



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Department of Administration
Division of Facilities Management

Notice of Commencement of
Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for a new Child Development Center at Kansas State University, Manhattan. The capacity of the center should be for 300 students, ages 6 months to 12 years. The 32,000 gsf center and 20,000 gsf outdoor play areas should provide family-centered child-care in a professional and nurturing environment that meets the developmental and educational needs of children, incorporates the experiences and values of all families, and encourages children to explore their diverse world. The total project estimate is \$6,000,000. A program is available.

For more information concerning the scope of services, contact Abe Fattaey, (785) 532-1725.

To be considered, five (5) bound proposals and one (1) PDF file on a CD of the following should be provided: a letter of interest, an SF330 Part I, information regarding similar projects, and an SF330 Part II for each firm and consultant. Proposals should be concise and follow the 2007 State Building Advisory Commission guidelines, available to firms at <http://da.ks.gov/fp/>. If copies of the guidelines are needed, contact Phyllis Fast, Division of Facilities Management, Suite 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796, Phyllis.Fast@da.ks.gov. Submittals should be received by Phyllis Fast before noon July 27.

Marilyn Jacobson, Director
Division of Facilities Management

Doc. No. 034642

State of Kansas

Department of Administration
Division of Facilities Management

Notice of Commencement of
Negotiations for Engineering Services

Notice is hereby given of the commencement of negotiations for engineering services to replace existing steam distribution piping in a portion of the campus utility tunnels at Kansas State University, Manhattan. The existing steam distribution piping is to be replaced with approximately 2500 lineal feet of 90 psig steam piping with condensate return to serve the existing low and medium pressure steam loads in six buildings. The scope of work includes demolition of existing piping, new piping, connections to the central plant, and supply and pressure reducing stations at each building where needed for low pressure services. The construction cost is estimated at \$850,000.

For more information concerning the scope of services or to visit the site, contact Ed Heptig, (785) 532-1700.

To be considered, five (5) bound proposals and one (1) PDF file on a CD of the following should be provided: a letter of interest, an SF330 Part I, information regarding similar projects, and an SF330 Part II for each firm and consultant. Proposals should be concise and follow the 2007 State Building Advisory Commission guidelines, available to firms at <http://da.ks.gov/fp/>. If copies of the guidelines are needed, contact Phyllis Fast, Division of Facilities Management, Suite 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796, Phyllis.Fast@da.ks.gov. Submittals should be received by Phyllis Fast before noon July 27.

Marilyn Jacobson, Director
Division of Facilities Management

Doc. No. 034643

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State of Kansas

Department of Agriculture

Notice of Board Meeting

The Governor's Agricultural Advisory Board will meet at 10 a.m. Wednesday, July 18, at the Kansas Department of Agriculture, fourth floor training room, 109 S.W. 9th, Topeka. A meeting agenda will be available prior to July 18 by contacting Ginger Patterson at (785) 296-3902. This meeting is open to the public and will include time for public comment. If special accommodations are needed, individuals should contact the Department of Agriculture at (785) 296-3902 at least three business days prior to the meeting.

Adrian J. Polansky
Secretary of Agriculture

Doc. No. 034637

State of Kansas

Social and Rehabilitation Services

Request for Proposals

The Department of Social and Rehabilitation Services will accept applications for the provision of social services to refugees for the service period October 1, 2007 through September 30, 2008. Applications must be postmarked by August 13. Applications postmarked after that date will not be considered. Instructions for completing the application are described in the request for proposal, available on request from Lewis A. Kimsey, Social and Rehabilitation Services, Refugee Resettlement Program, Room 681-W, Docking State Office Building, 915 S. W. Harrison, Topeka, 66612, (785) 296-0147.

Don Jordan
Secretary of Social and
Rehabilitation Services

Doc. No. 034645

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) 296-2376:

07/24/2007	10594	Medical Records Consultant
07/27/2007	10586	Weight Loss/Weight Management for State Employees in the Capitol Complex
07/31/2007	10601	Traffic Safety Resource Office

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

<http://www.da.ks.gov/purch/>

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. Information regarding prequalifi-

cation, projects and bid documents can be obtained by calling (785) 296-8899 or by visiting www.da.ks.gov/fp/.

07/31/2007	A-010469	Exterior Wood Restoration and Painting, Goodnow House, Kansas State Historical Society
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Chris Howe
Director of Purchases

Doc. No. 034647

State of Kansas

University of Kansas

Notice to Bidders

The University of Kansas encourages interested vendors to visit the University of Kansas Purchasing Services Web sight at <http://www.purchasing.ku.edu/> for a complete list of all goods and services currently out for bid. For persons without Internet access, paper postings of all open bids may be reviewed at the Purchasing Services office, 1246 W. Campus Road, Room 7, Lawrence. Copies of current bids may be requested by contacting the Purchasing Services office at (785) 864-3790, by fax at (785) 864-3454, or by e-mail at purchasing@ku.edu.

Barry K. Swanson
Associate Comptroller/
Director of Purchasing Services

Doc. No. 034632

State of Kansas

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

Notice is hereby given of the commencement of negotiations for full-service engineering services to design and install fire sprinklers in the Kansas State Student Union facility, Manhattan. The building has approximately 260,000 sq. ft. The total project cost is estimated at \$1,000,000. Interested firms can contact Jack Carlson at (785) 532-1722 for site visits and information related to the partial existing sprinkler system.

To be considered, five (5) bound proposals and one (1) PDF file on a CD of the following should be provided: a letter of interest, an SF330 Part I, information regarding similar projects, and an SF330 Part II for each firm and consultant. Proposals should be concise and follow the 2007 State Building Advisory Commission guidelines, available to firms at <http://da.ks.gov/fp/>. If copies of the guidelines are needed, contact Phyllis Fast, Division of Facilities Management, Suite 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796, Phyllis.Fast@da.ks.gov. Submittals should be received by Phyllis Fast before noon July 27.

Marilyn Jacobson, Director
Division of Facilities Management

Doc. No. 034644

State of Kansas

Department of Revenue

Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Final Written Determinations, Revenue Rulings, Memorandums, Property Valuation Division, Directives, Q&A's, Information Guides and Notices published by the Department of Revenue for June 2007. Copies can be obtained by accessing the Policy Information Library located on the Internet at www.ksrevenue.org or by calling the Office of Policy and Research at (785) 296-3081.

Private Letter Rulings

No new publications

Opinion Letters

- O-2007-002 Tarps purchased by a farmer or rancher used to cover harvested hay
- O-2007-003 Services associated with the wholesale of gasoline, diesel fuel and oil

Final Written Determinations

No new publications

Revenue Rulings

No new publications

Notices

- Notice 07-03 Sales and Use Taxation of Third-Party Drop Shipment

Memorandums

No new publications

Property Valuation Division Directives

No new publications

Q & A's

- Kansas Retailers' Mobility enhancing equipment installed on a motor vehicle
- Sales Tax

Information Guides

No new publications

Joan Wagon
Secretary of Revenue

Doc. No. 034634

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of July 12-23. 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
July 12	519-S	10:00 a.m.	Kiowa County Disaster Relief and Recovery Special Committee	State agency responsibilities and duties during and following a disaster, specific responsibilities for Greensburg, funding available for relief and recovery of the community.
July 13	519-S	9:00 a.m.		12th: Adjutant General's Department; State Fire Marshal; Health and Environment; Department of Transportation; Department on Aging; Office of State Bank Commissioner; Department of Commerce; State Board of Education. 13th: FEMA; EMS Board; Highway Patrol; Insurance Department; Kansas Hospital Association; Department of Revenue; Department of Social and Rehabilitation Services.
July 18*	123-S	10:00 a.m.	Joint Committee on State Building Construction	Review responsibilities of State Educational Institution Long-Term Infrastructure Maintenance Program; review 5-year capital improvement plans for agencies; review leases and change orders; and review Regents deferred maintenance projects and reporting requirements.
July 19	123-S	9:00 a.m.		
* Date Added				
July 23	123-S	10:00 a.m.	Legislative Educational Planning Committee	Agenda not available.

Jeffrey M. Russell
Director of Legislative Administrative Services

Doc. No. 034641

State of Kansas

Board of Technical Professions**Notice of Meetings**

The Kansas State Board of Technical Professions will conduct its Complaint Committee meeting at 8 a.m. and its regular board meeting at 10 a.m. Thursday, July 26, in Room 507 of the Landon State Office Building, 900 S.W. Jackson, Topeka. Both meetings are open to the public. For more information, call (785) 296-3053.

Betty L. Rose
Executive Director

Doc. No. 034639

State of Kansas

Department of Transportation**Notice to Contractors**

Sealed proposals for the construction of road and bridge work in the following Kansas county will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Eisenhower State Office Building, fourth floor, west wing, 700 S.W. Harrison, Topeka, until 1 p.m. July 26 and then publicly opened.

Notice: This project was originally let on June 20. All bids were rejected and the project is being re-let.

District Four — Southeast

Cherokee—69-11 K-6799-01 — U.S. 69 north to the Burlington Northern Santa Fe railroad crossing at Columbus, 9.1 miles, pavement reconstruction. (Federal Funds)

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

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

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

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

Deb Miller
Secretary of Transportation

Doc. No. 034618

State of Kansas

Department of Transportation**Notice to Consulting Engineers**

The Kansas Department of Transportation is seeking qualified consulting engineering firms to perform construction inspection, as needed, statewide. 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 1 p.m. August 2 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 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.

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 firms to perform the professional services required for completing the advertised project. After the selection of these firms, the remaining firms will be notified by letter of the outcome.

**Construction Inspection,
As Needed Statewide**

The scope of services is to provide construction inspection services on an as-needed basis statewide. Firms selected will be required to provide the following services:

1. grading inspection
2. structures inspection
3. asphalt inspection (plant and/or road)
4. concrete pavement inspection (plant and/or road)
5. materials testing
6. contract documentation
7. traffic control inspection
8. seeding
9. other similar services, etc.

The firms must be able to staff the project with KDOT-certified inspectors.

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. 034622

State of Kansas
Department of Wildlife and Parks

Public Notice

The Kansas Department of Wildlife and Parks is soliciting bids for the purchase of a tract of land located in Shawnee County, Kansas. The parcel consists of 14 +/- acres in the Northwest 1/4 of the Northeast 1/4, lying north of I-70 right of way in Section 33, Township 11S, Range 15E of the 6th PM. General terms and conditions of this sale and a more exact legal description may be obtained by contacting Doug Bassett, Prudential CRES Commercial Real Estate, at (785) 271-2488.

J. Michael Hayden
Secretary of Wildlife and Parks

Doc. No. 034646

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-07-193/197
Pending Permits for Confined Feeding Facilities

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Sailors Stock Farm, S/2 of Section 22, T27S, R20E, Neosho County, Neosho River Basin.

Kansas Permit No. A-NENO-S001

This is a renewal permit for an existing facility for 1,142 head (456.8 animal units) of swine weighing greater than 55 pounds and 546 head (54.6 animal units) of swine weighing 55 pounds or less, for a total of 511.4 animal units of swine.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Messner Farms, SW/4 of Section 31, T34S, R14E, Montgomery County, Verdigris River Basin.

Kansas Permit No. A-VEMG-S023

This is a renewal permit for an existing facility for 210 head (84 animal units) of swine weighing greater than 55 pounds and 240 head (24

animal units) of swine weighing 55 pounds or less, for a total of 108 animal units of swine.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Crome Truck Line Inc., NW/4 of Section 08, T02S, R06E, Marshall County, Big Blue River Basin.

Kansas Permit No. A-BBMS-T001

This is a new permit for a new truck wash facility for three or more privately owned livestock transport vehicles. A new wastewater retention structure is to be constructed to capture wastewater from the wash bay.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Richards Farms, NE/4 of Section 02, T14S, R16E, Osage County, Kansas River Basin.

Kansas Permit No. A-KSOS-S002

This is a renewal permit for an existing facility for a maximum of 120 head (48 animal units) of swine more than 55 pounds, 490 head (49 animal units) of swine 55 pounds or less, 1 head (1 animal unit) of beef cattle more than 700 pounds and 8 head (4 animal units) of beef cattle 700 pounds or less, for a total of 102 animal units. The new permit includes an increase of 14 animal units. The previous permit incorrectly described the farrowing building and did not include the existing cattle operation.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Befort Farm, N/2 of Section 23, T14S, R19W, Ellis County, Smoky Hill River Basin.

Kansas Permit No. A-SHEL-B009

This is a new permit for an existing facility for 500 head (250 animal units) of beef cattle weighing less than 700 pounds. The previous dairy operations have been discontinued and the pens at the facility are used for beef cattle confinement. Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Public Notice No. KS-07-074/077

Table with 3 columns: Name and Address of Applicant, Receiving Stream, Type of Discharge. Row 1: Garden Plain, City of, P.O. Box 336, Garden Plain, KS 67050, Ninescah River via Clearwater Creek via Pole Cat Creek, Domestic Wastewater.

Kansas Permit No. M-AR35-0001 Federal Permit No. KS0116386

Legal Description: SW1/4, SE1/4, SE1/4, S31, T27S, R3W, Sedgwick County Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform/E. Coli and pH. Monitoring for total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen, chlorides 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.

Table with 3 columns: Name and Address of Applicant, Receiving Stream, Type of Discharge. Row 1: Kansas Department of Wildlife and Parks, 512 S.E. 25th Ave., Pratt, KS 67124-8174, South Fork Ninescah River, Domestic Wastewater.

Kansas Permit No. M-AR73-0003 Federal Permit No. KS0090034

Legal Description: SE1/4, S1, T28S, R13W, Pratt County

Facility Name: Pratt Operations Office

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, fecal coliform/E. Coli and pH. Monitoring for ammonia, total residual chlorine, chlorides, total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen and effluent flow also will be required. Contained in the permit is a schedule of compliance requiring the permittee to submit a plan and schedule to abandon the current facility and replace it with a facility that will consistently meet permits limits or connect to the city of Pratt's wastewater collection system. 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	Receiving Stream	Type of Discharge
Ellsworth Co. RWD 1- Post Rock c/o David Bailey, General Manager 103 N. Douglas Ellsworth, KS 67439	Smoky Hill River via Unnamed Tributaries	Processed Wastewater

Kansas Permit No. I-SH53-PO01 Federal Permit No. KS0099287
Facility Description: NW¼, NW¼, NW¼, S11, T17S, R6W, Ellsworth County

Facility Description: The proposed action is to issue a new permit for an existing facility. This is a public water supply treatment plant. The raw water from Kanopolis Lake is treated through primary clarifier basins and filters before being sent to storage for distribution. The raw water is treated with lime, alum, various polymers, chlorine dioxide, fluoride, ammonium sulfate and polyphosphate as it passes through the various treatment processes. Sludge from the primary clarifier basins, filter-to-waste and filter backwash water are routed to a single-cell lagoon system. Discharge is by overflow to the receiving stream. In addition, the permittee operates a septic tank/lateral system, under county authority, for wastewater from floor drains and domestic wastewater treatment and disposal. The proposed permit contains limits for total suspended solids and pH, as well as monitoring for total residual chlorine. Contained in the permit is a schedule of compliance requiring the permittee become KDHE-field certified to field-test for total residual chlorine and pH or to make arrangements with a KDHE-certified laboratory to have these tests conducted within the 15-minute holding time allowed by the 40 CFR Part 136 test requirements. 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	Receiving Stream	Type of Discharge
Public Wholesale Water Supply Dist #13 c/o Jayson McMaster, General Manager P.O. Box C Mound City, KS 66056	Big Sugar Creek via Little Sugar Creek via Unnamed Tributary	Processed Wastewater

Kansas Permit No. I-MC26-PO06 Federal Permit No. KS0099236
Facility Description: NW¼, NW¼, SW¼, S9, T22S, R23E, Linn County

Facility Description: The proposed action is to issue a new permit for an existing facility. This is a public water supply treatment plant. The raw water is from Critzer Reservoir with Mound City Lake as a potential additional source, if needed. The raw water is treated through pulsating clarifiers and standard filters before being sent to the clearwell for pumping to storage for distribution. The raw water is treated with potassium permanganate, powdered activated carbon, aluminum chlorohydrate, various polymers, caustic, chlorine, fluoride and ammonium sulfate as it passes through the various treatment processes. Sludge from the clarifier basins and miscellaneous floor drains and contact basin blowdowns, filter-to-waste and filter backwash water are routed to a two single-cell lagoon system (one in operation, one being prepared for desludging). Discharge is by overflow to the receiving stream. In addition, the permittee op-

erates a septic tank/lateral system, under county authority, for domestic wastewater treatment and disposal. This Kansas/NPDES permit is for the discharge of the overflow from the two single-cell wastewater lagoon system. The proposed permit contains limits for total suspended solids and pH, as well as monitoring for total residual chlorine. Contained in the permit is a schedule of compliance requiring the permittee become KDHE-field certified to field-test for total residual chlorine and pH or to make arrangements with a KDHE-certified laboratory to have these tests conducted within the 15-minute holding time allowed by the 40 CFR Part 136 test requirements. 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 August 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-07-193/197, KS-07-074/077) 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. 034640

State of Kansas

Secretary of State

Notice of Judgment Interest Rate

Pursuant to the provisions of K.S.A. 16-204, the rate of interest on judgments rendered by courts of the state of Kansas pursuant to the code of civil procedure is 10.25 percent during the period of July 1, 2007 through June 30, 2008.

Ron Thornburgh
Secretary of State

Doc. No. 034607

(Published in the Kansas Register July 12, 2007.)

Summary Notice of Bond Sale

City of McPherson, Kansas

\$1,040,000

General Obligation Bonds, Series 132 of 2007

(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated June 25, 2007, written and electronic bids will be received on behalf of the clerk of the city of McPherson, 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 3 p.m. July 25, 2007, for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 1, 2007, and will become due on August 1 in the years as follows:

Year	Principal Amount
2008	\$40,000
2009	50,000
2010	55,000
2011	60,000
2012	60,000
2013	60,000
2014	65,000
2015	65,000
2016	65,000
2017	70,000
2018	80,000
2019	75,000
2020	80,000
2021	85,000
2022	80,000
2023	10,000
2024	10,000
2025	10,000
2026	10,000
2027	10,000

The bonds will bear interest from the date thereof at

rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on February 1 and August 1 in each year, beginning February 1, 2008.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$20,800 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about August 9, 2007, 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 \$116,494,103. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, but excluding temporary notes to be retired in conjunction therewith, is \$22,930,000.

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 undersigned or from the financial advisor at the addresses set forth below:

Written and Facsimile Bid and Good Faith Deposit

Delivery Address:

Gary L. Meagher, Clerk
Municipal Center, 400 E. Kansas Ave.
McPherson, KS 67460
(620) 245-2535
Fax (620) 245-2549
E-mail: garym@mcpcity.com

Financial Advisor - Good Faith Deposit

Delivery Address:

Stifel, Nicolaus and Company, Incorporated
301 N. Main, Suite 800
Wichita, KS 67202
Attn: Pat Hinojos
(316) 337-8498
Fax (316) 337-8492
E-mail: hinojosp@stifel.com

Dated June 25, 2007.

City of McPherson, Kansas

Doc. No. 034633

**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 7-9-07 through 7-15-07

Term	Rate
1-89 days	5.24%
3 months	4.89%
6 months	4.95%
1 year	5.04%
18 months	5.04%
2 years	4.98%

Derl S. Treff
Director of Investments

Doc. No. 034631

(Published in the Kansas Register July 12, 2007.)

**Summary Notice of Sale
City of Bonner Springs, Kansas
\$1,120,000***

General Obligation Bonds, Series 2007-A

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

Bids

Subject to the notice of sale dated July 9, 2007, bids will be received by the city clerk of the city of Bonner Springs, Kansas, on behalf of the governing body at City Hall, 205 E. 2nd St., Bonner Springs, KS 66012, or, in the case of electronic proposals, via *PARITY*, until 1 p.m. Monday, July 23, 2007, for the purchase of \$1,120,000* principal amount of General Obligation Bonds, Series 2007-A. No bid of less than the entire par value of the bonds and accrued interest to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 1, 2007, and will become due on September 1 in the years as follows:

Year	Principal Amount*
2008	\$ 50,000
2009	55,000
2010	60,000
2011	60,000
2012	65,000
2013	70,000
2014	70,000
2015	75,000
2016	75,000
2017	80,000
2018	85,000
2019	90,000
2020	90,000
2021	95,000
2022	100,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2008.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$22,400 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about August 14, 2007, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2006 is \$74,959,370. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds and certain temporary notes being sold simultaneously with the bonds, is \$24,305,000, of which \$10,651,596.50 is applicable to the city's debt limit under Kansas law.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Kutak Rock LLP, Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (913) 667-1716; from the city's financial advisor, George K. Baum & Company, 4801 Main St., Suite 500, Kansas City, MO 64112, (816) 474-1100, Attention: David Arteberry; or from Kutak Rock LLP, 1010 Grand Blvd., Suite 500, Kansas City, MO 64106-2220, (816) 960-0090, Attention: Dorothea Riley.

Dated July 12, 2007.

City of Bonner Springs, Kansas
By Rita Hoag
City Hall
205 E. 2nd St.
Bonner Springs, KS 66012
(913) 422-1020

* Subject to change.

Doc. No. 034638

State of Kansas

Legislature

Request for Proposals

The Kansas Legislature is accepting proposals until 5 p.m. July 26 for the lease of computers, as follows:

Objective: Lease PCs systems that meet or exceed the specifications. Asking for a three-year lease. Vendor retains title to equipment throughout the lease term. Vendor must pay own property taxes and insurance but may factor those expenses into the lease rate. Lease also includes maintenance on all the equipment throughout the term of the lease. Vendor financing is preferred. Third party financing is discouraged.

General Requirements: These general requirements apply to all products obtained under this lease:

- At the request of Legislative Computer Services, submit sample model of each class of computer with all needed drivers installed for setup by Legislative Computer Services.
- Each sample unit will be tested on the legislative network using the legislative standard software and with the legislative document management system. Provided all of the testing is successful, Computer Services will return the sample computers configured. Vendor will produce a clone for this class of computer and configuration. Vendor will agree to produce additional clones for the Legislature as needed throughout the term of the lease at no additional charge.
- Each computer will be delivered configured correctly with the appropriate clone applied. The carton containing the computer will list the model of the unit and the version of the clone applied to the computer. A restore CD with the correct configuration for this computer will be delivered with each computer.
- Maintenance for all products under the lease will be on-site, next business day throughout the term of the lease. The staff of Legislative Computer Services desires privileges to swap parts as necessary to keep critical PCs operational. State the terms and conditions for granting these privileges. The staff of Legislative Computer Services desires privileges to install state-owned cards to support peripherals such as scanners. The state would retain ownership of such cards and remove them at the termination or expiration of the lease. State the terms and conditions for granting these privileges.

For more information or to obtain specifications, contact Dave Larson, Director, Legislative Computer Services, Room 531-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-5566, davel@las.state.ks.us.

Dave Larson, Director
Legislative Computer Services

Doc. No. 034635

State of Kansas

Real Estate Commission

Temporary Administrative
RegulationsArticle 1.—EXAMINATION AND
REGISTRATION

86-1-2. Examinations. (a) Examinations shall be given by the testing service designated by the commission.

(b) Each applicant shall register with and pay the examination fee directly to the testing service designated by the commission. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 2006 Supp. 58-3039, as amended by 2007 HB 2295, sec. 1; effective Jan. 1, 1966; amended Jan. 1, 1974; amended, E-74-50, Sept. 13, 1974; amended May 1, 1975; amended, E-81-18, July 16, 1980; amended May 1, 1981; amended, T-86-7-2-07, July 2, 2007.)

