e) Coursework requirements for applicants who earn a psychology degree on or after July 1, 2003.

(1) As a part of or in addition to the coursework completed for the graduate degree requirements, each applicant shall have satisfactorily completed at least 60 discrete and unduplicated graduate semester credit hours, or the academic equivalent, of formal, didactic academic coursework in psychology or a related field.

(2) Thirty-six of the 60 required graduate semester credit hours, or the academic equivalent, shall be distributed across the coursework areas as specified in paragraph (c)(1). The coursework specified in paragraphs (c)(1)(A) and (c)(1)(B) shall be completed while the student is in residence.

(3) Of the remaining 24 required graduate semester credit hours, a maximum of six semester credit hours, or the academic equivalent, may be attained through independent study courses or independent research courses, and a maximum of 10 semester credit hours, or the academic equivalent, may be attained through thesis preparation.

(4) In addition to or as a part of the 60 semester hours specified in paragraph (e)(1), each applicant for a clinical psychotherapist license shall have completed 15 graduate semester credit hours, or the academic equivalent, supporting diagnosis or treatment of mental disorders using the "diagnostic and statistical manual of mental disorders" as specified in K.A.R. 102-4-15. Three of the 15 semester credit hours, or the academic equivalent, shall consist of a discrete academic course with the primary and explicit focus of psychopathology and the diagnosis and treatment of mental disorders as classified in the "diagnostic and statistical manual of mental disorders." The remaining 12 semester credit hours, or the academic equivalent, shall consist of academic courses with the primary and explicit focus of diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches, and professional ethics or other coursework that specifically contains identifiable, equivalent instruction. The 15 semester credit hours, or the academic equivalent, shall be subject to the restrictions set out in paragraph (e)(5).

(5) The following activities shall not be substituted for or counted toward any of the educational coursework requirements set out in this subsection:

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

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

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

(D) graduate or postgraduate coursework or training provided by colleges, universities, institutes, or training programs that do not meet the requirements in subsections (f) and (g); and

(E) continuing education, in-service, or on-the-job training activities or experience.

(f) Program requirements. In order for the applicant to qualify for licensure, the educational program completed by the applicant shall meet all of the following conditions:

(1) The program has formally established program admission requirements that are based upon objective measures.

(2) The program requires and provides an established curriculum that encompasses a minimum of two years of graduate study and that includes two contiguous semesters of enrollment, or the academic equivalent, attended and completed by the student in residence at the same college or university granting the degree.

(3) The program has clear administrative authority and formal responsibility within the program for the core and specialty areas of training in psychology.

(4) The program has an established, organized, and comprehensive sequence of study that is planned by administrators who are responsible for providing an integrated educational experience in psychology.

(5) The program is chaired or directed by an identifiable person who holds a graduate degree that was earned from a regionally accredited college or university following that person's actual completion of a formal academic training program in psychology.

(6) The program has an identifiable, full-time, professional faculty whose members hold earned graduate degrees in psychology.

(7) The program has an identifiable and formally enrolled body of students.

(8) The ratio of students to core faculty members does not exceed 15 students to one core faculty member.

(9) The program conducts an ongoing, objective review and evaluation of each student's learning and progress, and the program reports this evaluation in the official student transcripts.

(g) College or university requirements. In order for the applicant to qualify for licensure, the college or university at which the applicant completed the degree requirements shall meet all of the following requirements.

(1) The college or university is institutionally accredited to award the graduate degree in psychology.

(2) The college or university is regionally accredited by an accrediting body substantially equivalent to those agencies that accredit the universities in Kansas.

(3) The college or university documents in its official publications, including course catalogs and announcements, the program description, and standards, and the admission requirements of the psychology education and training program.

(4) The college or university identifies and clearly describes in pertinent institutional catalogs the coursework, experiential, and other academic program requirements that must be satisfied before the conferral of the graduate degree in psychology.

(5) The college or university clearly identifies and specifies in pertinent institutional catalogs its intent to educate and train psychologists.

(6) The college or university has clearly established a psychology education and training program as a recognized, coherent organizational entity within the college or university that, at the time the applicant's degree requirements were satisfied, met the program standards as provided in subsection (f).

(7) The college or university has conferred the graduate degree in psychology on the applicant, or has advanced the applicant to doctoral candidacy status, following the applicant's successful completion of an established and required formal program of studies. (Authorized by K.S.A. 2005 Supp. 74-7507; implementing K.S.A. 74-5363; effective Dec. 19, 1997; amended Aug. 13, 2004; amended Oct. 27, 2006.)

102-4-4a. Applications for licensure. (a) Each applicant for licensure as a master's level psychologist or clinical psychotherapist shall request the appropriate licensure application form from the director of the board.

(b) Each applicant for licensure as a licensed master's level psychologist shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the licensure application fee as provided in K.A.R. 102-4-2;

(2) submit, on board-approved forms, references from three individuals, one of whom shall have provided direct clinical supervision of the applicant's graduate program practicum. If the practicum supervisor is unavailable, the graduate program director or any person who has knowledge of the applicant's practicum experience on the basis of the applicant's practicum records shall submit the reference. Except as specified below in paragraph (b)(2)(B), each individual submitting a reference shall meet all of the following conditions:

(A) Is not related to the applicant;

(B) is authorized by law to practice master's level psychology or to practice in a related field. However, this paragraph shall not apply to the individual specified above in paragraph (b)(2) who submits the reference if the practicum supervisor is unavailable; and

(C) can address the applicant's professional conduct, competence, and merit of the public trust;

(3) arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board; and

(4) demonstrate satisfactory completion of graduate educational requirements as specified in K.A.R. 102-4-3a.

