

Kansas Register

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Pages 829-878



In this issue ...

Page

Rates

Pooled Money Investment Board
 Notice of Investment Rates Effective June 3 – June 9, 2024..... 831

Notices

Kansas State Board of Regents Universities
 Notice to Bidders for University Purchases 831

Kansas Department of Administration – Office of Procurement and Contracts
 Notice to Bidders for State Purchases 831

Wichita State University
 Notice of Intent to Lease Real Property 832
 Notice of Intent to Lease Real Property 832

Kansas Department of Health and Environment
 Notice of Proposed Kansas Air Quality Class II Operating Permit
 for Merit Energy Company, LLC – WENU Tank Central Battery 833
 Notice of Proposed Kansas/Federal Water Pollution Control Permits
 and Applications 833

Kansas Department for Aging and Disability Services

Kansas Department of Health and Environment – Division of Health Care Finance
 Notice of Final Nursing Facility Medicaid Rates for State Fiscal Year 2025..... 835

Kansas Department of Health and Environment – Division of Health Care Finance
 Notice of Amendment to the Kansas Medicaid State Plan 847
 Notice of Amendment to the Kansas Medicaid State Plan 848
 Notice of Amendment to the Kansas Medicaid State Plan 848
 Notice of Amendment to the Kansas Medicaid State Plan 848
 Notice of Amendment to the Kansas Medicaid State Plan 849

Kansas City Kansas Community College
 Request for Proposals for Field House Floor Repairs..... 849

Central Prairie Co-op
 Request for Proposals for Track Rehabilitation Project in Alden, Kansas 849

Weskan Grain, LLC
 Request for Proposals for Track Expansion Project in Scott City, Kansas 850

Kansas Department of Transportation
 Request for Proposals for Southwest Kansas Highway Mobility
 and Expansion Strategy Project 851
 Request for Proposals for Construction Inspection Services for
 Projects in Multiple Counties 853

Shawnee Heights Fire District
 Request of Qualifications for Architectural Services and Construction Manager
 At-Risk Services 855

Opinions

Kansas Governmental Ethics Commission
 Opinion No. 2024-01 855

Bonds

Kansas Development Finance Authority
 Notice of Hearing on Proposed Revenue Bonds 856

Ford County, Kansas
 Summary Notice of Bond Sale 857

City of Salina, Kansas
 Summary Notice of Bond Sale (Corrected) 858

City of Hillsboro, Kansas
 Summary Notice of Bond Sale 859

Regulations

Behavioral Sciences Regulatory Board
 Permanent Administrative Regulations..... 859

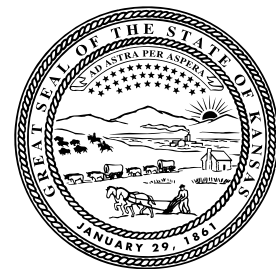
Index to administrative regulations 875

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 Photo by Todd Caywood

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) and K.S.A. 12-1675a(g).

Effective 6-3-24 through 6-9-24

Term	Rate
1-89 days	5.33%
3 months	5.33%
6 months	5.30%
12 months	5.16%
18 months	5.06%
2 years	4.90%

Joel Oliver
Executive Director
Chief Investment Officer
Pooled Money Investment Board

Doc. No. 052183

State of Kansas

Board of Regents Universities

Notice to Bidders

The universities of the Kansas Board of Regents encourage interested vendors to visit the various universities' purchasing offices' websites for a listing of all transactions, including construction projects, for which the universities' purchasing offices, or one of the consortia commonly utilized by the universities, are seeking information, competitive bids, or proposals. The referenced construction projects may include project delivery construction procurement act projects pursuant to K.S.A. 76-7,125 et seq.

Emporia State University – Bid postings: <https://www.emporia.edu/about-emporia-state-university/business-office/purchasing>. Additional contact info: phone: 620-341-5137, email: purchaseorders@emporia.edu. Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Cir., Emporia, KS 66801.

Fort Hays State University – Electronic bid postings: <http://www.fhsu.edu/purchasing/bids>. Additional contact info: phone: 785- 628-4251, email: purchasing@fhsu.edu. Mailing address: Fort Hays State University Purchasing Office, 601 Park St., Sheridan Hall 318, Hays, KS 67601.

Kansas State University – Bid postings: <https://bidportal.ksu.edu>. Effective August 1, 2023, all bids, quotes, or proposals must be submitted via the Kansas State University Bid Portal at <https://bidportal.ksu.edu>. Division of Financial Services/Purchasing, 2323 Anderson Ave., Kansas State University, Manhattan, KS 66506. Additional contact information, phone: 785-532- 6214, email: kspurch@k-state.edu.

Pittsburg State University – Bid postings: <https://www.pittstate.edu/office/purchasing>. Additional contact info: phone: 620-235-4167, email: swburke@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762.

University of Kansas – Electronic bid postings: <http://www.procurement.ku.edu/>. The University of Kansas exclusively uses the online eBid tool and will no longer accept paper responses unless otherwise specified in a solicitation. Additional contact information, email: purchasing@ku.edu. Mailing address: University of Kansas, Procurement Department, 1246 W. Campus Road Room 20, Lawrence, KS 66045.

University of Kansas Medical Center – Electronic bid postings: <https://www.kumc.edu/finance/supply-chain/bid-opportunities.html>. Additional contact information, phone: 913-588-1117, email: hunkemoore@kumc.edu. The University of Kansas Medical Center accepts only electronic bids.

Wichita State University – Bid postings: https://www.wichita.edu/services/purchasing/Bid_Documents/Bid_Documents.php. Additional contact information, phone: 316-978-3080, fax: 316-978-3738, email: purchasing.office@wichita.edu. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 38, Wichita, KS 67260-0038.

Chris Robinson
Director
Purchasing and Contract Services
Kansas State University

Doc. No. 051386

State of Kansas

**Department of Administration
Office of Procurement and Contracts**

Notice to Bidders

Sealed bids for items listed will be received by the Office of Procurement and Contracts until 2:00 p.m. on the date indicated. For more information, call 785-296-2376.

All bids are to be submitted via email only to procurement@ks.gov. For more information, please visit https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL.

06/14/2024	EVT0009760	Air Handling Units – State Printing Plant
06/14/2024	EVT0006768	Boilers and Pumps – State Printing Plant
06/14/2024	EVT0009770	Humidification and Water Treatment Equipment – State Printing Plant
06/25/2024	EVT0009756	SSIF Claims Audit – KDOA
06/26/2024	EVT0009757	SEHBP Medicare Supplemental – KDOA
06/27/2024	EVT0009758	SEHBP Medicare Advantage – KDOA
07/08/2024	EVT0009765	GMD2 Laboratory Sampling Services – KCC
07/10/2024	EVT0009766	Temporary Staffing Services for Medical Doctors, Advanced Registered Nurse Practitioners and Physician Assistants – KDOA
08/13/2024	EVT0009764	Administration of HOPWA Program – KDHE

(continued)

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

https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL

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

<https://admin.ks.gov/offices/procurement-contracts/bidding--contracts/additional-bid-opportunities>

06/20/2024	A-014972	Chiller Replacement; Isaac Ray – Larned State Hospital
06/25/2024	A-015094	Sustainment Repairs; Lenexa Readiness Center – Adjutant General’s Department

Information regarding prequalification, projects, and bid documents can be obtained at 785-296-8899 or <http://admin.ks.gov/offices/ofpm/dcc>.

Todd Herman
Director

Office of Procurement and Contracts
Department of Administration

Doc. No. 052194

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to 1.22 acres of real property located on the northwest corner of the intersection of Fountain Avenue and 21st Street North, directly adjacent to the Wichita State University campus. This location would be designated for private development committed to supporting broadband infrastructure and Internet exchanges. The university is interested in leasing such ground to any individual, organization, or entity whose presence would advance WSU’s vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. WSU intends to lease such space for a mutually agreeable period of time, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with WSU’s educational mission and identify anticipated benefits to the university, its students, and the surrounding community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, community benefit commitments, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU and the surrounding community, design concepts, financial stability, and proposed use. Interested tenants will be responsible for all costs associated with the development and ongoing maintenance costs of any improvements. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of the improvement, and benefit to

WSU. WSU will consider serious offers and inquiries from any financially qualified individual, group, organization. If interested, please contact Property Manager Crystal Stegeman at crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman
University Property Manager
Office of the Vice President for
Administration and Finance
Wichita State University

Doc. No. 052106

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to four acres of real property located on the Wichita State University’s campus designated as the “Innovation Campus,” for the private development and operation of a partnership building or buildings. The university is interested in leasing such ground to any individual, organization, or entity whose presence on campus would advance the university’s applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. The university intends to lease such space for a mutually agreeable period of time up to sixty years, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with the university’s educational mission and identify anticipated benefits to the university, its students, and the WSU community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU, design concepts, financial stability, and proposed use. Interested tenants will be required to construct adjacent and adequate surface parking that will not be included in the leased ground. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of building improvement, and benefit to the university. The university will consider serious offers and inquiries with detailed proposal terms from any financially qualified individual, group, organization. If interested, please contact Senior Vice President for Industry and Defense Programs, Dr. John Tomblin at john.tomblin@wichita.edu or Property Manager Crystal Stegeman at crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman
University Property Manager
Office of the Vice President for
Administration and Finance
Wichita State University

Doc. No. 052107

State of Kansas

Department of Health and Environment

Notice of Proposed Kansas Air Quality Class II Operating Permit

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Merit Energy Company, LLC – WENU Tank Central Battery has applied for a Class II Operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of volatile organic chemicals (VOCs) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Merit Energy Company, LLC – WENU Tank Central Battery, 13727 Noel Rd., Suite 1200, Dallas, TX 75240, owns and operates a facility that receives natural gas and fluids from wells, which is then separated using heater treaters. Gas stream is routed to sales line; crude oil is routed to storage tanks; produced water is routed to storage tanks, located at Section 4, Township 28S, Range 34W, Sublette, Haskell County, KS 67880.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review, from the date of publication, during normal business hours, at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. Also, a copy of the proposed permit only can be reviewed at the Southwest District Office, 313 Oklahoma Terr., Ulysses, KS 67880. To obtain or review the proposed permit and supporting documentation, contact Meaghan Conant at the central office of KDHE at 785-296-8142, or Ethel Evans at the Southwest District Office at 620-356-1075. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <http://www.kdheks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Meaghan Conant, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, July 8, 2024.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Meaghan Conant, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, July 8, 2024, in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency (EPA) has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition pe-

riod will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Keith Johnson, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, phone 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

The preceding notice refers to the air permit for Merit Energy Company, LLC – WENU Tank Central Battery located at Section 4, Township 28S, Range 34W, Sublette, Haskell County, KS 67880. If you want more information or you have other questions, please contact the KDHE Non-Discrimination coordinator and call 785-296-5156 or send an email to: KDHE.NonDiscrimination@ks.gov. [El aviso anterior se refiere al permiso de aire para Merit Energy Company, LLC – WENU Tank Central Battery ubicado en Section 4, Township 28S, Range 34W, Sublette, Haskell County, KS 67880. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación de KDHE y llame al 785-296-5156 o envíe un correo electrónico a: KDHE.NonDiscrimination@ks.gov.]

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 052185

State of Kansas

Department of Health and Environment

Notice of Proposed Kansas/Federal Water Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57a through 63, 28-18-1 through 17, 28-18a-1 through 31 and 33, 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.

Las acciones propuestas con respecto a los documentos preliminares se basan en la revisión del personal,
(continued)

aplicando los estándares, regulaciones y limitaciones de efluentes apropiados del estado de Kansas y de la Agencia de Protección Ambiental de Estados Unidos. La acción final resultará en la emisión de una Autorización Federal del Sistema Nacional de Eliminación de Descargas de Contaminantes y un permiso de Control de Contaminación del Agua de Kansas, sujeto a ciertas condiciones, revocación y reemisión del permiso designado o terminación del permiso designado. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación al 785-296-5156 o en: KDHE.NonDiscrimination@ks.gov.

Public Notice No. KS-AG-24-149/154

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Sublette Feeders Jeremy Simon 1535 UU Rd. Sublette, KS 67877	E/2 & NW/4 of Section 17 & SE/4 of Section 08 T29S, R31W Haskell County	Cimarron River Basin

Kansas Permit No. A-CIHS-C001
Federal Permit No. KS0038075

The proposed action is to modify and reissue the existing State/NPDES permit for a facility for a proposed maximum capacity of 46,000 head (46,000 animal units) of cattle weighing greater than 700 pounds. There is no change in the permitted animal units from the previous permit. This permit is being modified to propose modifications to Area-B and RS 2 to improve drainage, add 10-acres of open-lots that drain to Area D, and interconnect RS 3, 4, and 5 via equalizer pipes. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Jerry Beachy Dairy Farm Jerry C. Beachy 5817 W. Longview Rd. Hutchinson, KS 67501	NE/4 of Section 19 T24S, R06W Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M037

The proposed action is to modify and reissue an existing state permit for a facility for 140 head (196 animal units) of mature dairy cows, 20 head (20 animal units) of dairy heifers weighing greater than 700 pounds, 130 head (65 animal units) of dairy calves weighing 700 pounds or less, 7 head (14 animal units) of horses, and 80 head (1 animal unit) of laying hens; for a total of 296 animal units. This permit is being modified for the addition of one compost pad and incorporation of heifer pens. There is no change in the permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Frontier Heifer Ranch 11501 SW CR 31 Syracuse, KS 67878	All of Section 36 T25S, R42W Hamilton County	Cimarron River Basin

Kansas Permit No. A-CIHM-C001
Federal Permit No. KS0088498

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 9,000 head (9,000 animal units) of cattle weighing more than 700 pounds and 4,000 head (2,000 animal units) of cattle weighing less than 700 pounds; for a total of 11,000 animal units of cattle. The facility's NMP was updated to include changes in the application rate limitations for their fields. The application rate limitations one

field has become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Frontier Dairy 11501 SW CR 31 Syracuse, KS 67878	E/2 & SW/4 of Section 31 & SW/4 of Section 32 T25S, R42W Hamilton County	Cimarron River Basin

Kansas Permit No. A-CIHM-D002
Federal Permit No. KS0094366

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 9,350 head (13,090 animal units) of mature dairy cows, and 6,700 head (3,350 animal units) of dairy calves; for a total of 16,440 animal units. The facility's NMP was updated to include changes in the application rate limitations for their fields. The application rate limitations for eight fields have become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Stone Post Dairy, LLC 33002 SE K Rd. Jettmore, KS 67854	W/2 of Section 12 T23S, R23W Hodgeman County	Upper Arkansas River Basin

Kansas Permit No. A-UAHG-D001
Federal Permit No. KS0115061

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 5,000 head (7,000 animal units) of mature dairy cows, 850 head (850 animal units) of dairy cattle weighing greater than 700 pounds, and 1,600 head (800 animal units) of dairy cattle weighing 700 pounds or less; for a total of 8,650 animal units of dairy cattle. The facility's NMP update included changes in the application rate limitations for their fields. Two of the field's application rate limitations have become less restrictive than the previous NMP. Only the updated portion of the Nutrient Management Plan and permit are subject to comment.

Name and Address of Applicant	Legal Description	Receiving Water
Lakin Dairy, LLP 771 Road R Lakin, KS 67860	SE/4 of Section 29 & N/2 & SE/4 of Section 32 T25S, R36W Kearny County	Upper Arkansas River Basin

Kansas Permit No. A-UAKE-D001
Federal Permit No. KS0093599

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 22,660 animal units consisting of 15,700 head (15,700 animal units) of cattle weighing greater than 700 pounds, 3,000 head (1,500 animal units) of cattle weighing 700 pounds or less, and 3,900 head (5,460 animal units) of mature dairy cows (lactating and dry). The facility's NMP update included changes in the application rate limitations for their fields. The application rate limitation for one field has become less restrictive than the previous NMP. Only the updated portion of the Nutrient Management Plan and permit are subject to comment.

Public Notice No. KS-AG-R-24-010

Per Kansas Statutes Annotated 65-171d, the following registration has been received for a proposed facility.

Name and Address of Registrant	Legal Description	County
Mike Rogers Farm Michael Rogers 2555 Locust Rd. Fort Scott, KS 66701	NW/4 of Section 26 T25S, R25E	Bourbon

Public Notice No. KS-EG-22-001

In accordance with K.A.R. 28-46-7 and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the well(s) described below within the State of Kansas.

Name and Address of Applicant

Northern Natural Gas Company
1111 S. 103rd St.
Omaha, NE 68124-1000

Permit No. KS-05-095-004

Legal Description: Kingman County

Well Number	Location
WIW #4	37.686698, -98.427521

The permittee is authorized to inject brine produced from the Lower Mississippian and/or Arbuckle Formation for the purpose of stabilizing the pressure in the Viola Formation to prevent the migration of stored gas. The injected fluid originates from Water Withdrawal Well #3 (WWW-3), which will be sampled and tested prior to commencement of injection. An injected water treatment program, if needed, will be communicated to KDHE and implemented following analysis. Water from the withdrawal well will be pumped directly to WIW-4 for injection by gravity feed.

Name and Address of Applicant

Morton Salt
1000 Morton Dr.
South Hutchinson, KS 67505

Permit No. KS-03-155-MNW1

Legal Description: Sec 22, T23S, R06W, Reno County

Well Number	Location
NW1-1	38.038806, -97.960403
NW1-2	38.039827, -97.960447
NW1-3	38.040842, -97.960452
NW1-4	38.041861, -97.960459

Permit applications have been filed with the department to permit five salt solution mining wells to be drilled in Section 22, Township 23, Range 06W, Reno County, Kansas. This area permit is for the NW1 Gallery, with area permit number KS-03-155-MNW1. These wells were formerly under Kansas Permit Numbers KS-03-155-232 through KS-03-155-235.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment (KDHE) if they wish to have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before July 6, 2024, will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-24-149/154, KS-AG-R-24-10, KS-EG-22-002/003) and name of the applicant/permittee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues 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). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

Comments or objections for agricultural related draft documents, permit applications, registrations or actions should be submitted to the attention of Casey Guccione, Livestock Waste Management Section at the KDHE, Bureau of Environmental Field Services (BEFS), 1000 SW Jackson, Suite 430, Topeka, KS 66612. Comments or objections for all other proposed permits or actions should be sent to Andrew Bowman at the KDHE, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Jada Martin at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at kdhe.feedlots@ks.gov. Las preguntas o comentarios por escrito deben dirigirse a Erich Glave, Director, Bureau of Environmental Field Services en KDHE: 1000 SW Jackson St., Suite 430, Topeka, KS 66612-1367; por correo electrónico: kdhe.feedlots@ks.gov; por teléfono: 785-296-6432. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Jamie Packard, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-4148 or email at Jamie.Packard@ks.gov. 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 at <http://www.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 052187

State of Kansas

Department for Aging and Disability Services

**Department of Health and Environment
Division of Health Care Finance**

**Notice of Final Nursing Facility Medicaid Rates
for State Fiscal Year 2025;
Methodology for Calculating Rates,
and Rate Justifications;
Response to Written Comments;
Notice of Intent to Amend the Medicaid State Plan**

Under the Medicaid program, 42 U.S.C. 1396 et seq., the State of Kansas pays nursing facilities, nursing facilities for mental health, and hospital long-term care units
(continued)

(hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The Secretary of Aging and Disability Services administers the nursing facility program, which includes hospital long-term care units, and the nursing facility for mental health program. The Secretary acts on behalf of the Kansas Department of Health and Environment Division of Health Care Finance (DHCF), the single state Medicaid agency.

As required by 42 U.S.C. 1396a(a)(13), as amended by Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the Secretary of the Kansas Department for Aging and Disability Services (KDADS) is publishing the final Medicaid per diem rates for Medicaid-certified nursing facilities for State Fiscal Year 2025, the methodology underlying the establishment of the nursing facility rates, and the justifications for those rates. KDADS and DHCF are also providing notice of the state's intent to submit amendments to the Medicaid State Plan to the U. S. Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) on or before September 30, 2024.

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

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

- A. The following portions of the Kansas Medicaid State Plan maintained by DHCF are being revised:
 1. Attachment 4.19D, Part I, Subpart C, Exhibit C-1, inclusive
 2. Medicaid Add-On
 3. Rapid Response Staffing Grant Adjustment

The text of the portions of the Medicaid State Plan identified above in section IA.1, but not the documents, authorities and the materials incorporated therein by reference, is reprinted in this notice. The Medicaid State Plan provisions set out in this notice appears in the version which the state currently intends to submit to CMS on or before September 30, 2024. The Medicaid State Plan amendment that the state ultimately submits to CMS may differ from the version contained in this notice.

