

Kansas Register

Vol. 43, No. 25

June 20, 2024

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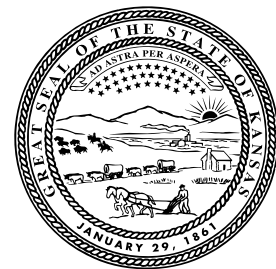
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The Kansas Register is an official publication of the state of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly and a cumulative index is published annually by the Kansas Secretary of State.

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Current and back issues of the Kansas Register (HTML and PDF Format) can be found at <https://www.sos.ks.gov/publications/kansas-register.html>.

Register Office:
1st Floor, Memorial Hall
785-368-8095
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Published by
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Secretary of State
1st Floor, Memorial Hall
120 SW 10th Ave.
Topeka, KS 66612-1594
785-296-4564
<https://www.sos.ks.gov>

Cover Artwork: Wheat Ready to Harvest
Photo by Todd Caywood

State of Kansas

Legislative Administrative Services

Interim Committee Schedule

The Legislative Research Department gives notice that the following legislative committees plan to meet on the dates listed below based on current information and subject to change. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at 785-296-2391 or TTY 711, or email legserv@las.ks.gov.

June 17 through July 5, 2024

Date	Room	Time	Committee	Agenda
June 18	546-S	10:30 a.m.	Legislative Post Audit Committee	https://www.kslpa.org/wp-content/uploads/2024/06/Draft-LPAC-Agenda-6.18.2024.pdf
June 20	582-N	9:00 a.m.	Joint Committee on Administrative Rules and Regulations	http://kslegislature.org/li/b2023_24/committees/cte_jt_rules_regs_1/documents/agenda/weeklyinterim/20240620.pdf
June 24	112-N	9:00 a.m.	Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight	Agenda Not Available
June 26	112-N	10:00 a.m.	Joint Committee on Child Welfare System Oversight	Agenda Not Available

Tom Day
 Director
 Legislative Administrative Services

Doc. No. 052237

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 6-17-24 through 6-23-24	
Term	Rate
1-89 days	5.33%
3 months	5.33%
6 months	5.29%
12 months	5.08%
18 months	4.91%
2 years	4.72%

Joel Oliver
 Executive Director
 Chief Investment Officer
 Pooled Money Investment Board

Doc. No. 052225

State of Kansas

Secretary of State

Notice of Code Mortgage Rate for June 2024

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of June 1-30, 2024, is 12 percent. The reference rate referred to in the

definition of “code mortgage rate” set forth in K.S.A. 16a-1-301(11)(b)(i) is discontinued, has become impractical to use, and/or is otherwise not readily ascertainable from the Federal Home Loan Mortgage Corporation.

Scott Schwab
 Secretary of State

Doc. No. 052226

(Published in the Kansas Register June 20, 2024.)

City of Paola, Kansas

Request for Bids

Separate sealed Bids for the construction of Lake Miola Dam Rehabilitation (Rebid) will be received by the city of Paola, Kansas until 10:00 a.m. July 23, 2024, at the City Clerk’s office, City Hall, 19 E. Peoria St., Paola, KS 66071.

Copies of the contract documents will be available by June 20, 2024, and may be examined at Kaw Valley Engineering, Inc., 2319 N. Jackson St., Junction City, KS 66441. Contract documents may be obtained for free by email or in paper upon payment of \$60 (non-refundable) for each set. For more information, please contact Barbara Thede at 785-762-5040 or thede@kveng.com.

The owner reserves the right to reject any and all bids, and to waive any formalities in any bid.

Barbara Thede
 Administrative Assistant II
 Kaw Valley Engineering

Doc. No. 052238

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation (KDOT) requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 24-27. The comprehensive list of project(s) being amended to the STIP may be viewed online at <http://www.ksdot.org/bureaus/burProgProjMgmt/stip/stip.asp>. The project list includes projects for counties, cities, and projects on the state highway system.