(c) Each applicant for licensure as a clinical psychotherapist shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the licensure application fee as provided in K.A.R. 102-4-2;

(2) if not previously provided to the board, submit, on board-approved forms, references from three individuals, one of whom shall have provided direct clinical supervision of the applicant's graduate program practicum. If the practicum supervisor is unavailable, the graduate program director or any person who has knowledge of the applicant's practicum experience on the basis of the applicant's practicum records shall submit the reference. Except as specified below in paragraph (c)(2)(B), each individual submitting a reference shall meet all of the following conditions:

(A) Is not related to the applicant;

(B) is authorized by law to practice master's level psychology or to practice in a related field. However, this paragraph shall not apply to the individual specified above in paragraph (c)(2) who submits the reference if the practicum supervisor is unavailable; and

(C) can address the applicant's professional conduct, competence, and merit of the public trust;

(3) demonstrate that the applicant is licensed by the board as a master's level psychologist or meets all requirements for licensure as a master's level psychologist;

(4) if not previously provided to the board, arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board;

(5) demonstrate satisfactory completion of the graduate education requirements specified in K.A.R. 102-4-3a; and

(6) submit each supervisor's attestation that the applicant has satisfactorily completed the postgraduate supervised professional experience requirements in accordance with a clinical supervision training plan approved by the board as specified in K.A.R. 102-4-7a.

(d) The following provisions shall apply to each applicant for licensure as a master's level psychologist and to each applicant for licensure as a clinical psychotherapist:

(1) Upon the board's determination that the applicant has met the applicable educational requirements, each applicant shall take the appropriate, nationally administered, standardized written examination approved by the board in accordance with K.A.R. 102-4-5.

(2) An applicant or prospective applicant shall not be given a judgment on the applicant's eligibility for licensure until the board receives all application materials and the applicant completes all application procedures.

(3) Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall submit the fee as provided in K.A.R. 102-4-2 for the original, two-year licensure period.

(4)(A) If any of the following conditions applies to the applicant, the applicant's application shall expire one year from the date on which the application was submitted to the board or on the date the applicant's temporary license expires, whichever date is later, except as provided by paragraph (d)(4)(B):

(continued)

(i) The applicant has not met the qualifications.

(ii) The applicant has not submitted a complete application.

(iii) The applicant has not submitted the original license fee.

(B) Any applicant whose application will expire under paragraph (d)(4)(A) may request that the application be kept open for a period of time not to exceed six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the application shall remain open for the period of time stipulated by the board in its approval, which shall not exceed six months.

(C) Upon expiration of the application, the applicant may submit a new application, the required fee, and all supporting documents, if the applicant wishes to reapply for licensure.

(e) Any applicant who is determined by the board to meet the requirements of K.S.A. 74-5367, and amendments thereto, may be granted a temporary license if the applicant submits a written request for a temporary license on a form approved by the board and the temporary license fee as provided in K.A.R. 102-4-2. Except as provided in paragraphs (e)(1) and (e)(2), the temporary license shall remain in effect for 24 months.

(1)(A) Except as provided in paragraph (e)(1)(B), the temporary license shall expire after 12 months if the applicant has not taken the examination at least one time.

(B) Any applicant who does not take the examination at least one time during the first 12 months in which the applicant's temporary license is in effect may request that the temporary license remain in effect for the full 24 months on the basis that extenuating circumstances preclude the applicant from taking the examination during the initial 12-month period. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the end of the initial 12-month period. If the request is approved by the board, the applicant's temporary license shall remain in effect for the remaining 12 months.

(2) Any applicant whose 24-month temporary license is due to expire may request that the temporary license remain in effect for a period of time not to exceed six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the temporary license shall remain in effect for the period of time stipulated by the board in its approval, which shall not exceed six months.

(f) Any person who has been engaged in the practice of master's level psychology as a licensed or registered master's level psychologist in Kansas at any time within the five years before July 1, 2000, may apply for a license

as a clinical psychotherapist by submitting transition application materials to the board and completing the following application procedures:

(1) Submit the completed transition application form;

(2) submit the full payment of the licensure application fee as provided in K.A.R. 102-4-2;

(3) demonstrate that the applicant held a Kansas license or registration as a master's level psychologist in good standing at any time during the five years immediately before July 1, 2000; and

(4) demonstrate competence to diagnose and treat mental disorders by documenting completion of at least two of the three following requirements:

(A)(i) Completion of at least nine graduate semester credit hours of coursework, or their academic equivalent, as documented on the transcript, which shall address clinical theory, assessment, and treatment issues, including three semester credit hours, or their academic equivalent, addressing psychopathology; or

(ii) passage of the competency examination as specified by K.A.R. 102-4-5a at the time of taking the examination;

(B) three years of clinical practice, including at least eight hours of client contact per week for at least nine months of each year in a community mental health center or its affiliate, a state mental hospital, or any other setting in which the applicant provided clinical services that included diagnosis or treatment of mental disorders; or

(C) one attestation, on a form provided by the board, from a person licensed by the board to diagnose and treat mental disorders at the independent level or a person licensed to practice medicine and surgery that the applicant has demonstrated competence in the diagnosis or treatment of mental disorders.

(g) For purposes of this regulation, the term "extenuating circumstances" means any condition caused by events beyond a person's control that is sufficiently extreme in nature to result in either of the following:

(1) The person's inability to comply with the requirements of this regulation within the timeframes established by this regulation or K.S.A. 74-5367, and amendments thereto; or

(2) the inadvisability of requiring the applicant to comply with the requirements of this regulation within the timeframes established by this regulation and K.S.A. 74-5367, and amendments thereto. (Authorized by K.S.A. 2005 Supp. 74-7507; implementing K.S.A. 74-5363 and K.S.A. 74-5367, as amended by 2006 SB 470, §5; effective Dec. 19, 1997; amended Aug. 4, 2000; amended Aug. 13, 2004; amended, T-102-7-5-06, July 5, 2006; amended Oct. 27, 2006.)

Article 5.—LICENSING OF MARRIAGE AND FAMILY THERAPISTS

102-5-3. Education requirements. (a) Definitions. For purposes of this regulation, the following terms shall be defined as follows:

(1) "Core faculty member" means an individual who is part of the program's teaching staff and who meets the following conditions:

(A) Is an individual whose education, training, and experience are consistent with the individual's role within

the program and are consistent with the published description of the goals, philosophy, and educational purpose of the program;

(B) is an individual whose primary professional employment is at the institution in which the program is housed; and

(C) is an individual who is identified with the program and is centrally involved in program development, decision making, and student training as demonstrated by consistent inclusion of the individual's name in public and departmental documents.