86-1-5. Fees. (a) Each applicant shall pay a fee in an amount equal to the actual cost of the examination and the administration of the examination to the testing service designated by the commission.

(b) Each applicant shall submit the following fees for licensure to the commission:

- (1) For submission of an application for an original salesperson's or broker's license, a fee of \$15;
- (2) for a temporary salesperson's license, a six-month fee of \$25;
- (3) for an original salesperson's license, a prorated fee based on a two-year amount of \$100;
- (4) for an original broker's license, a prorated fee based on a two-year amount of \$150;
- (5) for renewal of a salesperson's license, a two-year fee of \$100;
- (6) for renewal of a broker's license, a two-year fee of \$150;
- (7) for reinstatement of a license that has been deactivated or that has been canceled pursuant to K.S.A. 58-3047(c), and amendments thereto, or by reason of termination of a salesperson or associate broker, a fee of \$15;
- (8) for reinstatement of each license canceled pursuant to K.S.A. 58-3047(d) or (f), and amendments thereto, a fee of \$7.50;
- (9) for a duplicate license, a fee of \$10;
- (10) for certification of licensure to another jurisdiction, a fee of \$10;
- (11) for each branch office, a fee of \$25;
- (12) for each primary office of a company created or established by a supervising broker, a fee of \$25;
- (13) for certification of a licensee's education history under K.S.A. 58-3046a, and amendments thereto, a fee of \$10;
- (14) for certification of licensure of a professional corporation, a fee of \$10; and
- (15) for each additional primary or branch office at which a salesperson or an associate broker, supervising broker, or branch broker is associated or employed, if the person is associated or employed by more than one primary or branch office, a fee of \$10, which shall be paid by the salesperson or broker.

(c)(1) Each applicant for an original salesperson's or broker's license shall pay a fee of \$64 for the cost of submission of the applicant's fingerprints to the Kansas bureau of investigation for the purpose of obtaining a criminal history check conducted by the Kansas bureau of investigation and the federal bureau of investigation and for the commission's reasonable costs of administering the criminal history check program.

(2) Each licensee shall pay a fee of \$64, upon request of the commission, for the cost of submission of the licensee's fingerprints to the Kansas bureau of investigation for the purpose of obtaining a criminal history check conducted by the Kansas bureau of investigation and the federal bureau of investigation and for the commission's reasonable costs of administering the criminal history check program in connection with any investigation.

(d) For each prorated fee, a monthly amount, rounded off to the nearest dollar, shall be established by the commission. Each applicant's prorated fee shall be calculated by the commission beginning on the last calendar day of the month in which the applicant submits an application and through the expiration date of the license.

(e) Each entity seeking course approval pursuant to K.S.A. 58-3046a, and amendments thereto, shall submit the following applicable fee or fees to the commission;

(1) For approval of a course of instruction submitted by a course provider pursuant to K.S.A. 58-3046a, and amendments thereto, a fee of \$50; and

(2) for renewal of an approved course of instruction pursuant to K.S.A. 58-3046a, and amendments thereto, a fee of \$15.

(f) Each licensee seeking approval of a course of instruction pursuant to subsection (k) of K.S.A. 58-3046a, and amendments thereto, shall pay a fee of \$10 to the commission. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 2006 Supp. 58-3039, as amended by 2007 HB 2295, sec. 1, and 58-3063, as amended by 2007 HB 2295, sec. 4; effective Jan. 1, 1966; amended, E-73-30, Sept. 28, 1973; amended Jan. 1, 1974; amended, E-74-50, Sept. 13, 1974; amended May 1, 1975; amended, E-81-18, July 16, 1980; amended May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended, T-86-10, May 1, 1985; amended May 1, 1986; amended, T-87-32, Nov. 19, 1986; amended May 1, 1987; amended Sept. 26, 1988; amended July 31, 1991; amended Dec. 20, 1993; amended July 31, 1996; amended, T-86-10-1-97, Oct. 1, 1997; amended Oct. 24, 1997; amended March 13, 1998; amended, T-86-7-2-07, July 2, 2007.)

86-1-10. Approval of courses of instruction; procedure. (a) Definitions. (1) "School" means an entity that is eligible under subsection (h) of K.S.A. 58-3046a, and amendments thereto, to offer courses approved by the commission.

(2) "Cosponsor" means an entity that is not eligible to offer courses approved by the commission under subsection (h) of K.S.A. 58-3046a, and amendments thereto. However, the entity shall be eligible to offer courses approved by the commission if the entity is sponsored by an entity described in paragraph (a)(1) and the requirements of subsection (i) are met.

(b) Request for course approval. To obtain commission approval of a course of education required by K.S.A. 58-

3046a, and amendments thereto, each school shall meet the following requirements:

(1) Notify the commission of the name, address, and telephone number of the coordinator who will supervise the course; and

(2) submit all information required by the commission for course and instructor approval at least 45 days before the first scheduled class session. The information shall include the following:

(A) A completed application for course registration on a form that has been obtained from the commission;

(B) an application for real estate instructor, completed in accordance with subsection (g);

(C) the procedure for maintenance of attendance records;

(D) the proposed dates, times, and locations of the course offering;

(E) the total amount of the attendance fee for the course;

(F) the total number of class sessions;

(G) the duration of each session;

(H) the total number of hours in the course; and

(I) the course objectives and a detailed course outline.

(c) Preliminary notification of approval or disapproval. Within 15 working days after the commission receives the request for approval, the school shall be notified by the commission, in writing, of the commission's decision to approve or disapprove the course.

(1) In each notice of approval, the number of hours of credit to be given for attending the course shall be stipulated by the commission.

(2) If the commission requires additional time to reach a decision, the school shall be notified by the commission, in writing, of the following:

(A) The fact that the course is under review; and

(B) the date by which the commission expects to complete its review.

(d) The school shall remit the course fee prescribed by K.A.R. 86-1-5 if the commission notifies the school of tentative approval of the course. The course shall not receive final approval from the commission until the commission receives the course fee.

(e) Changes. Each school shall notify the commission, in writing, at least 15 days before a significant change in a course approved by the commission.

(1) The term "significant change" shall include a change in any of the following:

(A) The coordinator;

(B) the instructor;

(C) the name or location of the school;

(D) the course outline;

(E) the dates and times the course is offered;

(F) the location where the course is offered; or

(G) the fees charged to students.

(2) Nothing in this regulation shall preclude the commission from approving substitution of an instructor to teach an approved course, if the instructor meets the qualifications specified in subsection (g).

(f) Distance education courses.

(1) Each school requesting approval of a distance education course shall submit the following information:

(continued)

(A) A copy of all course materials, including textbooks, student workbooks, and examinations with answers;

(B) the time frame for completion of the course; and

(C) the time allotted for examinations and the method by which examinations will be proctored.

(2) A school may issue a certificate of completion of a distance education course approved by the commission to meet any requirement of K.S.A. 58-3046a, and amendments thereto, to any student if the student has met either of the following requirements:

(A) Received a score of at least 70 percent on a proctored closed-book examination, in which case the proctor shall complete and provide the school with a certification form approved by the commission for each examination administered by the proctor; or

(B) received a score of at least 90 percent on an open-book examination.

(g) Request for instructor approval; notification of approval or disapproval. Each person desiring to teach a course approved by the commission shall submit an application for instructor approval on a form obtained from the commission. Each instructor shall indicate evidence of knowledge of the subject matter and the ability to effectively instruct or evidence that the instructor has received a commission-approved designation.

(1) Knowledge of the subject matter shall be shown by meeting at least one of the following requirements:

(A) Holding a college degree in real estate or a college degree in law, business, or another academic area directly related to the course that the applicant intends to teach; or

(B) having at least three years of experience in the professional area of real estate directly related to the course that the applicant intends to teach.

(2) The ability to effectively teach shall be shown by meeting at least one of the following requirements:

(A) Having completed, within the preceding two years, a commission-approved course of study for instructors designed to develop the ability to communicate;

(B) holding a current teaching certificate issued by a state department of education or an equivalent agency in another jurisdiction;

(C) holding a four-year college or university degree in the field of education; or

(D) having successfully demonstrated the ability to teach in schools, seminars, or an equivalent setting.

(3)(A) Within 15 working days of receipt of an application for instructor approval, the school coordinator shall be notified by the commission, in writing, of its decision to approve or disapprove the instructor.

(B) If the commission requires additional time to reach a decision, the school coordinator shall be notified by the commission, in writing, of the fact that the application is under review and of the date by which the commission expects to complete its review.

(h) Registration of approved courses; application for renewal.

(1) The registration of courses approved by the commission shall expire at the end of each calendar year.

(2) Applications to renew approval of courses and instructors shall be sent to each school by the commission by November 1.

(i) Sponsoring courses. A school may request approval of a course that is developed and presented by a cosponsor.

(1) The school shall submit an application that has been obtained from the commission for approval of a sponsored course.

(2) The school shall maintain responsibility for each course presented by a cosponsor, including issuance of a certificate of satisfactory completion to each student who successfully completes the course. The school shall submit a roster to the commission, in a format approved by the commission, that specifies which students satisfactorily completed the course. (Authorized by K.S.A. 2006 Supp. 58-3046a, as amended by 2007 HB 2295, sec. 6, and K.S.A. 74-4202(b); implementing K.S.A. 2006 Supp. 58-3046a, as amended by 2007 HB 2295, sec. 6; effective, T-83-32, Oct. 25, 1982; effective May 1, 1983; amended May 1, 1984; amended, T-86-31, Sept. 24, 1985; amended May 1, 1986; amended, T-87-32, Nov. 19, 1986; amended May 1, 1987; amended Jan. 29, 1990; amended July 16, 1990; amended Nov. 17, 1995; amended Dec. 14, 2001; amended, T-86-7-2-07, July 2, 2007.)

86-1-11. Minimum curricula and standards for course. (a) Each school offering a course approved by the commission under subsection (a) of K.S.A. 58-3046a, and amendments thereto, shall use a course outline provided by the commission and shall register the course under the title "principles of real estate."

(b) Each school offering a course approved by the commission under subsection (b) of K.S.A. 58-3046a, and amendments thereto, shall use a course outline provided by the commission and shall register the course under the title "broker pre-license course."

(c) Each school offering a course approved by the commission under subsection (c) of K.S.A. 58-3046a, and amendments thereto, shall use a course content outline provided by the commission and shall register the course under the title "Kansas practice course."

(d) Each school offering a course approved by the commission under subsection (d) of K.S.A. 58-3046a, and amendments thereto, shall use a course content outline provided by the commission and shall register the course under the title "Kansas law course."

(e) The 12 hours of additional instruction required by subsections (e) and (f) of K.S.A. 58-3046a, and amendments thereto, shall consist of courses approved by the commission.

(1) The hours required for each renewal of a salesperson's license shall consist of at least three hours designated as mandatory core hours and not more than nine hours designated as elective hours.

(2) The hours required for each renewal of a broker's license shall consist of at least six hours designated as mandatory core hours and not more than six hours designated as elective hours.

(3) Each course approved by the commission shall be designated by the commission as either mandatory core hours or elective hours.

(4) The following courses may be approved by the commission as mandatory core hours:

(A) A course registered under the title "required salesperson and broker core." Each school offering this course

shall use a course outline limited to the topics of brokerage relationships and misrepresentation; and

(B) a course registered under the title "required broker core." Each school offering this course shall use a course outline limited to one or more of the following topics:

(i) Procedures manuals;

(ii) trust accounts;

(iii) management, including all facets of supervising a real estate company;

(iv) common violations of the real estate brokers' and salespersons' license act and the brokerage relationships in real estate transactions act;

(v) commercial sales and leasing issues; or

(vi) farm and ranch issues.

(5) In any advertising of a course entitled "required broker core," the school shall identify each topic listed in paragraphs (e)(4)(B)(i) through (vi) that is covered by the course.

(6) Each salesperson shall meet the mandatory core requirement specified in paragraph (e)(1) by taking a course approved by the commission titled "required salesperson and broker core."

(7) Each broker shall meet the mandatory core requirement specified in paragraph (e)(2) by taking two courses approved by the commission titled "required salesperson and broker core" and "required broker core."

(8) Credit given to any licensee for a course submitted by the licensee pursuant to subsection (k) of K.S.A. 58-3046a, and amendments thereto, shall be designated by the commission either as meeting a mandatory core requirement or as elective hours.

(9) A nonresident of Kansas may receive elective-hour credit for courses approved by the commission of the nonresident's state of residence. A nonresident of Kansas may receive credit for a mandatory core requirement only for courses approved by the commission pursuant to this regulation.

(10) Each approved course shall have a total instruction time of at least three hours.

(11) Any licensee may receive a maximum of three hours of credit during any renewal period for real estate appraisal courses designated as such by the commission.

(f) The 30 hours of instruction required by paragraph (f)(1) of K.S.A. 58-3046a, and amendments thereto, shall consist of either of the following:

(1) A course registered under the title "salesperson's post-license course." Each school offering the course shall use a course outline provided by the commission; or

(2) 30 hours of commercial courses approved by the commission. (Authorized by K.S.A. 2006 Supp. 58-3046a, as amended by 2007 HB 2295, sec. 6, and K.S.A. 74-4202(b); implementing K.S.A. 2006 Supp. 58-3046a, as amended by 2007 HB 2295, sec. 6; effective, T-86-31, Sept. 24, 1985; effective May 1, 1986; amended, T-87-32, Nov. 19, 1986; amended May 1, 1987; amended May 1, 1988; amended Sept. 26, 1988; amended Nov. 18, 1991; amended Dec. 20, 1993; amended Dec. 29, 1995; amended Jan. 1, 1997; amended, T-86-10-1-97, Oct. 1, 1997; amended Oct. 24, 1997; amended Sept. 17, 1999; amended, T-86-7-2-07, July 2, 2007.)

86-1-13. Submission of evidence of course attendance. (a) Before taking the examination required by

K.S.A. 58-3039, and amendments thereto, each applicant for an original license as a salesperson shall submit the evidence required by subsection (a) of K.S.A. 58-3046a, and amendments thereto, to the testing service designated by the commission. The evidence submitted shall be a certificate of completion of a course registered pursuant to K.A.R. 86-1-11 under the title "principles of real estate," pursuant to K.S.A. 58-3046a and amendments thereto.

(b) Before taking the examination required by K.S.A. 58-3039, and amendments thereto, each applicant for an original license as a broker shall submit the evidence required by subsection (b) of K.S.A. 58-3046a, and amendments thereto, to the testing service designated by the commission. The evidence shall be a certificate of completion of a course registered pursuant to K.A.R. 86-1-11 under the title "broker pre-license course," pursuant to K.S.A. 58-3046a and amendments thereto.

(c) Each applicant for an original license as a salesperson shall submit, with the application for licensure, the evidence required by subsection (c) of K.S.A. 58-3046a, and amendments thereto, which shall be a certificate of course completion of a course registered pursuant to K.A.R. 86-1-11(c) under the title "Kansas practice course."

(d) Each applicant for an original license as a broker shall submit, with the application for licensure, the evidence required by subsection (d) of K.S.A. 58-3046a, and amendments thereto, which shall be a certificate of course completion of a course registered pursuant to K.A.R. 86-1-11(d) under the title "Kansas law course."

(e) Each licensee shall retain the certificate of completion for each course attended to meet the requirements of subsection (e) or (f) of K.S.A. 58-3046a and amendments thereto until the licensee's license has been renewed and shall furnish the certificates to the commission at the commission's request. The rosters submitted by schools pursuant to K.A.R. 86-1-17 may be accepted by the commission as evidence of attendance of courses. (Authorized by K.S.A. 2006 Supp. 58-3046a, as amended by 2007 HB 2295, sec. 6, and K.S.A. 74-4202(b); implementing K.S.A. 2006 Supp. 58-3046a, as amended by 2007 HB 2295, sec. 6; effective, T-86-31, Sept. 24, 1985; effective May 1, 1986; amended May 1, 1988; amended Jan. 29, 1990; amended Sept. 21, 1992; amended Nov. 17, 1995; amended, T-86-7-2-07, July 2, 2007.)

86-1-15. Change of last name. (a) Within 10 days of a licensee's change of last name, the licensee shall notify the commission in writing of the change. Unless the licensee's license has been deactivated, the supervising broker or branch broker shall return the license to the commission with the notification.

(b) If, pursuant to the schedule contained in K.A.R. 86-1-3, the change in last name results in a later expiration date of the license, the licensee shall pay a fee, based on the renewal fee prescribed by K.A.R. 86-1-5, prorated for the number of months by which the expiration date is extended.

(c) If, pursuant to the schedule contained in K.A.R. 86-1-3, the change in last name results in an earlier expiration date of the license, an amount based on the renewal fee

(continued)

prescribed by K.A.R. 86-1-5 shall be refunded to the licensee by the commission, prorated for the number of months by which the expiration date is shortened.

(d) The license shall be canceled and reinstated by the commission under the licensee's new name and with an expiration date determined by the schedule in K.A.R. 86-1-3.

(e) If the first renewal date of the reinstated license is less than 12 months after the last renewal date of the canceled license, the hours of instruction required by subsection (e) or (f) of K.S.A. 58-3046a, and amendments thereto, shall not be required by the commission at the first renewal of the reinstated license.

(f) If the first renewal date of the reinstated license is 12 months or more after the last renewal date of the canceled license, the hours of instruction required by subsection (e) or (f) of K.S.A. 58-3046a, and amendments thereto, shall be required by the commission for the first renewal of the reinstated license. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 58-3045, as amended by 2007 HB 2295, sec. 7 and K.S.A. 2006 Supp. 58-3046a, as amended by 2007 HB 2295, sec. 6; effective, T-87-32, Nov. 19, 1986; effective May 1, 1987; amended Nov. 17, 1995; amended, T-86-7-2-07, July 2, 2007.)

86-1-17. Responsibilities of schools. (a) Evaluation of courses and instructors.

(1) The coordinator appointed by each school pursuant to K.A.R. 86-1-10 shall regularly and consistently evaluate the courses and instructors.

(2) At the request of the commission, the coordinator shall perform the following:

(A) Ask students to complete an instructor evaluation form approved by the commission; and

(B) unless the instructor is also the coordinator, complete an instructor evaluation form. The coordinator shall submit the student and coordinator evaluations to the commission.

(3) Before the conclusion of each course, each school shall notify all students that a student opinion form may be obtained from the commission and is available electronically.

(b) Issuance of certificates to students.

(1) Within seven calendar days of completion of the course, each school shall issue a certificate of completion in person, electronically, or by mail to each student who successfully completes a course approved by the commission. Each school shall use certificate forms approved by the commission.

(2) The school shall not issue a certificate to any student who was absent for more than 10 percent of the classroom hours scheduled for courses registered, pursuant to K.A.R. 86-1-11, under the title "principles of real estate," "broker pre-license course," "salesperson's post-license course," or "Kansas practice course." The school shall not issue a certificate to any student who was absent during any portion of the scheduled classroom hours for any other course approved by the commission pursuant to K.A.R. 86-1-11.

(c) Submission of certificates to the commission.

(1) Each school shall submit a copy of each certificate issued for completion of a correspondence or home study

program course to the commission within seven calendar days after course completion. If the course completion date is less than seven calendar days before the licensee's renewal date established by K.A.R. 86-1-4, the school shall postmark, hand-deliver, or electronically submit the certificate to the commission no later than the renewal date.

(2) Each certificate submitted pursuant to this paragraph shall include the word "COPY" in bold and conspicuous type in the upper right corner of the certificate.

(d) Submission of rosters to the commission.

(1) Except as provided in paragraph (d)(5), each school shall submit a roster to the commission within seven calendar days after the completion date of any course approved by the commission. If the completion date is less than seven calendar days before any renewal date established by K.A.R. 86-1-4, the school shall postmark, hand-deliver or electronically submit the roster to the commission no later than the renewal date.

(2)(A) The roster shall be submitted on a form approved by the commission and shall include the following:

(i) The name of the school;

(ii) the school code;

(iii) the name of the course;

(iv) the course code;

(v) the name of the instructor;

(vi) the city where the course was offered;

(vii) the number of hours approved for credit either as elective hours or as mandatory hours;

(viii) the date on which the course was completed;

(ix) the full name and license number of each licensee who attended the course and was issued a certificate pursuant to subsection (b); and

(x) the total number of licensees listed on the roster.

(B) The school shall list the licensees in alphabetical order on the roster.

(C) The school coordinator or the instructor shall sign each page of the roster.

(3) Any roster containing incorrect or incomplete licensee information may be returned to the school coordinator for correction and no credit hours may be entered into the commission records for any such licensee until the licensee information is corrected and returned to the commission.

(4) Any roster not in compliance with any other requirement of paragraph (d)(2) may be returned to the school. No credit hours may be entered into the commission records until the roster is corrected and returned to the commission.

(5) The school shall not submit a roster for any correspondence or home study program course or for any course registered, pursuant to K.A.R. 86-1-11, under the title "principles of real estate" or "broker pre-license course."

(e) Advertising and course registrations.

(1) A school shall not advertise a course as meeting the educational requirements of the Kansas real estate brokers' and salespersons' license act before the school places verification of commission approval on file at the school.

(2) A school shall not advertise that an instructor will teach a course approved by the commission before the

school places verification of approval of the instructor for the course on file at the school.

(3) Neither a school nor a representative of a school shall guarantee that successful completion of a course will result in the student's passing of a real estate licensing examination.

(4) The school shall include a statement that the course is approved for a specified number of mandatory hours toward the 12-hour requirement or for a specified number of elective hours toward the 12-hour requirement in any advertising of a course approved pursuant to subsection (e) of K.A.R. 86-1-11 and in any course registration form.

(5) Each school shall request that any licensee registering for a course verify the licensee's license number and use the licensee's name exactly as it appears on the licensee's license to ensure that the licensee will receive credit for the course.

(f) Maintenance of records.

(1) Each school shall maintain for a minimum of three years, at the school's business address, a record of each student who has successfully completed a course approved by the commission.

(2) The school shall keep attendance records current and available for inspection by commission representatives upon request. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 2006 Supp. 58-3046a, as amended by 2007 HB 2295, sec. 6; effective Nov. 17, 1995; amended, T-86-7-2-07, July 2, 2007.)

86-1-18. Alternative licensing criteria for broker applicants. (a) If a determination is made by the commission to waive or alter the experience requirements for an applicant to obtain a broker's license pursuant to K.S.A. 58-3039(d), and amendments thereto, a broker's license shall be issued if the applicant meets all other requirements imposed by this act for licensure as a broker and meets the following requirements:

(1) Attends a course of study prescribed by the commission, which shall consist of at least 30 and not more than 60 hours of instruction, depending on the applicant's amount and type of experience; and

(2) within 90 days of notification by the commission of the prescribed course of study, submits evidence, of attendance to the commission in a form satisfactory to the commission.

(b) An applicant shall not use any hours attended pursuant to this regulation to meet any requirement of K.S.A. 58-3046a and amendments thereto. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 2006 Supp. 58-3039, as amended by 2007 HB 2295, sec. 1; effective Nov. 17, 1995; amended, T-86-7-2-07, July 2, 2007.)