Copies of the documents and authorities containing the state's rate-setting methodology are available upon written request. A request for copies will be treated as a request for public records under the Kansas Open Records Act, K.S.A. 45-215 et seq. The state may charge a fee for copies, in accordance with Executive Order 18-05. Written requests for copies should be sent to:

Secretary of Aging and Disability Services
 New England Building, Second Floor
 503 S. Kansas Ave.
 Topeka, KS 66603-3404
 Fax: 785-296-0767

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

Under the Medicaid program, the State of Kansas pays nursing facilities (NF), nursing facilities for mental health (NFMH), and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The narrative explanation of the nursing facility reimbursement formula is divided into 11 sections. The sections are: Cost Reports, Rate Determination, Quarterly Case Mix Index Calculation, Resident Days, Inflation Factors, Upper Payment Limits, Quarterly Case Mix Rate Adjustment, Real and Personal Property Fee, Incentive Factors, Rate Effective Date, and Retroactive Rate Adjustments.

1. Cost Reports

The Nursing Facility Financial and Statistical Report (MS2004) is the uniform cost report. It is included in Kansas Administrative Regulation (K.A.R.) 129-10-17. It organizes the commonly incurred business expenses of providers into three reimbursable cost centers (operating, indirect health care, and direct health care). Ownership costs (i.e., mortgage interest, depreciation, lease, and amortization of leasehold improvements) are reported but reimbursed through the real and personal property fee. There is a non-reimbursable/non-resident related cost center so that total operating expenses can be reconciled to the providers' accounting records.

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

Calendar Year End Cost Reports

All providers that have operated a facility for 12 or more months on December 31 shall file a calendar year cost report. The requirements for filing the calendar year cost report are found in K.A.R. 129-10-17.

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

Projected Cost Reports

The filing of projected cost reports are limited to: 1) newly constructed facilities; 2) existing facilities new to the Medicaid program; or 3) a provider re-entering the Medicaid program that has not actively participated or billed services for 24 months or more. The requirements are found in K.A.R. 129-10-17.

2. Rate Determination

Rates for Existing Nursing Facilities

Medicaid rates for Kansas NFs are determined using a prospective, facility-specific rate-setting system. The rate

is determined from the base cost data submitted by the provider. The current base cost data is the combined calendar year cost data from each available report submitted by the current provider during 2021, 2022, and 2023.

If the current provider has not submitted a calendar year report during the base cost data period, the cost data submitted by the previous provider for that same period will be used as the base cost data. Once the provider completes their first 24 months in the program, their first calendar year cost report will become the provider's base cost data.

The allowable expenses are divided into three cost centers. The cost centers are Operating, Indirect Health Care and Direct Health Care. They are defined in K.A.R. 129-10-18.

The allowable historic per diem cost is determined by dividing the allowable resident related expenses in each cost center by resident days. Before determining the per diem cost, each year's cost data is adjusted from the midpoint of that year to December 31, 2024. The resident days and inflation factors used in the rate determination will be explained in greater detail in the following sections.

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

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

There are add-ons to the allowable per diem rate. The add-ons consist of the incentive factor, the real and personal property fee, and per diems to cover costs not included in the cost report data. The incentive factor and real and personal property fee are explained in separate sections of this exhibit. The rate components are explained in separate subparts of Attachment 4.19D of the State Plan. The add-ons plus the allowable per diem rate equal the total per diem rate.

Rates for New Construction and New Facilities (New Enrollment Status)

The per diem rate for newly constructed nursing facilities, or new facilities to the Kansas Medical Assistance program shall be based on a projected cost report submitted in accordance with K.A.R. 129-10-17.

The cost information from the projected cost report and the first historic cost report covering the projected cost report period shall be adjusted to December 31, 2024. This adjustment will be based on the S&P Global Insight, Na-

tional Skilled Nursing Facility Market Basket Without Capital Index (S&P Index). The S&P indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to December 31, 2024. The provider shall remain in new enrollment status until the base data period is re-established. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in new enrollment status.

Rates for Facilities Recognized as a Change of Provider (Change of Provider Status)

The payment rate for the first 24 months of operation shall be based on the base cost data of the previous owner or provider. This base cost data shall include data from each calendar year cost report that was filed by the previous provider from 2021-2023. If base cost data is not available, the most recent calendar year data for the previous provider shall be used. Beginning with the first day of the 25th month of operation the payment rate shall be based on the historical cost data for the first calendar year submitted by the new provider.

All data used to set rates for facilities recognized as a change-of-provider shall be adjusted to December 31, 2024. This adjustment will be based on the S&P Index. The S&P indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to December 31, 2024. The provider shall remain in change-of-provider status until the base data period is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in change of provider status.

Rates for Facilities Re-entering the Program (Reenrollment Status)

The per diem rate for each provider reentering the Medicaid program shall be determined from a projected cost report if the provider has not actively participated in the program by the submission of any current resident service billings to the program for 24 months or more. The per diem rate for all other providers reentering the program shall be determined from the base cost data filed with the agency or the most recent cost report filed preceding the base cost data period.

All cost data used to set rates for facilities reentering the program shall be adjusted to December 31, 2024. This adjustment will be based on the S&P Global Index. The S&P Global indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to December 31, 2024. The provider shall remain in reenrollment status until the base data period is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in reenrollment status.

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3. Quarterly Case Mix Index Calculation

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

Effective July 1, 2024 the Patient Driven Payment Model (PDPM) Nursing component classification is used as the resident classification system to determine all case-mix indices, using data from the MDS submitted by each facility. The 25 PDPM case mix groups (CMG) and corresponding case mix indices (CMI) (developed by the Centers for Medicare and Medicaid Services (CMS) and implemented as of October 1, 2019) are used to determine facility average CMIs and to adjust the Direct Health Care costs in the determination of upper payment limits and rate calculation. Resident assessments that cannot be classified will be assigned the lowest CMI for the state.

Each resident in the facility on the first day of each calendar quarter with a completed and submitted assessment shall be assigned a PDPM nursing CMG calculated on the resident's most current assessment available on the first day of each calendar quarter. This PDPM nursing CMG shall be translated to the corresponding CMI based on the PDPM weights effective October 1, 2019. From the individual resident case mix indices, average case mix indices for all residents and for each payment source type (Medicaid, Medicare and Other) are calculated for each Medicaid nursing facility four times per year based on the assessment information available on the first day of each calendar quarter.

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

Rates will be adjusted for case mix twice annually using case mix data from the two quarters preceding the rate effective date. The case mix averages used for the rate adjustments will be the simple average of the case mix averages for each quarter. The resident listing cut-off for calculating the average CMIs for each quarter will be the first day of the quarter. The following are the dates for the resident listings and the rate periods in which the average Medicaid CMIs will be used in the semi-annual rate-setting process.

Rate Effective Date	Cut-Off Dates for Quarterly CMI
July 1	January 1 and April 1
January 1	July 1 and October 1

The resident listings will be distributed to providers prior to the dates the semi-annual case mix adjusted rates are determined. This will allow the providers time to re-

view the resident listings and make corrections before they are notified of new rates. The cut off schedule may need to be modified in the event accurate resident listings and Medicaid CMI scores cannot be obtained from the MDS database.

4. Resident Days

Facilities with 60 beds or less

For facilities with 60 beds or less, the allowable historic per diem costs for all cost centers are determined by dividing the allowable resident related expenses by the actual resident days during the cost report period(s) used to establish the base cost data.

Facilities with more than 60 beds

For facilities with more than 60 beds, the allowable historic per diem costs for the Direct Health Care cost center and for food and utilities in the Indirect Health Care cost center are determined by dividing the allowable resident related expenses by the actual resident days during the cost report period(s) used to establish the base cost data. The allowable historic per diem cost for the Operating and Indirect Health Care Cost Centers less food and utilities is subject to an 85% minimum occupancy rule. For these providers, the greater of the actual resident days for the cost report period(s) used to establish the base cost data or the 85% minimum occupancy based on the number of licensed bed days during the cost report period(s) used to establish the base cost data is used as the total resident days in the rate calculation for the Operating cost center and the Indirect Health Care cost center less food and utilities. All licensed beds are required to be certified to participate in the Medicaid program.

There are two exceptions to the 85% minimum occupancy rule for facilities with more than 60 beds. The first is that it does not apply to a provider who is allowed to file a projected cost report for an interim rate. Both the rates determined from the projected cost report and the historic cost report covering the projected cost report period are based on the actual resident days for the period.

The second exception is for the first cost report filed by a new provider who assumes the rate of the previous provider. If the 85% minimum occupancy rule was applied to the previous provider's rate, it is also applied when the rate is assigned to the new provider. However, when the new provider files a historic cost report for any part of the first 12 months of operation, the rate determined from the cost report will be based on actual days and not be subject to the 85% minimum occupancy rule for the months in the first year of operation. The 85% minimum occupancy rule is then reapplied to the rate when the new provider reports resident days and costs for the 13th month of operation and after.

5. Inflation Factors

Inflation will be applied to the allowable reported costs from the calendar year cost report(s) used to determine the base cost data from the midpoint of each cost report period to December 31, 2024. The inflation will be based on the S&P Global, CMS Nursing Home without Capital Market Basket index.

The S&P Global, CMS Nursing Home without Capital Market Basket Indices listed in the latest available quar-

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

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

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

6. Upper Payment Limits

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

Owner/Related Party/Administrator/Co-Administrator Limits

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

The compensation paid to owners and related parties shall be allocated to the appropriate cost center for the type of service performed. Each cost center has an expense line for owner/related party compensation. There is also a cost report schedule titled, "Statement of Owners and Related Parties." This schedule requires information concerning the percent of ownership (if over five percent), the time spent in the function, the compensation, and a description of the work performed for each owner and/or related party. Any salaries reported in excess of the Kansas Civil Service based salary chart are transferred to the Operating cost center where the excess is subject to the Owner/Related Party/Administrator/Co-Administrator per diem compensation limit.

Schedule C is an array of non-owner administrator and co-administrator salaries. The schedule includes the calendar year 2023 historic cost reports in the database from all active nursing facility providers. The salary information in the array is not adjusted for inflation. The per diem data is calculated using an 85% minimum occupancy level for those providers in operation for more than 12 months with more than 60 beds. Schedule C for the owner/related party/administrator/co-administrator per diem compensation limit is the first schedule run during the rate setting.

Schedule C is used to set the per diem limitation for all non-owner administrator and co-administrator sala-

ries and owner/related party compensation in excess of the civil service based salary limitation schedule. The per diem limit for a 50-bed or larger home is set at the 90th percentile on all salaries reported for non-owner administrators and co-administrators. A limitation table is then established for facilities with less than 50 beds. This table begins with a reasonable salary per diem for an administrator of a 15-bed or less facility. The per diem limit for a 15-bed or less facility is inflated based on the State of Kansas annual cost of living allowance for classified employees for the rate period. A linear relationship is then established between the compensation of the administrator of the 15-bed facility and the compensation of the administrator of a 50-bed facility. The linear relationship determines the per diem limit for the facilities between 15 and 50 beds.

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

Real and Personal Property Fee Limit

The property component of the reimbursement methodology consists of the real and personal property fee that is explained in more detail in a later section. The upper payment limit is 105% of the median determined from a total resident day-weighted array of the property fees in effect April 1, 2024.

Cost Center Upper Payment Limits

Schedule B is an array of all per diem costs for each of the three cost centers-Operating, Indirect Health Care, and Direct Health Care. The schedule includes a per diem determined from the base cost data from all active nursing facility providers. Projected cost reports are excluded when calculating the limit.

The per diem expenses for the Operating cost center and the Indirect Health Care cost center less food and utilities are subject to the 85% minimum occupancy for facilities over 60 beds. All previous desk review and field audit adjustments are considered in the per diem expense calculations. The costs are adjusted by the owner/related party/administrator/co-administrator limit.

Prior to the Schedule B arrays, the cost data on certain expense lines is adjusted from the midpoint of the cost report period to December 31, 2024. This will bring the costs reported by the providers to a common point in time for comparisons. The inflation will be based on the S&P Global, CMS Nursing Home Without Capital Market Basket Index.

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

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

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Operating	110% of the median
Indirect Health Care	115% of the median
Direct Health Care	130% of the median

Direct Health Care Cost Center Limit

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

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

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

The first step is to normalize each facility's inflated Direct Health Care costs to the statewide average CMI. This is done by dividing the statewide average CMI for the cost report year by the facility's cost report period CMI, then multiplying this answer by the facility's inflated costs. This step is repeated for each cost report year for which data is included in the base cost data.

The second step is to determine per diem costs and array them to determine the median. The per diem cost is determined by dividing the total of each provider's inflated case mix adjusted base direct health care costs by the total days provided during the base cost data period. The median is located using a day-weighted methodology. That is, the median cost is the per diem cost for the facility in the array at which point the cumulative total of all resident days first equals or exceeds half the number of the total resident days for all providers. The facility with the median resident day in the array sets the median inflated direct health care cost. For example, if there are eight million resident days, the facility in the array with the 4 millionth day would set the median.

The final step in calculating the base Direct Health Care upper payment limit is to apply the percentage factor to the median cost. For example, if the median cost is \$150 and the upper payment limit is based on 130% of the median, then the upper payment limit for the statewide average CMI would be \$195 ($D=130\% \times \150).

7. Quarterly Case Mix Rate Adjustment

The allowance for the Direct Health Care cost component will be based on the average Medicaid CMI in the facility. The first step in calculating the allowance is to determine the Allowable Direct Health Care Per Diem Cost. This is the lesser of the facility's per diem cost from

the base cost data period or the Direct Health Care upper payment limit. Because the direct health care costs were previously adjusted for the statewide average CMI, the Allowable Direct Health Care Per Diem Cost corresponds to the statewide average CMI.

The next step is to determine the Medicaid acuity adjusted allowable Direct Health Care cost. The facility's Medicaid CMI is determined by averaging the facility average Medicaid CMI from the two quarters preceding the rate effective date. The facility's Medicaid CMI is then divided by the statewide average CMI for the cost data period. Finally, this result, is then multiplied by the Allowable Direct Health Care per diem cost. The result is referred to as the Medicaid Acuity Adjustment.

The Medicaid Acuity Adjustment is calculated semi-annually to account for changes in the Medicaid CMI. To illustrate this calculation, take the following situation: The facility's direct health care per diem cost is \$120.00, the Direct Health Care per diem limit is \$195.00, and these are both tied to a statewide average CMI of 1.000, and the facility's current Medicaid CMI is 0.9000. Since the per diem costs are less than the limit the Allowable Direct Health Care Cost is \$120.00, and this is matched with the statewide average CMI of 1.0000. To calculate the Medicaid Acuity Adjustment, first divide the Medicaid CMI by the statewide average CMI, then multiply the result by the Allowable Direct Health Care Cost. In this case that would result in \$108.00 ($0.9000/1.0000 \times \120.00). Because the facility's current Medicaid CMI is less than the statewide average CMI the Medicaid Acuity Adjustment moves the direct health care per diem down proportionally. In contrast, if the Medicaid CMI for the next semi-annual adjustment rose to 1.1000, the Medicaid Acuity Adjustment would be \$132.00 ($1.1000/1.0000 \times \120.00). Again the Medicaid Acuity Adjustment changes the Allowable Direct Health Care Per Diem Cost to match the current Medicaid CMI.

8. Real and Personal Property Fee

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

For providers re-enrolling in the Kansas Medical Assistance program or providers enrolling for the first time but operating in a facility that was previously enrolled in the program, the property fee shall be the sum of the last effective property allowance and the last effective value factor for that facility. The property fee will be inflated to 12/31/08 and then compared to the upper payment limit. The property fee will be the lower of the facility-specific inflated property fee or the upper payment limit.

Providers entering the Kansas Medical Assistance program for the first time, who are operating in a building for which a fee has not previously been established, shall have a property fee calculated from the ownership costs reported on the cost report. This fee shall include appropriate components for rent or lease expense, interest expense on real estate mortgage, amortization of leasehold improvements, and depreciation on buildings and equipment. The process for calculating the property fee for providers entering the Kansas Medical Assistance program for the first time is explained in greater detail in K.A.R. 129-10-25.

There is a provision for changing the property fee. This is for a rebasing when capital expenditure thresholds are met (\$25,000 for homes under 51 beds and \$50,000 for homes over 50 beds). The original property fee remains constant but the additional factor for the rebasing is added. The property fee rebasing is explained in greater detail in K.A.R. 129-10-25. The rebased property fee is subject to the upper payment limit.

9. Incentive Factors

An incentive factor will be awarded to both NF and NF-MH providers that meet certain outcome measures criteria. The criteria for NF and NF-MH providers will be determined separately based on arrays of outcome measures for each provider group.

Nursing Facility Quality and Efficiency Incentive Factor

The Nursing Facility Incentive Factor is a per diem amount determined by four per diem add-ons providers can earn for various outcomes measures. Providers that maintain a case mix adjusted staffing ratio at or above the 75th percentile will earn a \$3.00 per diem add-on. Providers that fall below the 75th percentile staffing ratio but improve their staffing ratio by 10% or more will earn a \$0.50 per diem add-on. Providers that achieve a staff retention rate at or above the 75th percentile will earn a \$2.50 per diem add-on as long as contracted labor costs do not exceed 10% of the provider’s total direct health care labor costs. Providers that have a staff retention rate lower than the 75th percentile but that increase their staff retention rate by 10% or more will receive a per diem add-on of \$0.50 as long as contracted labor costs do not exceed 10% of the provider’s total direct health care labor costs. Providers that have a Medicaid occupancy percentage of 65% or more will receive a \$0.75 per diem add-on. Finally, providers that maintain quality measures at or above the 75th percentile will earn a \$1.25 per diem add-on. The total of all the per diem add-ons a provider qualifies for will be their incentive factor.

The table below summarizes the incentive factor outcomes and per diem add-ons:

Incentive Outcome	Incentive Add-ons
CMI adjusted staffing ratio ≥ 75th percentile (5.36), or CMI adjusted staffing < 75th percentile but improved ≥ 10%	\$3.00 \$0.50
Staff retention rate ≥ 75th percentile, 71% Contracted labor < 10% of total direct health care labor costs or Staff retention rate < 75th percentile but increased ≥ 10% Contracted labor < 10% of total direct health care labor costs	\$2.50 \$0.50
Medicaid occupancy ≥ 65%	\$0.75
Quality Measures ≥ 75th percentile (580)	\$1.25
Total Incentive Add-on Available	\$7.50

The Culture Change/Person-Centered Care Incentive Program

The Culture Change/Person-Centered Care Incentive Program (PEAK 2.0) includes nine different incentive levels to recognize homes that are either pursuing culture change, have made major achievements in the pursuit of culture change, have met minimum competencies in person-centered care, have sustained person-centered care, or are mentoring others in person-centered care.

Each incentive level has a specific pay-for-performance incentive per diem attached to it that homes can earn by meeting defined outcomes. The first six levels (Level 0 – Level 5) are intended to encourage quality improvement for homes that have not yet met the minimum competency requirements for a person-centered care home.

Level 6 recognizes those homes that have attained a minimum level of core competency in person-centered care. Level 7 and Level 8 are reserved for those homes that have demonstrated sustained person-centered care for multiple years and have gone on to mentor other homes in their pursuit of person-centered care. The table below provides a brief overview of each of the levels.

Level & Per Diem Incentive	Summary of Required Nursing Home Action	Incentive Duration
Level 0: The Foundation \$0.50 Per Medicaid Resident Per Day (PMRPD)	Home completes a self-evaluation tool according to the enrollment instructions. Home participates in all required activities noted in the Foundation timeline and Workbook. Homes that do not complete the requirements at this level must sit out for the remainder of the program year. At successful completion of the Foundation level, homes move to Level 1.	Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year, provided the home participates in program activities. Homes’ incentive may be dropped mid-year for non-participation. Receipt of incentive also based on survey eligibility.
Level 1: 0-2 Cores \$0.75 PMRPD	Home completes a self-evaluation tool (annually). Home submits an action plan addressing at least 2 of the total 12 PEAK cores. A home can turn in additional action plans mid-year at their discretion. Homes are eligible for level 1 incentive by passing the Foundation level and/or sustaining practices in 1-2 cores. Level 1 homes undergo an in-person or Zoom evaluation with the PEAK team. 20-25 homes are selected for a random site visit. Homes must participate in the random site visit, if selected, to continue incentive payment. Action planned cores are evaluated within the same fiscal year. Previously passed cores will be re-evaluated every 2 years for sustainability. Level is adjusted based on the evaluation results and KDADS’ guidance.	Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year. Receipt of incentive also based on survey eligibility.

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Level & Per Diem Incentive	Summary of Required Nursing Home Action	Incentive Duration
Level 2: 3-4 Cores \$1.00 PMRPD	Home completes a self-evaluation tool (annually). Home submits an action plan addressing at least 2 of the total 12 PEAK cores. A home can turn in additional action plans mid-year at their discretion. Homes are eligible for level 2 incentive by passing and/or sustaining 3-4 cores. Level 2 homes undergo an in-person or Zoom evaluation with the PEAK team. 20-25 homes are selected for a random site visit. Homes must participate in the random site visit, if selected, to continue incentive payment. Action planned cores are evaluated within the same fiscal year. Previously passed cores will be re-evaluated every 2 years for sustainability. Level is adjusted based on the evaluation results and KDADS' guidance.	Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year. Receipt of incentive also based on survey eligibility.
Level 3: 5-6 Cores \$1.25 PMRPD	Home completes a self-evaluation tool (annually). Home submits an action plan addressing at least 2 of the total 12 PEAK cores. A home can turn in additional action plans mid-year at their discretion. Homes are eligible for level 3 incentive by passing and/or sustaining 5-6 cores. Level 3 homes undergo an in-person or Zoom evaluation with the PEAK team. 20-25 homes are selected for a random site visit. Homes must participate in the random site visit, if selected, to continue incentive payment. Action planned cores are evaluated within the same fiscal year. Previously passed cores will be re-evaluated every 2 years for sustainability. Level is adjusted based on the evaluation results and KDADS' guidance.	Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year. Receipt of incentive also based on survey eligibility.