(2) "In residence," when used to describe a student, means that the student is present at the physical location of the institution for the purpose of completing coursework during which the student and one or more core faculty members are in face-to-face contact.

(3) "Primary professional employment" means a minimum of 20 hours per week of instruction, research, any other service to the institution in the course of employment, and the related administrative work.

(b) Each applicant for licensure shall meet both of the following education requirements:

(1) Each applicant shall have been awarded a master's or doctoral degree that meets the standards in subsection (c), (e), or (f).

(2) The applicant shall have completed no less than 50% of the coursework for the degree "in residence" at one institution, and the required practicum shall be completed at the same institution.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(continued)

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

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

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

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

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

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

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

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

(h) The following activities shall not be substituted for or counted toward any of the education or supervised experience requirements set out in subsections (b) through (g):

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

(2) independent studies;

(3) thesis or independent research courses;

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

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

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

(7) continuing education, an in-service activity, or on-the-job training. (Authorized by K.S.A. 65-6404 and K.S.A. 2005 Supp. 74-7507; implementing K.S.A. 65-6404; effective March 29, 1993; amended Dec. 19, 1997; amended July 7, 2003; amended Oct. 27, 2006.)

102-5-4a. Applications for licensure. (a) Each applicant for licensure as a marriage and family therapist or a clinical marriage and family therapist shall request the appropriate licensure application forms from the director of the board.

(b) Each applicant for licensure as a marriage and family therapist shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the licensure application fee as provided in K.A.R. 102-5-2;

(2) submit, on board-approved forms, references from three individuals, one of whom shall have provided direct clinical supervision of the applicant's graduate program practicum. If the practicum supervisor is unavailable, the graduate program director or any person who has knowledge of the applicant's practicum experience on the basis of the applicant's practicum records shall submit the reference. Except as specified below in paragraph (b)(2)(B), each individual submitting a reference shall meet all of the following conditions:

(A) Is not related to the applicant;

(B) is authorized by law to practice marriage and family therapy or to practice in a related field. However, this paragraph shall not apply to the individual specified above in paragraph (b)(2) who submits the reference if the practicum supervisor is unavailable; and

(C) can address the applicant's professional conduct, competence, and merit of the public trust;

(3) arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board; and

(4) demonstrate satisfactory completion of graduate educational requirements as specified in K.A.R. 102-5-3.

(c) Each applicant for licensure as a clinical marriage and family therapist shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the licensure application fee as provided in K.A.R. 102-5-2;

(2) if not previously provided to the board, submit, on board-approved forms, references from three individuals, one of whom shall have provided direct clinical supervision of the applicant's graduate program practicum. If the practicum supervisor is unavailable, the graduate

program director or any person who has knowledge of the applicant's practicum experience on the basis of the applicant's practicum records shall submit the reference. Except as specified below in paragraph (c)(2)(B), each individual submitting a reference shall meet all of the following conditions:

(A) Is not related to the applicant;

(B) is authorized by law to practice marriage and family therapy or to practice in a related field. However, this paragraph shall not apply to the individual specified above in paragraph (c)(2) who submits the reference if the practicum supervisor is unavailable; and

(C) can address the applicant's professional conduct, competence, and merit of the public trust;

(3) demonstrate that the applicant is licensed by the board as a marriage and family therapist or meets all requirements for licensure as a licensed marriage and family therapist;

(4) if not previously provided to the board, arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board;

(5) demonstrate satisfactory completion of the graduate education requirements specified in K.A.R. 102-5-3; and

(6) submit each supervisor's attestation that the applicant has satisfactorily completed the postgraduate supervised professional experience requirements in accordance with a clinical supervision training plan approved by the board as specified in K.A.R. 102-5-7a.

(d) The following provisions shall apply to each applicant for licensure as a marriage and family therapist and to each applicant for licensure as a clinical marriage and family therapist:

(1) Upon the board's determination that the applicant has met the applicable educational requirements, each applicant shall pass the appropriate, nationally administered, standardized written examination approved by the board in accordance with K.A.R. 102-5-5.

(2) An applicant or prospective applicant shall not be given a judgment on the applicant's eligibility for licensure until the board receives all application materials and the applicant completes all application procedures.

(3) Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall submit the fee required in K.A.R. 102-5-2 for the original, two-year licensure period.

(4)(A) If any of the following conditions applies to the applicant, the applicant's application shall expire one year from the date on which it was submitted to the board or on the date the applicant's temporary license expires, whichever date is later, except as provided by paragraph (d)(4)(B):

(i) The applicant has not met the qualifications.

(ii) The applicant has not submitted a complete application.

(iii) The applicant has not submitted the original license fee.

(B) Any applicant whose application will expire under paragraph (d)(4)(A) may request that the application be kept open for a period of time not to exceed six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the application shall remain open for the period of time stipulated by the board in its approval, which shall not exceed six months.

(C) Upon expiration of the application, the applicant may submit a new application, the required fee, and all supporting documents, if the applicant wishes to reapply.

(e) Any applicant who is determined by the board to meet the requirements of K.S.A. 65-6405, and amendments thereto, may be granted a temporary license if the applicant submits a written request for a temporary license on a form approved by the board and the temporary license fee as provided in K.A.R. 102-5-2. Except as provided in paragraphs (e)(1) and (e)(2), the temporary license shall remain in effect for 12 months.

(1)(A) Except as provided in paragraph (e)(1)(B), the temporary license shall expire after six months if the applicant has not taken the examination at least one time.

(B) Any applicant who does not take the examination at least one time during the first six months in which the applicant's temporary license is in effect may request that the temporary license remain in effect for the full 12 months on the basis that extenuating circumstances preclude the applicant from taking the examination during the initial six-month period. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the end of the initial six-month period. If the request is approved by the board, the applicant's temporary license shall remain in effect for the remaining six months.

(2) Any applicant whose 12-month temporary license is due to expire may request that the temporary license remain in effect for a period of time not to exceed six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the temporary license shall remain in effect for the period of time stipulated by the board in its approval, which shall not exceed six months.