86-1-19. Submission of supporting documentation with application. (a) In addition to submitting the application for original licensure as a real estate broker or salesperson, each applicant shall file the following with the commission:

(1) The applicant's fingerprints and a completed waiver, on a form approved by the commission, and the fee required by paragraph (c)(1) of K.A.R. 86-1-5;

(2) documentation concerning any litigation filed by or against the applicant or any real estate company owned

in whole or in part by the applicant relating to the business of buying, selling, exchanging, or leasing real estate or to any activity listed in the definition of "broker" in K.S.A. 58-3035 and amendments thereto. The applicant shall provide a copy of the petition or complaint setting out the allegations. If the litigation has been resolved, the applicant shall provide a copy of the settlement agreement or order that sets forth the outcome. If a judgment was obtained against the applicant or any real estate company owned in whole or in part by the applicant, the applicant shall indicate whether the judgment has been satisfied. If the judgment has not been satisfied, the applicant shall provide an explanation;

(3) documentation concerning any pending charges, plea of guilty or nolo contendere, or conviction of a criminal offense other than minor traffic violations, including final discharge from probation, parole, postrelease supervision, or conditional release, a written explanation of the circumstances that resulted in the charge or conviction, and a letter from the proposed supervising broker or branch broker stating that the broker has reviewed a copy of the pertinent court records concerning any pending criminal charges or any conviction or plea of guilty or nolo contendere disclosed by the applicant in the application for licensure or disclosed in a criminal history check conducted by the Kansas bureau of investigation or federal bureau of investigation and is willing to supervise the applicant under the circumstances;

(4) documentation concerning any denial, revocation, suspension, voluntary surrender, or any other disciplinary action taken by the state of Kansas or another jurisdiction against any professional or occupational license or certificate held by the applicant;

(5) a license history certification from any jurisdiction in which the applicant is currently licensed or has ever been licensed; and

(6) a notarized nonresident service of process appointment form for any applicant who is not a resident of Kansas, which shall be submitted on a form approved by the commission.

(b) Each applicant submitting an application for renewal of a real estate broker's or salesperson's license shall also submit the documents specified in paragraphs (a)(3), (4), and (6). (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 2006 Supp. 58-3039, as amended by 2007 HB 2295, sec. 1, K.S.A. 58-3040, K.S.A. 2006 Supp. 58-3043, as amended by 2007 HB 2295, sec. 2, and K.S.A. 2006 Supp. 58-3050, as amended by 2007 HB 2295, sec. 3; effective Nov. 8, 2002; amended, T-86-7-2-07, July 2, 2007.)

86-1-20. Age of documentation submitted to the commission. (a) A certification of licensure history obtained from any jurisdiction in which the applicant has, or has ever had, a real estate license shall not be used for licensing purposes if the certification is issued more than six months before the date on which the completed application for licensure is filed with the commission.

(b) A report concerning an applicant that is the subject of a criminal history check prepared by the Kansas bureau of investigation and the federal bureau of investigation shall not be used for licensing purposes if the re-

(continued)

port is issued more than six months before the date on which the completed application for licensure is filed with the commission. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 2006 Supp. 58-3039, as amended by 2007 HB 2295, sec. 1, and K.S.A. 2006 Supp. 58-3043, as amended by 2007 HB 2295, sec. 2; effective, T-86-7-2-07, July 2, 2007.)

Article 3.—PERSONS HOLDING LICENSES; DUTIES

86-3-15. Reporting of information. (a) Each licensee shall report any of the following circumstances to the commission, in writing and within 10 days of the date of occurrence:

(1) Any litigation filed by or against the licensee or any real estate company owned in whole or in part by the licensee relating to the business of buying, selling, exchanging, or leasing real estate or to any activity listed in the definition of "broker" in K.S.A. 58-3035 and amendments thereto. The licensee shall provide a copy of the petition or complaint setting forth the allegations;

(2) disposition of any litigation reported pursuant to paragraph (a)(1);

(3) any court judgment filed against the licensee or any real estate company owned in whole or in part by the licensee;

(4) any charge of, arrest or indictment for, plea of guilty or nolo contendere to, or conviction of any of the following:

(A) Any misdemeanor that reflects on the licensee's honesty, trustworthiness, integrity, or competence to transact the business of real estate; or

(B) any felony;

(5) any change in the licensee's name;

(6) any change in the licensee's residence address;

(7) any denial by another jurisdiction of an application made by the licensee for a broker or salesperson license;

(8) any suspension or revocation of, or any other disciplinary action taken by another jurisdiction against a broker or salesperson license held by the licensee; or

(9) any denial, suspension, revocation, voluntary surrender, or any other disciplinary action taken by the state of Kansas or another jurisdiction against any professional or occupational license or certificate held by the licensee.

(b) Each supervising broker for a partnership, association, or corporation whose members or officers are licensed pursuant to K.S.A. 58-3042, and amendments thereto, shall be responsible for reporting the information required by this regulation as it relates to the partnership, association, or corporation.

(c) Each supervising broker and branch broker shall report to the commission any information pursuant to paragraph (a)(4) that is applicable to any associated or employed salesperson or associate broker. This report shall be submitted in writing within 10 days of the date that knowledge of the information comes to the attention of the broker. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 2006 Supp. 58-3042, K.S.A. 2006 Supp. 58-3043, as amended by 2007 HB 2295, sec. 2, K.S.A. 2006 Supp. 58-3047, as amended by 2007 HB 2295, sec. 9, K.S.A. 2006 Supp. 58-3050, as amended by 2007 HB 2295, sec. 3, K.S.A. 2006 Supp. 58-3062, and K.S.A. 74-4202; effective

Jan. 1, 1974; amended, E-81-18, July 16, 1980; amended May 1, 1981; amended May 1, 1984; amended, T-87-32, Nov. 19, 1986; amended May 1, 1987; amended Nov. 8, 2002; amended, T-86-7-2-07, July 2, 2007.)

86-3-21. Trust account documentation. (a) Except as specified in paragraph (a)(6), each supervising broker or branch broker that maintains a trust account shall file a consent to audit, which is commonly known as a "trust account report," with the commission, on a form approved by the commission, within 10 days of the occurrence of any of the following:

(1) The establishment of a new primary office or branch office;

(2) a change in the name of the supervising broker or branch broker;

(3) a change in the status of the supervising broker or branch broker;

(4) a change in the name of the primary office or branch office;

(5) a change in the account number for the trust account or a change in the financial institution in which the trust funds are held;

(6) a change in the supervising broker for the primary office or the branch broker for the branch office. This trust account report shall be filed by the new broker responsible for supervising the office; or

(7) the filing of a report on closing trust account, unless the primary office or branch office has been closed.

(b) Each supervising broker or branch broker that closes a trust account shall notify the commission by filing a "report on closing trust account" with the commission, on a form approved by the commission, accompanied by a copy of the bank statement showing that the trust account has been closed, within 10 days of the occurrence of any of the following:

(1) Closure of the trust account;

(2) closure of the primary office or branch office, unless an exemption not to maintain a trust account has been granted by the commission for each trust account that was in existence at the time the primary office or branch office closed; or

(3) a change in the account number for the trust account or a change in the financial institution in which the trust funds are held. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 2006 Supp. 58-3061; effective, T-87-32, Nov. 19, 1986; effective May 1, 1987; amended Nov. 18, 1991; amended, T-86-7-2-07, July 2, 2007.)

86-3-22. Transaction identification. (a) Each supervising broker shall assign a transaction number to each real estate sales contract, option agreement, and lease agreement for which the broker acts as an employee of, or on behalf of, the owner, purchaser, lessor or lessee. If a separate trust account is maintained for a branch office as provided by K.S.A. 58-3061 and amendments thereto, the transaction number shall be assigned by the branch broker.

(b)(1) Sales contracts and option agreements shall be numbered in consecutive order by contract date within each calendar year, as specified in this paragraph. Each sales contract or option agreement shall be assigned a two-part number, with the parts separated by a hyphen.

The first part, which shall consist of two digits, shall be the last two digits of the calendar year. The second part shall designate the numerical order of the contract or agreement within that calendar year, beginning with the number "1" and always preceded by one or more zeros.

(2) Lease agreements shall be numbered in consecutive order by contract date within each calendar year, as specified in this paragraph. Each lease agreement shall be assigned a two-part number, with the parts separated by a hyphen. The first part shall consist of the capital letter "L" followed by the last two digits of the calendar year. The second part shall designate the numerical order of the lease agreement within that calendar year, beginning with the number "1" and always preceded by one or more zeros.

(c)(1) If a broker deposits earnest money in the broker's trust account before contract acceptance, the broker shall assign a transaction number to the offer. The date of the deposit shall be used as the contract date for the sole purpose of assigning numbers in consecutive order pursuant to subsection (b). If the offer subsequently becomes a contract, the transaction number assigned to the offer shall be used throughout the transaction.

(2) The broker shall record the deposit on a ledger pursuant to K.A.R. 86-3-18(a)(5) with a notation on the ledger that the earnest money was deposited before contract acceptance. If the offer is rejected or withdrawn before contract acceptance, the broker shall return the earnest money to the prospective buyer and shall record the disbursement on the ledger sheet with a notation that the offer was rejected or withdrawn. If the offer is accepted, the broker shall note the contract acceptance date on the ledger.

(d) The transaction number shall be shown on the transaction file and shall be included on any of the following applicable records:

(1) The trust account check register to identify funds deposited or disbursed;

(2) each trust account deposit slip, with the amount of the deposit related to each transaction designated;

(3) each check drawn on the trust account;

(4) each transaction ledger maintained in accordance with K.A.R. 86-3-18(a)(5); and

(5) each receipt from an escrow agent required by subsection (d) of K.S.A. 58-3062 and amendments thereto.

(e) If the broker's records are computerized, the transaction number shall be shown on all applicable computerized real estate transaction records required to be maintained pursuant to K.A.R. 86-3-10 and 86-3-18.

(f) A transaction numbering system requested by a broker that is different from the system required by this regulation may be approved by the commission. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 58-3061 and K.S.A. 2006 Supp. 58-3062; effective, T-88-32, Jan. 1, 1988; effective May 1, 1988; amended Dec. 20, 1993; amended, T-86-7-2-07, July 2, 2007.)

Sherry C. Diel
Executive Director

Doc. No. 034617

State of Kansas

Behavioral Sciences Regulatory Board

Temporary Administrative Regulations

Article 1.—CERTIFICATION OF PSYCHOLOGISTS

102-1-13. Fees. (a) Each applicant for licensure as a psychologist shall pay the appropriate fee as set forth below:

(1) Application for a license, \$100;

(2) original license, \$175;

(3) renewal, \$200;

(4) duplicate license, \$20;

(5) temporary license, \$150;

(6) temporary license renewal fee, \$150;

(7) specialty endorsement, \$130;

(8) temporary, 15-day permit for an out-of-state professional, \$200; or

(9) temporary, 15-day permit for an out-of-state professional extension, \$200.

(b) Each applicant for a license renewal after its date of expiration shall pay an additional fee of \$200, as well as the renewal fee of \$200.

(c) Fees paid to the board shall not be refundable. This regulation shall be effective on and after July 1, 2007. (Authorized by K.S.A. 74-5316, as amended by 2007 HB 2182, Sec. 8, K.S.A. 74-5319, 74-5349, K.S.A. 2006 Supp. 74-7507, and 2007 HB 2182, Sec. 4; implementing K.S.A. 74-5310, 74-5310a, 74-5316, as amended by 2007 HB 2182, Sec. 8, K.S.A. 74-5319, 74-5320, 74-5349, and 2007 HB 2182, Sec. 4; effective May 1, 1984; amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1987; amended, T-102-5-1-90, May 1, 1990; amended June 11, 1990; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended Aug. 23, 1993; amended Aug. 4, 1995; amended Oct. 24, 1997; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007.)

Article 2.—LICENSING OF SOCIAL WORKERS

102-2-3. Fees. (a) Each applicant for a new social work license shall pay the appropriate application fee as set forth below:

(1) Licensed baccalaureate social worker (LBSW): \$100.00;

(2) licensed master social worker (LMSW): \$100.00;

(3) licensed specialist clinical social worker (LSCSW): \$100.00;

(4) temporary license fee: \$50.00;

(5) temporary, 15-day permit for an out-of-state professional, \$200; and

(6) temporary, 15-day permit for an out-of-state professional extension, \$200.

(b) Each applicant for license renewal shall pay the applicable fee as set forth below:

(1) Licensed associate social worker (LASW): \$100.00;

(2) licensed baccalaureate social worker (LBSW): \$100.00;

(3) licensed master social worker (LMSW): \$125.00; and

(continued)

(4) licensed specialist clinical social worker (LSCSW): \$150.00.

(c) Each applicant for license reinstatement after the date of its expiration shall pay, in addition to the renewal fee, the applicable penalty fee as set forth below:

(1) Licensed associate social worker (LASW): \$100.00;

(2) licensed baccalaureate social worker (LBSW): \$100.00;

(3) licensed master social worker (LMSW): \$125.00; and

(4) licensed specialist clinical social worker (LSCSW): \$150.00.

(d) The fee for a replacement license shall be \$20.00, and the fee for a replacement wallet card license shall be \$2.00.

(e) Each provider of continuing education programs shall pay the applicable fee as set forth below:

(1) One-year, provisional approved provider application fee: \$100.00;

(2) three-year approved provider renewal fee: \$250.00; and

(3) single-program provider fee: \$50.00.

(f) Fees paid to the board shall not be refundable. This regulation shall be effective on and after July 1, 2007. (Authorized by K.S.A. 65-6314 and 2007 HB 2182, Sec. 2; implementing K.S.A. 65-6313, 65-6314, and 2007 HB 2182, Sec. 2; effective May 1, 1982; amended, T-86-20, July 1, 1985; amended, May 1, 1986; amended, T-87-10, July 1, 1986; amended May 1, 1987; amended, T-102-10-17-89, Oct. 17, 1989; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended June 12, 1995; amended Aug. 4, 1995; amended Aug. 4, 2000; amended March 8, 2002; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007.)

Article 3.—PROFESSIONAL COUNSELORS; FEES

102-3-2. Fees. (a) Each applicant for licensure as a professional counselor or clinical professional counselor shall pay the appropriate fee or fees as set forth below:

(1) Application for a professional counselor license, \$100;

(2) application for a clinical professional counselor license, \$100;

(3) original professional counselor license, \$150;

(4) original license fee for a clinical professional counselor, \$150;

(5) renewal of a professional counselor license, \$150;

(6) renewal of a clinical professional counselor license, \$175;

(7) replacement of a professional counselor or a clinical professional counselor wall certificate, \$20;

(8) reinstatement of a professional counselor license, \$150;

(9) reinstatement of a clinical professional counselor license, \$175;

(10) temporary professional counselor license, \$150;

(11) temporary, 15-day permit for an out-of-state professional, \$200; or

(12) temporary, 15-day permit for an out-of-state professional extension, \$200.

(b) Each applicant for renewal of a professional counselor license after its date of expiration shall pay the re-

instatement fee in addition to the late renewal penalty fee of \$150.

(c) Each applicant for renewal of a clinical professional counselor license after its date of expiration shall pay the reinstatement fee in addition to the late renewal penalty fee of \$175.

(d) Fees paid to the board shall not be refundable. This regulation shall be effective on and after July 1, 2007. (Authorized by K.S.A. 65-5808, K.S.A. 2006 Supp. 74-7507, and 2007 HB 2182, Sec. 1; implementing K.S.A. 65-5808 and 2007 HB 2182, Sec. 1; effective, T-88-45, Nov. 10, 1987; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended Aug. 4, 1995; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007.)

Article 4.—MASTER'S LEVEL PSYCHOLOGISTS

102-4-2. Fees. (a) Each applicant or licensee shall pay the appropriate fee or fees as set forth below:

(1) Application for a master's level psychologist license, \$100;

(2) application for clinical psychotherapist license, \$100;

(3) original master's level psychologist license, \$150;

(4) original clinical psychotherapy license, \$150;

(5) renewal of a master's level psychologist license, \$150;

(6) renewal of a clinical psychotherapist license, \$175;

(7) replacement of a master's level psychologist or a clinical psychotherapist wall certificate, \$20;

(8) reinstatement of a master's level psychologist license, \$150;

(9) reinstatement of a clinical psychotherapist license, \$175;

(10) temporary master's level psychologist license, \$100;

(11) renewal of a temporary master's level psychologist license, \$100;

(12) temporary, 15-day permit for an out-of-state professional, \$200; or

(13) temporary, 15-day permit for an out-of-state professional extension, \$200.

(b) Each applicant for reinstatement of a master's level psychologist license after its date of expiration shall pay the renewal fee in addition to the penalty fee of \$150.

(c) Each applicant for reinstatement of a clinical psychotherapist license after its date of expiration shall pay the renewal fee in addition to the penalty fee of \$175.

(d) Fees paid to the board shall not be refundable. This regulation shall be effective on and after July 1, 2007. (Authorized by K.S.A. 74-5365, 74-5367, K.S.A. 2006 Supp. 74-7507, and 2007 HB 2182, Sec. 6; implementing K.S.A. 74-5363, 74-5365, 74-5366, 74-5367, and 2007 HB 2182, Sec. 6; effective, T-102-2-23-89, Feb. 23, 1989; effective April 3, 1989; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended Aug. 4, 1995; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007.)

Article 5.—LICENSING OF MARRIAGE AND FAMILY THERAPISTS

102-5-2. Fees. (a) Each applicant or licensee shall pay the appropriate fee or fees as set forth below:

- (1) Application for a marriage and family therapist license, \$100;
- (2) application for a clinical marriage and family therapist license, \$100;
- (3) original marriage and family therapist license, \$150;
- (4) original clinical marriage and family therapist license, \$150;
- (5) renewal of a marriage and family therapist license, \$150;
- (6) renewal of a clinical marriage and family therapist license, \$175;
- (7) replacement of a marriage and family therapist or a clinical marriage and family therapist wall certificate, \$20;
- (8) reinstatement of a marriage and family therapist license, \$150;
- (9) reinstatement of a clinical marriage and family therapist license, \$175;
- (10) temporary marriage and family therapist license, \$150;
- (11) temporary, 15-day permit for an out-of-state professional, \$200; or
- (12) temporary, 15-day permit for an out-of-state professional extension, \$200.

(b) Each applicant for reinstatement of a marriage and family therapist or clinical marriage and family therapist license after its date of expiration shall pay the reinstatement fee in addition to a late fee of \$5 for each full 30-day period of delay beyond the expiration date and for each portion of such a 30-day period. The maximum late fee shall be \$150 for each applicant for reinstatement of a marriage and family therapist license and \$175 for each applicant for reinstatement of a clinical marriage and family therapist license.

(c) Fees paid to the board shall not be refundable. This regulation shall be effective on and after July 1, 2007. (Authorized by and implementing K.S.A. 65-6405, K.S.A. 65-6411, and 2007 HB 2182, Sec. 3; effective March 29, 1993; amended Aug. 23, 1993; amended Aug. 4, 1995; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007.)

Phyllis Gilmore
Executive Director

Doc. No. 034616

State of Kansas

Board of Regents

Permanent Administrative Regulations

Article 3.—GUIDELINES FOR THE DETERMINATION OF RESIDENCY FOR FEE PURPOSES

88-3-8. (Authorized by K.S.A. 76-730; implementing K.S.A. 2005 Supp. 76-729, K.S.A. 76-730; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended, E-76-50, Oct. 10, 1975; amended, E-77-5, March 19, 1976; amended Feb. 15, 1977; amended May 1, 1986; amended Nov. 18, 1991; amended Aug. 18, 2006; revoked July 27, 2007.)

88-3-8a. Military personnel. (a) The resident fee privilege shall be accorded to any person who meets the following conditions:

- (1) Is enrolled at any state educational institution as defined by K.S.A. 76-711 and amendments thereto; and
- (2) meets one of the following conditions:

(A) Is actively serving in any armed service of the United States and, regardless of the individual's duty station, resides in Kansas; or

(B) is a member of the Kansas army or air national guard.

(b) The resident fee privilege shall be accorded to a spouse and the dependents of a person that meets the requirements of paragraph (a)(2)(A) unless one of the following occurs:

(1) The person meeting the requirements of paragraph (a)(2)(A) is reassigned from a Kansas duty station to a duty station outside the state, and the spouse or dependents do not continue to reside in Kansas.

(2) The person meeting the requirements of paragraph (a)(2)(A) never had a duty station assignment in Kansas and does not continue to reside in Kansas.

(c) The resident fee privilege shall be accorded to a spouse and the dependents of a person that meets the requirements of paragraph (a)(2)(B) unless the spouse or dependents do not reside in Kansas.

(d) This regulation shall not be construed to prevent a person in the military service from acquiring or retaining a bona fide residence in Kansas.

(e) This regulation shall apply retroactively beginning with any student who enrolled in the fall semester of 2006 at any state educational institution as defined by K.S.A. 76-711 and amendments thereto. (Authorized by K.S.A. 76-730; implementing K.S.A. 2006 Supp. 76-729, as amended by 2007 HB 2425, §1 and 2007 HB 2185, §10, and K.S.A. 76-730; effective July 27, 2007.)

88-3-12. Discharged or retired from active military service in Kansas. (a) The resident fee privilege shall be granted to each person who meets the following requirements:

(1) Has been a domiciliary resident of Kansas for less than 12 months;

(2) had a permanent change of station order for active duty in Kansas;

(3) has retired or has been honorably discharged from military service; and

(4) established current domiciliary residence at enrollment. The resident fee privilege shall also be granted to the spouse and dependent children of that person.

(b) Each person seeking the resident fee privilege according to this regulation shall be responsible for providing the registrar at the state educational institution, as defined by K.S.A. 76-711 and amendments thereto, at which the person is enrolling with the information necessary to indicate domiciliary residence in Kansas and shall provide a statement in support of the claim that meets the following requirements:

(1) Is notarized;

(2) is signed by an appropriate military officer;

(3) provides the date of discharge or retirement from active military service and specifies whether the discharge or retirement was under honorable conditions;

(continued)

(4) provides the date of initial presence in Kansas; and
 (5) provides the dates of all active duty service in Kansas, including the date of the permanent change of station order for active duty in Kansas.

(c) The resident fee privilege extended by this regulation shall continue for a maximum of 12 months.

(d) This regulation shall apply retroactively beginning with any student who enrolled in the fall semester of 2006 at any state educational institution as defined in K.S.A. 76-711 and amendments thereto. (Authorized by K.S.A. 76-730; implementing K.S.A. 2006 Supp. 76-729, as amended by 2007 HB 2425, §1 and 2007 HB 2185, §10; effective Nov. 14, 1988; amended Nov. 18, 1991; amended July 27, 2007.)

Article 24.—GENERAL EDUCATION DEVELOPMENT (GED) TEST

88-24-1. Eligibility to take GED test. (a) Each applicant to take the general education development (GED) test shall meet the following requirements:

(1) Be a Kansas resident at the time of submitting the application;

(2) be neither currently enrolled at nor graduated from an accredited public, private, denominational, or parochial high school in the United States or Canada; and

(3) be 16 years of age or older.

(b) In addition to meeting the requirements specified in subsection (a), each applicant who is 16 or 17 years old shall meet the following requirements:

(1) Provide one of the following:

(A) Written permission from a parent or legal guardian; or

(B) written proof of legal emancipation; and

(2) provide proof of meeting one of the following requirements:

(A) Have participated in a final counseling session conducted by the school district where the applicant currently resides and signed a disclaimer pursuant to K.S.A. 72-1111(b)(2), and amendments thereto;

(B) have disenrolled from an alternative education program approved by a Kansas unified school district;

(C) have graduated or disenrolled from a program of instruction approved by the state board of education pursuant to K.S.A. 72-1111(f), and amendments thereto; or

(D) be exempt from compulsory attendance pursuant to a court order. (Authorized by and implementing K.S.A. 2006 Supp. 72-4530; effective Oct. 18, 2002; amended July 27, 2007.)