Level 4: 7-8 Cores \$1.50 PMRPD	Home completes a self-evaluation tool (annually). Home submits an action plan addressing at least 2 of the total 12 PEAK cores. A home can turn in additional action plans mid-year at their discretion. Homes are eligible for level 4 incentive by passing and/or sustaining 7-8 cores. Level 4 homes undergo an in-person or Zoom evaluation with the PEAK team. 20-25 homes are selected for a random site visit. Homes must participate in the random site visit, if selected, to continue incentive payment. Action planned cores are evaluated within the same fiscal year. Previously passed cores will be re-evaluated every 2 years for sustainability. Level is adjusted based on the evaluation results and KDADS' guidance.	Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year. Receipt of incentive also based on survey eligibility.
Level 5: 9-11 Cores \$1.75 PMRPD	Home completes a self-evaluation tool (annually). Home submits an action plan addressing at least 2 of the total 12 PEAK cores. A home can turn in additional action plans mid-year at their discretion. Homes are eligible for level 5 incentive by passing and/or sustaining 9-11 cores. Level 5 homes undergo an in-person or Zoom evaluation with the PEAK team. 20-25 homes are selected for a random site visit. Homes must participate in the random site visit, if selected, to continue incentive payment. Action planned cores are evaluated within the same fiscal year. Previously passed cores will be re-evaluated every 2 years for sustainability. Level is adjusted based on the evaluation results and KDADS' guidance.	Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year. Receipt of incentive also based on survey eligibility.
Level 6: 12 Cores Person-Centered Care Home \$2.00 PMRPD	Home completes a self-evaluation tool (annually). Homes are eligible for level 6 by demonstrating minimum competency as a person-centered care home (passes all 12 core areas or 90% of the PEAK practices). The home does this by passing a full on-site visit to evaluate all 12 PEAK core areas. KDADS and KSU will facilitate a full on-site visit to evaluate PEAK practices. KDADS will make final determination of movement to level 6.	Available beginning July 1 following confirmed minimum competency of person-centered practice. Incentive is granted for one full fiscal year. Receipt of incentive also based on survey eligibility.

Level 7: 12 Cores Sustained Person-Centered Care Home \$2.50 PMRPD	Home completes a self-evaluation tool (annually). Homes are eligible for level 7 by demonstrating minimum competency as a person-centered care home (passes all 12 core areas or 90% of the PEAK practices) two consecutive years. The home does this by passing a full on-site visit to evaluate all 12 PEAK core areas. KDADS and KSU will facilitate a full on-site visit to evaluate PEAK practices. KDADS will make final determination of movement to level 7.	Available beginning July 1 following confirmation of the upkeep of minimum person-centered care competencies in all 12 PEAK cores for the second consecutive year. Incentive is granted for two fiscal years. Renewable biannually. Receipt of incentive also based on survey eligibility.
Level 8: 12 Cores Mentor Home \$3.00 PMRPD	Home completes a self-evaluation tool (annually). Homes are eligible for level 8 by demonstrating minimum competency as a person-centered care home (passes all 12 core areas or 90% of the PEAK practices) two consecutive years and meeting the minimum mentoring activities, as directed in the mentoring log. The home does this by passing a full on-site visit to evaluate all 12 PEAK core areas. KDADS and KSU will facilitate a full on-site visit to evaluate PEAK practices bi-annually and turning in a mentor log. KDADS will make final determination of movement to level 8.	Available beginning July 1 following confirmation of mentor home standards (upkeep of minimum person-centered care competencies in all 12 PEAK cores and mentoring points). Incentive is granted for two fiscal years. Renewable bi-annually. Receipt of incentive also based on survey eligibility.

Nursing Facility for Mental Health Quality and Efficiency Incentive Factor

The Quality and Efficiency Incentive plan for Nursing Facilities for Mental Health (NFMH) will be established separately from nursing facilities. Nursing Facilities for Mental Health serve people who often do not need the NF level of care on a long-term basis. There is a desire to provide incentive for NFMHs to work cooperatively and in coordination with Community Mental Health Centers to facilitate the return of persons to the community.

The Quality and Efficiency Incentive Factor is a per diem add-on ranging from zero to seven dollars and fifty cents. It is designed to encourage quality care, efficiency and cooperation with discharge planning. The incentive factor is determined by five outcome measures: case-mix adjusted nurse staffing ratio; operating expense; staff turnover rate; staff retention rate; and occupancy rate. Each provider is awarded points based on their outcomes measures and the total points for each provider determine the per diem incentive factor included in the provider’s rate calculation.

Providers may earn up to two incentive points for their case mix adjusted nurse staffing ratio. They will receive two points if their case-mix adjusted staffing ratio equals or exceeds 3.41, which is 120% of the statewide NFMH median of 2.84. They will receive one point if the ratio is less than 120% of the NFMH median but greater than or equal to 3.12, which is 110% of the statewide NFMH median. Providers with staffing ratios below 110% of the

NFMH median will receive no points for this incentive measure.

NFMH providers may earn one point for low occupancy outcomes measures. If they have total occupancy less than 90% they will earn a point.

NFMH providers may earn one point for low operating expense outcomes measures. The provider will earn one point if the per diem operating expenses are below \$35.73, or 90% of the statewide median of \$39.70.

NFMH providers may earn up to two points for the turnover rate outcomes measure. Providers with direct health care staff turnover equal to or below 63%, the 75th percentile statewide, will earn two points as long as contracted labor costs do not exceed 10% of the provider’s total direct health care labor costs. Providers with direct health care staff turnover greater than 63% but equal to or below 68%, the 50th percentile statewide, will earn one point as long as contracted labor costs do not exceed 10% of the provider’s total direct health care labor costs.

Finally, NFMH providers may earn up to two points for the retention rate outcomes measure. Providers with staff retention rates at or above 59%, the 75th percentile statewide will earn two points. Providers with staff retention rates below 59% but at or above 45%, the 50th percentile statewide, will earn one point.

The table below summarizes the incentive factor outcomes and points:

Quality/Efficiency Outcome	Incentive Points
CMI adjusted staffing ratio ≥ 120% (3.41) of NF-MH median (2.84), or	2, or
CMI adjusted staffing ratio between 110% (3.12) and 120%	1
Total occupancy ≤ 90%	1
Operating expenses < \$35.73, 90% of NF-MH median, \$39.70	1
Staff turnover rate ≤ 75th percentile, 63%	2, or
Staff turnover rate ≤ 50th percentile, 68%	1
Contracted labor < 10% of total direct health care labor costs	
Staff retention ≥ 75th percentile, 59%	2, or
Staff retention ≥ 50th percentile, 45%	1
Total Incentive Points Available	8

Schedule E is an array containing the incentive points awarded to each NFMH provider for each quality and efficiency incentive outcome. The total of these points will be used to determine each provider’s incentive factor based on the following table.

Total Incentive Points	Incentive Factor Per Diem
Tier 1: 6-8 points	\$7.50
Tier 2: 5 points	\$5.00
Tier 3: 4 points	\$2.50
Tier 4: 0-3 points	\$0.00

The survey and certification performance of each NF and NFMH provider will be reviewed quarterly to determine each provider’s eligibility for incentive factor payments. In order to qualify for an incentive, factor a home must not have received any health care survey deficiency of scope and severity level “H” or higher during the survey review period. Homes that receive “G” level deficiencies, but no “H” level or higher deficiencies, and that correct the “G” level deficiencies within 30 days of the survey, will be eligible to receive 50% of the calculated incentive factor. Homes that receive no deficiencies high-

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er than scope and severity level “F” will be eligible to receive 100% of the calculated incentive factor. The survey and certification review period will be the 12-month period ending one quarter prior to the incentive eligibility review date. The following table lists the incentive eligibility review dates and corresponding review period end dates.

Incentive Eligibility Effective Date	Review Period End Date
July 1	March 31st
October 1	June 30th
January 1	September 30th
April 1	December 31st

10. Rate Effective Date

Rate effective dates are determined in accordance with K.A.R. 129-10-19. The rate may be revised for an add-on reimbursement factor (i.e., rebased property fee), desk review adjustment or field audit adjustment.

11. Retroactive Rate Adjustments

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

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

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

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

A.2 Medicaid Add-On

To compensate and incentivize providers with high Medicaid participation a per diem add-on has been determined and will be paid to each Medicaid provider in SFY25. The per diem will be added to the nursing facility Medicaid per diem rate.

1. Qualifying Providers

All providers currently enrolled in the Medicaid program will be eligible for the add-on.

2. Medicaid Add-On Calculation

Funds allocated for the add-on were divided by Medicaid bed days reported in CY23 nursing facility cost reports which resulted in a flat rate of \$15.18 per Medicaid resident day. Each facility’s Medicaid rate will be determined by adding \$15.18 to the facility’s base SFY25 per diem rate.

A.3 Rapid Response Staffing Grant Adjustment

The Kansas Department of Health and Environment began partnering with KFMC Health Improvement Partners (KFMC) in 2022 to assist long-term care facilities impacted by COVID-19 with emergency temporary staffing services through the Rapid Response Staffing Support Center Grant program. This program provides qualifying nursing facilities with short-term (up to two weeks) emergency staffing services. The costs of the emergency staffing services provided to each facility are covered entirely by the program with

no expenditures from the facility. Therefore this additional staffing and the costs related to it are not reflected in the Medicaid cost reports. To account for grant program expenditures made on behalf of each Medicaid nursing facility, a Rapid Response Staffing Grant Adjustment will be added to each participating facility’s total reported Direct Health Care Costs for each applicable year in the base cost data period. The Rapid Response Staffing Grant Adjustment will reflect the amount of grant funds expended in a given cost report year to provide emergency staffing services to the facility. This amount will be combined with the total reported costs and cost report adjustments to determine the total adjusted costs for Direct Health Care for each cost report year included in the base data period. The grant expenditures will be subject to inflation and case mix adjustments applied to the Direct Health Care costs for each year. The grant expenditures will then flow through the rate calculation as part of the Direct Health Care costs subject to the cost center limitation and Medicaid acuity adjustment to determine the Direct Health Care per diem rate component.

1. Qualifying Providers

All providers identified by KFMC as receiving emergency temporary staffing services through the Rapid Response Staffing Support Center Grant program.

2. Rapid Response Staffing Grant Adjustment

The annual grant expenditure amount made on behalf of each facility will be added to the Direct Health Care costs prior to adjusting for inflation and case mix.

II. Medicaid Per Diem Rates for Kansas Nursing Facilities

A. Cost Center Limitations

The state establishes the following cost center limitations which are used in setting rates effective July 1, 2024.

Cost Center	Limit Formula	Per Day Limit
Operating	110% of the Median Cost	\$57.16
Indirect Health Care	115% of the Median Cost	\$70.24
Direct Health Care	130% of the Median Cost	\$192.96
Real and Personal Property Fee	105% of the Median Fee	\$10.51

These amounts were determined according to the “Reimbursement Limitations” section. The Direct Healthcare Limit is calculated based on a CMI of 1.2906, which is the statewide average for the three-year base cost data period.

B. Case Mix Index

These final rates are based upon each nursing facility’s Medicaid CMI calculated as the average of the quarterly Medicaid CMI averages with a cutoff dates of January 1, 2024 and April 1, 2024. The CMI calculations use

PDPM Nursing component CMI values implemented by CMS effective October 1, 2019. In Section II.C below, each nursing facility’s Medicaid average CMI is listed beside its per diem rate.

C. Rates

The following list includes the calculated Medicaid rate for each nursing facility provider currently enrolled in the Medicaid program and the Medicaid case mix index used to determine each rate.

Facility Name	City	Daily Rate	Medicaid CMI	Facility Name	City	Daily Rate	Medicaid CMI
Village Manor	Abilene	318.39	1.1238	Fowler Residential Care	Fowler	324.92	1.1291
Life Care Center of Andover	Andover	229.92	1.3580	Frankfort Community Care Home, Inc.	Frankfort	296.89	1.0422
Anthony Community Care Center	Anthony	265.57	1.1777	Medicalodges Frontenac	Frontenac	261.39	1.4011
Medicalodges Health Care Ctr Arkansas	Arkansas City	268.20	1.3784	Galena Nursing Home	Galena	243.74	1.1743
Arkansas City Presbyterian Manor	Arkansas City	287.54	1.1335	Garden Valley Retirement Village	Garden City	227.08	1.2926
Arma Operator, LLC	Arma	286.80	1.8128	Recover Care Meadowbrook Rehab,LLC	Gardner	363.54	1.3985
Medicalodges Atchison	Atchison	275.49	1.1907	Anderson County Hospital	Garnett	352.38	1.3140
Atchison Senior Village Rehab & NC	Atchison	328.60	1.2952	Parkview Heights Nursing and Rehab	Garnett	369.80	1.5497
Dooley Center	Atchison	296.74	0.8717	The Nicol Home, Inc.	Gasco	303.23	1.6545
Attica Long Term Care	Attica	325.43	1.1114	Medicalodges Goddard	Goddard	295.69	1.4689
Good Samaritan Society-Atwood	Atwood	319.64	1.2450	Bethesda Home	Goessel	319.12	1.1336
Lake Point Nursing Center	Augusta	268.87	1.3662	Topside Manor, Inc	Goodland	287.38	1.1061
Baldwin Healthcare & Rehab Center	Baldwin City	299.41	1.6197	Medicalodges Great Bend	Great Bend	351.23	1.4539
Quaker Hill Manor	Baxter Springs	263.62	1.2224	Azria Health Great Bend	Great Bend	276.90	1.5555
Catholic Care Center Inc.	Bel Aire	350.57	1.4011	Haviland Operator, LLC	Haviland	193.53	0.9650
Belleville Healthcare and Rehab Ctr	Belleville	292.18	1.4128	Good Samaritan Society-Hays	Hays	268.14	1.2008
Mitchell County Hospital LTCU	Beloit	332.75	1.1664	Ascension Living Via Christi Village	Hays	331.94	1.2140
Hilltop Lodge Health and Rehab	Beloit	276.53	1.3130	Diversicare of Haysville	Haysville	233.73	1.5030
Advena Living of Bonner Springs	Bonner Springs	283.19	1.3064	Legacy at Herington	Herington	295.55	1.2607
Hill Top House	Bucklin	336.87	1.4225	Schowalter Villa	Hesston	340.44	1.1570
Buhler Sunshine Home, Inc.	Buhler	302.57	1.1342	Anew Healthcare and Rehab Hiawatha	Hiawatha	245.62	1.2242
Life Care Center of Burlington	Burlington	322.19	1.5155	Dawson Place, Inc.	Hill City	263.59	1.2433
Eastridge Nursing Home	Centralia	398.63	1.6000	Salem Home	Hillsboro	285.84	1.2906
Heritage Health Care Center	Chanute	232.68	1.3224	Parkside Homes, Inc.	Hillsboro	306.34	1.1680
Diversicare of Chanute	Chanute	256.87	1.2549	Medicalodges Jackson County	Holton	295.86	1.2189
Chapman Valley Manor	Chapman	290.89	1.3087	Sheridan County Hospital	Hoxie	322.98	1.1455
Cheney Golden Age Home Inc.	Cheney	287.36	1.2081	Pioneer Manor	Hugoton	329.25	1.1230
Advena Living of Cherryvale	Cherryvale	241.96	1.2843	Diversicare of Hutchinson	Hutchinson	279.02	1.1138
The Shepherd's Center	Cimarron	292.79	1.1658	Good Sam Society-Hutchinson Village	Hutchinson	288.48	1.1256
Advena Living of Clay Center	Clay Center	275.68	1.3608	Hutchinson Operator, LLC	Hutchinson	302.73	1.5302
Clay Center Presbyterian Manor	Clay Center	315.62	1.1429	Wesley Towers	Hutchinson	294.77	1.1962
Advena Living of Clearwater	Clearwater	277.36	1.2818	Medicalodges Independence	Independence	247.91	1.2573
Park Villa Nursing Home	Clyde	274.15	1.2075	Montgomery Place Nursing Center,LLC	Independence	253.21	1.3143
Medicalodges Coffeyville on Midland	Coffeyville	304.20	1.3065	Pleasant View Home	Inman	330.43	1.2475
Medicalodges Iola	Coffeyville	292.58	1.1001	Stanton County Hospital- LTCU	Johnson	328.79	1.1789
Colby Operator, LLC	Colby	355.18	1.6544	Valley View Senior Life	Junction City	277.33	1.2697
Prairie Senior Living Complex	Colby	359.94	1.4606	Medicalodges Post Acute Care Center	Kansas City	273.47	1.0783
Pioneer Lodge	Coldwater	300.00	1.3010	Riverbend Post Acute Rehabilitation	Kansas City	302.53	1.5309
Medicalodges Columbus	Columbus	316.06	1.3701	Lifecare Center of Kansas City	Kansas City	261.85	1.0384
Sunset Home, Inc.	Concordia	287.47	1.4298	Providence Place LTCU	Kansas City	372.34	1.5529
Spring View Manor Healthcare & Rehab	Conway Springs	298.10	1.5249	Ignite Med Resort Rainbow Blvd, LLC	Kansas City	327.08	1.6158
Chase County Care and Rehab	Cottonwood Falls	405.13	1.7693	The Healthcare Resort of Kansas City	Kansas City	365.88	1.4643
Diversicare of Council Grove	Council Grove	241.10	1.1863	The Wheatlands	Kingman	241.27	1.1378
Hilltop Manor Nursing Center	Cunningham	247.50	1.2953	Medicalodges Kinsley	Kinsley	362.01	1.7261
Westview of Derby Rehab & Health	Derby	229.03	1.2301	Kiowa District Manor	Kiowa	324.38	1.1796
Derby Health and Rehabilitation	Derby	346.31	1.4384	Locust Grove Village	Lacrosse	268.44	1.0969
Hillside Village	DeSoto	283.26	1.4779	High Plains Retirement Village	Lakin	347.03	1.3573
Trinity Manor	Dodge City	272.00	1.1713	Lansing Care and Rehab	Lansing	315.74	1.4345
Sunporch of Dodge City	Dodge City	296.10	1.1027	Diversicare of Larned	Larned	223.31	1.1079
Manor of the Plains	Dodge City	374.58	1.4577	Lawrence Presbyterian Manor	Lawrence	358.63	1.3380
Downs Care and Rehab	Downs	323.25	1.6099	Medicalodges Leavenworth	Leavenworth	309.15	1.3611
Anew Healthcare Easton	Easton	274.66	1.4108	The Healthcare Resort of Leawood	Leawood	390.31	1.7495
Parkway Care and Rehab	Edwardsville	259.16	1.4384	Delmar Gardens of Lenexa	Lenexa	246.22	1.2662
Kaw River Care and Rehab	Edwardsville	309.49	1.4532	Lakeview Village	Lenexa	331.37	1.1813
Edwardsville Care and Rehab	Edwardsville	202.73	1.0361	Westchester Village of Lenexa	Lenexa	331.74	1.1700
Lakepoint Nursing Center-El Dorado	El Dorado	260.73	1.1750	Leonardville Nursing Home	Leonardville	303.93	1.1785
El Dorado Care and Rehab	El Dorado	352.01	1.7344	Wichita County Health Center	Leoti	251.45	0.6600
Good Samaritan Society-Ellis	Ellis	274.24	1.2415	Good Samaritan Society-Liberal	Liberal	325.06	1.5402
Good Sam Society-Ellsworth Village	Ellsworth	319.74	1.3468	Wheatridge Park Care Center	Liberal	285.05	1.3519
Emporia Presbyterian Manor	Emporia	285.95	1.0524	Lincoln Park Manor, Inc.	Lincoln	281.91	1.2338
Holiday Resort	Emporia	298.50	1.3946	Bethany Home Association	Lindsborg	334.05	1.1740
Flint Hills Care and Rehab Center	Emporia	238.55	1.1892	Linn Community Nursing Home	Linn	269.32	1.3906
Enterprise Estates Nursing Center, I	Enterprise	263.11	1.3178	Sandstone Heights Nursing Home	Little River	331.56	1.2615
Eskridge Care and Rehab	Eskridge	238.54	1.1165	Logan Manor Community Health Service	Logan	283.82	1.2715
Medicalodges Eudora	Eudora	297.48	1.3568	Louisburg Healthcare and Rehab Center	Louisburg	292.91	1.4131
Eureka Nursing Center	Eureka	255.73	1.4102	Meadowlark Hills Retirement Community	Manhattan	320.79	1.1802
Kansas Soldiers' Home	Fort Dodge	334.20	1.2616	Ascension Living Via Christi Village	Manhattan	296.49	1.1829
Medicalodges Fort Scott	Fort Scott	245.14	1.2338				