(f) Any person who has been engaged in the practice of marriage and family therapy as a licensed or registered marriage and family therapist in Kansas at any time within the five years before July 1, 2000, may apply for a license as a clinical marriage and family therapist by submitting transition application materials to the board and completing the following application procedures:

(1) Submit the completed transition application form;

(continued)

(2) submit the full payment of the licensure application fee as provided in K.A.R. 102-5-2;

(3) demonstrate that the applicant held a Kansas license or registration as a marriage and family therapist in good standing at any time during the five years immediately before July 1, 2000; and

(4) demonstrate competence to diagnose and treat mental disorders by documenting completion of at least two of the three following requirements:

(A)(i) Completion of at least nine graduate semester credit hours of coursework, or their academic equivalent, as documented on the transcript, which shall address clinical theory, assessment, and treatment issues, including three semester credit hours, or their academic equivalent, addressing psychopathology; or

(ii) passage of the national marriage and family therapy competency examination as specified by K.A.R. 102-5-5 at the time of taking the examination;

(B) three years of clinical practice, including at least eight hours of client contact per week for at least nine months of each year in a community mental health center or its affiliate, a state mental hospital, or any other setting in which the applicant provided clinical services that included diagnosis or treatment of mental disorders; or

(C) one attestation, on a form provided by the board, from a person licensed by the board to diagnose and treat

mental disorders at the independent level or a person licensed to practice medicine and surgery that the applicant has demonstrated competence in the diagnosis or treatment of mental disorders.

(g) For purposes of this regulation, the term "extenuating circumstances" means any condition caused by events beyond a person's control that is sufficiently extreme in nature to result in either of the following:

(1) The person's inability to comply with the requirements of this regulation within the timeframes established by this regulation or K.S.A. 65-6405, and amendments thereto; or

(2) the inadvisability of requiring the applicant to comply with the requirements of this regulation within the timeframes established by this regulation and K.S.A. 65-6405, and amendments thereto. (Authorized by K.S.A. 2005 Supp. 74-7507; implementing K.S.A. 65-6404, K.S.A. 65-6405, as amended by 2006 SB 470, §3, and K.S.A. 65-6411; effective Dec. 19, 1997; amended Aug. 4, 2000; amended Aug. 13, 2004; amended, T-102-7-5-06, July 5, 2006; amended Oct. 27, 2006.)

Phyllis Gilmore
Executive Director

Doc. No. 033682

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28-35-231b	New	V. 24, p. 1831
28-35-231c	New	V. 24, p. 1831
28-35-241	Amended	V. 24, p. 1831
28-35-242	Amended	V. 24, p. 1831
28-35-242a	New	V. 24, p. 1831
28-35-242b	New	V. 24, p. 1831
28-35-243	Revoked	V. 24, p. 1831
28-35-243a	New	V. 24, p. 1831
28-35-244	Revoked	V. 24, p. 1831
28-35-244a	New	V. 24, p. 1831
28-35-247	Revoked	V. 24, p. 1831
28-35-247a	New	V. 24, p. 1831
28-35-248a	New	V. 24, p. 1831
28-35-249	Revoked	V. 24, p. 1831
28-35-250a	Revoked	V. 24, p. 1831
28-35-251	Amended	V. 24, p. 1831
28-35-252	Revoked	V. 24, p. 1831
28-35-253	Revoked	V. 24, p. 1831
28-35-254	Revoked	V. 24, p. 1831
28-35-255	Amended	V. 24, p. 1831
28-35-256	New	V. 25, p. 116
28-35-261	Revoked	V. 24, p. 1831
28-35-262	Revoked	V. 24, p. 1831
28-35-263	Revoked	V. 24, p. 1831
28-35-264	New	V. 24, p. 1831
28-35-274	Amended	V. 24, p. 1831
28-35-276	Amended	V. 24, p. 1831
28-35-277	Revoked	V. 24, p. 1831
28-35-277a	New	V. 24, p. 1831
28-35-278	Amended	V. 24, p. 1831
28-35-279	Amended	V. 24, p. 1831
28-35-280	Amended	V. 24, p. 1831
28-35-281	Amended	V. 24, p. 1831
28-35-282	Amended	V. 24, p. 1831
28-35-282a	New	V. 24, p. 1831
28-35-282b	New	V. 24, p. 1831
28-35-282c	New	V. 24, p. 1831
28-35-282d	New	V. 24, p. 1831
28-35-283	Amended	V. 24, p. 1831
28-35-284	Amended	V. 24, p. 1831
28-35-285	Amended	V. 24, p. 1831
28-35-287	Amended	V. 24, p. 1831
28-35-288	Amended	V. 24, p. 1831
28-35-289	Amended	V. 24, p. 1831
28-35-290	Amended	V. 24, p. 1831
28-35-291	Amended	V. 24, p. 1831
28-35-292	New	V. 24, p. 1831
28-35-293	New	V. 24, p. 1831
28-35-298	Amended	V. 24, p. 1831
28-35-299	Amended	V. 24, p. 1831
28-35-308	Amended	V. 24, p. 1831
28-35-312	Revoked	V. 24, p. 1831
28-35-314	Amended	V. 24, p. 1831
28-35-316	Amended	V. 25, p. 116
28-35-318	Amended	V. 24, p. 1831
28-35-319	Amended	V. 24, p. 1831
28-35-333	Amended	V. 24, p. 1831
28-35-342	Amended	V. 24, p. 1831
28-35-343	Amended	V. 24, p. 1831
28-35-345	Amended	V. 24, p. 1831
28-35-346	Amended	V. 24, p. 1831
28-35-349	Amended	V. 24, p. 1831
28-35-350	Amended	V. 24, p. 1831
28-35-351	Amended	V. 24, p. 1831
28-35-352	Amended	V. 24, p. 1831
28-35-353	Amended	V. 24, p. 1831
28-35-354	Amended	V. 24, p. 1831

(continued)