88-24-2. Test score requirements. Each applicant who meets the test score requirements shall be issued a Kansas state high school diploma. The test score requirements shall be a minimum standard score of 420 on each test in the battery and an average standard score of at least 450 on the tests in the battery. (Authorized by and implementing K.S.A. 2006 Supp. 72-4530; effective Oct. 18, 2002; amended July 27, 2007.)

Reginald L. Robinson
President and CEO

Doc. No. 034636

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 35.—RADIATION

28-35-135a. Definitions. As used in these regulations, each of the following terms shall have the meaning assigned in this regulation: (a) "A₁" means the maximum activity of special form radioactive material permitted in a type A package.

(b) "A₂" means the maximum activity of radioactive material, other than special form radioactive material, permitted in a type A package. These values either are listed in table I in K.A.R. 28-35-221b or may be derived in accordance with the procedure specified in K.A.R. 28-35-221b of these regulations.

(c) "Absorbed dose" means the energy imparted to matter by ionizing radiation per unit mass of irradiated material at the place of interest. The units of absorbed dose are the rad and the gray (Gy).

(d) "Absorbed dose rate" means the absorbed dose per unit of time or, for linear accelerators, the dose monitor unit per unit of time.

(e) "Accelerator-produced material" means any material made radioactive by exposing it in a particle accelerator.

(f) "Accessible surface" means the surface of equipment or of an equipment part that can be easily or accidentally touched by persons without the use of a tool.

(g) "Accident" means an unintended event, including an operating error, equipment failure, and other mishap, that could result in either of the following:

(1) A dose in excess of regulatory limits on site or for the public; or

(2) consequences or potential consequences that cannot be ignored from the point of view of protection or safety, including an actual or potential substantial degradation of the level of protection or safety of the facility or the release of radioactive material in sufficient quantity to warrant consideration of protective actions.

(h) "Act" means the "nuclear energy development and radiation control act," K.S.A. 48-1601 et seq., and amendments thereto.

(i) "Activity" means the rate of disintegration, transformation, or decay of radioactive material. Activity is expressed in the SI unit of becquerel (Bq) or in the special unit of curie (Ci), or the multiples of either unit, or disintegrations or transformations per unit of time as follows:

(1) One becquerel (Bq) equals one disintegration or transformation per second (dps or tps); and

(2) one curie (Ci) equals 3.7E+10 disintegrations or transformations per second (dps or tps). One curie also equals 3.7E+10 becquerels (Bq).

(j) "Added filter" means the filter added to the inherent filtration.

(k) "Address of use" means the building or buildings that are identified on the license and each location where

radioactive material could be produced, prepared, received, used, or stored.

(l) "Adult" means an individual who is 18 or more years of age.

(m) "Agreement state" means any state with which the United States nuclear regulatory commission enters, or has entered, into an effective agreement pursuant to 42 U.S.C. § 2021, as in effect on January 4, 1995.

(n) "Airborne radioactive area" means the following:

(1) Any room, enclosure, or operating area in which airborne radioactive material exists in concentrations in excess of the derived air concentrations (DAC) specified in "appendices to part 4: standards for protection against radiation," effective April 1994, published by the department and hereby adopted by reference; or

(2) any room, enclosure, or operating area in which airborne radioactive material exists in concentrations such that an individual present in the area without respiratory protective equipment could exceed, during the hours an individual is present in a week, an intake of 0.6 percent of the ALI or 12 DAC-hours.

(o) "Airborne radioactive material" means any radioactive material dispersed in the air in the form of dust, fumes, mists, vapors, or gases.

(p) "Air kerma (K)" means the kinetic energy released in air by ionizing radiation. Kerma is determined by dividing dE by dM, where dE is the sum of the initial kinetic energies of all the charged ionizing particles liberated by uncharged ionizing particles in air of mass dM. The SI unit of air kerma is joule per kilogram, and the special name for the unit of kerma is the gray (Gy).

(q) "Alert" means a period during which one of the following could lead to a release of radioactive material that is not expected to require a response by off-site response organizations to protect persons off-site:

(1) Conditions have arisen that could cause an event.

(2) An event is in progress.

(3) An event has occurred.

(r) "Aluminum equivalent" means the thickness of type 1100 aluminum alloy that affords the same attenuation, under specified conditions, as that of the material in question. The nominal chemical composition of type 1100 aluminum alloy is a minimum of 99.00 percent aluminum and 0.12 percent copper.

(s) "Amendment" means any change to a license or registration issued under these regulations.

(t) "Analytical X-ray system" means a group of local and remote components utilizing X-rays to determine the elemental composition or to examine the microstructure of materials.

(1) Local components shall include those components that are struck by X-rays, including radiation source housings, port and shutter assemblies, collimators, sample holders, cameras, goniometers, detectors, and shielding.

(2) Remote components may include power supplies, transformers, amplifiers, readout devices, and control panels.

(u) "Annual limit on intake (ALI)" means the derived limit for the amount of radioactive material taken into the body of an adult worker by inhalation or ingestion in a year. ALI is the smaller value of intake of a given radio-

nuclide in a year by the reference man that would result in a committed effective dose equivalent of 5 rem (0.05 Sv) or a committed dose equivalent of 50 rem (0.5 Sv) to any individual organ or tissue. ALI values for intake by ingestion and by inhalation of selected radionuclides are specified in appendix B, table I, published in "appendices to part 4: standards for protection against radiation," which is adopted by reference in this regulation.

(v) "Annual refresher safety training" means a review conducted or provided by the licensee or registrant for its employees on radiation safety aspects of industrial radiography. The review shall include, at a minimum, any results of internal inspections, new procedures or equipment, new or revised regulations, and accidents or errors that have been observed. The review shall also provide opportunities for employees to ask safety questions.

(w) "ANSI" means the American national standards institute.

(x) "Applicator" means a structure that determines the extent of the treatment field at a given distance from the virtual source.

(y) "Area of use" means a portion of a physical structure that has been set aside for the purpose of producing, preparing, receiving, using, or storing radioactive material.

(z) "As low as is reasonably achievable (ALARA)," when used to describe exposures to radiation workers, means that every reasonable effort has been made to maintain exposures to radiation workers as far below the dose limits specified in these regulations as is practical, consistent with the purpose for which the licensed or registered activity is undertaken, taking the following into account:

(1) The state of technology;

(2) the economics of improvements in relation to the state of technology;

(3) the economics of improvements in relation to benefits to public health and safety and to other societal and socioeconomic considerations; and

(4) the economics of improvements in relation to the utilization of nuclear energy and licensed or registered sources of radiation in the public interest.

(aa) "Assembler" means any person engaged in the business of assembling, replacing, or installing one or more components into an X-ray system or subsystem. The term shall include the owner of an X-ray system or any employee or agent of the owner who assembles components into an X-ray system that is subsequently used to provide professional or commercial services.

(bb) "Associated equipment" means equipment that is used in conjunction with a radiographic exposure device that makes radiographic exposures and that drives, guides, or comes in contact with the source.

(cc) "Attenuation block" means a block or stack, with dimensions of 20 cm by 20 cm by 3.8 cm, made of type 1100 aluminum alloy or other materials having equivalent attenuation.

(dd) "Authorized user" means an individual who is identified as an authorized user on a license issued by the department for the use of radioactive material or an individual who is designated by a registered facility as a

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user of X-ray machines or accelerators. This term shall not apply to part 6 of these regulations.

(ee) "Automatic exposure control" means a device that automatically controls one or more technique factors in order to obtain a required quantity of radiation, at one or more preselected locations. (Authorized by K.S.A. 48-1607; implementing K.S.A. 48-1603 and 48-1607; effective Dec. 30, 2005; amended July 27, 2007.)

28-35-135d. Definitions. As used in these regulations, each of the following terms shall have the meaning assigned in this regulation: (a) "Deadman switch" means a switch constructed so that circuit closure can be maintained only by continuous pressure by the operator.

(b) "Declared pregnant woman" means a woman who has voluntarily informed her employer, in writing, of her pregnancy and the estimated date of delivery. The written declaration shall remain in effect until the declared pregnant woman withdraws the declaration in writing or is no longer pregnant.

(c) "Decommission" means to remove a facility or site safely from service and reduce residual radioactivity to a level that permits either of the following:

(1) The release of the property for unrestricted use and the termination of the license; or

(2) the release of the property under restricted conditions and the termination of the license.

(d) "Dedicated check source" means a radioactive source that is used to ensure the constant operation of a radiation detection or measurement device over several months or years. This source may also be used for other purposes.

(e) "Deep dose equivalent (H_d)," which applies to external whole body exposure, means the dose equivalent to a tissue depth of one centimeter ($1,000 \text{ mg/cm}^2$).

(f) "Deliberate misconduct" means a person's intentional act or omission about which the person knows one of the following:

(1) If not detected, the act or omission would cause a licensee, a registrant, or an applicant to be in violation of any statute, regulation, or order or any term, condition, or limitation of any license issued by the secretary.

(2) The act or omission constitutes a violation of a requirement, procedure, instruction, contract, purchase order, or policy of a licensee, registrant, applicant, contractor, or subcontractor.

(3) The act or omission involves the person's deliberate submission to the department, a licensee, a registrant, an applicant, or a licensee's contractor or subcontractor of information relating to a licensee's, a registrant's, or an applicant's operations that the person knows to be incomplete or inaccurate in some respect.

(g) "Dentistry" means the functions authorized by K.S.A. 65-1421 et seq., and amendments thereto.

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

(i) "Depleted uranium" means source material uranium in which the isotope uranium 235 is less than 0.711 percent of the total weight of uranium present. This term shall not include special nuclear material.

(j) "Derived air concentration (DAC)" means the concentration of a given radionuclide in air that, if breathed

by the reference man for a working year of 2,000 hours under conditions of light work, results in an intake of one ALI. For purposes of these regulations, the condition of light work is an inhalation rate of 1.2 cubic meters of air per hour for 2,000 hours in a year. The DAC are values specified in "appendices to part 4: standards for protection against radiation," effective April 1994, which is adopted by reference in K.A.R. 28-35-135a.

(k) "Derived air concentration-hour (DAC-hour)" means the product of the concentration of radioactive material in air, expressed as a fraction or multiple of the derived air concentration for each radionuclide, and the time of exposure to that radionuclide, in hours. A licensee or registrant may assume that a total of 2,000 DAC-hours represents one ALI, which is equivalent to a committed effective dose equivalent of 5 rem (0.05 Sv).

(l) "Diagnostic clinical procedures manual" means a collection of written procedures that describes each method and other instructions and precautions by which the licensee performs diagnostic clinical procedures, each of which has been approved by the authorized user and includes the radiopharmaceutical, dosage, and route of administration.

(m) "Diagnostic source assembly" means the tube housing assembly with a beam-limiting device attached.

(n) "Diagnostic-type tube housing" means an X-ray tube housing constructed so that the leakage radiation, at a distance of one meter from the target, does not exceed 100 milliroentgens in one hour when the tube is operated at the maximum rate of continuous tube current and the maximum rate of tube potential.

(o) "Diagnostic X-ray imaging system" means an assemblage of components for the generation, emission, and reception of X-rays and the transformation, storage, and visual display of the resultant X-ray image.

(p) "Diagnostic X-ray system" means an X-ray system designed for irradiation of any part of the human body for the purpose of diagnosis or visualization.

(q) "Direct scattered radiation" means scattered radiation that has been deviated in direction only by materials irradiated by the useful beam.

(r) "Dose" is a generic term that means the absorbed dose, dose equivalent, effective dose equivalent, committed dose equivalent, committed dose equivalent, total organ dose equivalent, or total effective dose equivalent. For purposes of these regulations, "radiation dose" shall be considered an equivalent term.

(s) "Dose equivalent (H_T)" means the product of the absorbed dose in tissue, quality factor, and all other necessary modifying factors at the location of interest. The units of dose equivalent are the rem and sievert (Sv).

(t) "Dose limits" means the permissible upper bounds of radiation doses established in accordance with these regulations. For purposes of these regulations, "limits" is an equivalent term.

(u) "Dose-monitoring system" means a system of devices for the detection, measurement, and display of quantities of radiation.

(v) "Dose monitor unit" means a unit response from the dose-monitoring system from which the absorbed dose can be calculated.

(w) "Dosimetry processor" means an individual or an organization that processes and evaluates individual monitoring devices in order to determine the radiation dose delivered to the monitoring devices.

(x) "Doubly encapsulated sealed source" means a sealed source in which the radioactive material is sealed within an inner capsule and that capsule is sealed within an outer capsule.

(y) "Drill" means a supervised, hands-on instruction period intended to test, develop, or maintain a specific emergency response capability. A drill may be a component of an exercise. (Authorized by K.S.A. 48-1607; implementing K.S.A. 48-1603 and 48-1607; effective Dec. 30, 2005; amended July 27, 2007.)

28-35-135n. Definitions. As used in these regulations, each of the following terms shall have the meaning assigned in this regulation: (a) "NARM" means any naturally occurring or accelerator-produced radioactive material, not including byproduct, source, or special nuclear material.

(b) "Nationally tracked source" means a sealed source containing any quantity of radioactive material equal to or greater than any threshold listed in the table in this subsection. For purposes of the definition of "nationally tracked source," "sealed source" shall be defined as radioactive material that is sealed in a capsule or closely bonded, that is in a solid form, and that is not exempt from regulatory control. For purposes of the definition of "nationally tracked source," "sealed source" shall not include any radioactive material encapsulated solely for disposal and any nuclear material contained in any fuel assembly, subassembly, fuel rod, or fuel pellet. Category I nationally tracked sources contain radioactive material in quantities equal to or greater than the category 1 threshold. Category 2 nationally tracked sources contain radioactive material in quantities equal to or greater than the category 2 threshold but less than the category 1 threshold.

Nationally tracked source thresholds

Radioactive material	Category 1 (TBq)*	Category 1 (Ci)**	Category 2 (TBq)*	Category 2 (Ci)**
Actinium-227	20	540	0.2	5.4
Americium-241	60	1,600	0.6	16
Americium-241/Be	60	1,600	0.6	16
Californium-252	20	540	0.2	5.4
Cobalt-60	30	810	0.3	8.1
Curium-244	50	1,400	0.5	14
Cesium-137	100	2,700	1	27
Gadolinium-153	1,000	27,000	10	270
Iridium-192	80	2,200	0.8	22
Plutonium-238	60	1,600	0.6	16
Plutonium-239/Be	60	1,600	0.6	16
Polonium-210	60	1,600	0.6	16
Promethium-147	40,000	1,100,000	400	11,000
Radium-226	40	1,100	0.4	11
Selenium-75	200	5,400	2	54
Strontium-90	1,000	27,000	10	270
Thorium-228	20	540	0.2	5.4
Thorium-229	20	540	0.2	5.4
Thulium-170	20,000	540,000	200	5,400
Ytterbium-169	300	8,100	3	81

* The Terabecquerel (TBq) values are the regulatory standard.

** The curie (Ci) values specified are obtained by converting from the TBq value. The curie values are provided for practical usefulness only and are rounded after conversion.

(c) "Natural radioactivity" means the radioactivity of naturally occurring nuclides.

(d) "New equipment" means any system subject to K.A.R. 28-35-249 that was manufactured after January 1, 1985.

(e) "Nonionizing radiation" means radiation not capable of producing ionization, including sound and radio waves and visible, infrared, or ultraviolet light.

(f) "Non-stochastic effect" means a health effect, the severity of which varies with the dose and for which a threshold is believed to exist. For purposes of these regulations, "deterministic effect" shall be considered an equivalent term.

(g) "Normal operating procedures" means operating procedures for conditions suitable for routine purposes with shielding and barriers in place, including routine alignment procedures. This term shall not include maintenance procedures and routine and emergency radiation safety considerations.

(h) "Normal treatment distance" means either of the following:

(1) For electron irradiation, the distance from the virtual source to the surface along the central axis of the useful beam, as specified by the manufacturer; or

(2) for X-ray irradiation, the distance from the virtual source to the isocenter along the central axis of the useful beam. For non-isocentric equipment, this distance shall be the distance specified by the manufacturer.

(i) "Nuclear regulatory commission (NRC)" means the U.S. nuclear regulatory commission or its duly authorized representatives.

(j) "NVLAP" means the national voluntary laboratory accreditation program. (Authorized by K.S.A. 48-1607; implementing K.S.A. 48-1603 and 48-1607; effective Dec. 30, 2005; amended July 27, 2007.)

28-35-135p. Definitions. As used in these regulations, each of the following terms shall have the meaning assigned in this regulation: (a) "Package" means a container and packing material, together with the radioactive contents, as presented for transport.

(b) "Panoramic dry-source-storage irradiator" means an irradiator in which the irradiations occur in air in areas potentially accessible to personnel and in which the sources are stored in shields made of solid materials. This term shall include beam-type dry-source-storage irradiators in which one narrow beam of radiation is produced for performing irradiations.

(c) "Panoramic wet-source-storage irradiator" means an irradiator in which the irradiations occur in air in areas potentially accessible to personnel and in which the sources are stored underwater in a storage pool.

(d) "Particle accelerator" means any machine capable of accelerating electrons, protons, deuterons, or other charged particles in a vacuum and of discharging the resultant particulate or other radiation into a medium at energies usually in excess of one mega electron volt (MeV).

(e) "Patient" means an individual subjected to examination, diagnosis, or treatment.

(f) "Patient intervention" means any action by the patient or human research subject, whether intentional or

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unintentional, that affects the prescribed treatment. This term shall include dislodging or removing any treatment device and prematurely terminating the prescribed treatment.

(g) "Peak tube potential" means the maximum value of the potential differences across an X-ray tube during an exposure. This term is also referred to as "kilovolts peak (kVp)."

(h) "Periodic quality-assurance check" means a procedure that is performed to ensure that the previous calibration continues to be valid.

(i) "Permanent radiographic installation" means an enclosed, shielded room, cell, or vault, not located at a temporary job site, in which radiography is performed.

(j) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this or any other state, or political subdivision or agency, excluding federal government agencies.

(k) "Personnel-monitoring equipment" means any device designed to be carried or worn by an individual and used to measure the exposure of that individual to radiation. For purposes of these regulations, "PMD," which means "personnel-monitoring device," shall be an equivalent term.

(l) "Personnel supervision" means guidance and instruction by the supervisor who is physically present at the job site and who is watching the performance of the operation in such proximity that contact can be maintained and immediate assistance given, as required.

(m) "Phantom" means a volume of material behaving in a manner similar to that of tissue, with respect to the attenuation and scattering of radiation.

(n) "Pharmacist" means any individual licensed to practice pharmacy under K.S.A. 65-1626 et seq., and amendments thereto.

(o) "Phototimer" means a device used for controlling radiation exposures to image receptors by limiting the amount of radiation that reaches a radiation-monitoring device or devices. The radiation-monitoring device or devices are part of an electronic circuit that controls the period of time during which the tube is activated. For purposes of these regulations, "automatic exposure control" is an equivalent term.

(p) "Physician" means any individual licensed to practice the healing arts specified in K.S.A. 65-2869, K.S.A. 65-2870, or K.S.A. 65-2871, and amendments thereto.

(q) "Planned special exposure" means an infrequent exposure to radiation, separate from and in addition to the annual occupational dose limits.

(r) "Podiatry" means the activities authorized and specified in K.S.A. 65-2001 et seq., and amendments thereto.

(s) "Pool irradiator" means any irradiator at which the sources are stored or used in a pool of water, including panoramic wet-source-storage irradiators and underwater irradiators.

(t) "Portable X-ray equipment" means X-ray equipment designed to be hand-carried.

(u) "Position indication device (PID)" means a device on dental X-ray equipment used to indicate the beam position and to establish a definite source-to-skin-surface

distance. A PID can incorporate or serve as a beam-limiting device.

(v) "Positive beam limitation" means the automatic or semiautomatic adjustment of an X-ray beam to the size of the selected image receptor. Exposures cannot be made without this adjustment.

(w) "Practical examination" means a demonstration by personnel through the application of safety principles, including the use of all procedures and equipment.

(x) "Preceptor" means an individual who provides or directs the training and experience required for another individual to become an authorized user, an authorized medical physicist, an authorized nuclear pharmacist, or a radiation safety officer.

(y) "Prescribed dosage" means the quantity of radiopharmaceutical activity documented as follows:

(1) In a written directive; or

(2) either in the diagnostic clinical procedures manual or in any appropriate record in accordance with the directions of the authorized user for diagnostic procedures.

(z) "Prescribed dose" means any of the following:

(1) For gamma stereotactic radiosurgery, the total dose as documented in the written directive;

(2) for teletherapy, the total dose and dose per fraction as documented in the written directive; or

(3) for brachytherapy, either the total source strength and exposure time or the total dose, as documented in the written directive.

This term shall not apply to part 6 of these regulations.

(aa) "Primary beam" means ionizing radiation that passes through an aperture of the source housing by a direct path from the X-ray tube or a radioactive source located in the radiation source housing.

(bb) "Primary dose-monitoring system" means a system that monitors the useful beam during irradiation and that terminates irradiation when a preselected number of dose monitor units are acquired.

(cc) "Primary protective barrier" means a barrier of attenuating materials used to reduce the useful X-ray beam to the required degree.

(dd) "Product conveyor system" means a system for moving the product to be irradiated to, from, and within the area where irradiation takes place.

(ee) "Projected dose" means a future dose calculated for a specified time period on the basis of estimated or measured initial concentrations of radionuclides or exposure rates and in the absence of protective actions.

(ff) "Protective action" means an action taken by members of the public to protect themselves from radiation from an accident involving radioactive material. This term may include sheltering, evacuation, relocation, control of access, administration of a radioprotective drug, decontamination of persons, decontamination of land or property, and controls placed on food or water.

(gg) "Protective action guide" means a projected dose from an accidental release of radioactive material at which protective action may be considered.

(hh) "Protective apron" means an apron made of radiation-absorbing materials used to reduce radiation exposure.

(ii) "Protective barrier" means a barrier of attenuating materials used to reduce radiation exposure to the required degree.

(jj) "Protective glove" means a glove made of radiation-absorbing materials used to reduce radiation exposure.

(kk) "Public dose" means the dose received by a member of the public from exposure to radiation, radioactive material released by a licensee or registrant, or any other source of radiation under the control of the licensee or registrant. This term shall not include an occupational dose, a dose received from background radiation, a dose received as a patient from medical practices, and a dose received from voluntary participation in a medical research program.

(ll) "Pulse dose-rate remote afterloader" means a special type of remote afterloading brachytherapy device that meets all of the following conditions:

(1) The device uses a single source capable of delivering more than 12 grays per hour.

(2) The source activity of the device is approximately one-tenth of the activity of typical high dose-rate remote afterloader sources.

(3) The device is used to stimulate the radiobiology of a low dose-rate treatment by inserting the source for a given fraction of each hour.

(mm) "Pyrophoric liquid" means any liquid that ignites spontaneously in dry or moist air at or below 130°F (54.4°C).

(nn) "Pyrophoric solid" means any solid material, other than one classified as an explosive, that under normal conditions results in the following:

(1) Is liable to cause fires through friction or retained heat from manufacturing or processing;

(2) is ignited readily; and

(3) if ignited, burns vigorously and persistently enough to create a serious transportation, handling, or disposal hazard, including spontaneously combustible and water-reactive materials. (Authorized by K.S.A. 48-1607; implementing K.S.A. 48-1603 and 48-1607; effective Dec. 30, 2005; amended July 27, 2007.)