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Facility Name	City	Daily Rate	Medicaid CMI	Facility Name	City	Daily Rate	Medicaid CMI
St. Luke Living Center	Marion	291.61	1.1945	Protection Valley Manor	Protection	232.64	0.9413
Riverview Estates, Inc.	Marquette	298.15	1.1984	Richmond Healthcare and Rehab Center	Richmond	294.01	1.6622
Cambridge Place	Marysville	268.84	1.2993	Advena Living at Fountainview	Rose Hill	237.38	1.0816
McPherson Operator, LLC	McPherson	362.62	2.0018	Rossville Healthcare and Rehab Center	Rossville	279.55	1.3919
The Cedars, Inc.	McPherson	331.98	1.2572	Wheatland Nursing & Rehab Center	Russell	226.72	1.1151
Meade District Hospital, LTCU	Meade	320.02	1.0786	Russell Regional Hospital	Russell	260.03	0.6600
Merriam Gardens Healthcare & Rehab	Merriam	275.24	1.4027	Sabetha Nursing Center	Sabetha	258.06	1.1998
Minneapolis Healthcare and Rehab	Minneapolis	267.17	1.3265	Apostolic Christian Home	Sabetha	298.01	1.2801
Minneola District Hospital-LTCU	Minneola	323.14	1.1485	Smoky Hill Rehabilitation Center	Salina	241.18	1.3639
Bethel Home, Inc.	Montezuma	307.26	1.1863	Kenwood View Health and Rehab Center	Salina	280.13	1.5594
Moran Manor	Moran	241.64	1.1645	Salina Windsor SNF OPCO, LLC	Salina	244.43	1.1670
Pine Village	Moundridge	287.77	1.1731	Pinnacle Park Nursing and Rehabilitation	Salina	274.89	1.3642
Moundridge Manor, Inc.	Moundridge	301.00	1.1154	Salina Presbyterian Manor	Salina	321.23	1.2439
Villa Maria, Inc.	Mulvane	294.04	1.2457	Satanta Dist. Hosp. LTCU	Satanta	352.66	1.3320
Neodesha Care and Rehab	Neodesha	296.95	1.5858	Park Lane Nursing Home	Scott City	330.48	1.3100
Ness County Hospital Dist.#2	Ness City	316.05	1.0432	Pleasant Valley Manor	Sedan	226.59	1.2420
Paramount Community Living and Rehab	Newton	325.70	1.4369	Diversicare of Sedgwick	Sedgwick	305.03	1.2911
Kansas Christian Home	Newton	294.82	1.2543	Crestview Nursing & Residential Living	Seneca	282.96	1.5419
Newton Presbyterian Manor	Newton	327.49	1.1556	Life Care Center of Seneca	Seneca	263.68	1.4550
Bethel Care Center	North Newton	335.72	1.2180	Shawnee Gardens Healthcare and Rehab	Shawnee	292.61	1.3712
Andbe Home, Inc.	Norton	238.05	1.0639	Sharon Lane Health and Rehabilitation	Shawnee	259.33	1.2212
Anew Healthcare	Nortonville	242.38	1.2081	Brookdale Rosehill	Shawnee	396.22	1.5463
Logan County Senior Living	Oakley	334.22	1.2309	Smith Center Operator, LLC	Smith Center	297.44	1.9935
Good Samaritan Society-Decatur Co.	Oberlin	303.08	1.0759	Sunporch of Smith County	Smith Center	280.10	1.0146
Villa St. Francis Catholic Care Ctr.	Olathe	355.92	1.5406	Mennonite Friendship Manor, Inc.	South Hutchinson	349.06	1.3639
Azria Health at Olathe	Olathe	289.77	1.3174	Southwinds at Spearville	Spearville	370.92	1.5263
Good Samaritan Society-Olathe	Olathe	352.84	1.4241	Spring Hill Care and Rehab	Spring Hill	313.41	1.6243
Evergreen Community of Johnson Count	Olathe	350.63	1.2972	Cheyenne County Village, Inc.	St. Francis	335.71	1.3190
Aberdeen Village, Inc.	Olathe	358.58	1.3297	Community Hospital of Onaga, LTCU	St. Mary's	325.08	1.0859
Nottingham Health & Rehab	Olathe	341.89	1.2124	Prairie Mission Retirement Village	St. Paul	251.60	1.1310
The Healthcare Resort of Olathe	Olathe	350.08	1.5841	Leisure Homestead at Stafford	Stafford	267.58	1.3299
Onaga Operator, LLC	Onaga	313.63	1.4635	Sterling Village	Sterling	317.12	1.1448
Osage Nursing & Rehab Center	Osage City	257.01	1.2327	Solomon Valley Manor	Stockton	262.26	1.2297
Life Care Center of Osawatomie	Osawatomie	316.90	1.3197	Tonganoxie Opco LLC	Tonganoxie	286.30	1.2875
Parkview Health and Rehab LLC	Osborne	266.00	1.6969	Brewster Health Center	Topeka	335.21	1.2515
Heritage Gardens Health and Rehab	Oskaloosa	316.75	1.3442	Topeka Presbyterian Manor Inc.	Topeka	346.64	1.2682
Oswego Operator, LLC	Oswego	295.80	1.7197	Legacy on 10th Ave.	Topeka	246.42	1.1324
Rock Creek of Ottawa	Ottawa	287.77	1.4882	Halstead Health and Rehab Center	Topeka	249.91	1.2504
Brookside Manor	Overbrook	248.90	1.0975	McCrite Plaza Health Center	Topeka	332.80	1.4825
Brookdale Overland Park	Overland Park	360.50	1.2824	Rolling Hills Health Center	Topeka	250.69	1.3194
Garden Terrace at Overland Park	Overland Park	290.50	1.1714	Excel Healthcare and Rehab Topeka	Topeka	278.16	1.4514
KPC Promise Hospital of Overland Par	Overland Park	351.16	2.3763	Stoneybrook Retirement Community	Topeka	267.21	1.3421
Excel Healthcare and Rehab OP	Overland Park	302.28	1.1984	Valley Health Care Center	Topeka	208.39	0.8648
Villa Saint Joseph	Overland Park	333.73	1.2553	Tanglewood Nursing and Rehabilitation	Topeka	239.92	1.2511
Delmar Gardens of Overland Park	Overland Park	307.43	1.3413	Brighton Place West Health Center	Topeka	211.27	1.2551
Prairie Ridge Health & Rehab LLC	Overland Park	308.11	1.2956	Countryside Health Center	Topeka	133.26	0.9068
Village Shalom, Inc.	Overland Park	343.38	1.2533	Providence OpCo LLC	Topeka	209.70	1.0821
Tallgrass Creek, Inc.	Overland Park	351.29	1.3100	Brighton Place North	Topeka	129.85	1.0564
Shawnee Post Acute Rehab Center	Overland Park	362.42	1.6346	The Gardens at Aldersgate	Topeka	342.07	1.8910
Stratford Commons Rehab & HCC	Overland Park	394.39	1.6848	Recover-Care Plaza West Care Center	Topeka	266.21	1.4793
Colonial Village	Overland Park	361.14	1.4534	Holiday Resort of Salina	Topeka	263.41	1.1715
Anew Healthcare-Oxford	Oxford	269.81	1.2634	Lexington Park Nursing and Post Acute	Topeka	299.31	1.3132
Medicalodges Paola	Paola	168.11	0.9446	Pioneer Ridge Retirement Community	Topeka	244.31	1.2905
North Point Skilled Nursing Center	Paola	241.36	1.3594	Western Prairie Senior Living	Topeka	282.73	1.3311
Elmhaven East	Parsons	247.37	1.2675	Twin Oaks Health & Rehab	Topeka	288.06	1.3145
Parsons Presbyterian Manor	Parsons	317.63	1.1488	The Healthcare Resort of Topeka	Topeka	332.45	1.8774
Good Samaritan Society-Parsons	Parsons	264.58	1.0328	Ranch House Senior Living	Topeka	256.83	1.2436
Peabody Operator, LLC	Peabody	228.27	1.2349	Greeley County Hospital, LTCU	Tribune	281.40	1.2210
Access Mental Health	Peabody	174.26	0.9692	Trego Co. Lemke Memorial LTCU	Wakeeney	328.77	1.1705
Phillips County Retirement Center	Phillipsburg	265.26	1.1827	Wakefield Care and Rehab	Wakefield	316.47	1.5840
Medicalodges Pittsburg South	Pittsburg	314.83	1.3566	Good Samaritan Society-Valley Vista	Wamego	305.03	1.3644
Pittsburg Care and Rehab	Pittsburg	236.41	1.3266	Wathena Healthcare and Rehab Center	Wathena	324.25	1.7408
Ascension Living Via Christi Village	Pittsburg	302.64	1.2831	Botkin Care and Rehab	Wellington	257.62	1.3505
Rooks County Senior Services, Inc.	Plainville	316.56	1.3226	Sumner Operator, LLC	Wellington	280.51	1.3447
The Village at Mission	Prairie Village	393.46	1.5707	Wellsville Manor	Wellsville	285.60	1.5691
Grand Plains-Skilled Nursing	Pratt	286.16	1.2997	Westy Community Care Home	Westmoreland	261.51	1.0639
Pratt Operator, LLC	Pratt	275.86	1.6385	Wheat State Manor	Whitewater	303.95	1.3482
Prairie Sunset Manor	Pretty Prairie	303.44	1.4943	Medicalodges Wichita	Wichita	292.30	1.1427

Facility Name	City	Daily Rate	Medicaid CMI
Meridian Rehab and Health Care Center	Wichita	229.26	1.2471
Homestead Health Center, Inc.	Wichita	310.89	1.2527
Advena Living on Woodlawn	Wichita	250.86	1.3256
Wichita Presbyterian Manor	Wichita	332.19	1.4050
Sandpiper Healthcare and Rehab Center	Wichita	240.31	1.4204
Lakepoint Wichita LLC	Wichita	300.63	1.3726
Excel Healthcare and Rehab Wichita	Wichita	288.01	1.3826
Legacy at College Hill	Wichita	262.81	1.3281
Seville Operator, LLC	Wichita	354.12	1.5749
Lincoln Care and Rehab	Wichita	300.44	1.3755
The Health Care Center at Larksfield Pl	Wichita	329.39	1.2382
Life Care Center of Wichita	Wichita	293.06	1.2257
Family Health & Rehabilitation Center	Wichita	339.06	1.3435
Caritas Center	Wichita	313.02	1.0530
Regent Park Rehab and Healthcare	Wichita	320.11	1.1809
Avitia Health & Rehab of Reeds Cove	Wichita	315.04	1.3463
Ascension Living Via Christi Village	Wichita	323.58	1.3083
Ascension Living Via Christi Village	Wichita	318.98	1.2847
Mount St Mary	Wichita	321.06	1.1435
Azria Health Wichita	Wichita	332.19	1.3830
Wilson Care and Rehab	Wilson	346.64	1.7342
F W Huston Medical Center	Winchester	197.21	1.1015
Winfield Senior Living Community	Winfield	278.26	1.7233
Cumbernauld Village, Inc.	Winfield	336.30	1.4271
Winfield Rest Haven II LLC	Winfield	320.43	1.1681
Kansas Veterans' Home	Winfield	325.90	1.2025
Yates Operator, LLC	Yates Center	259.92	1.3520

III. Justifications for the Rates

1. The final rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan and pending amendments thereto.
2. The final rates are calculated according to a methodology which satisfies the requirements of K.S.A. 39-708c(x) and the DHCF regulations in K.A.R. Article 129-10 implementing that statute and applicable federal law.
3. The State's analyses project that the rates:
 - a. Would result in payment, in the aggregate of 104.38% of the Medicaid day weighted average inflated allowable nursing facility costs statewide; and
 - b. Would result in a maximum allowable rate of \$330.87 (for a CMI of 1.2906); with the total average allowable cost being \$282.01.
 - c. Average Payment rate July 1, 2024 - \$287.96
 - d. Average payment rate July 1, 2023 - \$276.36
Amount of change - \$11.60
Percent of change - 4.20%
4. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase approximately \$41.2 million.*
5. The state estimates that the rates will continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general population in the geographic area. The state's analyses indicate:
 - a. Service providers operating a total of 298 nursing facilities and hospital-based long-term care units (representing 96.75% of all the licensed nursing facilities and long-term care units in Kansas) participate in the Medicaid program;
 - b. There is at least one Medicaid-certified nursing facility and/or nursing facility for mental health,

or Medicaid-certified hospital-based long-term care unit in 96 of the 105 counties in Kansas;

- c. The statewide average occupancy rate for nursing facilities participating in Medicaid is 79.32%;
 - d. The statewide average Medicaid occupancy rate for participating facilities is 60.27%; and
 - e. The rates would cover 104.29%** of the estimated Medicaid direct health care costs incurred by participating nursing facilities statewide.
6. Federal Medicaid regulations at 42 C.F.R. 447.272 impose an aggregate upper payment limit that states may pay for Medicaid nursing facility services. The state's analysis indicates that the methodology will result in compliance with the federal regulation.
*Includes Medicaid Add-On; see A.2.
**Includes Long Term Care Rapid Response Staffing Support Center grant.
7. The Federal fiscal impact for Fee for Service is as follows:

Fee-For-Service Only	Estimated Federal Financial Participation
FFY 2024 (July-Sept 2024)	\$189,790
FFY 2025 (Oct-June)	\$571,494

IV. Response to Comments Received

The state received formal comments from Kansas Health Care Association to its Proposed Nursing Facility rates published on April 11, 2024 in the Kansas Register. The comments were taken into consideration during the rate setting process. The review of this final notice of the proposed Nursing Facility rates ends on July 6, 2024.

V. Notice of Intent to Amend the Medicaid State Plan

The state intends to submit Medicaid State Plan amendments to CMS on or before September 30, 2024.
*Includes Medicaid Add-On; see A.2.

Laura Howard
Secretary
Department for Aging and Disability Services

Christine Osterlund
Medicaid Director
Deputy Secretary for Agency Integration and Medicaid
Division of Health Care Finance
Department of Health and Environment

Doc. No. 052191

State of Kansas

**Department of Health and Environment
Division of Health Care Finance**

Public Notice

The Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) is amending the Kansas Medicaid State Plan. CPAP and Bi-PAP devices, accessories and services will be covered as medically necessary for members with obstructive sleep apnea (OSA).

The proposed effective date for the State Plan Amendment (SPA) is July 1, 2024.

(continued)

Fee-For-Service Only	Estimated Federal Financial Participation
FFY 2024	\$142,709
FFY 2025	\$570,834

To request a copy of the proposed SPA, to submit a comment, or to review comments, please contact William C. Stelzner by email at william.stelzner@ks.gov, or by mail at:

William C. Stelzner
 Kansas Department of Health and Environment
 Division of Health Care Finance
 900 SW Jackson, Room 900N
 Topeka, KS 66612

The last day for public comment is July 8, 2024.

Draft copies of the proposed SPA may also be found at a Local Health Department (LHD).

Christine Osterlund
 Medicaid Director

Deputy Secretary of Agency Integration and Medicaid
 Division of Health Care Finance
 Department of Health and Environment

Doc. No. 052195

State of Kansas

**Department of Health and Environment
 Division of Health Care Finance**

Public Notice

The Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) is amending the Kansas Medicaid State Plan. Select EPSDT provider reimbursement rates will be increased.

The proposed effective date for the State Plan Amendment (SPA) is July 1, 2024.

Fee-For-Service Only	Estimated Federal Financial Participation
FFY 2024	\$1,200
FFY 2025	\$4,800

To request a copy of the proposed SPA, to submit a comment, or to review comments, please contact William C. Stelzner by email at william.stelzner@ks.gov, or by mail at:

William C. Stelzner
 Kansas Department of Health and Environment
 Division of Health Care Finance
 900 SW Jackson, Room 900N
 Topeka, KS 66612

The last day for public comment is July 8, 2024.

Draft copies of the proposed SPA may also be found at a Local Health Department (LHD).

Christine Osterlund
 Medicaid Director

Deputy Secretary of Agency Integration and Medicaid
 Division of Health Care Finance
 Department of Health and Environment

Doc. No. 052196

State of Kansas

**Department of Health and Environment
 Division of Health Care Finance**

Public Notice

The Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) is amending the Kansas Medicaid State Plan. Coverage has been expanded so that all Medicaid beneficiaries may receive positioning wheelchair cushions if they are medically necessary.

The proposed effective date for the State Plan Amendment (SPA) is July 1, 2024.

Fee-For-Service Only	Estimated Federal Financial Participation
FFY 2024	\$2,410
FFY 2025	\$9,641

To request a copy of the proposed SPA, to submit a comment, or to review comments, please contact William C. Stelzner by email at william.stelzner@ks.gov, or by mail at:

William C. Stelzner
 Kansas Department of Health and Environment
 Division of Health Care Finance
 900 SW Jackson, Room 900N
 Topeka, KS 66612

The last day for public comment is July 8, 2024.

Draft copies of the proposed SPA may also be found at a Local Health Department (LHD).

Christine Osterlund
 Medicaid Director

Deputy Secretary of Agency Integration and Medicaid
 Division of Health Care Finance
 Department of Health and Environment

Doc. No. 052197

State of Kansas

**Department of Health and Environment
 Division of Health Care Finance**

Public Notice

The Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) is amending the Kansas Medicaid State Plan. The global pregnancy reimbursement rates will be increased.

The proposed effective date for the State Plan Amendment (SPA) is July 1, 2024.

Fee-For-Service Only	Estimated Federal Financial Participation
FFY 2024	\$22,873
FFY 2025	\$91,464

To request a copy of the proposed SPA, to submit a comment, or to review comments, please contact William C. Stelzner by email at william.stelzner@ks.gov, or by mail at:

William C. Stelzner
 Kansas Department of Health and Environment

Division of Health Care Finance
 900 SW Jackson, Room 900N
 Topeka, KS 66612

The last day for public comment is July 8, 2024.
 Draft copies of the proposed SPA may also be found at
 a Local Health Department (LHD).

Christine Osterlund
 Medicaid Director

Deputy Secretary of Agency Integration and Medicaid
 Division of Health Care Finance
 Department of Health and Environment

Doc. No. 052198

State of Kansas

**Department of Health and Environment
 Division of Health Care Finance**

Public Notice

The Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) is amending the Kansas Medicaid State Plan. The hospice nursing facility room and board reimbursement rate will be increased from 95% to 100% for hospice beneficiaries that reside in nursing facilities.

The proposed effective date for the State Plan Amendment (SPA) is July 1, 2024.

Fee-For-Service Only	Estimated Federal Financial Participation
FFY 2024	\$5,185
FFY 2025	\$19,347

To request a copy of the proposed SPA, to submit a comment, or to review comments, please contact William C. Stelzner by email at william.stelzner@ks.gov, or by mail at:

William C. Stelzner
 Kansas Department of Health and Environment
 Division of Health Care Finance
 900 SW Jackson, Room 900N
 Topeka, KS 66612

The last day for public comment is July 8, 2024.
 Draft copies of the proposed SPA may also be found at
 a Local Health Department (LHD).

Christine Osterlund
 Medicaid Director

Deputy Secretary of Agency Integration and Medicaid
 Division of Health Care Finance
 Department of Health and Environment

Doc. No. 052201

(Published in the Kansas Register June 6, 2024.)

Kansas City Kansas Community College

Request for Proposals

Kansas City Kansas Community College is accepting bids from qualified vendors for Field House Floor Repair (Bid 24-012).

All questions regarding this Request for Proposals and

the program it represents must be submitted in writing via email to the following contact person:

Amiee Wenson
 Director of Budget and Purchasing
 Kansas City Kansas Community College
awenson@kckcc.edu

Please visit our website for bid details at <https://kckcc.edu/about/organization/financial-services/doing-business/index.html>.

Linda Burgess
 Purchasing Specialist
 Kansas City Kansas Community College

Doc. No. 052202

(Published in the Kansas Register June 6, 2024.)

Central Prairie Co-op

Request for Proposals

Interested parties are invited to submit a proposal to complete scope of repairs for the proposed Central Prairie Co-op – Alden, Kansas project.

Scope of Work

Provide all necessary labor, equipment, and logistical services to supply all materials called for. Complete all administrative, rehabilitation, and track construction work including rail, switches, ties, ballast, tamping, and regulating required for the Central Prairie Co-op – Alden, Kansas track rehabilitation and improvement project. The scope is defined further as follows:

1. Rehabilitation of the current track.
2. Additional 533 feet of new track.
3. In-track scale to weigh cars.
4. Rail car fall protection system.
5. Repair/replace three rail loadout spouts and install work platforms.
6. Clear brush and trees for new and existing rail.
7. Asphalt repair at road crossing.
8. Electrical connection for loadout spouts and in-track scale.

All pre-existing rail, ties, OTM, or other materials that are removed must be disposed of according to all local, state, and federal regulations.