28-35-355 Amended V. 24, p. 1831
 28-35-357 Amended V. 24, p. 1831
 28-35-359 Amended V. 24, p. 1831
 28-35-359a New V. 24, p. 1831
 28-35-360 Amended V. 24, p. 1831
 28-35-375 New V. 24, p. 1832
 28-35-400 through
 28-35-411 New V. 24, p. 1832
 28-35-450 New V. 24, p. 1832
 28-35-500 through
 28-35-505 New V. 24, p. 1832
 28-36-1 Revoked V. 24, p. 146
 28-36-32 Revoked V. 24, p. 146
 28-36-60 Revoked V. 24, p. 146
 28-36-120 Revoked V. 24, p. 146
 28-61-1 Amended V. 24, p. 1242
 28-70-1 Amended V. 24, p. 1177
 28-70-2 Amended V. 24, p. 1177
 28-70-3 Amended V. 24, p. 1178
 28-73-1 through
 28-73-7 New V. 25, p. 307-311

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-90	Amended	V. 25, p. 786
30-4-98	New	V. 25, p. 1027
30-5-64	Revoked	V. 24, p. 1595
30-5-81u	Amended	V. 24, p. 271
30-5-118	Revoked	V. 25, p. 663
30-5-118b	Revoked	V. 25, p. 663
30-6-38	Revoked	V. 25, p. 1028
30-6-77	Revoked	V. 25, p. 847
30-10-1a	Amended	V. 24, p. 489
30-10-1b	Amended	V. 24, p. 491
30-10-1d	Amended	V. 24, p. 492
30-10-11	Amended	V. 24, p. 492
30-10-17	Amended	V. 24, p. 494
30-10-18	Amended (T)	V. 24, p. 23
30-10-18	Amended	V. 24, p. 334
30-10-19	Amended	V. 24, p. 495
30-10-20	Amended	V. 24, p. 496
30-10-23a	Amended	V. 24, p. 496
30-10-23b	Amended	V. 24, p. 497
30-14-22	Revoked	V. 25, p. 1028
30-14-27	Revoked	V. 25, p. 847

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-41-1 through 36-41-5	New (T)	V. 24, p. 273, 274
36-41-1 through 36-41-5	New	V. 24, p. 1111, 1112

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-42	Amended	V. 24, p. 1734
40-1-44	Amended	V. 24, p. 848
40-1-48	Amended	V. 25, p. 210
40-1-51	Amended	V. 24, p. 1735
40-2-14a	Amended	V. 24, p. 1735
40-2-14b	Revoked	V. 24, p. 1735
40-3-5	Amended	V. 25, p. 182
40-3-12	Amended	V. 25, p. 182
40-3-13	Amended	V. 24, p. 1371
40-3-18	Amended	V. 24, p. 1371
40-3-22	Amended	V. 25, p. 210
40-3-24	Amended	V. 24, p. 1371
40-3-40	Amended	V. 25, p. 212
40-3-43	Amended	V. 25, p. 183
40-3-44	Amended	V. 25, p. 212
40-3-46	Revoked	V. 25, p. 183
40-3-47	Amended	V. 25, p. 183
40-3-48	Amended	V. 25, p. 212
40-3-53	New (T)	V. 24, p. 15
40-3-53	New	V. 24, p. 615
40-4-25	Amended	V. 25, p. 278

40-4-35 Amended V. 24, p. 1264
 40-7-5 Amended V. 25, p. 844
 40-7-7 Amended V. 24, p. 1829
 40-7-7a Revoked V. 24, p. 1829
 40-7-9 Amended V. 24, p. 1829
 40-7-22 Amended V. 24, p. 1371
 40-7-23 Amended V. 24, p. 1371

AGENCY 49: DEPARTMENT OF LABOR

Reg. No.	Action	Register
49-49-1	Amended	V. 25, p. 25
49-49-1a	Amended	V. 25, p. 25

AGENCY 51: DEPARTMENT OF LABOR—DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-2-5	Amended	V. 24, p. 1647
51-9-7	Amended	V. 24, p. 1734

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-3-106a	Amended	V. 24, p. 1145
60-3-107	Amended	V. 24, p. 1145
60-3-108	Amended	V. 24, p. 1145
60-3-112	Amended	V. 24, p. 1145
60-11-113	Amended	V. 24, p. 1145
60-11-120	Amended	V. 24, p. 1145
60-11-121	Amended	V. 24, p. 1145
60-13-112	Amended	V. 24, p. 1146
60-15-101	Amended	V. 24, p. 1146
60-15-104	Amended	V. 24, p. 1147
60-16-103	Amended	V. 24, p. 1147
60-16-104	Amended	V. 24, p. 1148
60-17-111	Amended	V. 24, p. 1149

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-4-1	Amended	V. 24, p. 1629

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-4	Amended	V. 24, p. 79
66-8-4	Amended	V. 25, p. 44
66-8-8	New	V. 24, p. 80
66-9-4	Amended	V. 25, p. 73
66-9-6	Amended	V. 24, p. 80
66-9-7	New	V. 24, p. 80
66-10-1	Amended	V. 25, p. 44
66-10-9	Amended	V. 25, p. 44
66-10-11	Amended	V. 25, p. 44
66-10-12	Amended	V. 25, p. 45
66-10-14	Amended	V. 25, p. 45
66-11-5	Amended	V. 25, p. 45
66-14-3	Amended	V. 24, p. 80
66-14-5	Amended	V. 24, p. 81

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1b	Amended	V. 25, p. 1401
68-1-1d	Amended	V. 25, p. 1401
68-1-1f	Amended	V. 25, p. 1401
68-1-1g	New	V. 25, p. 1401
68-2-22	Amended	V. 25, p. 661
68-5-16	New (T)	V. 24, p. 1377
68-5-16	New	V. 25, p. 643
68-11-1	Amended	V. 25, p. 1401

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-1-4	Amended (T)	V. 24, p. 14
69-1-4	Amended	V. 24, p. 392

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-2-2	Amended	V. 24, p. 1828
71-8-1 through 71-8-9	New	V. 25, p. 99, 100

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-1a	Amended	V. 25, p. 609
74-4-7	Amended	V. 25, p. 610

74-4-8 Amended V. 25, p. 610
 74-5-2 Amended V. 25, p. 611
 74-5-101 Amended V. 25, p. 612
 74-5-102 Amended V. 25, p. 612
 74-5-103 Amended V. 24, p. 796
 74-5-104 Amended V. 24, p. 796
 74-5-201 Amended V. 24, p. 796
 74-5-202 Amended V. 25, p. 613
 74-5-203 Amended V. 25, p. 613
 74-5-205 Revoked V. 24, p. 797
 74-5-301 Amended V. 24, p. 797
 74-5-401 Amended V. 24, p. 797
 74-5-403 Amended V. 24, p. 797
 74-11-6 Amended V. 25, p. 613
 74-11-7 Amended V. 25, p. 614
 74-11-15 Amended V. 24, p. 798