28-35-135r. Definitions. As used in these regulations, each of the following terms shall have the meaning assigned in this regulation: (a) "Rad" means the unit of absorbed dose. One rad equals one-hundredth of a joule per kilogram of material or the absorption of 100 ergs per gram of material. One millirad (mrad) equals 0.001 rad.

(b) "Radiation area" means any area that is accessible to individuals, in which there exists radiation at such levels that, at 30 centimeters from the source of the radiation or any surface that the radiation penetrates, an individual could receive a dose equivalent in excess of five millirems in one hour.

(c) "Radiation detector" means a device that, in the presence of radiation, provides a signal or other indication suitable for use in measuring one or more quantities of incident radiation.

(d) "Radiation head" means the structure from which the useful beam emerges.

(e) "Radiation machine" means either of the following:

(1) Any device that is primarily intended to produce, and is capable of producing, ionizing radiation; or

(2) any device that is not primarily intended to produce, but does produce, ionizing radiation at a level

greater than 0.5 mR/hr at any point five centimeters from its surface.

This term shall not mean any device that produces ionizing radiation only by use of radioactive materials.

(f) "Radiation room" means a shielded room in which irradiations take place. Underwater irradiators shall not be deemed to have radiation rooms.

(g) "Radiation safety officer" means an individual directly responsible for radiation protection. This term shall not apply to part 6 of these regulations.

(h) "Radiation therapy simulation system" means a radiographic or fluoroscopic X-ray system intended for localizing the volume of tissue to be exposed during radiation therapy and confirming the position and size of the therapeutic irradiation field.

(i) "Radioactive marker" means radioactive material placed subsurface or on a structure intended for subsurface use for the purpose of depth determination or direction orientation.

(j) "Radioactive material" means any material, in any chemical or physical form, that emits radiation spontaneously.

(k) "Radioactivity" means the disintegration of unstable atomic nuclei by the emission of radiation.

(l) "Radiograph" means an image receptor on which the image is created directly or indirectly by an X-ray pattern that results in a permanent record.

(m) "Radiographer" means any individual who meets the following conditions:

(1) Performs nonmedical radiographic operations or, while in attendance at the site where those radiographic operations are being performed, personally supervises the operations; and

(2) is responsible to the licensee or registrant, or both, for ensuring compliance with the requirements of these regulations or the conditions of the license, including any specific authorization by the department to provide training to radiographic trainees.

(n) "Radiographer certification" means the written approval received from a certifying entity stating that an individual has satisfactorily met the radiation safety, testing, and experience criteria.

(o) "Radiographer's assistant" means any individual who, under the personal supervision of a radiographer, uses radiation machines, radiographic exposure devices, sealed sources, or related handling tools or survey instruments in industrial radiography.

(p) "Radiographic exposure device" means any instrument with a sealed source fastened or contained in the instrument in which the sealed source or shielding of the source can be moved or otherwise changed from a shielded to unshielded position for purposes of making a radiographic exposure.

(q) "Radiographic imaging system" means any system that produces a permanent or semipermanent image on an image receptor by the action of ionizing radiation.

(r) "Radiographic operations" means all activities performed with a radiographic exposure device or with a radiation machine. These activities shall include the following:

(continued)

- (1) Transporting, except by common or contract carriers;
- (2) storing at a temporary job site;
- (3) performing surveys to confirm the adequacy of boundaries;
- (4) setting up equipment; and
- (5) any activity performed inside restricted area boundaries.

This term shall not include transporting a radiation machine.

(s) "Radiological physicist" means an individual who meets at least one of the following requirements:

(1) Is certified by the American board of radiology in any of the following:

- (A) Therapeutic radiological physics;
- (B) roentgen ray and gamma ray physics;
- (C) X-ray and radium physics; or
- (D) radiological physics;

(2) is certified by the American board of medical physics in radiation oncology physics; or

(3) (A) Holds a master's or doctoral degree in physics, biophysics, radiological physics, or health physics; and

(B) has completed one year of full-time training in therapeutic radiological physics and an additional year of full-time work experience under the supervision of teletherapy physicist at a medical institution that includes duties that involve performing calibration and spot checks of a medical accelerator or a sealed source teletherapy unit.

(t) "Rating" means the operating limits specified by the component manufacturer.

(u) "Recordable event" means the administration of any of the following:

(1) A radiopharmaceutical or radiation without a written directive if a written directive is required;

(2) a radiopharmaceutical or radiation if a written directive is required, without the daily recording of each administered radiopharmaceutical dosage or radiation dose in the appropriate record;

(3) a radiopharmaceutical dosage greater than 1.11 megabecquerels (30 μ Ci) of sodium iodide I-125 or I-131 if the administered dosage of both differs from the prescribed dosage by more than 10 percent of the prescribed dosage and if the difference between the administered dosage and the prescribed dosage exceeds 555 kilobecquerels (15 μ Ci);

(4) a therapeutic radiopharmaceutical dosage, other than sodium iodide I-125 or I-131, if the administered dosage differs from the prescribed dosage by more than 10 percent of the prescribed dosage;

(5) a teletherapy radiation dose if the calculated weekly administered dose exceeds the weekly prescribed dose by 15 percent or more of the weekly prescribed dose; or

(6) a brachytherapy radiation dose if the calculated administered dose differs from the prescribed dose by more than 10 percent of the prescribed dose.

(v) "Recording" means producing a permanent form of an image resulting from X-ray photons.

(w) "Redundant beam-monitoring system" means a combination of two dose-monitoring systems in which each system is designed to terminate irradiation in ac-

cordance with a preselected number of dose monitor units.

(x) "Reference man" means a hypothetical aggregation of human physical and physiological characteristics determined by international consensus. These characteristics may be used by researchers and public health workers to standardize the results of experiments and to relate biological damage to a common base.

(y) "Registrable item" means any radiation machine.

(z) "Registrant" means any person who is registered with the department and is legally obligated to register with the department according to these regulations.

(aa) "Registration" means the process of completing and filing forms with the department as required by these regulations.

(bb) "Relocation" means the removal or, after a plume has passed, the continued exclusion of people from contaminated areas to avoid a chronic radiation dose.

(cc) "Rem" means the special unit of any of the quantities expressed as dose equivalent. One millirem (mrem) equals 0.001 rem.

(dd) "Research and development" means either of the following:

(1) Theoretical analysis, exploration, or experimentation; or

(2) the extension of investigating findings and theories of a scientific or technical nature into practical application for experimental purposes, including the experimental production and testing of models, devices, equipment, materials, and processes.

Research and development, as used in these regulations, shall not include the internal or external administration of radiation or radioactive materials to any individual.

(ee) "Respiratory protective equipment" means any apparatus used to reduce an individual's intake of airborne radioactive materials.

(ff) "Response time" means the time required for an instrument system to reach 90 percent of its final reading when the radiation-sensitive volume of the instrument system is exposed to a step change in radiation flux from zero to a level sufficient to provide a steady-state mid-scale reading.

(gg) "Restricted area" means any area to which the access is limited by the licensee or registrant to protect individuals against undue risks from exposure to sources of radiation. This term shall not include areas used as residential quarters. However, separate rooms in a residential building may be set apart and designated as a restricted area. (Authorized by K.S.A. 48-1607; implementing K.S.A. 48-1603 and 48-1607; effective Dec. 30, 2005; amended July 27, 2007.)

28-35-177a. General licenses; source material.

(a)(1) Each of the following persons shall be deemed to have been issued a general license authorizing the acquisition, possession, use, and transfer of not more than 15 pounds (6.8 kg) of source material at any one time or the receipt of a total of 150 pounds (68.2 kg) of source material in any calendar year if the source material is used for research, development, education, commercial, or operational purposes:

(A) Any commercial or industrial firm;
(B) any research, educational, or medical institution;
and

(C) any state or local governmental agency.

(2) Each person who acquires, possesses, uses, or transfers source material pursuant to the general license specified in subsection (a) shall be exempt from parts 4 and 10 of these regulations to the extent that the acquisition, possession, use, or transfer is within the terms of the general license. This exemption shall not apply to any person who is also in possession of source material under a specific license issued pursuant to these regulations.

(3) Each person who receives, possesses, uses, or transfers source material pursuant to the general license specified in subsection (a) shall be prohibited from administering source material or the radiation, either externally or internally, to human beings except as may be authorized in a specific license.

(b) Each person receiving title to source material shall be deemed to have been issued a general license without regard to quantity. This general license shall not authorize any person to receive, possess, use, or transfer source material.

(c)(1) Each person who meets the requirements of paragraphs (2), (3), and (4) of this subsection shall be deemed to have been issued a general license to acquire, possess, use, or transfer depleted uranium contained in industrial products or devices for the purpose of providing a concentrated mass in a small volume of the product or device.

(2)(A) Each person who acquires, possesses, or uses depleted uranium pursuant to the general license issued in this subsection shall file a form specified by the department. The form shall be filed with the department within 30 days of the date on which the depleted uranium is received or acquired. Each person filing a form shall provide all the information requested by the form.

(B) If any change in circumstances renders any information provided on the form inaccurate, the department shall be provided with a written notice of the change within 30 days of the date of the change.

(3) A person who acquires, possesses, or uses depleted uranium pursuant to the general license specified in this subsection shall not perform any of the following:

(A) Introduce depleted uranium, in any form, into a chemical, physical, or metallurgical treatment or process, except a treatment or process for the repair or restoration of any plating or other covering of the depleted uranium;

(B) abandon depleted uranium; or

(C) export depleted uranium, except in accordance with a license issued by the U.S. nuclear regulatory commission.

(4)(A) Each person possessing depleted uranium pursuant to the general license specified in this subsection shall transfer or dispose of the depleted uranium only by transfer in accordance with K.A.R. 28-35-190a.

(B) When depleted uranium is transferred to any person in this state, the transferor shall provide a copy of this regulation and the required form to the transferee.

(C) When depleted uranium is transferred to any person outside this state, the transferor shall furnish the transferee with a copy of this regulation, the required

form, and a written notice that possession or use of the depleted uranium is regulated by the U.S. nuclear regulatory commission or the state in which the person is located, under requirements substantially the same as those in this regulation.

(D) Each person who transfers depleted uranium pursuant to this subsection shall give written notice to the department of the name and address of the person to whom the depleted uranium was transferred. The notice shall be filed within 30 days of the date of transfer.

(5) The general license specified in this subsection shall apply only to industrial products or devices that have been manufactured or initially transferred in accordance with a specific license that authorizes the manufacture of the products or devices for distribution to persons generally licensed by the NRC or an agreement state.

(d) Each person who acquires, possesses, uses, or transfers depleted uranium pursuant to subsection (c) shall be exempt from parts 4 and 10 of these regulations with respect to the depleted uranium acquired, possessed, used, or transferred by that person. (Authorized by and implementing K.S.A. 48-1607; effective, T-86-37, Dec. 11, 1985; effective May 1, 1986; amended Dec. 30, 2005; amended July 27, 2007.)

28-35-178a. General license; certain ionization devices. (a) Each commercial and industrial firm, research, educational, and medical institution, individual in the conduct of the individual's business, and federal, state, or local government agency shall be deemed to have been issued a general license to acquire, receive, possess, use, or transfer radioactive material incorporated in any device or equipment as described in this subsection, if the device or equipment is manufactured, tested, and labeled by a manufacturer in accordance with the specifications of a specific license issued to the manufacturer by the secretary, the U.S. nuclear regulatory commission, or an agreement state. This general license shall apply to the following:

(1) Static elimination devices that are designed for ionization of air and that contain, as a sealed source or sources, radioactive material containing a total of not more than 500 microcuries of polonium-210 per device; and

(2) ion-generating tubes that are designed for ionization of air and that contain, as a sealed source or sources, radioactive material consisting of a total of not more than 500 microcuries of polonium-210 per device or a total of not more than 50 millicuries of hydrogen-3 (tritium) per device.

(b) The general license specified in subsection (a) shall be subject to the following regulations:

(1) K.A.R. 28-35-137 through 28-35-139;

(2) K.A.R. 28-35-192b;

(3) K.A.R. 28-35-184a;

(4) K.A.R. 28-35-190a;

(5) K.A.R. 28-35-191a;

(6) K.A.R. 28-35-196a; and

(7) all of parts 4 and 10 of these regulations. (Authorized by and implementing K.S.A. 48-1607; effective, T-86-37, Dec. 11, 1985; effective May 1, 1986; amended Dec. 30, 2005; amended July 27, 2007.)

(continued)

28-35-178b. General license; certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere.

(a)(1) Subject to the provisions of subsections (b) and (c), each commercial and industrial firm, research, educational, and medical institution, individual in the conduct of the individual's business, and federal, state, or local government agency shall be deemed to have been issued a general license to acquire, receive, possess, use, or transfer radioactive material that is contained in any device designed, manufactured, and used for one or more of the following purposes:

(A) Detecting, measuring, gauging, or controlling thickness, density, level interface location, radiation leakage, or qualitative or quantitative chemical composition; or

(B) producing light or an ionized atmosphere.

(2) The general license specified in paragraph (1) of this subsection shall apply only to radioactive material contained in any device that has been manufactured and labeled by a manufacturer in accordance with the specifications of a specific license issued to that manufacturer by the secretary, the U.S. nuclear regulatory commission, or an agreement state.

(3) The general license specified in paragraph (1) of this subsection shall not apply to radioactive material in any device containing at least 370 MBq (10 mCi) of cesium-137, 3.7 MBq (0.1 mCi) of strontium-90, 37 MBq (1 mCi) of cobalt-60, or 37 MBq (1 mCi) of americium-241 or any other transuranic element, based on the activity indicated on the label.

(4) Each device shall have been received from one of the specific licensees described in paragraph (a)(2) or through a transfer made under paragraph (b)(9).

(b) Each person who acquires, receives, possesses, uses, or transfers radioactive material in a device pursuant to the general license specified in subsection (a) shall comply with all of the following requirements:

(1) Each person subject to this subsection shall ensure that all labels affixed to the device at the time of receipt and bearing a statement that removal of the label is prohibited are maintained and shall comply with all instructions and precautions provided by these labels.

(2) Each person subject to this subsection shall ensure that the device is tested for leakage of radioactive material and proper operation of the on-off mechanism and indicator, if any, at no longer than six-month intervals or at any other intervals specified in any manufacturer's label affixed to the device, except as follows:

(A) The person shall not be required to test devices containing only krypton for leakage of radioactive material.

(B) The person shall not be required to test, for any purpose, any device containing only tritium, not more than 100 microcuries of other beta-emitting or gamma-emitting material, or 10 microcuries of alpha-emitting material or any device held in storage in the original shipping container before initial installation.

(3) Each person subject to this subsection shall ensure that the tests required by paragraph (b)(2) and other operations involving testing, installation, servicing, and removal from installation of the radioactive material, its

shielding, or containment, are performed in compliance with one of the following:

(A) In accordance with instructions provided on labels affixed to the device; or

(B) by a person holding a specific license issued under this part or equivalent regulations of NRC or an agreement state to perform the tests and other operations.

(4)(A) Each person subject to this subsection shall maintain records showing compliance with the requirements of paragraphs (b)(2) and (b)(3). The records shall show the results of each test. The records also shall show the dates of the testing, installation, servicing, or removal from installation of the radioactive material, its shielding, or containment and the name of each person performing one or more of these tests and other operations.

(B) Each person shall maintain records of tests for leakage of radioactive material required by paragraph (b)(2) for three years after the next required leak test is performed or until the sealed source is transferred or disposed of. Each person shall maintain records of tests of the on-off mechanism and indicator, as required by paragraph (b)(2), for three years after the next required test of the on-off mechanism and indicator is performed or until the sealed source is transferred or disposed of. Each person shall maintain the records required by paragraph (b)(3) for three years from the date of the recorded event or until the device is transferred or disposed of.

(5) Upon a failure of or damage to, or any indication of a possible failure of or damage to, the shielding of the radioactive material or the on-off mechanism or indicator, or upon the detection of 0.005 microcurie or more removable radioactive material, each person subject to this subsection shall take the following actions:

(A) Immediately suspend operation of the device until either of the following conditions is met:

(i) The device has been repaired by the manufacturer or other person holding a specific license issued under this part or equivalent regulations of NRC or an agreement state to repair the device; or

(ii) the device is transferred to a person authorized by a specific license to receive the radioactive material contained in the device;

(B) within 30 days, furnish to the secretary a report containing a brief description of the event and the remedial action taken; and

(C) within 30 days, if contamination of the premises or the environs is likely, furnish to the secretary a plan for ensuring that the premises and environs are acceptable for unrestricted use. The criteria for unrestricted use specified in K.A.R. 28-35-205 may be applicable, as determined by the secretary.

(6) A person subject to this subsection shall not abandon the device.

(7) A person shall not export any device containing radioactive byproduct material except in accordance with 10 CFR part 110.

(8) (A) Each person shall transfer or dispose of any device containing radioactive byproduct material only by export as provided in paragraph (b)(7), by transfer to another general licensee as authorized in paragraph (b)(9), or to a person authorized to receive the device by a spe-

cific license issued under this part or equivalent regulations of NRC or an agreement state.

(B) Each person shall furnish a report to the department within 30 days after the export of the device or the transfer of the device to a specific licensee. The report shall contain the following information:

(i) The identification of the device by manufacturer's name, model number, and serial number;

(ii) the name, address, and license number of the person receiving the device; and

(iii) the date of the transfer.

(C) Each person shall obtain written department approval before transferring the device to any other specific licensee not specifically identified in paragraph (b)(8)(A).

(9) Any person subject to this subsection may transfer the device to another general licensee only if either of the following conditions is met:

(A) The device remains in use at a particular location. In this case, the transferor shall give the transferee a copy of this regulation and any safety documents identified in any label affixed to the device and, within 30 days of the transfer, provide a written report to the secretary containing identification of the device by manufacturer's name, model number, and serial number; the name and address of the transferee; and the name, telephone number, and position of an individual who can be contacted by the secretary concerning the device.

(B) The device is held in storage in the original shipping container at its intended location of use before initial use by a general licensee.

(10) Each person subject to this subsection shall comply with the provisions of K.A.R. 28-35-228a and K.A.R. 28-35-229a relating to reports of radiation incidents, theft, or loss of licensed material, but shall be exempt from the other requirements of parts 4 and 10 of these regulations.

(11) Each person shall respond to all written requests from the department to provide information relating to the general license within 30 calendar days of the date of the request or on or before any other deadline specified in the request. If the person cannot provide the requested information within the allotted time, the person, within that same time period, shall request a longer period to supply the information by submitting a letter to the department and shall provide written justification as to why the person cannot comply.

(12) Each general licensee shall appoint an individual responsible for having knowledge of the appropriate regulations and requirements and the authority for taking required actions to comply with appropriate regulations and requirements. The general licensee, through this individual, shall ensure day-to-day compliance with the appropriate regulations and requirements. This appointment shall not relieve the general licensee of any of the licensee's responsibility in this regard.

(13)(A) Each person shall register, in accordance with paragraph (b)(13)(B), each device generally licensed as required by this regulation. Each address for a location of use, as described in paragraph (b)(13)(B)(iv), shall represent a separate general licensee and shall require a separate registration and fee.

(B) In registering each device, the general licensee shall furnish the following information and any other information specifically requested by the department:

(i) The name and mailing address of the general licensee;

(ii) information about each device as indicated on the label, including the manufacturer's name, the model number, the serial number, and the radioisotope and activity;

(iii) the name, title, and telephone number of the responsible person appointed as a representative of the general licensee under paragraph (b)(12);

(iv) the address or location at which each device is used or stored, or both. For each portable device, the general licensee shall provide the address of the primary place of storage;

(v) certification by the responsible representative of the general licensee that the information concerning each device has been verified through a physical inventory and a check of the label information; and

(vi) certification by the responsible representative of the general licensee that the person is aware of the requirements of the general license.

(14) Each person shall report any change in the mailing address for the location of use, including any change in the name of the general licensee, to the department within 30 days of the effective date of the change. For a portable device, a report of address change shall be required only for a change in the primary place of storage of the device.

(15) No person may store a device that is not in use for longer than two years. If any device with shutters is not being used, the shutters shall be locked in the closed position. The testing required by paragraph (b)(2) shall not be required to be performed during the period of storage only. If the device is put back into service or transferred to another person and was not tested at the required test interval, the device shall be tested for leakage before use or transfer, and all shutters shall be tested before use. Each device kept in storage for future use shall be excluded from the two-year time limit if the general licensee performs quarterly physical inventories of the device while the device is in storage.

(c) Nothing in this regulation shall be deemed to authorize the manufacture or import of any device containing radioactive material.

(d) The general license specified in subsection (a) shall be subject to the provisions of K.A.R. 28-35-184a and K.A.R. 28-35-184b. (Authorized by and implementing K.S.A. 48-1607; effective, T-86-37, Dec. 11, 1985; effective May 1, 1986; amended Nov. 1, 1996; amended March 24, 2006; amended July 27, 2007.)

28-35-180a. General requirements for the issuance of specific licenses. Each application for a specific license shall be approved only if the application meets the requirements of these regulations.

(a) Each applicant shall be required to be qualified by reason of training and experience to use the material in question for the purpose requested, in accordance with these regulations, and in a manner that will protect public health and safety and the environment.

(b) The proposed equipment, facilities, and procedures used by each applicant shall protect public health and safety and the environment.

(continued)

(c) A specific license shall be approved only if the secretary determines that the specific license will not be a detriment to the health and safety of the public.

(d) Each applicant shall meet the requirements prescribed in these regulations for the particular license sought.

(e)(1) Each application for a license for commercial waste disposal, source material milling, or any other operation that the secretary determines will affect the environment shall meet the requirement specified in this paragraph. Each application shall include information that permits the secretary to weigh the environmental, economic, technical, and other benefits against the environmental costs and alternatives to ensure the protection of public health and safety and the environment.

(2) The approval of each application specified in paragraph (e)(1) shall be based upon the following:

(A) The information specified in paragraph (e)(1) and other information as necessary; and

(B) the applicable portions of 10 CFR part 51, subpart A, § 51.45, as in effect on April 30, 1992.

(f) Each applicant shall be authorized to begin construction only after the issuance of the license. Commencement of construction before issuance of the license shall be grounds for denial of the license application. "Commencement of construction," as used in this regulation, shall mean any clearing of land, excavation, or other substantial action that would adversely affect the environment of a site.

(g) Each applicant for a license, other than a renewal, shall describe in the application how the facility design and procedures for operation will minimize, to the extent practicable, contamination of the facility and the environment, facilitate eventual decommissioning, and minimize, to the extent practicable, the generation of radioactive waste.

(h) Each licensee who manufactures a nationally tracked source shall assign a unique serial number to each nationally tracked source manufactured by the licensee. Each serial number shall be composed only of alphanumeric characters. (Authorized by and implementing K.S.A. 48-1607; effective, T-86-37, Dec. 11, 1985; effective May 1, 1986; amended Sept. 20, 1993; amended Nov. 1, 1996; amended Dec. 30, 2005; amended July 27, 2007.)

28-35-181d. Specific licenses for one or more groups of medical uses. (a) Any institution, person, or group of persons meeting the requirements of K.A.R. 28-35-181a or 28-35-181b may file a written application with the secretary for a specific license to use radioactive material for any group or groups of medical uses. Each application shall meet the requirements of K.A.R. 28-35-179a and shall designate the intended group or groups of uses for the radioactive material.

(b) Each application for a specific license to use radioactive material for any group or groups of medical uses shall meet all of the following requirements:

(1) The applicant, or the physician or physicians designated in the application as the individual user or users, has adequate clinical experience in performing the medical use or uses for which application is made.

(2) The applicant's proposed radiation detection instrumentation is adequate for conducting the medical

procedures specified in the group or groups of uses for which application is made.