Minimum Requirements

1. Roadway Worker Protection.
2. Comply with all K&O Railroad requirements.
3. Contractors shall comply with all parts of 49 CFR Part 214 and 219 regarding FRA Roadway Worker Safety at all times. Workers and equipment shall remain clear of the track unless they have gained Roadway Worker Protection from a qualified person.
4. Contractor, contractor employees, agents, and/or subcontractors must be enrolled and comply with the FRA 219 approved drug testing program.
5. Subcontracted work will need to be approved prior to any work starting.

Work Windows

Impact to current railroad operations must be kept to a minimum. When work must take place that causes an

(continued)

active track to be taken out of service for the purposes of performing work that pertains to the project, the contractor must pre-arrange a defined work window with the K&O Railroad.

Standards

All Standards referenced by the project plans, scope of work, and specifications, as well as applicable AREMA standards must be upheld during all phases of the project. All rail shall be replaced with a standard gauge of 56-1/2".

Submittals

The following documents shall be submitted at the time listed, by the contractor as part of the project:

1. Schedule of Work: Submitted with proposal.
2. Certificate of Insurance: Submitted prior to construction.
3. Safety Plan: Submitted prior to construction.
4. Proof of Roadway Worker Training: Submitted prior to construction.
5. Rail Testing (If AREMA #1 relay is used): Submitted prior to construction.

Other Responsibilities

1. Permits – Contractor is responsible for all federal, state, and local permits for the work.
2. Utilities – Contractor is responsible for locating and protecting site utilities.
3. Site Clean-up – Contractor is responsible for proper site disposal of materials in accordance with local, state, and federal laws. Contractor is responsible for site restoration. Contractor is responsible for securing dumpster and hauling off used material. No old ties will be allowed to be stored on site in a pile.
4. Right-of-Way Access – Contractor is responsible for obtaining proper right of way entry prior to leaving Central Prairie Co-op's property and entering K&O Railroad property.
5. KDOT Grant – All requirements applicable to the contractor pursuant to the grant provided to Central Prairie Co-op from the Kansas Department of Transportation in connection with this project.

Insurance

Contractor shall purchase required insurance coverage and submit verification of Certificate of Insurance prior to construction. Contractor shall address insurance requirements by K&O Railroad and submit proof to both Central Prairie Co-op and K&O Railroad.

Materials

All materials shall meet the requirements found in the project plans and/or specifications as well as applicable AREMA requirements. Material storage is granted on Central Prairie Co-op's right of way to the contractor. However, no materials shall be stored closer than 15' from the centerline of any active track at any time. Material and equipment laydown areas and reclaimed materials stockpiling locations shall be discussed and further clarified at the pre-proposal meeting. Contractor is responsible for furnishing all required materials to complete the project.

Non-Project Areas

Central Prairie Co-op has secured access to the project through the K&O Railroad. Other access may be obtained

by the contractor if they so choose. All areas (public, private, and railroad right of way) that are used for access to the project, including parts of the railroad right of way which have no proposed work, shall be maintained and/or remediated, incidental to the project, by the contractor to the satisfaction of the property owner if any damage to these areas occurs.

Project Completion

All work pertaining to this project shall be completed by August 1, 2025. Failure to complete work by August 1, 2025, may result in the contractor's removal from the property or charges of \$2,500/day until completed to satisfaction.

Submission of a Proposal

All proposals must be submitted no later than July 5, 2024, via email to seck@cpcoop.us. All submitted proposals shall be reviewed by Central Prairie Co-op. Proposal must include all required information. Incomplete proposals shall be rejected. The structure of the proposal must be clearly understood, all proposals shall provide the following line items and provide costs as required below:

1. Provide a total sum of all line items on the proposal.
2. Mobilization and demobilization – lump sum, including freight/material delivery costs.
3. Material costs (by material, i.e., crossties, ballast, OTM, etc.)
4. Labor costs.
5. Other costs (freight, sales tax, etc.)
6. Tamp and regulate.
7. Clean up work site to completion.
8. Detailed map of construction as quoted.

Pre-Proposal Meeting

Central Prairie Co-op shall hold a pre-proposal meeting at the project site at 10:00 a.m. (Central Time) Thursday, June 13, 2024. The meeting shall be held at Central Prairie Co-op in Alden, Kansas. Contractors are required to be present at this meeting to submit a proposal or their proposal can be rejected.

Work Reporting

Weekly work reports must be filled out and submitted to Shane Eck via email at seck@cpcoop.us. Weekly reports should include updates to project schedules, materials used, materials received, any delays, or any change in the scope of work. A detailed summary report must be submitted at the completion of the project.

Shane Eck
Chief Operations Officer
Central Prairie Co-op

Doc. No. 052163

(Published in the Kansas Register June 6, 2024.)

Weskan Grain, LLC

Request for Proposals

Interested parties are invited to submit a proposal to complete the scope of repairs proposed Weskan Grain, LLC project.

Location

The project site is on the Weskan Grain, LLC property and railroad right-of-way located near the railroad –

highway grade crossing of N. Taos Road, north of KS 96, and the Kansas & Oklahoma (K&O) Railroad mainline, approximately seven miles east of Scott City, in Scott County, Kansas

Qualifications

Bidders must be prequalified by the K&O Railroad and/or WATCO since work will be partially on the K&O right-of-way, and contractor employees are required to be up to date on WATCO Roadway Worker Protection training, as required by the Federal Railroad Administration and WATCO. Contractors must be familiar with local licensing requirements.

Submission of a Proposal

Bids must be sent by email to jharris@crouchengineering.com at Crouch Engineering, Inc. by 2:00 p.m. (Central Time) June 27, 2024. The work by contractor will consist of furnishing all supervision, transportation, material, tools, equipment, and labor necessary to complete the project, including grading and track work, as per the project documents, including, but not limited to the plans and specifications.

The information for bidders and other project documents may be requested from the office of Crouch Engineering, Inc., 5115 Maryland Way, Suite 225, Brentwood, TN 37027, phone 615-791-0630. Email requests to jharris@crouchengineering.com for access to the project documents. The owner reserves the right to waive any informalities or to reject any or all of the bids.

No Bidder may withdraw his bid within 120 days after the bid opening.

A mandatory job showing will be held for this project at the site at 9:00 a.m. (Central Time) June 18, 2024.

Time Limit

Work will begin as soon as the agreement is executed and will be completed no later than May 15, 2025.

Liquidated Damages

A penalty of \$1,500 per calendar day will be assessed to the contractor for each day beyond the stated time limits until the project is 100% complete.

Harvey A. Crouch, PE
President
Crouch Engineering, Inc.

Doc. No. 052188

State of Kansas

Department of Transportation

Request for Proposals

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm or team of firms to perform professional services for the Southwest Kansas Highway Mobility and Expansion Strategy as described. Interested consultants must submit a summary of the proposed approach by 12:00 p.m. (Central Time) June 26, 2024, to be considered for selection. The summary of the proposed approach shall not exceed 15 pages in length.

Consultant Prequalification

Interested consulting firms must be prequalified by

KDOT or otherwise demonstrate qualification in category(s):

- 161 – Corridor/Project Feasibility Studies
- OR 201 – Location and Design Concept Studies/Corridor Studies
- AND 162 – Long Range Planning

If a firm is not currently prequalified by KDOT in any of the required categories, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this solicitation for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Background and Scope of Project

The Eisenhower Legacy Transportation Program (IKE) features an innovative and robust public involvement process, known as Local Consult. This process takes place every two years to get input on potential expansion and modernization projects across the State of Kansas.

During the past three (3) rounds of Local Consult, KDOT has heard a clear and consistent message from southwest Kansas, that there is substantial local desire to improve and expand various highway corridors in this part of the state.

Approximately \$1.4B worth of potential expansion and modernization projects were discussed in District Six during the most recent round of Local Consult (October of 2023). This dollar amount far exceeds available resources; therefore, investments will need to be made strategically and over time.

By way of this solicitation, KDOT invites qualified firms to provide planning, engineering, and associated professional services to prepare a long-range highway expansion strategy for southwest Kansas. This strategic document will better inform investment decisions and help stakeholders understand the thresholds for investments to be made, along with the safety, mobility, and economic benefits of an improved highway system.

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope:

- Planning/Engineering Study Service
- Discovery Phase Services
- Public Involvement Services

Potential Scope Items

Key elements to be considered include but are not necessarily limited to:

1. Creation of a public and stakeholder involvement plan.
2. Grant Application Support
 - Data collection and review.
 - Identify strategies for maximum points.

(continued)

- Prepare cost estimates as needed.
 - Coordinate with KDOT for required information.
 - Draft support letters for public, elected and appointed officials, stakeholders and other relevant entities as identified by KDOT and advance the application.
 - Establish application schedule.
 - Coordinate and lead meetings.
 - Consultant shall prepare the grant application based on NOFO requirements.
 - Provide tables and graphics as necessary.
 - Provide final draft grant documents for review that will be coordinated with the Grant Lead, project team and others that are relevant in the process.
3. Assessment of existing/future traffic, and travel characteristics along key highway corridors.
- Existing and projected safety experience; the safety analysis must consider crash history and risk factors and link desired safety outcomes to improvement recommendations.
 - High-level origin/destination study to understand travel patterns.
 - Analysis of intrastate vs. interstate travel along subject corridors.
 - Considerations surrounding freight mobility and accessibility; including emergent freight technologies, such as CAV, platooning, and the US-83 Advanced Technology Project.
 - Oversize/Overweight freight traffic and super loads.
 - Existing/future traffic projections.
 - Capacity analysis, etc.
 - Vehicle type and classification.
 - Baseline (high-level) land use and future (probable) development patterns.
 - Consideration of economic development opportunities within the study area.
4. Identify reasonable corridor-level improvements and thresholds or “triggers” for implementation. Recommendations must consider:
- The relative statewide and regional benefit of 4-lane corridors, versus 2-lane corridors and 2-lane “Super 2” corridors with passing lanes.
 - Safety, regional economic development, and travel reliability/efficiency.
 - Costs associated with the various alternatives; this includes initial costs along with long-term maintenance/preservation costs.
5. Comprehensive implementation strategy
- Establish thresholds or “triggers” for improvements.
 - Identification of funding opportunities and strategies.
 - Federal (i.e. Bipartisan Infrastructure Law, etc.)
 - State and local programs.
 - Partnership opportunities with the private sector.
 - The implementation strategy should be forward-thinking and practical.

- Recommendations should be future-proofed, to the extent possible.
- Maximize value and service life of previous investments.

This will be a comprehensive planning effort and we are seeking and encouraging innovative ideas for delivery of the plan.

KDOT, at the Secretary’s discretion, reserves the right to retain for subsequent phases of design and consulting services the consultant selected to provide services associated with the Request for Proposals. Scope in subsequent phases will likely include, but is not limited to, plan development through preliminary and final design as well as traffic engineering.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 PM Central Time June 26, 2024.
2. Ranking of proposals is expected to occur on or around July 1, 2024. Negotiations with the most highly ranked firm are expected to begin on or around July 15, 2024. An executed agreement is anticipated around July 29, 2024.
3. The program fiscal year for this project is FY2025 (July 2024–June 2025).
4. DRAFT report by Spring/Summer of 2025.

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant’s proposal must not exceed 5 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5” x 11”). Any page larger than standard letter size will be counted as two or more pages depending on size.
3. A single PDF (10 MB maximum size) of the proposal must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
4. The proposal PDF file name must read:
 - a. “106 P-1804-24 -SW KS Hwy Mobility and Expansion Strategy FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”), No. 10 (“Policy Regarding Sexual Harassment”), and No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. Both attachments are required for every firm involved in a multi-consultant team. Upload these files as instructed in Bid Express.
6. The outline in Table 1 below describes the expected proposal organization and content sections.
7. Depending on the number and quality of responses received, KDOT anticipates shortlisting (based on proposals) and holding interviews prior to final selection (which may be based on both proposal and interview content). If KDOT deems interviews to be necessary, interview details and requirements and

evaluation criteria for the interview will be distributed to shortlisted consultant teams in advance.

8. Table 2 lists the evaluation criteria and associated weights which will be used to shortlist respondents and may be considered in final selection.

Table 1: Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Project Approach	Demonstrate a unique approach to accomplish the design efficiently and to a high standard. Include cost-effective and optimized solutions to address the anticipated improvements in the design. Include unique qualifications or experience related to the project approach.	
Approach to Schedule	Describe the approach to accomplish the scope of services within the schedule requirements. Include anticipated key milestone dates and availability of staff.	
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.	
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	
Familiarity with KDOT and Project Area	Describe team’s familiarity with KDOT’s design process and standards. Describe familiarity with the project area and any identified special site conditions.	

Table 2: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	20%
Proposed Project approach	15%
Approach and commitment to meet advertised schedule	10%
Past performance history for similar projects/services for KDOT	10%
Understanding of the project area – Relevant planning experience in Southwest Kansas	15%
Availability to respond to the work described in this solicitation	15%
Unique qualifications of the consultant team	10%
Degree to which proposed approach incorporates innovative practices	5%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)
- Special Attachment No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”)

Special Contract Conditions

Schedule: DRAFT report by Spring/Summer of 2025.

Questions

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Questions can be submitted until June 13, 2024; answers will be provided to all prequalified consultants on June 20, 2024.

Calvin Reed
Secretary

Department of Transportation

Doc. No. 052192

State of Kansas

Department of Transportation

Request for Proposals

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm, or team of firms, to perform construction inspection services on multiple projects in various counties. Summary information for each project is provided below in Table 1.

Interested consultants must upload a proposal by 12:00 p.m. (Central Time) June 26, 2024, to the Bid Express page to be considered for selection.

Consultant Prequalification

Consulting firms interested in providing service on any project listed below must be prequalified by KDOT in following category(s):

- Category 241 – Construction Inspection and Testing

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

(continued)

Background and Scope of Projects

With this single solicitation, KDOT is requesting consulting services for construction inspections on the projects listed in Table 1. This table provides summary information for each project. One consultant will be selected

to perform services associated with each group listed. Firms can express interest in the groups for which they would like to be considered by submitting a response as indicated below. There is no guarantee that a firm which has expressed interest will be selected for any project(s).

Table 1: Summary of Project Information

Group	RT-CO	Project #	Scope, County	Anticipated Start	Working Days or CCD	Office	Comments
24118	K007-022	KA-5722-01	Grading, Bridge, and Surfacing Doniphan	July 31, 2024	205	Horton	
24120	I070-106	KA-7195-01	Resurfacing Multiple	September 30, 2024	70	Topeka/Emporia	
24506	K002-004	KA-5706-01	Grading, Bridge, and Surfacing Barber	September 2, 2024	175	Pratt	
24309	U283-098	KA-7171-01	Resurfacing Trego	August 15, 2024	30	Hays	

Additional project information including construction scope to be inspected, a detailed description of the project location, and resources and inspection scope specifically requested from consultants in this request can be viewed in an online table at <https://ike.ksdot.gov/about/construction-inspection-rfps>. Upon publication of this Request for Proposals, KDOT anticipates each of these inspection efforts will require full teams (project manager and inspectors, as opposed to single role staff augmentation as is occasionally request) for various types of construction inspection except as noted in the table. Watch the website linked above for updated information. Tabulated information (both in this Request for Proposals and on the website) shall not be relied upon during inspections. It is provided for the convenience of consultants, specifically to aid in making decisions about which projects they are interested in performing.

Specific project needs are subject to modification and/or cancellation at KDOT's discretion.

Anticipated Consultant Scope

The scope of construction inspection services and certifications required will vary for each project and are listed in the table available on the website noted above. Inspection efforts will be managed out of the offices listed. Also included for the convenience of consultants are indications of which grouped projects are currently slated to be performed by the same contractors.

Anticipated Schedule and Key Dates

- Proposals are due by or before 12:00 p.m. (Central Time) June 26, 2024.
- Ranking of proposals is expected to occur on or around June 28, 2024. Negotiations with the most highly ranked firm are expected to begin on or around July 5, 2024. An executed agreement is anticipated shortly thereafter.
- Anticipated scope starts dates and working days or anticipated calendar completion dates are shown in the table. All dates are subject to change.

Instructions for Proposal

- No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
- The consultant's proposal must not exceed the page

limit laid out in Table 2 below (including any cover letter, index, etc.). All pages shall be standard letter size (8.5" x 11"). Any page larger than standard letter size will be counted as two or more pages depending on size.

- A single PDF (10MB maximum size) of the proposal including all attachments must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
- The proposal PDF file name must read:
 - "ConstInsp Multiple Projects_2024.06 Release FIRM NAME"
- The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate"), No. 10 ("Policy Regarding Sexual Harassment"), and No. 12 ("Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems"). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. All attachments are required for every firm involved in a multi-consultant team. Upload these files as instructed in Bid Express.
- The outline in Table 2 below describes the expected proposal organization, content sections, and limits on number of pages.
 - Each team is limited to a single, one-page cover letter.
 - Consultants may indicate interest in any and all projects, indicate preference (s) for up to three projects, and shall both indicate interest and preferences on the "June 2024 Construction Inspections Interest & Preference Form is provided on the Bid Express page to complete and upload. Also, consultants are to use the bottom of that form to indicate any capacity limitations that need to be taken into account when making selections.
 - Thereafter, each team is limited to two pages per project in which they express interest. In these pages, consultants shall:
 - Describe the approach they plan to execute to deliver success on the project.
 - Present the relevant qualifications and expe-

rience of the people they are proposing will provide the services.

- iii. Provide the firm’s familiarity with KDOT and the project area.
- d. Finally, consultants are limited to a single, on-page descriptions of general qualifications (“Past Performance” selection plus “Approach to Quality Control” section) regardless of the number of projects in which they are expressing interest.
- 7. Table 3 lists the evaluation criteria and associated weights which will be used to make a selection.
- 8. Although not anticipated at this time, KDOT reserves the right to interview for the requested services associated with any of the listed projects prior to making final selections.

Table 2: Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Consultant Project Interest and Preference	Fill out “June 2024 Construction Inspections Interest & Preference Form” and submit with your proposal.	1 Page
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.	2 Pages per project in which team is interested
Qualifications and Experience	For key personnel to be assigned to the project provide names, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	
Familiarity with KDOT and Project Area	Describe team’s familiarity with KDOT’s inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.	
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	1 Page total
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.	

Table 3: Evaluation Factors

Evaluation Factor	Weight
The quality and completeness of the response	10%
Availability to respond to the work	20%
Qualifications and experience of project manager and other key project team members proposed for services	20%
Past performance history for similar projects/services for KDOT	20%
Understanding of the project area	10%
Understanding of KDOT contract administration and closeout procedures	20%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)
- Special Attachment No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”)

Special Contract Conditions

Batch Request for Proposals.

Questions

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Questions can be submitted until June 13, 2024; answers will be provided to all prequalified consultants on June 20, 2024.

Calvin Reed
Secretary

Department of Transportation

Doc. No. 052193

(Published in the Kansas Register June 6, 2024.)

Shawnee Heights Fire District

Request for Qualifications

The Shawnee Heights Fire District is seeking Requests for Qualifications (RFQs) for architectural services and construction manager at-risk services for the design and construction of two fire stations withing Shawnee County, Kansas. RFQs can be requested by contacting Kevin Flory, Fire Chief, at kflory@shfd.us or at 785-379-0566 ext. 201. The deadline for submission of RFQs is 3:00 p.m. June 14, 2024.

Kevin L. Flory
Fire Chief

Shawnee Heights Fire District

Doc. No. 052203

State of Kansas

Governmental Ethics Commission

Opinion No. 2024-01

Written May 22, 2024 to The Honorable Mari-Lynn Poskin, 12924 Howe Dr., Leawood, KS 66209.

Synopsis: Campaign contributions processed by a third-party payment processor must be attributed to the person who made such contributions and any processing fees associated with such contribution must be reported as expenditures on any relevant campaign finance reports.

(continued)

Cited herein: K.S.A. 25-4143; K.S.A. 25-4148; K.S.A. 25-4153a; K.S.A. 25-4154.

Dear Representative Poskin,

In response to your February 26, 2024, email request, this opinion is provided by the Kansas Governmental Ethics Commission (“Commission”), concerning application of the campaign finance act, K.S.A. 25-4101 *et seq.* The Commission’s jurisdiction is limited to applicability of this law. This opinion, provided pursuant to K.S.A. 25-4159, does not address whether some other statutory system, common law theory, agency rule or regulation applies to your inquiry.

Factual Statement

We understand that several legislators have received checks processed by a third-party payment processor during the current legislative session. The contribution checks received do not include the identity of the donor making the contribution. Instead, the check is accompanied with instructions for the steps necessary to access the identity of the donor(s).

Questions

1. Generally, can contributions processed by a third-party payment processor using this format be accepted?
2. Can contributions processed by a third-party payment processor using this format during the legislative session be accepted?
3. How should contributions processed by a third-party payment processor using this format be reported on campaign finance reports?

Analysis and Opinion

K.S.A. 25-4143(f)(1)(A) defines a “contribution” as “[a]ny . . . payment of money or any other thing of value given to a candidate, candidate committee, party committee or political committee for the express purpose of nominating, electing or defeating a clearly identified candidate for a state or local office[.]” Additionally, K.S.A. 25-4143(k) defines person as “any individual, committee, corporation, partnership, trust, organization or association.”