AGENCY 75: OFFICE OF THE STATE BANK COMMISSIONER—DIVISION OF CONSUMER AND MORTGAGE LENDING

Reg. No.	Action	Register
75-6-30	Amended	V. 24, p. 1849
75-6-31	Amended	V. 24, p. 1849
75-6-35	New	V. 24, p. 1849

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-2-1	Amended	V. 25, p. 1057
81-3-1	Amended	V. 25, p. 1058
81-3-2	Amended	V. 25, p. 1059
81-3-5	Amended	V. 25, p. 1059
81-3-6	New	V. 25, p. 1060
81-3-7	New	V. 25, p. 1064
81-4-4	New (T)	V. 24, p. 1372
81-4-4	New	V. 24, p. 1775
81-5-15	New (T)	V. 24, p. 1372
81-5-15	New	V. 24, p. 1775
81-14-1	Amended	V. 25, p. 1065
81-14-2	Amended	V. 25, p. 1066
81-14-3	Revoked	V. 25, p. 1066
81-14-4	Amended	V. 25, p. 1066
81-14-5	Amended	V. 25, p. 1071
81-14-6	Amended	V. 25, p. 1075
81-14-7	Amended	V. 25, p. 1076
81-14-8	Revoked	V. 25, p. 1076
81-14-9	New	V. 25, p. 1076
81-14-10	New	V. 25, p. 1079

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-4-3	Amended (T)	V. 24, p. 97
82-4-3	Amended	V. 24, p. 463
82-4-3a through 82-4-3m	New (T)	V. 24, p. 97-122
82-4-3a through 82-4-3m	New	V. 24, p. 463-488
82-4-3a	Amended (T)	V. 25, p. 378
82-4-3a	Amended	V. 25, p. 844
82-15-1	New (T)	V. 25, p. 984, 1019
82-15-1	New	V. 25, p. 1363

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-3-29	New (T)	V. 24, p. 959
86-3-29	New	V. 24, p. 1690

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-3-8	Amended	V. 25, p. 1057
88-15-1	Revoked	V. 25, p. 1403
88-15-2	Revoked	V. 25, p. 1403
88-16-1	Revoked	V. 25, p. 1404
88-16-1b	Revoked	V. 25, p. 1404
88-16-2	Revoked	V. 25, p. 1404
88-16-5	Revoked	V. 25, p. 1404
88-16-5b	Revoked	V. 25, p. 1404
88-16-6	Revoked	V. 25, p. 1404
88-16-8	Revoked	V. 25, p. 1404
88-23-1	Revoked	V. 25, p. 1404
88-23-2	Revoked	V. 25, p. 1404

88-23-2a	Revoked	V. 25, p. 1404
88-23-3a	Revoked	V. 25, p. 1404
88-23-4	Revoked	V. 25, p. 1404
88-23-5	Revoked	V. 25, p. 1404
88-23-6	Revoked	V. 25, p. 1404
88-23-7	Revoked	V. 25, p. 1404
88-28-1	Revoked	V. 25, p. 1404
through		
88-28-8	New	V. 25, p. 1404-1411

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-201	Amended	V. 25, p. 1098
91-1-202	Amended	V. 25, p. 1099
91-1-203	Amended	V. 24, p. 1178
91-1-205	Amended	V. 25, p. 1101
91-1-213	Revoked	V. 24, p. 1181
91-1-220	New	V. 24, p. 1181
91-1-221	New	V. 24, p. 1182
91-15-1	Amended	V. 24, p. 272
91-35-1		
through		
91-35-4	Revoked	V. 24, p. 272

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-4	Revoked	V. 25, p. 252
92-12-4a	New	V. 25, p. 252
92-12-5	Revoked	V. 25, p. 254
92-12-113	New	V. 24, p. 423
92-12-120	New	V. 25, p. 254
92-12-121	New	V. 25, p. 254
92-12-130	New	V. 25, p. 254
92-19-22a	Amended	V. 25, p. 254
92-19-49a	Revoked	V. 24, p. 798
92-19-49b	New	V. 24, p. 798
92-19-49c	New	V. 24, p. 799
92-19-49d	New	V. 24, p. 801
92-19-81	Amended	V. 24, p. 802
92-51-34a	Amended	V. 24, p. 423
92-51-41	Amended	V. 25, p. 255
92-51-41a	New	V. 25, p. 255

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

Reg. No.	Action	Register
99-25-1	Amended	V. 24, p. 1264
99-25-9	Amended	V. 24, p. 1265
99-25-10	New	V. 24, p. 1265

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-15-2	Revoked	V. 24, p. 1113
100-15-4		
through		
100-15-7	New	V. 24, p. 1113, 1114
100-25-1		
through		
100-25-5	New (T)	V. 24, p. 1874-1877
100-25-1		
through		
100-25-5	New	V. 25, p. 213-216
100-26-1	Amended (T)	V. 24, p. 1877
100-26-1	Amended	V. 25, p. 217
100-26-2	New (T)	V. 24, p. 1877
100-26-2	New	V. 25, p. 217
100-26-3	New (T)	V. 24, p. 1878
100-26-3	New	V. 25, p. 217
100-27-1	Amended	V. 25, p. 1206
100-28a-14	Amended	V. 24, p. 1114
100-28a-17	New	V. 24, p. 1114
100-28a-18	New	V. 24, p. 1115
100-29-1	Amended	V. 25, p. 639
100-29-2	Amended	V. 25, p. 890
100-29-3	Amended	V. 25, p. 640
100-29-4	Amended	V. 25, p. 890
100-29-5	Revoked	V. 25, p. 640
100-29-6	Amended	V. 25, p. 640
100-29-8	Amended	V. 25, p. 640
100-29-9	Amended	V. 25, p. 640
100-29-10	Amended	V. 25, p. 641
100-29-12	Amended	V. 25, p. 642