(3) The applicant's radiation safety operating procedures are adequate for the proper handling and disposal of radioactive material involved in the group or groups of uses for which application is made.

(4) The applicant, or the physician or physicians designated in the application as the individual user or users, and all other personnel who will be involved in the preparation and use of the radioactive material have adequate training and experience in the handling of radioactive material. The training and experience shall be appropriate for the conduct of the uses included in the group or groups of uses for which application is made.

(c) Each licensee who is licensed under this regulation shall be subject to the following limitations:

(1) A licensee who has been issued a license for group I, II, IV, or V uses shall not receive, possess, or use radioactive material, except those radiopharmaceuticals manufactured in the form to be administered to the patient, and labeled, packaged, and distributed in accordance with a specific license issued by the secretary, or the United States nuclear regulatory commission or an agreement state.

(2) A licensee who has been issued a license for group III uses shall not receive, possess, or use generators or reagent kits containing radioactive material and shall not use reagent kits that do not contain radioactive material to prepare radiopharmaceuticals containing radioactive material, except for the following:

(A) Reagent kits not containing radioactive material that are approved by the secretary, the United States nuclear regulatory commission, or an agreement state for use by persons licensed pursuant to this regulation for group III medical uses; or

(B) generators or reagent kits containing radioactive material that are manufactured, labeled, packaged, and distributed in accordance with a specific license issued by the secretary, the United States nuclear regulatory commission or an agreement state.

(3) Each licensee who has been issued a license for group III uses and who uses generators or reagent kits shall elute the generator or process radioactive material with the reagent kit in accordance with instructions that are approved by the secretary, the United States nuclear regulatory commission, or an agreement state and furnished by the manufacturer on the label attached to, or in the leaflet or brochure that accompanies, the generator or reagent kit.

(4) Each licensee who has been issued a license for groups I, II, or III uses and who uses the radioactive material for clinical procedures other than those specified in the product labeling or package insert shall comply with the product labeling regarding the following:

(A) Chemical and physical form;

(B) route of administration; and

(C) dosage range.

(5) A licensee who has been issued a license for group IV uses shall not receive, possess, or use radioactive material unless contained in a source or device that has been manufactured, labeled, packaged, and distributed in accordance with a specific license issued by the secretary,

the United States nuclear regulatory commission, or an agreement state.

(d) Each licensee who is licensed under this regulation shall be authorized to use radioactive material under the general license issued in K.A.R. 28-35-178h for the specified in vitro uses, without filing form RH-31 as otherwise required by that regulation. However, the licensee shall be subject to the other requirements of K.A.R. 28-35-178h.

(e) Each licensee who is licensed under this regulation shall be authorized, subject to the provisions of subsections (f) and (g), to receive, possess, and use the following for calibration and reference standards:

(1) Any radioactive material listed in groups I, II, or III that has a half-life of 100 days or less, in amounts not exceeding 15 millicuries;

(2) any radioactive material listed in group I, II, or III that has a half-life greater than 100 days, in amounts not exceeding 200 microcuries;

(3) technetium-99m, in amounts not exceeding 30 millicuries; and

(4) any radioactive material, in amounts not exceeding three millicuries per source, contained in calibration or reference sources that have been manufactured, labeled, packaged, and distributed in accordance with a specific license issued by the secretary, the United States nuclear regulatory commission, or an agreement state.

(f)(1) Each licensee who possesses sealed sources as calibration or reference sources pursuant to subsection (e) shall cause each sealed source containing radioactive material, other than hydrogen 3, that has a half-life greater than 30 days and that is in any form other than gas to be tested for leakage, contamination, or both at intervals not exceeding six months. In the absence of a certificate from a transferor indicating that a leak test has been made within six months before the transfer of a particular sealed source, that sealed source shall not be used until tested, unless one of the following conditions is met:

(A) The source contains 100 microcuries or less of beta-emitting, gamma-emitting, or beta-emitting and gamma-emitting material, or 10 microcuries or less of alpha-emitting material.

(B) The sealed source is stored and is not being used.

(2) Each leak test required under paragraph (f)(1) shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. The test sample shall be taken from sealed source or from the surfaces of the device in which the sealed source is permanently mounted or stored and on which contamination might be expected to accumulate. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the department.

(3) If the leak test reveals the presence of 0.005 microcurie or more of removable contamination, the licensee shall immediately withdraw the sealed source from use and shall cause it to be decontaminated and repaired, or to be disposed of in accordance with parts 3 and 4 of these regulations. A report shall be filed with the secretary within five days of the test, describing the equipment involved, the test results, and the corrective action taken.

(g) Each licensee who possesses and uses calibration and reference sources pursuant to subsection (e) shall perform the following:

(1) Follow radiation safety and handling instructions that are approved by the secretary, the United States nuclear regulatory commission, or an agreement state and furnished by the manufacturer on the label attached to the source, or permanent container thereof, or in the leaflet or brochure that accompanies the source;

(2) maintain the instructions referenced in paragraph (g)(1) in a legible and conveniently available form; and

(3) conduct a quarterly physical inventory to account for all sources received and possessed. Records of the inventories shall be maintained for inspection by the department and shall include the quantities and kinds of radioactive material, location of sources, and the date of the inventory. (Authorized by and implementing K.S.A. 48-1607; effective, T-86-37, Dec. 11, 1985; effective May 1, 1986; amended July 27, 2007.)

28-35-181m. Specific licenses to manufacture, prepare, or distribute radiopharmaceuticals containing radioactive material for medical use. An application for a specific license to manufacture, prepare, or distribute radiopharmaceuticals containing radioactive material and used by persons as specified in part 6 of these regulations shall not be approved unless the applicant meets the requirements of this regulation and all other applicable requirements of these regulations.

(a) The applicant shall meet the requirements specified in K.A.R. 28-35-180a.

(b) The applicant shall submit evidence of either of the following:

(1) The radiopharmaceutical containing radioactive material is subject to the federal food, drug and cosmetic act or the public health service act and will be manufactured, labeled, and packaged in accordance with a new drug application (NDA) approved by the food and drug administration (FDA), a biologic product license issued by the FDA, or a "notice of claimed investigational exemption for a new drug" (IND) accepted by the FDA.

(2) The manufacture and distribution of the radiopharmaceutical containing radioactive material is not subject to the federal food, drug, and cosmetic act or the public health service act.

(c) Each applicant shall submit evidence of at least one of the following:

(1) The applicant is registered or licensed with the U.S. food and drug administration as a drug manufacturer.

(2) The applicant is registered or licensed with a state agency as a drug manufacturer.

(3) The applicant is licensed as a pharmacy by the state board of pharmacy.

(4) The applicant is operating as a nuclear pharmacy within a federal medical institution.

(d) The applicant shall submit the following information on the radionuclide:

(1) The chemical and physical form of the material;

(2) the packaging in which the radionuclide is shipped, including the maximum activity per package; and

(3) evidence that the shielding provided by the packaging of the radioactive material is appropriate for the safe handling and storage of radiopharmaceuticals by group licensees.

(continued)

(e)(1) The applicant shall submit a description of the following:

(A) a label that shall be affixed to each transport radiation shield, whether the shield is constructed of lead, glass, plastic, or other material, of a radioactive drug to be transferred for commercial distribution. The label shall include the following:

(i) The radiation symbol and the words "CAUTION — RADIOACTIVE MATERIAL" or "DANGER — RADIOACTIVE MATERIAL";

(ii) the name of the radioactive drug and the abbreviation; and

(iii) the quantity of radioactivity at a specified date and time. For radioactive drugs with a half-life greater than 100 days, the time may be omitted; and

(B) a label that shall be affixed to each syringe, vial, or other container used to hold a radioactive drug to be transferred for commercial distribution. The label shall include the radiation symbol and the words "CAUTION — RADIOACTIVE MATERIAL" or "DANGER — RADIOACTIVE MATERIAL" and an identifier that ensures that the syringe, vial, or other container can be correlated with the information on the transport radiation shield label.

(2) The labels, leaflets, or brochures required by this regulation shall be made in addition to the labeling required by the FDA. The labels, leaflets, or brochures may be separate from the FDA labeling, or with the approval of the FDA, the labeling may be combined with the labeling required by the FDA.

(f) All of the following shall apply to each licensee described in paragraph (c)(3) or (c)(4), or both:

(1) The licensee may prepare radioactive drugs for medical use, if each radioactive drug is prepared by either an authorized nuclear pharmacist, as specified in paragraphs (2) and (4) of this subsection, or an individual under the supervision of an authorized nuclear pharmacist.

(2) The licensee may allow a pharmacist to work as an authorized nuclear pharmacist if at least one of the following conditions is met:

(A) The pharmacist qualifies as an authorized nuclear pharmacist.

(B) The pharmacist meets the requirements specified in 10 CFR 35.55 (b) and 35.59, and the licensee has received an approved license amendment identifying this individual as an authorized nuclear pharmacist.

(C) The pharmacist is designated as an authorized nuclear pharmacist in accordance with paragraph (4) of this subsection.

(3) The actions authorized in paragraphs (1) and (2) of this subsection shall be permitted in spite of more restrictive language in license conditions.

(4) The licensee may designate a pharmacist as an authorized nuclear pharmacist if the individual was identified on or before December 2, 1994 as an "authorized user" on a nuclear pharmacy license issued under this part.

(5) Each licensee shall provide the following to the department no later than 30 days after the date that the licensee allows, pursuant to paragraphs (2)(A) and (2)(C) of this subsection, the individual to work as an authorized nuclear pharmacist:

(A) A copy of each individual's certification by the board of pharmaceutical specialties, the department or agreement state license, or the permit issued by a licensee of broad scope; and

(B) a copy of the state pharmacy license or registration.

(g) Each licensee shall possess and use instrumentation to measure the radioactivity of radioactive drugs. Each licensee shall have procedures for using the instrumentation. Each licensee shall measure, by direct measurement or by combination of measurements and calculations, the amount of radioactivity in dosages of alpha-, beta-, or photon-emitting radioactive drugs before transfer for commercial distribution. Each licensee shall meet the following requirements:

(1) Perform tests before initial use, periodically, and following repair on each instrument for accuracy, linearity, and geometry dependence, as appropriate for the use of the instrument, and make adjustments if necessary; and

(2) check each instrument for constancy and proper operation at the beginning of each day of use.

(h) Nothing in these regulations shall exempt the licensee from the requirement to comply with applicable FDA requirements and other federal and state requirements governing radioactive drugs. (Authorized by and implementing K.S.A. 48-1607; effective, T- 86-37, Dec. 11, 1985; effective May 1, 1986; amended Dec. 30, 2005; amended July 27, 2007.)

28-35-181n. Specific licenses to manufacture and distribute generators or reagent kits for preparation of radiopharmaceuticals containing radioactive material. Each application for a specific license to manufacture and distribute generators or reagent kits containing radioactive material for preparation of radiopharmaceuticals by persons licensed as specified in K.A.R. 28-35-181d for the uses listed in group III, shall meet the requirements of subsections (a), (b), (c), and (d).

(a) Each applicant shall meet the general requirements specified in K.A.R. 28-35-180a.

(b) Each applicant shall submit documentation of one of the following:

(1) The generator or reagent kit is subject to the federal food, drug and cosmetic act or the public health service act and will be manufactured, labeled, and packaged in accordance with a new drug application (NDA) approved by the food and drug administration (FDA), a biologic product license issued by FDA, or a "notice of claimed investigational exemption for a new drug" (IND) accepted by FDA.

(2) The manufacture and distribution of the generator or reagent kit is not subject to the federal food, drug, and cosmetic act and the public health service act.

(c) Each applicant shall submit information on the following:

(1) The radionuclide;

(2) the chemical and physical form of the material;

(3) packaging, including maximum activity per package; and

(4) shielding provided by the packaging of the radioactive material contained in the generator or reagent kit.

(d) The label affixed to the generator or reagent kit shall contain information on the radionuclide, quantity, and date of assay.

(e) The label affixed to the generator or reagent kit, or the leaflet or brochure that accompanies the generator or reagent kit, shall contain the following:

(1) Adequate information, from a radiation safety standpoint, on the procedures to be followed and the equipment and shielding to be used in eluting the generator or processing radioactive material with the reagent kit; and

(2) a statement that "this generator or reagent kit, as appropriate, is approved for use by persons licensed by the department according to K.A.R. 28-35-181d for group III uses, or under equivalent licenses of the United States nuclear regulatory commission or another agreement state." The labels, leaflets, or brochures required by this paragraph shall be in addition to the labeling required by the FDA. The labels, leaflets, or brochures may be separate from FDA labeling, or with the approval of FDA, the labeling may be combined with the labeling required by the FDA. (Authorized by and implementing K.S.A. 48-1607; effective, T-86-37, Dec. 11, 1985; effective May 1, 1986; amended July 27, 2007.)

28-35-181o. Specific licenses to manufacture and distribute sources and devices for use as a calibration or reference source or for certain medical uses. (a) Each application for a specific license to manufacture and distribute sources and devices containing radioactive material to persons licensed as specified in K.A.R. 28-35-181d for use as a calibration or reference source or for one or more of the uses listed in group VI shall include the following information regarding each type of source or device:

(1) The radioactive material contained, its chemical and physical form, and amount;

(2) details of design and construction of the source or device;

(3) procedures for, and results of, prototype tests to demonstrate that the source or device will maintain its integrity under stresses likely to be encountered in normal use and in accidents;

(4) for devices containing radioactive material, the radiation profile for a prototype device;

(5) details of quality control procedures to ensure that the production sources and devices meet the standards of the design and prototype tests;

(6) procedures and standards for calibrating sources and devices;

(7) legend and methods for labeling sources and devices as to their radioactive content;

(8) radiation safety instructions for handling and storing the source or device. These instructions shall be included on a durable label attached to the source or device. However, instructions that are too lengthy for the label may be summarized on the label and printed in detail on a brochure that is referenced on the label; and

(9) the label that is to be affixed to the source or device or to the permanent storage container for the source or device. The label shall contain information on the radionuclide, quantity, and date of assay, and a statement that the source or device is licensed by the department for distribution to persons licensed under K.A.R. 28-35-181d or under an equivalent license of the U.S. nuclear regu-

latory commission or an agreement state. Labeling for sources that do not require long-term storage may be on a leaflet or brochure that is to accompany the source.

(b) (1) If the applicant wants to have the source or device required to be tested for leakage of radioactive material at intervals longer than six months, the applicant shall include in the application sufficient information to demonstrate that the longer interval is justified by performance characteristics of the source or device, or similar sources or devices, and by design features that have a significant bearing on the probability or consequences of leakage of radioactive material from the source.

(2) In determining the acceptable interval between tests for leakage of radioactive material, information that includes the following shall be considered by the secretary:

(A) The nature of the primary containment;

(B) the method for protection of the primary containment;

(C) the method of sealing the containment;

(D) containment construction materials;

(E) the form of the contained radioactive material;

(F) the maximum temperature withstood during prototype tests;

(G) the maximum pressure withstood during prototype tests;

(H) the maximum quantity of contained radioactive material;

(I) the radiotoxicity of contained radioactive material; and

(J) the applicant's operating experience with identical sources or devices or with similarly designed and constructed sources or devices. (Authorized by and implementing K.S.A. 48-1607; effective, T-86-37, Dec. 11, 1985; effective May 1, 1986; amended July 27, 2007.)

28-35-182c. Qualifications for a type B specific license of broad scope. A type B specific license of broad scope shall be issued only to an applicant who has established controls and provisions relating to organization and management, procedures, recordkeeping, material control and accounting, and management review that are sufficient to ensure safe operation. These controls and provisions shall include the following:

(a) The appointment of a radiation safety officer who is qualified by training and experience in radiation protection and who is available for advice and assistance on radiation safety matters; and

(b) the establishment of appropriate administrative procedures. These procedures shall ensure that all of the following conditions are met:

(1) The procurement and use of radioactive material are controlled.

(2) Safety evaluations of proposed uses of radioactive material are completed. These evaluations shall take into consideration the adequacy of facilities and equipment, training and experience of the user, and proper operating or handling procedures.

(3) Before use of the radioactive material, the safety evaluation of proposed uses, prepared in accordance with paragraph (b)(2), is reviewed, approved, and recorded by

(continued)

the radiation safety officer. (Authorized by and implementing K.S.A. 48-1607; effective, T-86-37, Dec. 11, 1985; effective May 1, 1986; amended July 27, 2007.)

28-35-184a. Specific conditions on all licenses. (a) No license and no right under any license shall be assigned or otherwise transferred except as authorized under the act or these regulations.

(b) Each person authorized under these regulations shall confine the use and possession of the radioactive material licensed to the locations and purposes authorized in the license.

(c) No person shall introduce radioactive material into any product or material knowing or having reason to believe that the product or material will be transferred to a person exempt from these regulations under K.A.R. 28-35-192a, 28-35-192b, 28-35-192c, 28-35-192d, 28-35-192e, 28-35-192f, or 28-35-192g or the equivalent regulations of the United States nuclear regulatory commission or an agreement state, except in accordance with a specific license issued under K.A.R. 28-35-181f or the general license issued under K.A.R. 28-35-194a.

(d) Each licensee shall file written notice with the secretary 30 days before vacating any facility when the licensee decides to permanently discontinue all activities involving licensed materials authorized in that facility under the license.

(e) Each licensee authorized under K.A.R. 28-35-181h to distribute devices to generally licensed persons shall perform the following:

(1) Report to the department all sales or transfers of those devices to persons generally licensed under K.A.R. 28-35-178b. The report shall identify each general licensee by name and address, the type of device transferred, and the quantity and type of radioactive material contained in the device. A report shall be submitted within 90 days of the sale or transfer; and

(2) furnish, to each general licensee to whom the licensee transfers any such device, a copy of the general license issued under K.A.R. 28-35-178b.

(f)(1) Each general licensee that is required by this part to register and each specific licensee shall notify the department, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of title 11, bankruptcy, of the United States code by or against the following:

- (A) The licensee;
- (B) any person controlling the licensee or listing the license or licensee as property of the estate; or
- (C) any affiliate of the licensee.

(2) The notification specified in paragraph (f)(1) shall indicate the following:

- (A) The name of the bankruptcy court in which the petition for bankruptcy was filed; and
- (B) the date of the filing of the petition.

(g) Each portable gauge licensee shall use at least two independent physical controls that form tangible barriers to secure each portable gauge from unauthorized removal whenever the portable gauge is not under the control and constant surveillance of the licensee. (Authorized by and implementing K.S.A. 48-1607; effective, T-86-37, Dec. 11, 1985; effective May 1, 1986; amended Dec. 30, 2005; amended July 27, 2007.)

28-35-201. Schedule F. (a) Single isotope quantities.

Material	Microcuries
Americium-241 .....	.01
Antimony-122	100
Antimony-124	10
Antimony-125	10
Arsenic-73	100
Arsenic-74	10
Arsenic-76	10
Arsenic-77	100
Barium-131	10
Barium-133	10
Barium-140	10
Bismuth-210	1
Bromine-82	10
Cadmium-109	10
Cadmium-115m	10
Cadmium-115	100
Calcium-45	10
Calcium-47	10
Carbon-14	100
Cerium-141	100
Cerium-143	100
Cerium-144	1
Cesium-131	1,000
Cesium-134m	100
Cesium-134	1
Cesium-135	10
Cesium-136	10
Cesium-137	10
Chlorine-36	10
Chlorine-38	10
Chromium-51	1,000
Cobalt-58m	10
Cobalt-58	10
Cobalt-60	1
Copper-64	100
Dysprosium-165	10
Dysprosium-166	100
Erbium-169	100
Erbium-171	100
Europium-152 9.2hr	100
Europium-152 13yr	1
Europium-154	1
Europium-155	10
Fluorine-18	1,000
Gadolinium-153	10
Gadolinium-159	100
Gallium-72	10
Germanium-71	100
Gold-198	100
Gold-199	100
Hafnium-181	10
Holmium-166	100
Hydrogen-3	1,000
Indium-113m	100
Indium-114m	10
Indium-115m	100
Indium-115	10
Iodine-125	1
Iodine-126	1
Iodine-129	0.1

Material	Microcuries	Material	Microcuries
Iodine-131	1	Scandium-48	10
Iodine-132	10	Selenium-75	10
Iodine-133	1	Silicon-31	100
Iodine-134	10	Silver-105	10
Iodine-135	10	Silver-110m	1
Iridium-192	10	Silver-111	100
Iridium-194	100	Sodium-24	10
Iron-55	100	Strontium-85	10
Iron-59	10	Strontium-89	1
Krypton-85	100	Strontium-90 .....	.1
Krypton-87	10	Strontium-91	10
Lanthanum-140	10	Strontium-92	10
Lutetium-177	100	Sulfur-35	100
Manganese-52	10	Tantalum-182	10
Manganese-54	10	Technetium-96	10
Manganese-56	10	Technetium-97m	100
Mercury-197m	100	Technetium-97	100
Mercury-197	100	Technetium-99m	100
Mercury-203	10	Technetium-99	10
Molybdenum-99	100	Tellurium-125m	10
Neodymium-147	100	Tellurium-127m	10
Neodymium-149	100	Tellurium-127	100
Nickel-59	100	Tellurium-129m	10
Nickel-63	10	Tellurium-129	100
Nickel-65	100	Tellurium-131m	10
Niobium-93m	10	Tellurium-132	10
Niobium-95	10	Terbium-160	10
Niobium-97	10	Thallium-200	100
Osmium-185	10	Thallium-201	100
Osmium-191m	100	Thallium-202	100
Osmium-191	100	Thallium-204	10
Osmium-193	100	Thorium (natural) ¹	100
Palladium-103	100	Thulium-170	10
Palladium-109	100	Thulium-171	10
Phosphorus-32	10	Tin-113	10
Platinum-191	100	Tin-125	10
Platinum-193m	100	Tungsten-181	10
Platinum-193	100	Tungsten-185	10
Platinum-197m	100	Tungsten-187	100
Platinum-197	100	Uranium (natural) ²	100
Plutonium-239 .....	.01	Uranium-233 .....	.01
Polonium-210 .....	.1	Uranium 234-uranium 235 .....	.01
Potassium-42	10	Vanadium-48	10
Praseodymium-142	100	Xenon-131m	1,000
Praseodymium-143	100	Xenon-133	100
Promethium-147	10	Xenon-135	100
Promethium-149	10	Ytterbium-175	100
Radium-226 .....	.01	Yttrium-90	10
Rhenium-186	100	Yttrium-91	10
Rhenium-188	100	Yttrium-92	100
Rhodium-103m	100	Yttrium-93	100
Rhodium-105	100	Zinc-65	10
Rubidium-86	10	Zinc-69m	100
Rubidium-87	10	Zinc-69	1,000
Ruthenium-97	100	Zirconium-93	10
Ruthenium-103	10	Zirconium-95	10
Ruthenium-105	10	Zirconium-97	10
Ruthenium-106	1	Any alpha-emitting radionuclide not listed above or any mixture of alpha-emitters of unknown composition .....	.01
Samarium-151	10		
Samarium-153	100		
Scandium-46	10		
Scandium-47	100		

(continued)

Any radionuclide other than an alpha-emitting radionuclide that is not listed above or any mixture of beta-emitters of unknown composition1

¹ Based on an alpha disintegration rate of Th-232, Th-230, and their daughter products.

² Based on an alpha disintegration rate of U-238, U-234, and U-235.