Here, the funds processed by the payment processor are contributions as the checks are payments of money given to the candidate or committee (e.g., a check payable to the order of John Doe for Kansas House). The issue is if contributions that have been processed by a third-party payment processor may generally be accepted when the processor requires additional steps to access required donor information.

K.S.A. 25-4154(b) provides that: “[n]o person shall give or accept any contribution in excess of \$10 unless the name and address of the contributor is made known to the individual receiving the contribution.” If the candidate were to accept a check processed by the payment processor without first identifying the donor’s name and address, then that candidate would be in violation of K.S.A. 25-4154(b). For a candidate or committee to legally accept a contribution check processed by the payment processor, they must be able to identify the donor. Once the candidate or committee has learned the donor’s identity, then the candidate may accept the contribution check, provided that the contribution satisfies oth-

er campaign finance requirements, such as contribution limits. If the candidate or committee knows the identity of the contributor of the funds—the person making the contribution—then accepting the contribution is lawful under K.S.A. 25-4154(b). Alternatively, the candidate or committee can return the contribution without needing to obtain the donor’s identity.

Regarding the question of if contributions processed by the payment processor using this format may be accepted during the legislative session, a review of K.S.A. 25-4153a is appropriate. K.S.A. 25-4153a prohibits a legislator or candidate for membership in the legislature from accepting or soliciting a contribution from anyone other than a non-lobbyist individual “after January 1 of each year and prior to adjournment sine die of the regular session of the legislature or at any other time in which the legislature is in session[.]”

According to the facts provided, a candidate for the legislature or a legislator would not be able to identify the category of person, as defined in K.S.A. 25-4143(k), contributing to their campaign by reviewing the check delivered by the payment processor. Therefore, the legislator or candidate for the legislature must first discern the contributor’s identity. If the donor is a non-lobbyist individual, then the legislator or candidate for the legislature may accept the contribution during a legislative session. If the contributor is a prohibited entity, the contribution must be returned to the donor.

Finally, the issue has also arisen of how contributions processed by a payment processor should be reported on Receipts and Expenditures Reports. The candidate or committee must report the source of the contribution, which is the person whose donation was processed by the payment processor, not the payment processor itself. The candidate or committee must report the full amount of the contribution, even if a portion of the donation went to processing fees associated with using the payment processor’s service. If the candidate or committee cannot or does not wish to obtain the donor’s information from the payment processor, they must return the contribution. Additionally, the candidate or committee must report processing fees paid to the payment processor as expenditures on Receipts and Expenditures reports.

This opinion only addresses the legality of accepting contributions from a payment processor once the donor has been identified. This opinion does not address or endorse the legality of a third-party payment processor’s database or structure and is only limited to the facts and analysis outlined above.

Sincerely,

Nick Hale, Chairman
By Direction of the Commission

Doc. No. 052186

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be held at 9:00 a.m. June 21, 2024, in the conference room of Kansas Development Finance Authority (the “Authority”), 534 S. Kansas Ave., Suite 800,

Topeka, Kansas, on the proposed issuance by the Authority in one or more series of revenue bonds (the "Bonds") in a principal amount not to exceed \$23,000,000. The Bonds will be issued pursuant to K.S.A. 74-8901 *et seq.* (the "Act") to finance a portion of the costs of the acquisition and renovation of an approximately 128-unit qualified residential rental project under Section 142 of the Internal Revenue Code, located at 2601 N. Joplin St. Pittsburg, Kansas, in an area generally bounded by E. 27th Street to the north, No. Joplin Street to the east, E. 25th Street to the south, and commercial businesses that abut N. Broadway Street to the west, known as Sycamore Village (the "Project"), the principal user of which will be Riverstone Sycamore Village, LP, a Kansas limited partnership (the "Borrower").

The Bonds will be limited obligations of the Authority, payable solely from revenues pledged by the Borrower, and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, nor will the Bonds constitute an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged, but the Bonds will be payable solely from revenues pledged by the Borrower in amounts sufficient to pay the principal of, interest and redemption premium, if any, on the Bonds.

Interested individuals may participate in the public hearing in person or via conference call. Please call toll free 844-621-3956 and use access code 145 880 8929 followed by # to join the conference.

At the time and place fixed for the hearing, all individuals who appear will be given an opportunity to express their views for or against the proposal to issue the Bonds for the Project, and all written comments previously filed with the Authority at its above referenced offices will be considered. Additional information regarding the project may be obtained by contacting the Authority at the address of its offices shown above.

Rebecca E. Floyd
President

Kansas Development Finance Authority

Doc. No. 052189

(Published in the Kansas Register June 6, 2024.)

Ford County, Kansas

**Summary Notice of Bond Sale
\$8,495,000***

General Obligation Bonds, Series 2024-A

**(General Obligation Bonds Payable
from Unlimited Ad Valorem Taxes)**

Bids

Subject to the Notice of Bond Sale dated May 6, 2024 (the "Notice"), facsimile and electronic bids will be received on behalf of the County Administrator and County Clerk of Ford County, Kansas (the "Issuer") in the case of facsimile bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 11:00 a.m. (Central Time) June 26, 2024, for the purchase of the above-referenced bonds (the "Bonds"). No bid of less than 100% of the principal amount of the Bonds.

Bond Details

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated July 25, 2024, and will become due on September 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2025	\$250,000	2035	\$425,000
2026	295,000	2036	440,000
2027	310,000	2037	455,000
2028	325,000	2038	470,000
2029	345,000	2039	490,000
2030	360,000	2040	510,000
2031	380,000	2041	525,000
2032	390,000	2042	550,000
2033	400,000	2043	570,000
2034	415,000	2044	590,000

* Subject to change, see the Notice

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 2025.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Treasurer of the State of Kansas, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied (in the manner set forth in the Notice) by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of \$169,900.

Delivery

The Issuer will pay for preparation of the Bonds and will deliver the same properly prepared, executed, and registered without cost to the successful bidder on or about July 25, 2024, 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 2023 is \$409,635,958. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$8,495,000; such amount excludes the temporary notes in the principal amount of \$8,135,000 will be retired out of proceeds of the Bonds.

Approval of Bonds

The Bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, Bond Counsel to the Issuer, 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 as and when the Bonds are delivered.

(continued)

Additional Information

Additional information regarding the Bonds may be obtained from the undersigned, or from the Municipal Advisor at the addresses set forth below:

Issuer

Ford County, Kansas
 Attn: Debbie Cox, County Clerk
 Ford County Government Center
 100 Gunsmoke
 Dodge City, KS 67801
 620-227-4670
 Fax: 620-227-4699
dcox@fordcounty.net

Municipal Advisor

Stifel, Nicolaus & Company, Incorporated
 Attn: David Arteberry
 4801 Main St., Suite 530
 Kansas City, MO 64112
 816-203-8733
 Fax: 620-227-4699
arteberryd@stifel.com

Dated May 6, 2024.

Debbie Cox
 County Clerk
 Ford County, Kansas

Doc. No. 052184

(Published in the Kansas Register June 6, 2024.)

City of Salina, Kansas

**Summary Notice of Bond Sale (Corrected)
 \$11,835,000***

**General Obligation Internal Improvement Bonds,
 Series 2024-A**

**(General Obligation Bonds Payable
 from Unlimited Ad Valorem Taxes)**

Bids

Subject to the Notice of Bond Sale dated May 13, 2024 (the "Notice"), electronic bids submitted through PARITY®, or emailed to the Municipal Advisor at the address below, will be received on behalf of the City of Salina, Kansas (the "Issuer") at 11:00 a.m. (Central Time) June 10, 2024, for the purchase of the above-referenced bonds (the "Bonds"). The minimum bid price for the Bonds shall be as specified in the Notice.

Bond Details

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated July 2, 2024, and will become due on October 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2025	\$730,000	2035	\$140,000
2026	885,000	2036	140,000
2027	930,000	2037	155,000
2028	975,000	2038	155,000
2029	1,030,000	2039	160,000

2030	1,055,000	2040	170,000
2031	1,085,000	2041	175,000
2032	1,120,000	2042	185,000
2033	1,160,000	2043	195,000
2034	1,195,000	2044	195,000

* Subject to change, see the Notice

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 April 1 and October 1 in each year, beginning on April 1, 2025.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Treasurer of the State of Kansas, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied (in the manner set forth in the Notice) by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount equal to 2% of the principal amount of the Bonds.

Delivery

The Issuer will pay for preparation of the Bonds and will deliver the same properly prepared, executed, and registered without cost to the successful bidder on or about July 2, 2024, 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 2023 is \$587,121,147. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$77,630,000.

Approval of Bonds

The Bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, Bond Counsel to the Issuer, 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 as and when the Bonds are delivered.

Additional Information

Additional information regarding the Bonds may be obtained from the Municipal Advisor at the addresses set forth below.

Issuer – Good Faith Deposit Delivery Address

City of Salina, Kansas
 Debbie Pack, Director of Finance and Administration
 300 W. Ash St., Room 206
 Salina, KS 67402
 785-309-5735
 Fax: 785-309-5711
debbie.pack@salina.org

Municipal Advisor – Email Bid Delivery Address

Stifel, Nicolaus & Company, Incorporated

Attn: David Arteberry
 4801 Main St., Suite 530,
 Kansas City, MO 64112
 816-203-8733
arteberryd@stifel.com

Dated May 13, 2024.

Debbie Pack
 Director of Finance and Administration
 City of Salina, Kansas

Doc. No. 052199

(Published in the Kansas Register June 6, 2024.)

City of Hillsboro, Kansas

Summary Notice of Bond Sale \$1,560,000* General Obligation Bonds Series 2024

Details of the Sale

Subject to the terms and requirements of the Official Notice of Bond Sale, dated May 7, 2024, of the City of Hillsboro, Kansas (the "City"), bids to purchase the City's General Obligation Bonds, Series 2024, (the "Bonds") will be received at the office of the City Clerk at City Hall, 118 E. Grand, Hillsboro, KS 67063 or by telefacsimile at 620-947-3482 or electronically as described in the Official Notice of Bond Sale until 10:00 a.m. (Central Time) Tuesday, June 18, 2024. The bids will be considered by the governing body at its meeting at 6:30 p.m. (Central Time) on the sale date.

No oral or auction bids for the Bonds shall be considered, and no bids for less than 100 percent of the total principal amount of the Bonds and accrued interest to the date of delivery shall be considered.

Good Faith Deposit

Bidders must submit a good faith deposit in the form of a wire transfer or certified or cashier's check made payable to the order of the City, or a financial surety bond (if then available), in an amount equal to 2% of the principal amount of the Bonds.

Details of the Bonds

The Bonds will be dated July 9, 2024 and will be issued as registered bonds in denominations of \$5,000, or any integral multiple thereof. Interest on the Bonds is payable semiannually on March 1 and September 1 of each year, beginning March 1, 2025. Principal of the Bonds becomes due on September 1 in the years and amounts as shown below:

Maturity Schedule

Principal Amount*	Maturity Date	Principal Amount*	Maturity Date
\$170,000	2027	\$200,000	2031
180,000	2028	205,000	2032
185,000	2029	210,000	2033
190,000	2030	220,000	2034

* Amounts subject to change.

Payment of Principal and Interest

The Treasurer of the State of Kansas will serve as the Bond Registrar and Paying Agent for the Bonds.

Book-Entry Bonds

The Bonds will be issued and registered under a book-entry-only system administered by The Depository Trust Company, New York, New York ("DTC").

Delivery of the Bonds

The City will prepare the Bonds at its expense and will deliver the registered Bonds to DTC on or about July 9, 2024. Any bond printing costs will be paid by the City from the proceeds of the Bonds or other City funds.

Legal Opinion

The Bonds will be sold subject to the legal opinion of Triplett Woolf Garretson, LLC, Wichita, Kansas, Bond Counsel, whose fees will be paid by the City.

Financial Matters

The City's current assessed valuation for purposes of calculating statutory debt limitations is \$24,133,260. As of July 9, 2024, the City's total outstanding general obligation debt (including the Bonds), is \$10,783,000*. The City's total indebtedness which is subject to debt limitation, as of July 9, 2024, is estimated to be \$4,812,650.84*, which is 19.94%* of the assessed valuation of the City.

Additional Information

For additional information contact the City Clerk at the address and telephone number shown below, or the Municipal Advisor, Greg Vahrenberg, Raymond James & Associates, Inc., 11551 Ash St., Suite 250, Leawood, KS 66211, telephone 816-391-4120.

City of Hillsboro, Kansas
 Danielle Bartel, City Clerk
 City Hall
 118 E. Grand
 Hillsboro, KS 67063
 620-947-3162
 Fax: 620-947-3482

Doc. No. 052190

State of Kansas

Behavioral Sciences Regulatory Board

Permanent Administrative Regulations

Article 2.—LICENSING OF SOCIAL WORKERS

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

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

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

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

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

(continued)

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

(2) "In residence," when used to describe a student, means that the student is completing coursework during which the student and one or more core faculty members are in face-to-face contact either in person or by synchronous, real-time videoconferencing.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (A) Hold a master's degree in social work;
- (B) have had post-master's professional social work practice experience; and
- (C) be qualified for licensure to practice social work in the state of Kansas.

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

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

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

(e) Upon request of the board, each school shall present documentation to the board that it has satisfactorily met the standards of subsection (b) and the standards of either subsection (c) or (d), as applicable. (Authorized by K.S.A. 74-7507 and K.S.A. 2023 Supp. 65-6306; implementing K.S.A. 2023 Supp. 65-6306; effective May 1, 1982; amended May 1, 1987; amended Oct. 24, 1997; amended Oct. 27, 2006; amended June 21, 2024.)

Article 3.—PROFESSIONAL COUNSELORS; FEES

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

(a) Each of the following terms, as used in this regulation, shall have the meaning specified in this subsection:

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

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

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

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

(2) "In residence," when used to describe a student, means that the student is completing coursework during which the student and one or more core faculty members are in face-to-face contact either in person or by synchronous, real-time videoconferencing.

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

(b) At the time of application, each applicant shall have met the following requirements:

(1) Received either a master's or a doctoral degree in counseling, or a related field, from a program that meets one of the following requirements:

(A) Is not below the accreditation standards of the council for the accreditation of counseling and related educational programs; or

(B) meets the requirements in subsections (f) and (g); and

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

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

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

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

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

(4) human growth and development, which shall include studies that provide a broad understanding of the nature and needs of individuals at all developmental levels and in multicultural contexts;

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

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

(continued)

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

(8) research and evaluation, which shall include studies in the areas of statistics, research design, development of research, development of program goals and objectives, and evaluation of program goals and objectives;

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

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

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

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

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

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

(A) The applicant shall have satisfactorily completed two graduate semester hours, or the academic equivalent, of discrete coursework in ethics and two graduate semester hours, or the academic equivalent, of discrete coursework in psychopathology and diagnostic assessment, including the study of the latest edition of the "diagnostic and statistical manual of mental disorders" and assessment instruments that support diagnosis.

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

(3) Have met one of the following experience requirements:

(A) Satisfactory completion of a graduate-level, supervised clinical practicum of professional experience that includes psychotherapy and assessment. The practicum

shall integrate diagnosis and treatment of mental disorders with use of the "diagnostic and statistical manual of mental disorders" adopted in K.A.R. 102-3-15 and shall include at least 280 hours of direct client contact; or

(B) completion of additional direct client contact hours providing psychotherapy and assessment as part of the postgraduate supervised experience. The experience shall consist of the number of hours that the applicant was lacking to attain 280 hours of direct client contact during the practicum. The postgraduate hours and the practicum hours completed shall total at least 280 hours. This experience shall be in addition to the 3,000 hours of postgraduate, supervised experience required for each licensed clinical professional counselor as required in K.A.R. 102-3-7a.

(f) In order to be approved by the board, each educational program in professional counseling, or a related field, shall meet the following requirements:

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

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

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

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

(5) engage in continuous systematic program evaluation indicating how the mission objectives and student learning outcomes are measured and met;

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

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

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

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

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

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

(12) require that the number of graduate semester hours, or the academic equivalent, delivered by adjunct faculty does not exceed the number of graduate semester hours, or the academic equivalent, delivered by core faculty members.

(g) In order for an applicant to qualify for licensure, the college or university at which the applicant completed

the degree requirements for counseling or a related field shall meet these requirements:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) no more than four graduate semester hours for thesis research and writing. (Authorized by K.S.A. 2023 Supp. 65-5804a and K.S.A. 74-7507; implementing K.S.A. 2023 Supp. 65-5804a; effective Dec. 19, 1997; amended July 19, 2002; amended Aug. 8, 2003; amended Oct. 27, 2006; amended Dec. 12, 2014; amended Dec. 16, 2022; amended June 21, 2024.)

Article 4. — MASTER'S LEVEL PSYCHOLOGISTS

102-4-3a. Educational requirements. To academically qualify for licensure as a master's level psychologist

or a clinical psychotherapist, the applicant's educational qualifications and background shall meet the applicable requirements specified in this regulation.

(a) Definitions.

(1) "Faculty member" means an individual who is part of the program's teaching staff and whose education, training, and experience are consistent with the individual's role within the program and are consistent with the published description of the goals, philosophy, and educational purpose of the program.

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

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

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

(2) Received a master's degree in psychology and has completed the coursework requirements in subsection (c) if the degree was earned before July 1, 2003 or in subsection (e) if the degree was earned on or after July 1, 2003; or

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

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

(1) Each applicant shall have satisfactorily completed at least 36 discrete and unduplicated graduate semester credit hours, or the academic equivalent, of formal, didactic academic coursework that is distributed across the coursework areas as specified in this paragraph, subject to the restrictions in subsection (d). This coursework shall have been completed at the time of application as a part of or in addition to the coursework completed for the graduate degree requirements:

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

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

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

(continued)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) thesis or independent research courses;

(4) academic courses that, by their experiential rather than didactic nature and content, are designed to precede, satisfy, or augment the practicum activities required for the graduate psychology degree;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(7) The college or university has conferred the graduate degree in psychology on the applicant, or has advanced the applicant to doctoral candidacy status, following the applicant’s successful completion of an established and required formal program of studies. (Authorized by K.S.A. 74-5370, and 74-7507; implementing K.S.A. 2023 Supp. 74-5363; effective Dec. 19, 1997; amended Aug. 13, 2004; amended Oct. 27, 2006; amended June 21, 2024.)

Article 5. — LICENSING OF MARRIAGE AND FAMILY THERAPISTS

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

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

(continued)

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

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

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

(2) "In residence," when used to describe a student, means that the student is completing coursework during which the student and one or more core faculty members are in face-to-face contact either in person or by synchronous, real-time videoconferencing.

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

(b) Each applicant for licensure shall have earned a master's or doctoral degree that meets the standards in subsection (c), (e), or (f).

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

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

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

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

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

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

(B) consists of at least 300 total hours of client contact; and

(C) includes at least 60 total hours of supervision that is provided by the program's core faculty and off-site supervisors. The practicum shall provide a minimum of 30 supervised hours in an individual format and no more than 30 supervised hours in a group format. Supervision shall occur at least once a week.

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

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

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

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

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

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

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

(4) The program requires that at least 50% of the coursework for the degree be completed "in residence" at one institution, and the required practicum shall be completed at the same institution.

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

(1) The college or university at which the applicant completed a master's or doctoral degree in a related field

shall be regionally accredited, with accreditation standards equivalent to those in Kansas.

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

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

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

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

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

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

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

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

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

(2) independent studies;

(3) thesis or independent research courses;

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

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

(6) graduate or postgraduate coursework or experiential training provided by colleges, universities, institutes,

or training programs that do not qualify under subsection (c), (e), or (f); and

(7) continuing education, an in-service activity, or on-the-job training. (Authorized by K.S.A. 2023 Supp. 65-6404 and K.S.A. 74-7507; implementing K.S.A. 2023 Supp. 65-6404; effective March 29, 1993; amended Dec. 19, 1997; amended July 7, 2003; amended Oct. 27, 2006; amended April 15, 2011; amended June 21, 2024.)

102-5-7b. Requirements for board-approved clinical supervisor; application. (a) Each licensee providing postgraduate clinical supervision shall be a board-approved clinical supervisor. This requirement shall apply to each individual commencing a new supervisory relationship on or after July 1, 2017.

(b) In addition to meeting the requirements in K.S.A. 65-6414 and amendments thereto and K.A.R. 102-5-7a, the licensee shall successfully complete clinical supervision training, which shall be approved by the board and be specific to providing supervision or becoming a supervisor. This training shall include either 15 hours of continuing education in supervision or one semester credit hour of a graduate-level course on supervision or the academic equivalent at an accredited college or university approved by the board, each of which shall cover the following material:

(1) Hands-on supervision, during which time the licensee was supervised by a board-approved clinical supervisor for at least eight hours;

(2) best practices of supervision;

(3) classic and postmodern systemic supervision models;

(4) ethical and legal issues, including risk management;

(5) culture and context in supervision;

(6) structuring supervision;

(7) the importance of a positive working relationship between the supervisor and supervisee; and

(8) Kansas marriage and family therapist statutes and regulations.