100-29-13	Amended	V. 25, p. 643
100-29-14	Revoked	V. 25, p. 890
100-29-15	New	V. 25, p. 643
100-29-16	New	V. 25, p. 890
100-54-1	Amended	V. 24, p. 1441
100-54-6	Amended	V. 24, p. 1441
100-54-8	Amended	V. 24, p. 1441
100-54-10	New	V. 24, p. 1442
100-54-11	New	V. 24, p. 1442
100-69-1	Amended	V. 24, p. 1346
100-69-2	Amended	V. 24, p. 1347
100-69-3	Amended	V. 24, p. 1347
100-69-4	Revoked	V. 24, p. 1347
100-69-6	Amended	V. 24, p. 1347
100-69-7	Amended	V. 24, p. 1347
100-69-8	Revoked	V. 24, p. 1347
100-69-9	Amended	V. 24, p. 1347
100-69-10	Amended	V. 24, p. 1348
100-69-11	Amended	V. 24, p. 1349
100-72-6	Amended	V. 24, p. 1115
100-73-1		
through		
100-73-6	New (T)	V. 24, p. 1142-1144
100-73-1		
through		
100-73-6	New	V. 24, p. 1443, 1444

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-5a	Amended	V. 25, p. 183
102-1-12	Amended	V. 25, p. 184
102-1-13	Amended	V. 24, p. 424
102-1-18	Amended	V. 24, p. 424
102-2-2a	Amended (T)	V. 25, p. 987, 1019
102-2-3	Amended	V. 24, p. 424
102-2-8	Amended	V. 24, p. 424
102-2-12	Amended	V. 24, p. 426
102-2-14	Amended	V. 24, p. 427
102-3-2	Amended	V. 24, p. 428
102-3-3a	Amended (T)	V. 24, p. 330
102-3-4a	Amended	V. 24, p. 1211
102-3-4a	Amended (T)	V. 25, p. 988, 1019
102-3-15	Amended	V. 24, p. 428
102-4-2	Amended	V. 24, p. 428
102-4-4a	Amended (T)	V. 25, p. 990, 1019
102-4-15	Amended	V. 24, p. 428
102-5-2	Amended	V. 24, p. 428
102-5-4a	Amended (T)	V. 25, p. 992, 1019
102-5-5	Amended	V. 25, p. 187
102-5-14	Amended	V. 24, p. 429

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-4-1	Amended (T)	V. 24, p. 1597
105-4-1	Amended	V. 25, p. 101
105-5-2	Amended (T)	V. 25, p. 982, 1019
105-5-3	Amended (T)	V. 25, p. 982, 1019
105-5-6	Amended (T)	V. 25, p. 982, 1019
105-5-7	Amended (T)	V. 25, p. 983, 1019
105-5-8	Amended (T)	V. 25, p. 983, 1019
105-11-1	New	V. 25, p. 101
105-11-1	Amended (T)	V. 25, p. 983, 1019

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 24, p. 1846
108-1-4	Amended	V. 25, p. 180

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-9-1		
through		
110-9-8	New	V. 25, p. 373-375
110-11-1	New	V. 24, p. 429
110-11-2	New	V. 24, p. 429
110-11-3	New	V. 24, p. 429
110-12-1		
through		
110-12-6	New	V. 24, p. 371
110-13-1		
through		
110-13-10	New	V. 24, p. 1209-1211

110-13-4	Amended	V. 25, p. 447
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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. A list of regulations filed by the Kansas Lottery from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. The following regulations were filed after January 1, 2006:

Reg. No.	Action	Register
111-2-30	Amended	V. 25, p. 414
111-2-187	New	V. 25, p. 381
111-2-188	New	V. 25, p. 1363
111-2-189	New	V. 25, p. 1411
111-4-2342		
through		
111-4-2349	New	V. 25, p. 217-221
111-4-2350		
through		
111-4-2362	New	V. 25, p. 311-319
111-4-2363		
through		
111-4-2382	New	V. 25, p. 339-351
111-4-2383		
through		
111-4-2387	New	V. 25, p. 381-384
111-4-2389		
through		
111-4-2393	New	V. 25, p. 385, 386
111-4-2394		
through		
111-4-2404	New	V. 25, p. 415-422
111-4-2405		
through		
111-4-2418	New	V. 25, p. 787-795
111-4-2419		
through		
111-4-2427	New	V. 25, p. 868-874
111-4-2420	Amended	V. 25, p. 1019
111-4-2428		
through		
111-4-2434	New	V. 25, p. 1020-1025
111-4-2435		
through		
111-4-2454	New	V. 25, p. 1364-1376
111-4-2455		
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111-4-2467	New	V. 25, p. 1412-1420
111-5-126		
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111-5-138	New	V. 25, p. 386-390
111-5-139	New	V. 25, p. 423
111-5-139a	New	V. 25, p. 795
111-5-140		
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111-5-149	New	V. 25, p. 795-797
111-5-150		
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111-5-154	New	V. 25, p. 842-844
111-6-1	Amended	V. 25, p. 222
111-7-81	Amended	V. 25, p. 319
111-7-193	New	V. 25, p. 1026
111-7-194	New	V. 25, p. 1027
111-7-195		
through		
111-7-207	New	V. 25, p. 1420-1423
111-9-130		
through		
111-9-133	New	V. 25, p. 351-353
111-11-1	Amended	V. 25, p. 223

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-4-1a	Amended	V. 24, p. 1851
112-10-5	Amended	V. 24, p. 1263
112-11-20	Amended	V. 24, p. 1852

(continued)