(b) Combinations of isotopes. For the purposes of K.A.R. 28-35-180b, when a combination of isotopes in known amounts is involved, the limit for the combination shall be derived by determining, for each isotope in the combination, the ratio between the quantity present in the combination and the limit otherwise established for the specific isotope when not in combination. The sum of the ratios for all the isotopes in the combination shall not exceed one, which is also referred to as "unity." (Authorized by and implementing K.S.A. 48-1607; effective Nov. 1, 1996; amended July 27, 2007.)

28-35-202. (Authorized by and implementing K.S.A. 48-1607; effective Nov. 1, 1996; revoked July 27, 2007.)

28-35-203. Schedule G; Criteria relating to use of financial tests and parent company guarantees for providing reasonable assurance of funds for decommissioning. (a) Each applicant or licensee providing assurance of the availability of funds for decommissioning based on a parent company guarantee that funds will be available for decommissioning costs based on a demonstration that the parent company passes a financial test shall meet the following standards:

(b) Each licensee or applicant applying to the department for recognition of a parent company guarantee for the purposes of complying with the requirements of K.A.R. 28-35-180b shall be required to show that the parent company guarantee meets the following criteria:

(1) Each parent company shall meet two of the following three ratios:

(A) A ratio of total liabilities to net worth that is less than 2.0;

(B) a ratio of the sum of net income plus depreciation, depletion, and amortization to total liabilities that is greater than 0.1; or

(C) a ratio of current assets to current liabilities that is greater than 1.5.

(2) Each parent company shall have net working capital and tangible net worth each of which is equal a minimum of six times the current decommissioning cost estimates, or the prescribed amount if a certification is used based on the requirements of K.A.R. 28-35-180b.

(3) Each parent company shall have assets located in the United States amounting to at least 90 percent of the company's total assets or at least six times the current decommissioning cost estimates, or at least six times the prescribed amount if a certification is used based on the requirements of K.A.R. 28-35-180b.

(4) Each parent company shall have the following:

(A) A current rating for the company's most recent bond issuance of AAA, AA, A, or BBB as issued by standard and poor's or Aaa, Aa, A, or Baa as issued by moody's;

(B) a tangible net worth at least six times the current decommissioning cost estimate, or the prescribed amount if a certification is used based on the requirements of K.A.R. 28-35-180b;

(C) a tangible net worth of at least \$10 million; and

(D) assets located in the United States amounting to at least 90 percent of the company's total assets or at least six times the current decommissioning cost estimates, or at least six times the prescribed amount if certification is used based on the requirements of K.A.R. 28-35-180b.

(c) The parent company's independent certified public accountant shall compare the data used by the parent company in the financial test, which shall be derived from the independently audited, year-end financial statements for the latest fiscal year, with the amounts in the financial statement. If any matters come to the auditor's attention that cause the auditor to believe that the data specified in the financial test should be adjusted and that the company no longer passes the test, the licensee shall notify the department within 90 days of the date the auditor identifies the matter.

(d) After the initial financial test, the parent company shall be required to pass the test within 90 days after the close of each succeeding fiscal year.

(1) If the parent company no longer meets the requirements of subsection (a), the licensee shall notify the department of the licensee's intent to establish alternate financial assurance as specified in these regulations.

(2) The notice shall be sent by certified mail within 90 days after the end of the fiscal year for which the year end financial data shows that the parent company no longer meets the financial test requirements.

(3) The licensee shall provide alternate financial assurance within 120 days after the end of a fiscal year for which the year-end financial data shows that the parent company no longer meets the financial test requirements.

(e) Each parent company guarantee obtained by an applicant or licensee shall contain terms that provide the following information:

(1) The parent company guarantee shall remain in force unless the guarantor sends notice of cancellation by certified mail to the licensee and the department. The guarantee shall not be canceled during the 120 days beginning on the date of receipt of the notice of cancellation by both the licensee and the department, as evidenced by the return receipts.

(2) If the licensee fails to provide alternate financial assurance within 90 days after receipt of a notice of cancellation of the parent company guarantee by the licensee and the department, the guarantor shall provide the alternative financial assurance in the name of the licensee.

(3) The parent company guarantee and financial test provisions shall remain in effect until the secretary has terminated the license.

(4) If a trust is established for decommissioning costs, the trustee and trust shall be acceptable to the secretary. An acceptable trustee may be an appropriate state or federal government agency or an entity that has the authority to act as a trustee and whose trust operations are regulated and examined by a federal or state agency. (Authorized by and implementing K.S.A. 48-1607; effective Nov. 1, 1996; amended July 27, 2007.)

28-35-216a. Testing for leakage or contamination of sealed sources. (a) Each licensee in possession of any sealed source shall ensure that all of the following requirements are met:

(1) Each sealed source, except as specified in subsection (b), shall be tested for leakage or contamination, and the test results shall be received before the sealed source is put into use, unless the licensee has a certificate from the transferor indicating that the sealed source was tested within six months before transfer to the licensee.

(2) Each sealed source that is not designed to emit alpha particles shall be tested for leakage or contamination at intervals not to exceed six months or at alternative intervals approved by the secretary, an agreement state, a licensing state, or the nuclear regulatory commission.

(3) Each sealed source designed to emit alpha particles shall be tested for leakage or contamination at intervals not to exceed three months or at alternative intervals approved by the secretary, an agreement state, a licensing state, or the nuclear regulatory commission.

(4) For each sealed source required to be tested for leakage or contamination, whenever there is reason to suspect that the sealed source might have been damaged or might be leaking, the licensee shall ensure that the sealed source is tested for leakage or contamination before further use.

(5) Tests for leakage for all sealed sources shall be capable of detecting the presence at 185 Bq (0.005 μ Ci) of radioactive material on a test sample. Test samples shall be taken from the sealed source or from the surfaces of the container in which the sealed source is stored or mounted and on which one might expect contamination to accumulate. For a sealed source contained in a device, test samples shall be obtained when the source is in the "off" position.

(b) The following sealed sources shall be exempt from testing for leakage and contamination:

(1) Sealed sources containing only radioactive material with a half-life of fewer than 30 days;

(2) sealed sources containing only radioactive material as a gas;

(3) sealed sources containing 3.7 Mbq (100 μ Ci) or less of beta-emitting or photon-emitting material or 370 kBq (10 μ Ci) or less of alpha-emitting material;

(4) sealed sources containing only hydrogen-3;

(5) seeds of iridium-192 encased in nylon ribbon; and

(6) sealed sources, except sources used in radiation therapy that are stored, are not being used, and are identified as being in storage. The sources exempted from this test shall be tested for leakage before any use or transfer to another person, unless the source has been leak-tested within six months before the date of the use or transfer. The sources in storage shall be physically inventoried every six months and listed in the radioactive materials inventory.

(c) Each test for leakage or contamination from sealed sources shall be performed by a person specifically authorized by the secretary, an agreement state, a licensing state, or the nuclear regulatory commission to perform these services.

(d) All test results shall be recorded in units of becquerel or microcurie and maintained for inspection by the department.

(e) If any test reveals the presence of 0.005 microcurie or more of removable contamination, the licensee shall immediately withdraw the sealed source from use and shall cause the source to be decontaminated and repaired or to be disposed of in accordance with these regulations. The licensee shall file a report within five days of the test with the radiation control program, bureau of air and radiation, Kansas department of health and environment, describing the equipment involved, the test results, and the corrective action taken. (Authorized by and implementing K.S.A. 48-1607; effective, T-85-43, Dec. 19, 1984; effective May 1, 1985; amended Dec. 30, 2005; amended July 27, 2007.)

28-35-230g. Reports of transactions involving nationally tracked sources. (a) Each licensee who manufactures a nationally tracked source shall submit a report on each nationally tracked source containing the following information:

(1) The name, address, and license number of the reporting licensee;

(2) the name of the individual preparing the report;

(3) the manufacturer, the model, and the serial number of the source;

(4) the radioactive material in the source;

(5) the initial source strength in becquerels or curies at the time of manufacture; and

(6) the manufacture date of the source.

(b) Each licensee that transfers a nationally tracked source to another person shall submit a report on each nationally tracked source containing the following information:

(1) The name, address, and license number of the reporting licensee;

(2) the name of the individual preparing the report;

(3) the name and license number of the recipient facility and the shipping address;

(4) the manufacturer, the model, and the serial number of the source or, if not available, other information to uniquely identify the source;

(5) the radioactive material in the source;

(6) the initial or current source strength, in becquerels or curies;

(7) the date for which the source strength is reported;

(8) the shipping date;

(9) the estimated arrival date; and

(10) for nationally tracked sources transferred as waste under a uniform low-level radioactive waste manifest, the waste manifest number and the container identification.

(c) Each licensee that receives a nationally tracked source shall submit a report on each nationally tracked source containing the following information:

(1) The name, address, and license number of the reporting licensee;

(2) the name of the individual preparing the report;

(3) the name, address, and license number of the person that provided the source;

(4) the manufacturer, the model, and the serial number of the source or, if not available, other information to uniquely identify the source;

(5) the radioactive material in the source;

(continued)

(6) the initial or current source strength, in becquerels or curies;

(7) the date for which the source strength is reported;

(8) the date of receipt; and

(9) for material received under a uniform low-level radioactive waste manifest, the waste manifest number and the container identification.

(d) Each licensee that disassembles a nationally tracked source shall submit a report on each nationally tracked source containing the following information:

(1) The name, address, and license number of the reporting licensee;

(2) the name of the individual preparing the report;

(3) the manufacturer, the model, and the serial number of the source or, if not available, other information to uniquely identify the source;

(4) the radioactive material in the source;

(5) the initial or current source strength, in becquerels or curies;

(6) the date for which the source strength is reported; and

(7) the date on which the source was disassembled.

(e) Each licensee who disposes of a nationally tracked source shall submit a report on each nationally tracked source containing the following information:

(1) The name, address, and license number of the reporting licensee;

(2) the name of the individual preparing the report;

(3) the waste manifest number;

(4) the container identification;

(5) the date of disposal; and

(6) the method of disposal.

(f) The reports required in subsections (a) through (e) shall be submitted by the close of the next business day after the transaction. A single report may be submitted for multiple sources and transactions. The reports shall be submitted to the nuclear regulatory commission's national source tracking system by one of the following means:

(1) The nuclear regulatory commission's on-line national source tracking system;

(2) electronic transmission, using a computer-readable format;

(3) facsimile;

(4) mail, sent to the address specified on the nuclear regulatory commission's national source tracking transaction report form; or

(5) telephone, with follow-up by facsimile or mail.

(g) Each licensee shall correct any error in previously filed reports or file a new report for any missed transaction within five business days of the discovery of the error or missed transaction. These errors can be detected by methods that may include administrative reviews or physical inventories required by these regulations.

(h) Each licensee shall reconcile the inventory of nationally tracked sources possessed by the licensee against that licensee's data in the national source tracking system. The reconciliation shall be conducted during the month of January in each year. The reconciliation process shall include resolving any discrepancies between the national source tracking system and the actual inventory by filing the reports required by subsections (a) through (e). Each

licensee shall submit, to the national source tracking system, confirmation that the data in the national source tracking system is correct. This confirmation shall be submitted on or before January 31 of each year.

(i) Each licensee that possesses category 1 nationally tracked sources shall report its initial inventory of category 1 nationally tracked sources to the national source tracking system on or before November 15, 2007. Each licensee that possesses category 2 nationally tracked sources shall report its initial inventory of category 2 nationally tracked sources to the national source tracking system on or before November 30, 2007. The information may be submitted by using any of the methods specified in subsection (f). The initial inventory report shall include the following information:

(1) The name, address, and license number of the reporting licensee;

(2) the name of the individual preparing the report;

(3) the manufacturer, model, and serial number of each nationally tracked source or, if not available, other information to uniquely identify the source;

(4) the radioactive material in the sealed source;

(5) the initial or current source strength in becquerels or curies; and

(6) the date for which the source strength is reported.

(j) Compliance with the reporting requirements of this regulation shall be required on or before November 15, 2007 for category 1 sources and on or before November 30, 2007 for category 2 sources. (Authorized by and implementing K.S.A. 48-1607; effective July 27, 2007.)

28-35-289. Training requirements. (a) The licensee or registrant shall not permit any individual to act as a radiographer until the individual has completed both of the following:

(1) At least 40 hours of training in the subjects specified in subsection (g) of this regulation; and

(2) one of the following types of on-the-job training consisting of hands-on experience under the supervision of a radiographer and certification through a radiographer certification program by a certifying entity as specified in K.A.R. 28-35-293:

(A) If the individual will be performing industrial radiography utilizing radioactive material, on-the-job training that includes at least two months or 320 hours of active participation in the performance of industrial radiography utilizing radioactive material;

(B) if the individual will be performing industrial radiography utilizing radiation machines, on-the-job training that includes at least one month or 160 hours of active participation in the performance of industrial radiography utilizing radiation machines; or

(C) if the individual will be performing industrial radiography utilizing radioactive material and radiation machines, both segments of the on-the-job training specified in paragraphs (a)(2)(A) and (B).

(b) The licensee or registrant shall not permit any individual to act as a radiographer until the individual meets the following requirements:

(1) Has received the following:

(A) A copy of and instruction in the requirements contained in this part;

(B) a copy of the applicable portions of parts 4 and 10 of these regulations;

(C) the license or registration under which the radiographer will perform industrial radiography; and

(D) a copy of the licensee's or registrant's operating and emergency procedures;

(2) has demonstrated an understanding of the material listed in paragraphs (b)(1) (A) through (D) by successful completion of a written or oral examination;

(3) has received training in the use of the registrant's radiation machines, or the licensee's radiographic exposure services and sealed sources, in the daily inspection of devices and associated equipment and in the use of radiation survey instruments; and

(4) has demonstrated an understanding of the use of the equipment specified in paragraph (b)(3) by successful completion of a practical examination.

(c) The licensee or registrant shall not permit any individual to act as a radiographer's assistant until the individual meets the following requirements:

(1) Has received the following:

(A) A copy of and instruction in the requirements contained in this part;

(B) a copy of the applicable portions of parts 4 and 10 of these regulations;

(C) the license or registration under which the radiographer's assistant will perform industrial radiography; and

(D) a copy of the licensee's or registrant's operating and emergency procedures;

(2) has demonstrated an understanding of the material listed in paragraphs (c)(1) (A) through (D) by successful completion of a written or oral examination;

(3) under the personal supervision of a radiographer, has received training in the use of the registrant's radiation machines, or the licensee's radiographic exposure devices and sealed sources, in the daily inspection of devices and associated equipment and in the use of radiation survey instruments; and

(4) has demonstrated an understanding of the use of the equipment specified in paragraph (c)(3) by successful completion of a practical examination.

(d) Each radiographer and radiographer's assistant shall receive the annual refresher safety training at least every 12 months.

(e) The radiation safety officer or designee shall conduct an inspection program of the job performance of each radiographer and radiographer's assistant to ensure that the department's regulations, the license or registration requirements, and the operating and emergency procedures are followed. Alternatives may be considered by the secretary if the individual serves as both radiographer and radiation safety officer. In those operations in which a single individual serves as both radiographer and radiation safety officer and performs all radiography operations, an inspection program shall not be required. The inspection program shall include the following:

(1) Observation of the performance of each radiographer and radiographer's assistant during an actual industrial radiographic operation, at least every six months; and

(2) a provision that, if a radiographer or a radiographer's assistant has not participated in an industrial radiographic operation for more than six months since the last inspection, the radiographer shall demonstrate knowledge of the training requirements of paragraph (b)(3) and the radiographer's assistant shall demonstrate knowledge of the training requirements of paragraph (c)(3) by a practical examination before these individuals are allowed to participate in a radiographic operation.

(f) Each licensee or registrant shall maintain the following:

(1) Records of the training of each radiographer and radiographer's assistant. These records shall include radiographer certification documents and verification of certification status, copies of written tests, dates of oral and practical examinations, the names of individuals conducting and receiving the oral and practical examinations, a list of the subjects tested, and the results of the oral and practical examinations; and

(2) records of annual refresher safety training and semi-annual inspections of job performance for each radiographer and each radiographer's assistant. These records shall list the topics discussed during the refresher safety training, the date or dates on which the annual refresher safety training was conducted, and the names of the instructors and attendees. For inspections of job performance, the records shall also include a list showing the items checked and any noncompliance observed by the radiation safety officer.

(g) The training of each licensee or registrant shall include information about the following:

(1) Fundamentals of radiation safety, including the following:

(A) The characteristics of gamma radiation and X-radiation;

(B) the units of radiation dose and activity;

(C) the hazards of exposure to radiation;

(D) the levels of radiation from different sources of radiation; and

(E) the methods of controlling radiation dose using time, distance, and shielding;

(2) radiation detection instruments, including the following:

(A) The use, operation, calibration, and limitations of radiation survey instruments;

(B) survey techniques; and

(C) the use of personnel-monitoring equipment;

(3) the equipment to be used, including the following:

(A) The operation and control of radiographic exposure equipment, remote handling equipment, and storage containers, including pictures or models of source assemblies;

(B) the operation and control of radiation machines;

(C) the storage, control, and disposal of sources of radiation; and

(D) inspection and maintenance of equipment;

(4) the requirements of state and federal regulations; and

(5) case histories of accidents in radiography. (Authorized by and implementing K.S.A. 48-1607; effective Jan. 1, 1970; amended May 1, 1976; amended, T-85-43, Dec. 19,

(continued)

1984; amended May 1, 1985; amended Dec. 30, 2005; amended July 27, 2007.)

28-35-292. Location of documents and records. (a) Each licensee or registrant shall maintain copies of records required by this part and other applicable parts of these regulations.

(b) Each licensee or registrant shall also maintain current copies of the following documents or records sufficient to demonstrate compliance at each applicable field station and each temporary job site:

(1) The license or registration authorizing the use of sources of radiation;

(2) a copy of parts 1, 4, 7, and 10 of these regulations;

(3) the utilization logs for each source of radiation dispatched from that location;

(4) the records of any equipment problems identified in daily checks of equipment;

(5) the records of alarm systems and entrance control checks, if applicable;

(6) the records of all dosimeter readings;

(7) the operating and emergency procedures;

(8) evidence of the latest calibration of the radiation survey instruments in use at the site;

(9) evidence of the latest calibrations of alarming ratemeters and operability checks of dosimeters;

(10) the survey records for the period of operation at the site;

(11) the shipping papers for the transportation of radioactive materials; and

(12) when operating under reciprocity pursuant to part 3 of these regulations, a copy of the applicable state license or registration, or nuclear regulatory commission license authorizing the use of sources of radiation. (Authorized by and implementing K.S.A. 48-1607; effective Dec. 30, 2005; amended July 27, 2007.)

28-35-308. Applicability. (a) This part, which establishes procedures for the registration and the use of particle accelerators, shall be in addition to, and not a substitute for, other applicable provisions of these regulations.

(b) In addition to the requirements of this part, all registrants shall be subject to the requirements of parts 1, 2, 4, and 10. Registrants engaged in industrial radiographic operations shall be subject to the requirements of part 7, and registrants engaged in the healing arts shall be subject to the requirements of parts 5, 6, and 14 of these regulations. Registrants engaged in the production of radioactive material shall be subject to the requirements of part 3. (Authorized by and implementing K.S.A. 48-1607; effective May 1, 1976; amended Dec. 30, 2005; amended July 27, 2007.)

28-35-349. Design, performance, and certification criteria for sealed sources used in downhole operations.

(a) Each sealed source that is used in downhole operations and manufactured after May 1, 1991 shall be certified by the manufacturer or other testing organization to meet the following minimum criteria.

(1) Each source shall be doubly encapsulated.

(2) Each source shall contain radioactive material with a chemical and physical form that is as insoluble and non-dispersive as practical.

(3) Each source's prototype shall have been tested and found to maintain its integrity after each of the following tests:

(A) Temperature. The test source shall be held at -40°C for 20 minutes and at 600°C for one hour. Then the test source be subjected to a thermal shock test with a temperature drop from 600°C to 20°C within 15 seconds.

(B) Impact test. A five-kg steel hammer with a diameter of 2.5 cm shall be dropped from a height of one meter onto the test source.

(C) Vibration test. The test source shall be subject to a vibration from 25 Hz to 500 Hz at five g (gravitational acceleration) amplitude for 30 minutes.

(D) Puncture test. A one-gram hammer with a pin having a diameter of 0.3 cm shall be dropped from a height of one meter onto the test source.

(E) Pressure test. The test source shall be subjected to an external pressure of 24,600 pounds per square inch absolute (1.695×10^7 pascal).

(b) No sealed source acquired after May 1, 1992 shall be put into use in the absence of a certificate from a transferor certifying that the sealed source meets the requirements of subsection (a), until the required determinations and testing have been performed.

(c) Each sealed source that is used in downhole operations after May 1, 1992 shall be certified by the manufacturer or other testing organization as meeting the sealed source performance requirements for oil well-logging contained in "sealed radioactive sources—classification," ANSI/HPS N43.6-1997, including the annexes, approved by the American national standards institute, inc. in November 1997, published by the health physics society, and hereby adopted by reference.

(d) Certification documents shall be maintained for inspection by the department for a period of two years after source disposal. If the source is abandoned downhole, the certification documents shall be maintained until the department authorizes disposition of these documents.

(e) The requirements in subsections (a), (b), (c), and (d) shall not apply to any sealed sources that contain licensed material in gaseous form.

(f) The requirements in subsections (a), (b), (c), and (d) shall not apply to any energy compensation sources (ECS). Each ECS shall be registered with the department, NRC, or an agreement state. (Authorized by and implementing K.S.A. 48-1607; effective Sept. 20, 1993; amended Dec. 30, 2005; amended July 27, 2007.)

28-35-450. General requirements. The provisions of "part X: therapeutic radiation machines" in volume 1 of the "suggested state regulations for control of radiation," including appendix A, published by the conference of radiation control program directors, inc. and dated February 2005, are hereby adopted by reference, with the changes specified in this regulation. (a) Sec. X.2, "definitions," shall be deleted.

(b) Sec. X.3(d)(vi) shall be deleted.

(c) Wherever the following phrases and references occur in part X, these phrases and references shall be replaced with the specified phrases and references to regulations and parts in this article:

(1) "Agency" shall be replaced with "department."

(2) “[INSERT EFFECTIVE DATE OF THESE REGULATIONS]” shall be replaced with “the effective date of these regulations.”

(3) “G.14” shall be replaced with “part 6.”

(d) The following phrases in part X shall be replaced with the phrase “part 4”:

(1) In sec. X.3(i), “Parts D.1201, D.1205 and D.1502”;

(2) in sec. X.4(a)(i)(1), “Part D.1201a.”;

(3) in sec. X.4(a)(i)(2), “Parts D.1301a. and D.1301b”;

(4) in sec. X.4(b), (b)(i), and (b)(iv), “Parts D.1301a. and D.1301b.”;

(5) in sec. X.4(b)(iv), “Part D.1301c.”;

(6) in sec. X.6(r)(vi), “Part D.1201”;

(7) in sec. X.9(a), “Parts D.1201 and D.1301”;

(8) in appendix A, sec. II(C), “Part D.1201.”

(e) In sec. X.3(e), paragraph (i) shall be replaced with the following text: “Individuals operating a therapeutic radiation machine for healing arts purposes shall meet the requirements specified in the radiologic technologists practice act and shall have satisfactorily completed an education program in radiation therapy that meets the criteria specified in K.A.R. 100-73-3.” (Authorized by and implementing K.S.A. 48-1607; effective Dec. 30, 2005; amended July 27, 2007.)

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 034613

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2006 Volumes of the *Kansas Administrative Regulations*.