(c) Each licensee applying for approval as a clinical supervisor shall obtain the appropriate application forms from the board and submit the completed application materials to the board.

(d) To maintain approval as a clinical supervisor, each approved clinical supervisor shall successfully complete the required continuing education specified in K.S.A. 65-6414, and amendments thereto. (Authorized by K.S.A. 74-7507; implementing K.S.A. 65-6414; effective, T-102-5-24-17, May 24, 2017; effective Oct. 6, 2017; amended June 21, 2024.)

102-5-10. Continuing education for licensees. (a) Each licensee shall complete 40 hours of documented and approved continuing education during each two-year renewal period. Continuing education hours accumulated in excess of the required number of hours shall not be carried over to the next renewal period.

(b) During each two-year renewal period as a part of the required continuing education hours, each licensee shall complete a program on professional ethics that consists of at least three hours of formal training. This program shall meet the definition of continuing education

(continued)

in K.A.R. 102-5-1, and the program shall focus on ethical issues of the marriage and family therapy profession. These hours shall be obtained from any of the activities specified in paragraphs (e)(1), (e)(2), (e)(3), (e)(4), (e)(10), and (e)(11).

(c) During each two-year renewal period as a part of the required continuing education hours, each licensee shall complete a program on diagnosis and treatment of mental disorders that consists of at least six hours of formal training. This program shall meet the definition of continuing education in K.A.R. 102-5-1. These hours shall be obtained from any of the activities specified in paragraphs (e)(1), (e)(2), (e)(3), (e)(4), (e)(10), and (e)(11).

(d) Any licensee may receive continuing education credit for attending approved programs. Continuing education credit shall be granted on the basis of the actual contact time that the licensee spends attending each instructional activity. One-quarter continuing education hour may be granted for attending at least 15 but fewer than 25 minutes. Continuing education credit shall not be granted for fractional units of fewer than 15 minutes.

(e) Acceptable continuing education, whether taken within the state or outside the state, shall include the following:

(1) An academic marriage and family therapy course, or an academic course oriented to the enhancement of a marriage and family therapist's practice, values, ethics, skills, or knowledge, that is taken for academic credit. Each licensee shall be granted 15 continuing education hours for each academic credit hour that the licensee successfully completes. The maximum number of allowable continuing education hours shall be 40;

(2) an academic marriage and family therapy course, or an academic course oriented to the enhancement of a marriage and family therapist's practice, values, ethics, skills, or knowledge, that is audited. The licensee may receive continuing education credit on the basis of the actual contact time that the licensee spends attending the course, up to a maximum of 15 hours per academic credit hour. The maximum number of allowable continuing education hours shall be 40;

(3) a seminar, institute, workshop, course, or mini-course. The maximum number of allowable continuing education hours shall be 40;

(4) if a posttest is provided, an activity consisting of completing of a computerized interactive learning module, viewing a telecast or videotape, listening to an audiotape, or reading. The maximum number of allowable continuing education hours shall be 40;

(5) if a posttest is not provided, an activity consisting of completing a computerized interactive learning module, viewing a telecast or videotape, listening to an audiotape, or reading. The maximum number of allowable continuing education hours shall be 10;

(6) a cross-disciplinary offering in medicine, law, the behavioral sciences, a foreign or sign language, computer science, professional or technical writing, business administration, management sciences, or any other discipline, if the offering is clearly related to the enhancement of a marriage and family therapist's practice, values, ethics, skills, or knowledge. The maximum number of allowable continuing education hours shall be 10;

(7) a self-directed learning project that is preapproved by the board. The maximum number of allowable continuing education hours shall be 10;

(8) providing supervision to undergraduate or graduate practicum or intern students, applicants for licensure as clinical marriage and family therapists, or other clinical mental health practitioners. The maximum number of allowable continuing education hours shall be 15;

(9) receiving supervision from a board-approved clinical supervisor while the licensee is providing supervision to become a board-approved clinical supervisor. The maximum number of allowable continuing education hours shall be eight;

(10) preparing for and presenting for the first time a marriage and family therapy course, seminar, institute, workshop, or mini-course. The maximum number of allowable continuing education hours shall be 10 for documented preparation and presentation time;

(11) the first-time publication of a marriage and family therapy article in a juried professional journal. The maximum number of allowable continuing education hours shall be 10; and

(12) participation in professional organizations or appointment to professional credentialing boards, if the goals of the organizations or boards are clearly related to the enhancement of marriage and family therapy practice, values, ethics, skills, and knowledge. Participation may include holding office or serving on committees of the organization or board. The maximum number of allowable continuing education hours shall be 10.

(f) Approval shall not be granted for identical programs if the programs are completed within the same renewal period.

(g) Approval shall not be granted for any of the following activities:

(1) First aid, CPR, infection control, or occupational health and safety courses;

(2) in-service training, if the training is for job orientation or job training, or is specific to the employing agency; or

(3) any activity for which the licensee cannot demonstrate to the board's satisfaction that the program's goals and objectives are to enhance the licensee's practice, ethics, values, skills, or knowledge in marriage and family therapy.

(h) Each licensee shall maintain individual continuing education records. Continuing education records shall document the licensee's continuing education activity attendance, participation, or completion as specified in K.A.R. 102-5-11. Any licensee may be required to submit these records to the board at least 30 days before the date the individual's license expires. (Authorized by and implementing K.S.A. 2023 Supp. 65-6407 and K.S.A. 74-7507; effective March 29, 1993; amended Dec. 19, 1997; amended July 11, 2003; amended June 21, 2024.)

Article 7.—LICENSING OF ADDICTION COUNSELORS

102-7-3. Educational requirements. (a) Each of the following terms, as used in this regulation, shall have the meaning specified in this subsection:

(1) "Core faculty member" means an individual who is part of the teaching staff of a program covered by this regulation and who meets the following conditions:

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

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

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

(2) "In residence," when used to describe a student, means that the student is completing coursework, during which the student and one or more core faculty members, adjunct faculty members, or agency internship supervisors are in face-to-face contact either in person or by synchronous, real-time videoconferencing.

(3) "Related field" means a degree program in a helping profession and may include any of the following:

(A) Counseling;

(B) human development and family studies;

(C) marriage and family therapy;

(D) psychology;

(E) social work; or

(F) other degrees as approved by the board.

(4) "Primary professional employment" means at least 20 hours each week of instruction, research, or any other service to the institution in the course of employment, and related administrative work.

(5) "Skill-based coursework" means those courses that allow students to work on basic helping skills including open-ended questions, clarification, interpretation, response to feelings, and summarization.

(b) To qualify for licensure as an addiction counselor, the applicant shall hold at least a baccalaureate degree from a program that was accredited by the National Addiction Studies Accreditation Commission or hold one of the following:

(1) At least a baccalaureate degree in addiction counseling. When the degree was granted, the program met the standards approved by the board;

(2) at least a baccalaureate degree in addiction counseling or a related field, if the applicant began the program on or before May 1, 2011 and the baccalaureate degree was conferred on or before June 1, 2012, from a program that was approved by the Kansas department of social and rehabilitation services, division of addiction and prevention services; or

(3) at least a baccalaureate degree in another course of study. As part of, or in addition to, the baccalaureate degree coursework, the applicant shall also complete at least 30 semester hours, or the academic equivalent, in coursework on substance use disorders that meets the coursework requirements in subsection (c).

(c) Each applicant for licensure as an addiction counselor shall hold at least a baccalaureate degree from a program that was accredited by the National Addiction Studies Accreditation Commission or satisfactorily completed formal academic coursework that contributes to

the development of a broad conceptual framework for addiction counseling theory and practice. This formal academic coursework shall be distributed across the substantive content areas specified in this subsection. For applicants who graduate on or after July 1, 2013, half of all skill-based coursework shall be completed while the student is in residence, as defined in this regulation. Except for the required courses in a practicum or its equivalent, there shall be at least three discrete and unduplicated semester hours, or the academic equivalent, in each of the following content areas:

(1) Introduction to addiction, which shall include the study of the nature of addiction and other substance use-related problems; models, theories, philosophies, principles, implications for medical and mental health conditions that coexist with addiction, and evidence-based strategies of addiction prevention, treatment, relapse prevention, continuing care, and recovery; and the impact of addiction on the individual, family, and society;

(2) methods of individual counseling, which shall include the study of culturally informed, ethical, evidence-based models and approaches to individual counseling; methods for establishing effective therapeutic relationships, developing realistic and achievable treatment goals, and assessing client biopsychosocial or the biological, psychological, and social needs, functioning, motivation, and progress; and strategies for crisis prevention and intervention;

(3) methods of group counseling, which shall include the study of culturally informed, ethical, evidence-based models and approaches to group counseling; group facilitation and counseling skills; and methods for establishing group goals and treatment outcomes;

(4) addiction pharmacology, which shall include the study of the nature of psychoactive chemicals; the behavioral, psychological, physiological, and social effects of psychoactive substance use; symptoms of intoxication, withdrawal, and toxicity; toxicity screen options, limitations, and legal implications; and the use of pharmacotherapy for treatment of addiction;

(5) co-occurring disorders, which shall include the study of the symptoms of mental health and other disorders prevalent in individuals with substance use disorders, screening and assessment tools used to detect and evaluate the presence and severity of co-occurring disorders, and evidence-based strategies for managing risks associated with treating individuals who have co-occurring disorders;

(6) addiction services coordination, which shall include the study of administrative, clinical, evaluative, and referral activities used to connect clients with treatment services and other community resources; navigation and coordination across multiple systems; and case management and advocacy skills used to assist clients in achieving their treatment and recovery goals;

(7) legal and ethical issues, which shall include the study of established codes of ethical conduct, standards of professional behavior and scope of practice; client rights, responsibilities, and informed consent; and confidentiality and other legal considerations in counseling;

(continued)

(8) family and community studies, which shall include the study of family, social, and community systems; and the development of culturally informed skills utilized in the treatment and recovery process;

(9) at least six semester credit hours or the academic equivalent of practicum or its equivalent, which shall include the following:

(A) An experience that integrates didactic learning that is related to substance use disorders with face-to-face, direct counseling experience that includes intake and assessment, counseling, treatment planning, discharge planning, documentation, and case management activities;

(B) at least 400 clock-hours of practice; and

(C) at least one hour of supervision for every 10 hours of practice. Supervision shall be provided by the educational program's faculty and agency staff, at least one of whom shall be licensed in the behavioral sciences; and

(10) for applicants who graduate on and after July 1, 2012, at least three discrete and unduplicated semester hours, or the academic equivalent, in the study of research, which shall include the study of basic research design and methodology; critical evaluation and interpretation of professional research reports; introduction to data collection, performance measurement, and outcome evaluation; and the application of research results in a treatment setting.

(d) To qualify for licensure as an addiction counselor while holding a baccalaureate social work license in Kansas, the applicant shall complete the coursework specified in paragraphs (c)(1), (4), and (9).

(e) To qualify for licensure as a master's addiction counselor or a clinical addiction counselor, the applicant shall hold at least a master's degree from a program that was accredited by the National Addiction Studies Accreditation Commission or the applicant shall hold one of the following:

(1) At least a master's degree in addiction counseling. When the degree was granted, the program met the standards approved by the board; or

(2) at least a master's degree in another course of study. When the degree was granted, the program met the standards approved by the board. As part of, or in addition to, the master's degree coursework, the applicant shall also complete at least 30 graduate semester credit hours, or the academic equivalent, supporting the diagnosis and treatment of substance use disorders and shall meet the coursework requirements in subsection (f).

(f) Each applicant for licensure as a master's addiction counselor or a clinical addiction counselor shall hold at least a master's degree from a program that was accredited by the National Addiction Studies Accreditation Commission or shall have satisfactorily completed formal academic coursework that contributes to the development of a broad conceptual framework for addiction counseling theory and practice. This formal academic coursework shall be distributed across the substantive content areas specified in this subsection. For applicants who graduate on or after July 1, 2013, half of all skill-based coursework shall be completed while the student is in residence, as defined in this regulation. There shall be at least three discrete and unduplicated graduate se-

mester hours, or the academic equivalent, in each of the following content areas:

(1) Addiction and recovery services, which shall include the study and critical analysis of philosophies and theories of addiction and scientifically supported models of prevention, intervention, treatment, and recovery for addiction and other substance-related problems;

(2) advanced methods of individual and group counseling, which shall include the study of practical skills related to evidence-based, culturally informed individual and group counseling techniques and strategies designed to facilitate therapeutic relationships and the educational and psychosocial development of clients as specifically related to their addiction;

(3) advanced pharmacology and substance use disorders, which shall include the study of the pharmacological properties and effects of psychoactive substances; physiological, behavioral, psychological, and social effects of psychoactive substances; drug interactions; medication-assisted addiction treatment; and pharmacological issues related to co-occurring disorders treated with prescription psychotropic medications;

(4) integrative treatment of co-occurring disorders, which shall include the study of the relationship between addiction and co-occurring mental or physical disorders or other conditions and evidence-based models for the screening, assessment, and collaborative treatment of co-occurring disorders;

(5) assessment and diagnosis, which shall include the study of a comprehensive clinical assessment process that addresses age, gender, disability, and cultural issues; the signs, symptoms, and diagnostic criteria used to establish substance use-disorder diagnoses; and the relationship between diagnosis, treatment, and recovery;

(6) professional ethics and practice, which shall include the study of professional codes of ethics and ethical decision making; client privacy rights and confidentiality; legal responsibilities and liabilities of clinical supervision; and professional identity and development issues;

(7) applied research, which shall include the study of the purposes and techniques of behavioral sciences research, including qualitative and quantitative approaches, research methodology, data collection and analysis, electronic research skills, outcome evaluation, critical evaluation and interpretation of professional research reports, and practical applications of research;

(8) practicum or its equivalent, which shall meet the following requirements:

(A) Be a clinical experience that integrates didactic learning supporting the diagnosis and treatment of substance use disorders;

(B) include at least 300 hours of client contact; and

(C) provide at least one hour of supervision for every 10 hours of client contact. Supervision shall be provided by the program's faculty and agency supervisors, at least one of whom shall be licensed at or above the level of licensure being pursued; and

(9) six additional graduate semester hours of academic coursework that contributes to the development of advanced knowledge or skills in addiction counseling, supervision, or research.

(g) In order to be approved by the board, each program in another course of study that did not include addiction counseling coursework shall be regionally accredited, with accreditation standards equivalent to those met by Kansas colleges and universities.

(h) In order to be approved by the board, each addiction counseling program or the program through which the applicant completed the required coursework in addiction counseling shall meet the following conditions:

(1) Have established program admission requirements that are based, in part or in full, on objective measures or standardized achievement tests and measures unless required for the degree in another course of study;

(2) offer education and training in addiction counseling, one goal of which is to prepare students for the practice of addiction counseling;

(3) require an established curriculum that encompasses at least one academic year of study for a baccalaureate degree or two academic years of study for a master's degree;

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

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

(6) for a master's degree program, be coordinated or directed by an identifiable person who holds a graduate degree that was earned from a regionally accredited college or university upon that person's actual completion of a formal academic training program;

(7) have an identifiable, full-time core faculty member who holds an earned graduate degree in addiction counseling or a related field;

(8) have an established, identifiable body of students who are formally enrolled in the program with the goal of obtaining coursework for the concentration in the study of addiction counseling;

(9) require the student's major advisor to be a member of the program faculty;

(10) require each student to complete the institution's requirements for the number of credit hours that must be completed at that institution and to satisfactorily complete an addiction counseling practicum or its equivalent that is provided by the program from which the student completes the concentration in the study of addiction counseling or a related field. The required practicum shall meet the following requirements:

(A) Accept as practicum students only applicants enrolled in the addiction counseling or related-field program;

(B) provide the majority of supervision by an individual who is licensed by the board at or above the level of licensure being pursued;

(C) exist as a distinct and organized program that is clearly recognizable within an institution or agency, as well as in pertinent public, official documents issued by the institution or agency, and that is clearly recognizable as a training program for addiction counselors;

(D) identify students as being in training and not as staff members; and

(E) be an integrated and formally organized training experience, not an after-the-fact tabulation of experience; and

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

(i) In order to be approved by the board, each college or university through which the applicant completed the required coursework in addiction counseling shall meet the following requirements:

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

(2) document in official publications, including course catalogs and announcements, the program description and standards and the admission requirements for the addiction counseling or related-field program or the program through which the applicant completed the required coursework in addiction counseling;

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

(B) identify and clearly describe in pertinent institutional catalogs the coursework, experiential, and other academic program requirements that must be satisfied before completion of the addiction counseling coursework as specified in subsection (c) or (f);

(4) clearly identify and specify in pertinent institutional catalogs the intent to educate and train addiction counselors or related-field professionals;

(5) have clearly established the addiction counselor or related-field education program as a coherent entity within the college or university that, when the applicant's degree was conferred or addiction counseling coursework was completed, met the program standards in subsection (h);

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

(7) have a library and equipment and resources available that are adequate for the size of the student body and the scope of the program offered.

(j) The following types of study shall not be substituted for or counted toward the coursework requirements of this regulation:

(1) Academic coursework that has been audited rather than graded;

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

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

(4) coursework or training provided by any college, university, institute, or training program that does not meet the requirements of subsections (h) and (i); and

(5) any continuing education, in-service activity, or on-the-job training. (Authorized by K.S.A. 74-7507; implementing K.S.A. 2023 Supp. 65-6610; effective, T-102-7-1-11, July 1, 2011; effective, T-102-10-27-11, Oct. 27, 2011; effective Jan. 20, 2012; amended, T-102-7-16-13, July 16, 2013; amended Dec. 2, 2013; amended June 21, 2024.)

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102-7-4. Application for licensure. (a) Each applicant for licensure as an addiction counselor, a master's addiction counselor, or a clinical addiction counselor shall request the appropriate licensure application forms from the executive director of the board.

(b) Each applicant for licensure as an addiction counselor shall submit the completed application materials to the board and perform the following:

(1) Submit the full payment of the licensure application fee as specified in K.A.R. 102-7-2;

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

(A) Not be related to the applicant;

(B) be authorized by law to practice addiction counseling or to practice in the behavioral sciences, at the bachelor's level or above; and

(C) be able to address the applicant's professional conduct, competence, and specify whether the applicant merits the public trust;

(3) if not previously provided to the board, submit, on a board-approved form, a third professional reference from an individual who shall meet the following conditions:

(A) Not be related to the applicant; and

(B) (i) Have served as the applicant's on-site practicum supervisor and be authorized by law to practice addiction counseling; or

(ii) if the supervisor specified in paragraph (b)(3)(B) (i) is unavailable, be the program director or any person who has knowledge of the applicant's practicum experience on the basis of the applicant's practicum records; and

(4) meet one of the following requirements:

(A) Currently hold a license issued by the board at the master's level or above;

(B) demonstrate that the applicant is licensed by the board as a baccalaureate social worker and has completed the coursework requirements specified in K.A.R. 102-7-3(c)(1), (4), and (9); or

(C) (i) Demonstrate completion of the educational requirements specified in K.A.R. 102-7-3; and

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

(c) Each applicant for licensure as a master's addiction counselor shall submit the completed application materials to the board and perform the following:

(1) Submit the full payment of the licensure application fee as specified in K.A.R. 102-7-2;

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

(A) Not be related to the applicant;

(B) be authorized by law to practice addiction counseling or to practice in the behavioral sciences, at the master's level or above; and

(C) be able to address the applicant's professional conduct, competence, and specify whether the applicant merits the public trust;

(3) if not previously provided to the board, submit, on a board-approved form, a third professional reference from an individual who shall meet the following conditions:

(A) Not be related to the applicant; and

(B)(i) Have served as the applicant's on-site graduate practicum supervisor and be authorized by law to practice addiction counseling; or

(ii) if the supervisor specified in paragraph (c)(3)(B) (i) is unavailable, be the program director or any person who has knowledge of the applicant's graduate practicum experience on the basis of the applicant's practicum records; and

(4) meet either of the following requirements:

(A) Currently hold a license issued by the board at the master's level; or

(B)(i) Demonstrate completion of the educational requirements specified in K.A.R. 102-7-3; and

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

(d) Each applicant for licensure as a clinical addiction counselor shall submit the completed application materials to the board and perform the following:

(1) Submit the full payment of the licensure application fee as specified in K.A.R. 102-7-2;

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

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

(A) Not be related to the applicant;

(B) be authorized by law to practice clinical addiction counseling or practice in the behavioral sciences, at the clinical level; and

(C) be able to address the applicant's professional conduct and competence and specify whether the applicant merits the public trust;

(4) if not previously provided to the board, submit, on a board-approved form, a third professional reference from an individual who shall meet the following conditions:

(A) Not be related to the applicant; and

(B) (i) have served as the applicant's on-site graduate practicum supervisor, and be authorized by law to practice addiction counseling at the master's level or above; or

(ii) if the supervisor specified in paragraph (d)(4)(B) (i) is unavailable, be the program director or any person who has knowledge of the applicant's graduate practicum experience on the basis of the applicant's practicum records; and

(5) meet one of the following requirements:

(A) Demonstrate that the applicant is licensed by the board as a master's addiction counselor and has completed a master's degree from a college or university approved by the board; or

(B)(i) Demonstrate satisfactory completion of the graduate education requirements specified in K.A.R. 102-7-3; and

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

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

(e) Each applicant for licensure as a clinical addiction counselor who currently holds a license as a psychologist or a board-issued clinical license shall submit the completed application materials to the board and perform the following:

(1) Submit the full payment of the licensure application fee as specified in K.A.R. 102-7-2; and

(2) submit, on a board-approved form, an attestation that meets the requirements in K.S.A. 65-6610(c)(2)(D), and amendments thereto.