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 25, p. 335
115-2-4	Amended	V. 25, p. 336
115-3-2	Amended	V. 24, p. 148
115-4-2	Amended	V. 24, p. 420
115-4-4	Amended	V. 25, p. 662
115-4-4a	New	V. 24, p. 422
115-4-6	Amended	V. 25, p. 336
115-4-6a	New	V. 24, p. 151
115-4-11	Amended	V. 24, p. 151
115-4-13	Amended	V. 24, p. 422
115-5-1	Amended	V. 24, p. 152
115-5-4	New	V. 24, p. 752
115-7-2	Amended	V. 24, p. 153
115-9-4	Amended	V. 24, p. 153
115-9-9	New	V. 24, p. 1112
115-11-1	Amended	V. 24, p. 752
115-11-2	Amended	V. 24, p. 153
115-15-1	Amended	V. 24, p. 154
115-15-2	Amended	V. 24, p. 155
115-18-1	Amended	V. 24, p. 156
115-18-7	Amended	V. 24, p. 159
115-18-10	Amended	V. 24, p. 753
115-18-14	Amended	V. 24, p. 1689
115-20-1	Amended	V. 24, p. 159
115-20-2	Amended	V. 24, p. 160
115-21-1	Revoked	V. 24, p. 1690
115-21-2	Revoked	V. 24, p. 1690
115-21-4	Revoked	V. 24, p. 1690

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-2-2	Amended	V. 25, p. 1146
117-2-2a	New	V. 24, p. 1079
117-2-3	Amended (T)	V. 24, p. 1141
117-2-3	Amended	V. 24, p. 1595
117-3-2	Amended	V. 25, p. 1146
117-3-2a	New	V. 24, p. 1079
117-3-3	Amended (T)	V. 24, p. 1141
117-3-3	Amended	V. 24, p. 1595
117-4-2	Amended	V. 25, p. 1147
117-4-2a	New	V. 24, p. 1080
117-4-3	Amended (T)	V. 24, p. 1141
117-4-3	Amended	V. 24, p. 1595
117-5-1	Amended	V. 25, p. 1148
117-5-2a	New	V. 24, p. 1080
117-6-1	Amended	V. 25, p. 1148
117-6-2	Amended	V. 25, p. 1148
117-6-3	Amended	V. 24, p. 77
117-7-1	Amended	V. 24, p. 78
117-8-1	Amended	V. 25, p. 866

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-5-10	Amended	V. 24, p. 1632

AGENCY 120: HEALTH CARE DATA GOVERNING BOARD

Reg. No.	Action	Register
120-1-1	Revoked (T)	V. 24, p. 1377
120-1-1	Revoked	V. 24, p. 1734

120-1-2	New (T)	V. 24, p. 1377
120-1-2	New	V. 24, p. 1734

AGENCY 121: DEPARTMENT OF CREDIT UNIONS

Reg. No.	Action	Register
121-5-1	Amended (T)	V. 25, p. 1304
121-5-2	Revoked (T)	V. 25, p. 1304
121-5-3	New (T)	V. 25, p. 1304
121-8-1	New (T)	V. 25, p. 1304

AGENCY 123: JUVENILE JUSTICE AUTHORITY

Reg. No.	Action	Register
123-1-101	New	V. 24, p. 301
123-2-105	New	V. 24, p. 338
123-2-110	New	V. 24, p. 338
123-5-101	New	V. 24, p. 339
123-5-106	New	V. 24, p. 339
123-5-111	New	V. 24, p. 339
123-5-112	New	V. 24, p. 340
123-5-505	New	V. 24, p. 340
123-12-101		
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123-12-107	New	V. 24, p. 301, 302
123-12-201		
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123-12-210	New	V. 24, p. 302, 303
123-12-301		
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123-12-315	New	V. 24, p. 303-305
123-12-317	New	V. 24, p. 305
123-12-318	New	V. 24, p. 305
123-12-319	New	V. 24, p. 306
123-12-321		
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123-12-325	New	V. 24, p. 306
123-12-327	New	V. 24, p. 306
123-12-328	New	V. 24, p. 307
123-12-401	New	V. 24, p. 307
123-12-501		
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123-12-505	New	V. 24, p. 307, 308
123-12-505b	New	V. 24, p. 308
123-12-506	New	V. 24, p. 308
123-12-601	New	V. 24, p. 308
123-12-602	New	V. 24, p. 310
123-12-702	New	V. 24, p. 310
123-12-801	New	V. 24, p. 310
123-12-901	New	V. 24, p. 310
123-12-902	New	V. 24, p. 310
123-12-1001	New	V. 24, p. 311
123-12-1002	New	V. 24, p. 311
123-12-1101	New	V. 24, p. 311
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123-12-1302	New	V. 24, p. 312
123-12-1303	New	V. 24, p. 312
123-12-1306	New	V. 24, p. 312
123-12-1308	New	V. 24, p. 313
123-13-101	New	V. 24, p. 342
123-13-101a	New	V. 24, p. 343

123-13-103	New	V. 24, p. 343
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123-13-201	New	V. 24, p. 343
123-13-201b	New	V. 24, p. 344
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123-13-306	New	V. 24, p. 345
123-13-307	New	V. 24, p. 346
123-13-401		
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123-13-404	New	V. 24, p. 346-348
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123-13-406	New	V. 24, p. 349
123-13-408	New	V. 24, p. 350
123-13-409	New	V. 24, p. 350
123-13-501	New	V. 24, p. 350
123-13-502a	New	V. 24, p. 350
123-13-505		
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123-13-509	New	V. 24, p. 350, 351
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123-15-101a	New	V. 24, p. 354
123-15-101b	New	V. 24, p. 354
123-15-102	New	V. 24, p. 354
123-15-104	New	V. 24, p. 355
123-15-105	New	V. 24, p. 355
123-15-105a	New	V. 24, p. 356
123-15-106	New	V. 24, p. 356
123-15-201	New	V. 24, p. 356
123-16-102	New	V. 24, p. 356
123-16-105	New	V. 24, p. 357

AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION

Reg. No.	Action	Register
127-1-1	New	V. 24, p. 848

AGENCY 129: KANSAS HEALTH POLICY AUTHORITY

Reg. No.	Action	Register
129-5-1	Amended	V. 25, p. 1028
129-5-118	New	V. 25, p. 665
129-5-118b	New	V. 25, p. 665
129-6-38	New	V. 25, p. 1030
129-6-77	New	V. 25, p. 847
129-6-151	New	V. 25, p. 848
129-6-152	New	V. 25, p. 848
129-7-65	New	V. 25, p. 848
129-14-22	New	V. 25, p. 1030
129-14-27	New	V. 25, p. 849
129-14-51	New	V. 25, p. 849
129-14-52	New	V. 25, p. 849

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