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30-6-38	Revoked	V. 25, p. 1028
30-6-77	Revoked	V. 25, p. 847
30-14-22	Revoked	V. 25, p. 1028
30-14-27	Revoked	V. 25, p. 847
30-31-1	Amended	V. 25, p. 1800
30-31-2	Revoked	V. 25, p. 1800
30-31-3	Revoked	V. 25, p. 1800
30-31-4	Revoked	V. 25, p. 1800
30-31-6	Revoked	V. 25, p. 1800
30-31-7	Revoked	V. 25, p. 1800
30-31-10	Revoked	V. 25, p. 1800
30-31-11	Revoked	V. 25, p. 1800
30-31-12	Revoked	V. 25, p. 1800
30-63-20	Amended	V. 25, p. 1693
30-63-22	Amended	V. 25, p. 1693
30-64-24	Amended	V. 25, p. 1693

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-2-20	Amended	V. 26, p. 101
40-3-5	Amended	V. 25, p. 182
40-3-12	Amended	V. 25, p. 182
40-3-22	Amended	V. 25, p. 210
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
40-4-25	Amended	V. 25, p. 278
40-4-29a	New	V. 25, p. 1835
40-4-41	Amended	V. 25, p. 1835
40-4-41b	Amended	V. 25, p. 1838
40-4-41c	Amended	V. 25, p. 1839
40-4-41d	Amended	V. 25, p. 1841
40-4-41e	Amended	V. 25, p. 1842
40-4-41f	Amended	V. 25, p. 1843
40-4-41i	Amended	V. 25, p. 1843
40-4-41j	Amended	V. 25, p. 1844
40-7-1	Revoked	V. 25, p. 1844
40-7-5	Amended	V. 25, p. 844
40-7-19	Amended	V. 26, p. 881
40-7-20a	Amended	V. 26, p. 103
40-7-24	Amended	V. 25, p. 1844
40-7-25	Amended	V. 26, p. 488

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-6-101	Amended	V. 26, p. 817
44-6-125	Amended	V. 26, p. 818
44-6-136	Amended	V. 26, p. 819
44-11-111	Amended	V. 26, p. 819
44-11-113	Amended	V. 26, p. 820
44-11-123	Amended	V. 26, p. 820
44-12-103	Amended	V. 26, p. 1074
44-12-105	Amended	V. 26, p. 1075
44-12-106	Amended	V. 26, p. 1075
44-12-107	Amended	V. 26, p. 1075
44-12-208	Amended	V. 26, p. 1075
44-12-210	Amended	V. 26, p. 1075
44-12-211	New	V. 26, p. 1075
44-12-212	New	V. 26, p. 1075
44-12-304	Amended	V. 26, p. 1075
44-12-306	Amended	V. 26, p. 1076
44-12-308	Amended	V. 26, p. 1076
44-12-312	Amended	V. 26, p. 1076
44-12-315	Amended	V. 26, p. 1076
44-12-320a	New	V. 26, p. 1076
44-12-325	Amended	V. 26, p. 1076
44-12-601	Amended	V. 26, p. 1077
44-12-901	Amended	V. 26, p. 1079
44-12-902	Amended	V. 26, p. 1079
44-12-903	New	V. 26, p. 1079
44-12-1101	Amended	V. 26, p. 1080

44-12-1201	Amended	V. 26, p. 1080
44-12-1301	Amended	V. 26, p. 1080
44-12-1302	Amended	V. 26, p. 1081
44-12-1303	Amended	V. 26, p. 1081
44-12-1306	Amended	V. 26, p. 1081
44-12-1308	Amended	V. 26, p. 1081
44-13-101a	Amended	V. 26, p. 1082
44-13-106	Amended	V. 26, p. 1082
44-13-201	Amended	V. 26, p. 1082
44-13-201a	New	V. 26, p. 1083
44-13-201b	Amended	V. 26, p. 1084
44-13-202	Amended	V. 26, p. 1084
44-13-307	Amended	V. 26, p. 1085
44-13-402	Amended	V. 26, p. 1085
44-13-403	Amended	V. 26, p. 1085
44-13-404	Amended	V. 26, p. 1087
44-13-405a	Amended	V. 26, p. 1088
44-13-406	Amended	V. 26, p. 1089
44-13-408	Amended	V. 26, p. 1089
44-13-603	Amended	V. 26, p. 1089
44-13-610	Amended	V. 26, p. 1089
44-13-701	Amended	V. 26, p. 1090
44-13-703	Amended	V. 26, p. 1090
44-13-704	Amended	V. 26, p. 1090
44-15-101a	Amended	V. 26, p. 820
44-15-102	Amended	V. 26, p. 821
44-15-104	Amended	V. 26, p. 822
44-16-104a	New	V. 26, p. 822

AGENCY 47: DEPARTMENT OF HEALTH AND ENVIRONMENT — MINED-LAND CONSERVATION AND RECLAMATION

Reg. No.	Action	Register
47-2-75	Amended	V. 25, p. 1639
47-3-2	Amended	V. 25, p. 1640
47-3-42	Amended	V. 25, p. 1641
47-4-14a	Amended	V. 25, p. 1644
47-5-5a	Amended	V. 25, p. 1649
47-6-1	Amended	V. 25, p. 1652
47-6-2	Amended	V. 25, p. 1653
47-6-3	Amended	V. 25, p. 1653
47-6-4	Amended	V. 25, p. 1653
47-6-6	Amended	V. 25, p. 1654
47-6-8	Amended	V. 25, p. 1654
47-6-9	Amended	V. 25, p. 1654
47-6-10	Amended	V. 25, p. 1654
47-6-11	Amended	V. 25, p. 1655
47-7-2	Amended	V. 25, p. 1655
47-8-9	Amended	V. 25, p. 1655
47-9-1	Amended	V. 25, p. 1656
47-9-4	Amended	V. 25, p. 1661
47-10-1	Amended	V. 25, p. 1662
47-11-8	Amended	V. 25, p. 1663
47-12-4	Amended	V. 25, p. 1664
47-13-4	Amended	V. 25, p. 1665
47-14-7	Amended	V. 25, p. 1665
47-15-1a	Amended	V. 25, p. 1666
47-16-9	Amended	V. 25, p. 1667
47-16-10	Amended	V. 25, p. 1667
47-16-12	Amended	V. 25, p. 1667

AGENCY 49: DEPARTMENT OF LABOR

Reg. No.	Action	Register
49-45-1	Amended	V. 25, p. 1494
49-45-2	Amended	V. 25, p. 1494
49-45-3	Amended	V. 25, p. 1494
49-45-4	Amended	V. 25, p. 1494
49-45-4a	Amended	V. 25, p. 1494
49-45-4b	New	V. 25, p. 1494
49-45-5	Amended	V. 25, p. 1494
49-45-6	Amended	V. 25, p. 1494
49-45-7	Amended	V. 25, p. 1494
49-45-8	Amended	V. 25, p. 1494
49-45-9	Amended	V. 25, p. 1495
49-45-20	Amended	V. 25, p. 1495
49-45-21 through 49-45-26	Revoked	V. 25, p. 1495
49-45-28	Amended	V. 25, p. 1495
49-45-29	Amended	V. 25, p. 1495
49-45-30	Revoked	V. 25, p. 1495
49-45-31	Amended	V. 25, p. 1495
49-45-32	Amended	V. 25, p. 1495
49-45-34	Amended	V. 25, p. 1495
49-45-35	New	V. 25, p. 1495
49-45-37	New	V. 25, p. 1495
49-45-38	New	V. 25, p. 1495
49-45a-1	Amended	V. 25, p. 1495

49-47-2	Amended	V. 25, p. 1496
49-49-1	Amended	V. 25, p. 25
49-49-1a	Amended	V. 25, p. 25
49-50-3	Amended	V. 25, p. 1496
49-50-7	Amended	V. 25, p. 1497
49-50-9	Amended	V. 25, p. 1497
49-50-10	Amended	V. 25, p. 1498
49-50-13	Amended	V. 25, p. 1498
49-50-17	Amended	V. 25, p. 1498
49-50-19	Amended	V. 25, p. 1498
49-50-22	Amended	V. 25, p. 1499
49-50-23	New	V. 25, p. 1499
49-50-24	New	V. 25, p. 1499
49-51-3a	Amended	V. 25, p. 1499
49-51-6	Amended	V. 25, p. 1499
49-51-11	Amended	V. 25, p. 1500
49-51-12	Amended	V. 25, p. 1501
49-52-6	Amended	V. 25, p. 1501
49-52-10	Amended	V. 25, p. 1502
49-52-14	Amended	V. 25, p. 1502
49-52-17	Amended	V. 25, p. 1502
49-52-18	New	V. 25, p. 1502
49-52-19	New	V. 25, p. 1502

**AGENCY 50: DEPARTMENT OF LABOR—
DIVISION OF EMPLOYMENT**

Reg. No.	Action	Register
50-3-2a	New	V. 25, p. 1493

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-4-101	Amended	V. 26, p. 446
60-7-106	Amended	V. 26, p. 447
60-8-101	Amended	V. 26, p. 448
60-9-106	Amended	V. 26, p. 1112
60-11-119	Amended	V. 26, p. 448
60-17-102	Amended	V. 26, p. 448
60-17-103	Amended	V. 26, p. 449
60-17-104	Amended	V. 26, p. 449
60-17-105	Amended	V. 26, p. 450
60-17-107	Amended	V. 26, p. 450
60-17-108	Amended	V. 26, p. 451
60-17-110	Amended	V. 26, p. 451

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-1	Amended	V. 26, p. 126
63-5-1	Amended	V. 26, p. 126

**AGENCY 66: BOARD OF TECHNICAL
PROFESSIONS**

Reg. No.	Action	Register
66-6-4	Amended	V. 25, p. 1801
66-8-4	Amended	V. 25, p. 44
66-8-8	Amended	V. 25, p. 1802
66-9-5	Amended	V. 26, p. 1024
66-10-1	Amended	V. 25, p. 44
66-10-9	Amended	V. 25, p. 1802
66-10-10a	Amended	V. 26, p. 1024
66-10-11	Amended	V. 25, p. 44
66-10-12	Amended	V. 25, p. 45
66-10-14	Amended	V. 25, p. 45
66-11-2	Amended	V. 25, p. 1802
66-11-5	Amended	V. 26, p. 1025

**AGENCY 67: BOARD OF EXAMINERS
IN THE FITTING AND DISPENSING OF
HEARING INSTRUMENTS**

Reg. No.	Action	Register
67-3-5	New (T)	V. 26, p. 202
67-5-3	Revoked	V. 26, p. 692
67-5-4	Amended	V. 26, p. 692
67-5-5	New	V. 26, p. 692

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	Amended	V. 26, p. 488
68-7-11	Amended	V. 26, p. 1112
68-7-12	Amended	V. 26, p. 1114
68-11-1	Amended	V. 25, p. 1401

68-16-1	through	
68-16-9	New	V. 25, p. 1637-1639
68-20-1	Amended	V. 26, p. 488

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
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. 26, p. 126
74-4-7	Amended	V. 25, p. 610
74-4-8	Amended	V. 25, p. 610
74-5-2	Amended	V. 26, p. 127
74-5-101	Amended	V. 26, p. 127
74-5-102	Amended	V. 25, p. 612
73-5-105	Revoked	V. 26, p. 127
74-5-202	Amended	V. 26, p. 127
74-5-203	Amended	V. 25, p. 613
74-5-403	Amended	V. 26, p. 128
74-5-408	New	V. 26, p. 128
74-11-6	Amended	V. 26, p. 128
74-11-7	Amended	V. 25, p. 614

**AGENCY 81: OFFICE OF THE
SECURITIES COMMISSIONER**

Reg. No.	Action	Register
81-1-1	Amended	V. 26, p. 20
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
81-4-1	Amended	V. 26, p. 21
81-4-2	Amended	V. 26, p. 22
81-5-3	Amended	V. 26, p. 22
81-5-4	Revoked	V. 26, p. 22
81-5-5	Revoked	V. 26, p. 23
81-5-6	Amended	V. 26, p. 23
81-5-7	Amended	V. 26, p. 24
81-5-8	Amended	V. 26, p. 24
81-5-10	Amended	V. 26, p. 24
81-5-11	Amended	V. 26, p. 25
81-5-12	Amended	V. 26, p. 25
81-5-13	Amended	V. 26, p. 26
81-5-14	Amended	V. 26, p. 27
81-5-16	through	
81-5-20	New	V. 26, p. 28-30
81-6-1	Amended	V. 26, p. 30
81-7-1	Amended	V. 26, p. 30
81-7-2	Amended	V. 26, p. 31
81-7-3	New	V. 26, p. 31
81-10-1	Amended	V. 26, p. 32
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
82-3-101	Amended	V. 25, p. 1750
82-3-206	Amended	V. 25, p. 1754
82-3-303	Amended	V. 26, p. 823
82-3-304	Amended	V. 26, p. 824
82-3-305	Amended	V. 25, p. 1754
82-3-307	Amended	V. 25, p. 1754
82-4-3a	Amended (T)	V. 25, p. 378
82-4-3a	Amended	V. 25, p. 844
82-14-1	through	
82-14-5	New	V. 26, p. 16-19
82-15-1	New (T)	V. 25, p. 984, 1019
82-15-1	New	V. 25, p. 1363

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	through	
88-28-6	New	V. 25, p. 1404-1410
88-28-7	New	V. 25, p. 1451
88-28-8	New	V. 25, p. 1411
88-29-1	through	
88-29-19	New	V. 26, p. 216-229
88-30-1	New (T)	V. 26, p. 1074
88-30-2	New (T)	V. 26, p. 1074
88-30-3	New (T)	V. 26, p. 1074

**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
91-1-205	Amended	V. 25, p. 1101

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
92-12-120	New	V. 25, p. 254
92-12-121	New	V. 25, p. 254
92-12-130	New	V. 25, p. 254
92-13-9	Amended	V. 25, p. 1568
92-19-16a	Amended	V. 26, p. 408
92-19-16b	New	V. 26, p. 409
92-19-22a	Amended	V. 25, p. 254
92-19-55a	Revoked	V. 26, p. 409
92-19-81	Amended	V. 26, p. 409
92-21-7	Revoked	V. 26, p. 409
92-21-8	Revoked	V. 26, p. 409
92-21-10	Revoked	V. 26, p. 409
92-21-14	Amended	V. 26, p. 409
92-21-16	Revoked	V. 26, p. 409
92-21-17	Revoked	V. 26, p. 409
92-51-41	Amended	V. 25, p. 255
92-51-41a	New	V. 25, p. 255

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

Reg. No.	Action	Register
93-7-1	New	V. 26, p. 14
93-7-2	New	V. 26, p. 14
93-7-3	New	V. 26, p. 14
93-8-1	New	V. 26, p. 14
93-8-2	New	V. 26, p. 14
93-8-3	New	V. 26, p. 14

**AGENCY 97: KANSAS COMMISSION ON
VETERANS' AFFAIRS**

Reg. No.	Action	Register
97-4-1	through	
97-4-8	New	V. 25, p. 1596, 1597
97-6-1	New	V. 26, p. 484
97-6-2	New	V. 26, p. 485
97-6-4	through	
97-6-11	New	V. 26, p. 485-488

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-15-5	Amended	V. 26, p. 384
100-15-6	Amended	V. 26, p. 385
100-22-7	New	V. 26, p. 1043
100-22-8	New (T)	V. 26, p. 628

(continued)

100-25-1		
through		
100-25-5	New	V. 25, p. 213-216
100-26-1	Amended	V. 25, p. 217
100-26-2	New	V. 25, p. 217
100-26-3	New	V. 25, p. 217
100-27-1	Amended	V. 25, p. 1206
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
100-29-11	Revoked	V. 25, p. 1601
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
100-54-7	Amended	V. 26, p. 1043
100-54-8	Amended	V. 26, p. 1044
100-73-7	New	V. 25, p. 1601
100-73-8	New	V. 25, p. 1602
100-73-9	New	V. 26, p. 1044

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-5a	Amended	V. 25, p. 183
102-1-7	Revoked	V. 26, p. 881
102-1-12	Amended	V. 25, p. 184
102-1-12	Amended (T)	V. 26, p. 629
102-2-2a	Amended (T)	V. 25, p. 987, 1019
102-2-2a	Amended	V. 25, p. 1452
102-2-6	Amended	V. 25, p. 1453
102-2-10	Revoked	V. 26, p. 881
102-3-3a	Amended	V. 25, p. 1454
102-3-4a	Amended (T)	V. 25, p. 988, 1019
102-3-4a	Amended	V. 25, p. 1456
102-3-8a	Revoked	V. 26, p. 881
102-4-1a	Amended	V. 25, p. 1458
102-4-3a	Amended	V. 25, p. 1460
102-4-4a	Amended (T)	V. 25, p. 990, 1019
102-4-4a	Amended	V. 25, p. 1463
102-4-8a	Revoked	V. 26, p. 881
102-5-3	Amended	V. 25, p. 1464
102-5-4a	Amended (T)	V. 25, p. 992, 1019
102-5-4a	Amended	V. 25, p. 1466
102-5-5	Amended	V. 25, p. 187
102-5-8	Revoked	V. 26, p. 881
102-6-8	Amended	V. 26, p. 881

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-4-1	Amended	V. 25, p. 101
105-5-2	Amended (T)	V. 25, p. 982, 1019
105-5-2	Amended	V. 25, p. 1530
105-5-3	Amended (T)	V. 25, p. 982, 1019
105-5-3	Amended	V. 25, p. 1530
105-5-6	Amended (T)	V. 25, p. 982, 1019
105-5-6	Amended	V. 25, p. 1530
105-5-7	Amended (T)	V. 25, p. 983, 1019
105-5-7	Amended	V. 25, p. 1531
105-5-8	Amended (T)	V. 25, p. 983, 1019
105-5-8	Amended	V. 25, p. 1531
105-11-1	Amended (T)	V. 25, p. 983, 1019
105-11-1	Amended	V. 25, p. 1531

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-4	Amended	V. 25, p. 180

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-8-1	Amended (T)	V. 26, p. 12

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-9-1		
through		
110-9-8	New	V. 25, p. 373-375
110-13-4	Amended	V. 25, p. 447

110-14-1	New	V. 25, p. 1771
110-14-2	New	V. 25, p. 1771

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
111-2-190	New	V. 25, p. 1694
111-2-191		
through		
111-2-196	New	V. 26, p. 129, 130
111-2-194	Amended	V. 26, p. 173
111-2-197	New	V. 26, p. 173
111-2-198	New	V. 26, p. 174
111-2-199		
through		
111-2-204	New	V. 26, p. 202, 203
111-2-204	Amended	V. 26, p. 565
111-2-205	New	V. 26, p. 565
111-2-206	New	V. 26, p. 631
111-2-207	New	V. 26, p. 631
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		
through		
111-4-2467	New	V. 25, p. 1412-1420
111-4-2468		
through		
111-4-2482	New	V. 25, p. 1695-1702
111-4-2483		
through		
111-4-2496	New	V. 26, p. 130-138
111-4-2495	Amended	V. 26, p. 203
111-4-2497		
through		
111-4-2503	New	V. 26, p. 174-179
111-4-2504		
through		
111-4-2520	New	V. 26, p. 204-212
111-4-2521		
through		
111-4-2525	New	V. 26, p. 566-569
111-4-2526		
through		
111-4-2552	New	V. 26, p. 632-641

111-4-2553		
through		
111-4-2557	New	V. 26, p. 692-695
111-4-2558		
through		
111-4-2566	New	V. 26, p. 881-885
111-5-126		
through		
111-5-138	New	V. 25, p. 386-390
111-5-131	Amended	V. 26, p. 570
111-5-139	New	V. 25, p. 423
111-5-139a	New	V. 25, p. 795
111-5-140		
through		
111-5-149	New	V. 25, p. 795-797
111-5-150		
through		
111-5-154	New	V. 25, p. 842-844
111-5-155		
through		
111-5-159	New	V. 25, p. 1703, 1704
111-5-160		
through		
111-5-164	New	V. 26, p. 696, 697
111-6-1	Amended	V. 25, p. 222
111-6-27	New	V. 26, p. 259
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
111-7-197	Amended	V. 26, p. 886
111-7-198	Amended	V. 26, p. 886
111-7-208		
through		
111-7-217	New	V. 26, p. 138-141
111-7-218		
through		
111-7-222	New	V. 26, p. 887, 888
111-9-130		
through		
111-9-133	New	V. 25, p. 351-353
111-9-134	New	V. 25, p. 1704
111-9-135	New	V. 25, p. 1705
111-9-136	New	V. 26, p. 141
111-9-137	New	V. 26, p. 180
111-9-138	New	V. 26, p. 212
111-9-139	New	V. 26, p. 212
111-9-140	New	V. 26, p. 213
111-9-141	New	V. 26, p. 570
111-9-142	New	V. 26, p. 571
111-9-143	New	V. 26, p. 697
111-9-144	New	V. 26, p. 698
111-9-145	New	V. 26, p. 699
111-9-146		
through		
111-9-151	New	V. 26, p. 888-891
111-11-1	Amended	V. 25, p. 223
111-12-4	Amended	V. 26, p. 571
111-14-2	New	V. 26, p. 214

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 25, p. 1602
115-2-2	Amended	V. 25, p. 1603
115-2-3a	Amended	V. 26, p. 1109
115-2-4	Amended	V. 25, p. 336
115-4-4	Amended	V. 26, p. 410
115-4-4a	Amended	V. 26, p. 411
115-4-6	Amended	V. 25, p. 336
115-4-13	Amended	V. 26, p. 1111
115-7-1	Amended	V. 25, p. 1605
115-7-4	Amended	V. 25, p. 1606
115-7-8	New	V. 25, p. 1606
115-9-9	Amended	V. 26, p. 641
115-16-5	Amended	V. 25, p. 1607
115-18-10	Amended	V. 26, p. 101
115-18-12	Amended	V. 25, p. 1608
115-18-18	New	V. 25, p. 1608
115-18-19	New	V. 25, p. 1608
115-18-20	New	V. 25, p. 1609
115-20-5	New	V. 25, p. 1609
115-20-6	New	V. 25, p. 1611

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-2-2	Amended	V. 25, p. 1146
117-3-2	Amended	V. 25, p. 1146
117-3-2a	Amended	V. 26, p. 564
117-4-2	Amended	V. 25, p. 1147
117-4-2a	Amended	V. 26, p. 564
117-5-1	Amended	V. 25, p. 1148
117-6-1	Amended	V. 25, p. 1148
117-6-2	Amended	V. 25, p. 1148
117-8-1	Amended	V. 25, p. 866

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-4-4	Amended	V. 26, p. 46

AGENCY 121: DEPARTMENT OF CREDIT UNIONS

Reg. No.	Action	Register
121-5-1	Amended (T)	V. 25, p. 1304
121-5-1	Amended	V. 25, p. 1727
121-5-2	Revoked (T)	V. 25, p. 1304
121-5-2	Revoked	V. 25, p. 1727
121-5-3	New (T)	V. 25, p. 1304
121-5-3	New	V. 25, p. 1727
121-7-1	New	V. 25, p. 1728
121-8-1	New (T)	V. 25, p. 1304
121-8-1	New	V. 25, p. 1728

AGENCY 123: JUVENILE JUSTICE AUTHORITY

Reg. No.	Action	Register
123-6-101 through 123-6-106	New	V. 25, p. 1634, 1635

AGENCY 129: KANSAS HEALTH POLICY AUTHORITY

Reg. No.	Action	Register
129-5-1	Amended	V. 26, p. 281
129-5-65	New	V. 26, p. 1091
129-5-88	New	V. 25, p. 1830
129-5-108	New	V. 25, p. 1571
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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