(f) The following provisions shall apply to each applicant for licensure as an addiction counselor, a master's addiction counselor, or a clinical addiction counselor:

(1) Upon the board's determination that the applicant has met the applicable educational requirements, each applicant shall pass an appropriate, nationally administered, standardized written examination approved by the board in accordance with K.A.R. 102-7-5.

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

(3) Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall submit the fee for the original two-year licensure period as specified in K.A.R. 102-7-2.

(A) If either of the following conditions applies to the applicant, the applicant's application shall expire one year from the date on which it was submitted to the board or on the date the applicant's temporary license expires, whichever date is later, except as provided by paragraph (f)(3)(B):

(i) The applicant has not met the qualifications for licensure.

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

(B) Any applicant whose application will expire under paragraph (f)(3)(A) may request that the application be kept open for an additional period of time, not to exceed six months, on the basis of extenuating circumstances.

The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the application shall remain open for the period of time stipulated by the board in its approval, which shall not exceed six months.

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

(g)(1) Any applicant for licensure as an addiction counselor or a master's addiction counselor who is determined by the board to meet the requirements of K.S.A. 65-6610 (a)(1), (2), (4), and (5) or (b)(1)(A), (B), (D), and (E), and amendments thereto, may be granted a temporary license if the applicant submits a written request for a temporary license on a form approved by the board and the temporary license fee as specified in K.A.R. 102-7-2. Except as provided in paragraph (g)(2), the temporary license shall remain in effect for 24 months.

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

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

(1) The person's inability to comply with the requirements of this regulation within the time frames established by this regulation or K.S.A. 65-6611, and amendments thereto; or

(2) the inadvisability of requiring the applicant to comply with the requirements of this regulation within the time frames established by this regulation and K.S.A. 65-6611, and amendments thereto. (Authorized by K.S.A. 74-7507; implementing K.S.A. 2023 Supp. 65-6610, K.S.A. 2023 Supp. 65-6611 and K.S.A. 74-7507; effective, T-102-7-1-11, July 1, 2011; effective, T-102-10-27-11, Oct. 27, 2011; effective Jan. 20, 2012; amended June 21, 2024.)

102-7-5. Examination for addiction counselor, master's addiction counselor, or clinical addiction counselor. (a)(1) Each applicant for licensure as an addiction counselor who does not meet the requirements of K.A.R. 102-7-4b shall be required to pass a nationally administered, standardized written examination approved by the board.

(2) An applicant shall not be authorized to register for an examination until the applicant is within at least four months of anticipated completion of the applicable academic degree requirements and has satisfied the board that the applicant merits the public trust. Each applicant

(continued)

who has not completed the applicable academic degree requirements on the date that the application is submitted shall arrange for the required transcripts to be sent to the board when the academic degree is awarded to the applicant.

(3) The applicant's required written examination may be waived by the board if the applicant obtained a passing score as determined by the examination company on a nationally administered, standardized written examination deemed by the board to be substantially equivalent to the examination used in Kansas.

(b)(1) Each applicant for licensure as a master's addiction counselor who does not meet the requirements of K.A.R. 102-7-4b shall be required to pass a nationally administered, standardized written examination approved by the board.

(2) An applicant shall not be authorized to register for an examination until the applicant is within at least four months of anticipated completion of the applicable academic degree requirements and has satisfied the board that the applicant merits the public trust. Each applicant who has not completed the applicable academic degree requirements on the date that the application is submitted shall arrange for the required transcripts to be sent to the board when the academic degree is awarded to the applicant.

(3) The applicant's required written examination may be waived by the board if the applicant obtained a passing score as determined by the examination company on a nationally administered, standardized written examination deemed by the board to be substantially equivalent to the examination used in Kansas.

(c)(1) Each applicant for licensure as a clinical addiction counselor who does not meet the requirements of K.A.R. 102-7-4b shall be required to pass a nationally administered, standardized written clinical examination approved by the board.

(2) An applicant shall not be authorized to register for the clinical examination or to qualify for a waiver of the examination until the applicant has fulfilled all educational requirements and has satisfied the board that the applicant merits the public trust.

(3) The applicant's required written clinical examination may be waived by the board if the applicant obtained a passing score as determined by the examination company on a standardized written examination deemed by the board to be substantially equivalent to the examination used in Kansas. (Authorized by K.S.A. 74-7507; implementing K.S.A. 2023 Supp. 65-6610; effective, T-102-7-1-11, July 1, 2011; effective, T-102-10-27-11, Oct. 27, 2011; effective Jan. 20, 2012; amended June 21, 2024.)

102-7-7. Renewal; late renewal. (a) To be considered for license renewal, each licensed addiction counselor, each licensed master's addiction counselor, and each licensed clinical addiction counselor shall submit the following items to the board:

- (1) A completed renewal application;

- (2) the continuing education reporting form; and

- (3) the renewal fee specified in K.A.R. 102-7-2.

(b) If the items specified in subsection (a) are not submitted before the date the license expires, the licensee may late renew the license by performing the following:

- (1) Submitting a completed late renewal application form;

- (2) paying the required renewal fee and the late renewal penalty fee specified in K.A.R. 102-7-2; and

- (3) submitting the continuing education reporting form and documentation pursuant to K.A.R. 102-7-10.

(c) Each individual who holds an addiction counseling license, a master's addiction counseling license, or a clinical addiction counseling license but who fails to renew the license before its expiration and subsequently applies to renew the license shall indicate the following on the late renewal application form:

- (1) Specification of whether or not the individual has continued to practice addiction counseling in Kansas or has continued to represent that individual as being a licensed addiction counselor, a licensed master's addiction counselor, or a licensed clinical addiction counselor in Kansas after the individual's license expired; and

- (2) if either condition in paragraph (c)(1) has been met, an explanation of the circumstances. (Authorized by K.S.A. 74-7507; implementing K.S.A. 2023 Supp. 65-6614 and K.S.A. 74-7507; effective, T-102-7-1-11, July 1, 2011; effective, T-102-10-27-11, Oct. 27, 2011; effective Jan. 20, 2012; amended June 21, 2024.)

102-7-8. Renewal audit. (a) A random audit of the continuing education documentation for 10 percent of the addiction counselor licenses, the master's addiction counselor licenses, and the clinical addiction counselor licenses expiring each month shall be conducted by the board.

(b) Each licensee selected for the random audit shall be notified after the board has received the licensee's renewal application form required by K.A.R. 102-7-7.

(c) Upon board notification, each renewal applicant shall submit the following to the board within 30 days after the license expiration date:

- (1) The completed renewal audit forms; and

- (2) the original continuing education documents that validate all continuing education hours claimed for credit during the current renewal period.

(d) Continuing education hours that a renewal applicant earns after board receipt of the renewal application form shall not be approved for continuing education credit for the period being audited. (Authorized by K.S.A. 74-7507; implementing K.S.A. 2023 Supp. 65-6614 and K.S.A. 74-7507; effective, T-102-7-1-11, July 1, 2011; effective, T-102-10-27-11, Oct. 27, 2011; effective Jan. 20, 2012; amended June 21, 2024.)

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Executive Director
Behavioral Sciences Regulatory Board

Doc. No. 052200

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended, and revoked administrative regulations with a future effective date and the *Kansas Register* issue in which the regulation can be found. A complete listing and the complete text of all currently effective regulations required to be published in the *Kansas Administrative Regulations* can be found at https://www.sos.ks.gov/publications/pubs_kar.aspx.

AGENCY 6: STATE ELECTION BOARD

Reg. No.	Action	Register
6-1-1	Amended	V. 43, Issue 22
6-1-2	Amended	V. 43, Issue 22

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-21-1	Amended	V. 43, Issue 22
7-21-2	Amended	V. 43, Issue 22
7-23-2	Amended	V. 43, Issue 22
7-23-4	Amended	V. 43, Issue 22
7-24-2	Amended	V. 43, Issue 22
7-25-1	Amended	V. 43, Issue 22
7-26-1	Amended	V. 43, Issue 22
7-26-2	Amended	V. 43, Issue 22
7-27-1	Amended	V. 43, Issue 22
7-28-1	Amended	V. 43, Issue 22
7-36-1	Amended	V. 43, Issue 22
7-36-2	Amended	V. 43, Issue 22
7-36-3	Amended	V. 43, Issue 22
7-36-6	Amended	V. 43, Issue 22
7-38-1	Amended	V. 43, Issue 22
7-47-1	Amended	V. 43, Issue 22
7-47-1	Amended (T)	V. 43, Issue 11

AGENCY 26: DEPARTMENT FOR AGING AND DISABILITY SERVICE

Reg. No.	Action	Register
26-52-1	New (T)	V. 43, Issue 9
26-52-2	New (T)	V. 43, Issue 9
26-52-3	New (T)	V. 43, Issue 9
26-52-4	New (T)	V. 43, Issue 9
26-52-5	New (T)	V. 43, Issue 9
26-52-6	New (T)	V. 43, Issue 9
26-52-7	New (T)	V. 43, Issue 9
26-52-8	New (T)	V. 43, Issue 9
26-52-9	New (T)	V. 43, Issue 9
26-52-10	New (T)	V. 43, Issue 9
26-52-11	New (T)	V. 43, Issue 9
26-52-12	New (T)	V. 43, Issue 9
26-52-13	New (T)	V. 43, Issue 9
26-52-14	New (T)	V. 43, Issue 9
26-52-15	New (T)	V. 43, Issue 9
26-52-16	New (T)	V. 43, Issue 9
26-52-17	New (T)	V. 43, Issue 9
26-52-18	New (T)	V. 43, Issue 9
26-52-19	New (T)	V. 43, Issue 9
26-52-20	New (T)	V. 43, Issue 9
26-52-21	New (T)	V. 43, Issue 9
26-52-22	New (T)	V. 43, Issue 9
26-52-23	New (T)	V. 43, Issue 9
26-52-24	New (T)	V. 43, Issue 9
26-52-25	New (T)	V. 43, Issue 9
26-52-26	New (T)	V. 43, Issue 9
26-52-27	New (T)	V. 43, Issue 9
26-52-28	New (T)	V. 43, Issue 9
26-52-29	New (T)	V. 43, Issue 9
26-52-30	New (T)	V. 43, Issue 9

26-52-31	New (T)	V. 43, Issue 9
26-52-32	New (T)	V. 43, Issue 9

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-4-170	Revoked	V. 43, Issue 21
28-4-171	Revoked	V. 43, Issue 21
28-4-172	Revoked	V. 43, Issue 21
28-4-173	Revoked	V. 43, Issue 21
28-4-174	Revoked	V. 43, Issue 21
28-4-175	Revoked	V. 43, Issue 21
28-4-176	Revoked	V. 43, Issue 21
28-4-177	Revoked	V. 43, Issue 21
28-4-178	Revoked	V. 43, Issue 21
28-4-800	Revoked	V. 43, Issue 21
28-4-801	Revoked	V. 43, Issue 21
28-4-803	Revoked	V. 43, Issue 21
28-4-804	Revoked	V. 43, Issue 21
28-4-805	Revoked	V. 43, Issue 21
28-4-806	Revoked	V. 43, Issue 21
28-4-807	Revoked	V. 43, Issue 21
28-4-808	Revoked	V. 43, Issue 21
28-4-809	Revoked	V. 43, Issue 21
28-4-810	Revoked	V. 43, Issue 21
28-4-811	Revoked	V. 43, Issue 21
28-4-812	Revoked	V. 43, Issue 21
28-4-813	Revoked	V. 43, Issue 21
28-4-814	Revoked	V. 43, Issue 21
28-4-815	Revoked	V. 43, Issue 21
28-4-816	Revoked	V. 43, Issue 21
28-4-817	Revoked	V. 43, Issue 21
28-4-818	Revoked	V. 43, Issue 21
28-4-819	Revoked	V. 43, Issue 21
28-4-820	Revoked	V. 43, Issue 21
28-4-821	Revoked	V. 43, Issue 21
28-4-822	Revoked	V. 43, Issue 21
28-4-823	Revoked	V. 43, Issue 21
28-4-824	Revoked	V. 43, Issue 21
28-4-825	Revoked	V. 43, Issue 21

AGENCY 30: DEPARTMENT FOR CHILDREN AND FAMILIES

Reg. No.	Action	Register
30-47-102	New	V. 43, Issue 21
30-47-103	New	V. 43, Issue 21
30-47-104	New	V. 43, Issue 21
30-47-105	New	V. 43, Issue 21
30-47-106	New	V. 43, Issue 21
30-47-107	New	V. 43, Issue 21
30-47-108	New	V. 43, Issue 21
30-47-109	New	V. 43, Issue 21
30-47-110	New	V. 43, Issue 21
30-47-111	New	V. 43, Issue 21
30-47-112	New	V. 43, Issue 21
30-47-113	New	V. 43, Issue 21
30-47-114	New	V. 43, Issue 21
30-47-115	New	V. 43, Issue 21
30-47-116	New	V. 43, Issue 21
30-47-117	New	V. 43, Issue 21
30-47-118	New	V. 43, Issue 21
30-47-119	New	V. 43, Issue 21
30-47-120	New	V. 43, Issue 21
30-47-121	New	V. 43, Issue 21
30-47-122	New	V. 43, Issue 21
30-47-123	New	V. 43, Issue 21
30-47-124	New	V. 43, Issue 21
30-47-125	New	V. 43, Issue 21
30-47-126	New	V. 43, Issue 21
30-47-127	New	V. 43, Issue 21
30-47-312	New	V. 43, Issue 21
30-47-800	New	V. 43, Issue 21
30-47-801	New	V. 43, Issue 21
30-47-802	New	V. 43, Issue 21

30-47-803	New	V. 43, Issue 21
30-47-804	New	V. 43, Issue 21
30-47-805	New	V. 43, Issue 21
30-47-806	New	V. 43, Issue 21
30-47-807	New	V. 43, Issue 21
30-47-808	New	V. 43, Issue 21
30-47-809	New	V. 43, Issue 21
30-47-810	New	V. 43, Issue 21
30-47-811	New	V. 43, Issue 21
30-47-813	New	V. 43, Issue 21
30-47-815	New	V. 43, Issue 21
30-47-816	New	V. 43, Issue 21
30-47-817	New	V. 43, Issue 21
30-47-818	New	V. 43, Issue 21
30-47-819	New	V. 43, Issue 21
30-47-820	New	V. 43, Issue 21
30-47-821	New	V. 43, Issue 21
30-47-822	New	V. 43, Issue 21
30-47-823	New	V. 43, Issue 21
30-47-824	New	V. 43, Issue 21
30-47-825	New	V. 43, Issue 21
30-47-900	New	V. 43, Issue 21
30-47-901	New	V. 43, Issue 21
30-47-902	New	V. 43, Issue 21
30-47-903	New	V. 43, Issue 21
30-47-904	New	V. 43, Issue 21
30-47-905	New	V. 43, Issue 21
30-47-906	New	V. 43, Issue 21
30-47-907	New	V. 43, Issue 21
30-47-908	New	V. 43, Issue 21
30-47-909	New	V. 43, Issue 21
30-47-910	New	V. 43, Issue 21
30-47-912	New	V. 43, Issue 21
30-47-913	New	V. 43, Issue 21
30-47-914	New	V. 43, Issue 21
30-47-915	New	V. 43, Issue 21
30-47-916	New	V. 43, Issue 21
30-47-917	New	V. 43, Issue 21
30-47-918	New	V. 43, Issue 21
30-47-919	New	V. 43, Issue 21
30-47-920	New	V. 43, Issue 21
30-47-921	New	V. 43, Issue 21
30-47-922	New	V. 43, Issue 21

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 from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 *Kansas Register*. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*. A list of regulations filed from 2018 through 2019, can be found in the Vol. 38, No. 52, December 26, 2019 *Kansas Register*.

Register. A list of regulations filed from 2020 through 2021, can be found in the Vol. 40, No. 52, December 30, 2021 *Kansas Register*. A list of regulations filed from 2022 through 2023 can be found in the Vol. 42, No. 52, December 28, 2023 *Kansas Register*.

Reg. No.	Action	Register
111-4-3771	New	V. 43, Issue 5
111-4-3772	New	V. 43, Issue 11
111-4-3773	New	V. 43, Issue 12
111-4-3774	New	V. 43, Issue 14
111-9-233	New	V. 43, Issue 5
111-9-234	New	V. 43, Issue 12
111-18-5	Amended	V. 43, Issue 12
111-19-169	New	V. 43, Issue 5
111-19-170	New	V. 43, Issue 12
111-19-171	New	V. 43, Issue 12
111-19-172	New	V. 43, Issue 12
111-19-173	New	V. 43, Issue 12
111-19-174	New	V. 43, Issue 14
111-19-175	New	V. 43, Issue 14
111-19-176	New	V. 43, Issue 14
111-20-1	New	V. 43, Issue 5
111-20-2	New	V. 43, Issue 5
111-20-3	New	V. 43, Issue 5
111-20-4	New	V. 43, Issue 5
111-20-5	New	V. 43, Issue 5
111-20-6	New	V. 43, Issue 5
111-20-7	New	V. 43, Issue 5
111-20-8	New	V. 43, Issue 5
111-20-9	New	V. 43, Issue 5
111-20-10	New	V. 43, Issue 5
111-20-11	New	V. 43, Issue 5
111-20-12	New	V. 43, Issue 5

111-20-13	New	V. 43, Issue 5
111-20-14	New	V. 43, Issue 5
111-20-15	New	V. 43, Issue 5
111-20-16	New	V. 43, Issue 5
111-20-17	New	V. 43, Issue 5
111-20-18	New	V. 43, Issue 5
111-20-19	New	V. 43, Issue 5
111-20-20	New	V. 43, Issue 5
111-20-21	New	V. 43, Issue 5
111-20-22	New	V. 43, Issue 5
111-20-23	New	V. 43, Issue 5
111-21-1	New	V. 43, Issue 11
111-21-2	New	V. 43, Issue 11
111-21-3	New	V. 43, Issue 11
111-21-4	New	V. 43, Issue 11
111-21-5	New	V. 43, Issue 11
111-21-6	New	V. 43, Issue 11
111-21-7	New	V. 43, Issue 11
111-21-8	New	V. 43, Issue 11
111-21-9	New	V. 43, Issue 11
111-21-10	New	V. 43, Issue 11
111-501-113	Amended	V. 43, Issue 11
111-501-155	Amended	V. 43, Issue 11

AGENCY 112 RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-201-1	New (T)	V. 42, Issue 44
112-201-2	New (T)	V. 42, Issue 44
112-201-3	New (T)	V. 42, Issue 44
112-201-4	New (T)	V. 42, Issue 44
112-201-5	New (T)	V. 42, Issue 44
112-201-6	New (T)	V. 42, Issue 44

112-201-7	New (T)	V. 42, Issue 44
112-201-8	New (T)	V. 42, Issue 44
112-201-9	New (T)	V. 42, Issue 44
112-201-10	New (T)	V. 42, Issue 44
112-201-11	New (T)	V. 42, Issue 44
112-201-12	New (T)	V. 42, Issue 44
112-201-13	New (T)	V. 42, Issue 44
112-201-14	New (T)	V. 42, Issue 44
112-201-15	New (T)	V. 42, Issue 44
112-201-16	New (T)	V. 42, Issue 44
112-201-17	New (T)	V. 42, Issue 44
112-201-18	New (T)	V. 42, Issue 44
112-201-19	New (T)	V. 42, Issue 44
112-201-20	New (T)	V. 42, Issue 44
112-201-21	New (T)	V. 42, Issue 44
112-201-22	New (T)	V. 42, Issue 44
112-201-23	New (T)	V. 42, Issue 44
112-202-1	New (T)	V. 42, Issue 44
112-202-2	New (T)	V. 42, Issue 44
112-203-1	New (T)	V. 42, Issue 44
112-203-2	New (T)	V. 42, Issue 44
112-203-3	New (T)	V. 42, Issue 44
112-203-4	New (T)	V. 42, Issue 44
112-203-5	New (T)	V. 42, Issue 44
112-203-6	New (T)	V. 42, Issue 44
112-203-7	New (T)	V. 42, Issue 44
112-203-8	New (T)	V. 42, Issue 44
112-204-1	New (T)	V. 42, Issue 44
112-204-2	New (T)	V. 42, Issue 44
112-204-3	New (T)	V. 42, Issue 44
112-204-4	New (T)	V. 42, Issue 44
112-204-5	New (T)	V. 42, Issue 44
112-204-6	New (T)	V. 42, Issue 44
112-204-7	New (T)	V. 42, Issue 44

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