The amendment of the STIP requires a public comment period of 14 days. To make comment on this STIP amendment, contact KDOT's Division of Program and Project Management, 2nd Floor Tower, 700 SW Harrison, Topeka, KS 66603-3754; phone 785-296-3254.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Office of Public Affairs at 785-296-3585 (Voice/Hearing Impaired-711).

The comment period regarding the STIP amendment for these projects will conclude July 3, 2024.

Calvin Reed
Secretary

Department of Transportation

Doc. No. 052231

State of Kansas

Department of Transportation

Notice to Contractors

Electronic copies of the letting proposals and plans are available on the Kansas Department of Transportation (KDOT) website at <https://kdotapp.ksdot.org/Proposal/Proposal.aspx>. The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the "Bid Holders List," or to be included on the "Non-Bid Holders List" as a subcontractor/supplier. KDOT's approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid no later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject your bid. The Secretary reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2015 edition of the Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction.

KDOT will only accept electronic internet proposals using the Bid Express website at <https://bidx.com/ks/main> until 1:00 p.m. (Central Time) on letting day. The KDOT bid letting will be conducted remotely by audio broadcast ONLY at 3:00 p.m. (Central Time) on letting day. For the conference call information see <https://www.ksdot.org/bureaus/burconsmain/lettinginfo.asp>. KDOT has tested the process, but in the event of an unforeseen issue, KDOT will provide updates.

Each bidder shall certify that such person, firm, association, or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This certification shall be in the form of a required contract provision provided by the state to each prospective bidder. Failure to complete the required contract provision and certify the completeness of the preceding statement when electronically signing the proposal will make the bid nonresponsive and not eligible for award consideration.

Projects for the July 17, 2024 Letting

District One – Northeast

Atchison: 59-3 KA-7381-01 – US-59, from the Atchison/Jefferson County line northeast to the south city limits of Atchison, crack repair, 13.7 miles. (State Funds)

Brown: 7 C-5217-01 – Bridge, over unnamed stream located 1.0 miles south of Fairview, bridge replacement, 0.1 mile. (Federal Funds)

Lyon: 56 C-5188-01 – RS 412, from the north city limits of Americus to US-56, grading, 10.0 miles. (Federal Funds)

Wyandotte: 169-105 KA-6960-01 – US-169, bridge #287 over the Kansas River, railroad yard, and 3 local roads located 0.55 mile north of I-35 in Kansas City, bridge repair. (State Funds)

Statewide: 24-106 KA-7345-01 – US-24: in Douglas County, beginning at the US-24/K-32 junction east to the Douglas/Leavenworth County line; and in Leavenworth County, beginning at the Douglas/Leavenworth County line northeast to 0.18 mile west of the US-24/142nd Street intersection, crack repair, 19.8 miles. (State Funds)

Statewide: 106 KA-7448-01 – Various locations in Douglas, Wyandotte, Johnson, and Shawnee counties, mudjacking. (State Funds)

Statewide: 106 KA-7447-01 – Various locations in Marshall, Pottawatomie, Riley, Jackson, Lyon, Doniphan, Brown, and Nemaha counties, mudjacking. (State Funds)

District Two – North Central

Republic: 81-79 KA-7374-01 – US-81, beginning 3.16 miles north of the US-36/US-81 junction north to northeast state line, surface recycle, 10.4 miles. (State Funds)

Republic: 36-79 KA-7382-01 – US-36, from the Jewell/Republic County line east to 0.36 mile east of the US-36/US-81 junction, milling and overlay, 16.0 miles. (State Funds)

Statewide: 15-106 KA-7364-01 – K-15: in Dickinson County, beginning at the K-15/K-18 east junction north to the Dickinson/Clay County line; and in Clay County, beginning at the Clay/Dickinson County line north to the south city limits of Clay Center, crack repair, 23.1 miles. (State Funds)

Statewide: 106 KA-7368-01 – US-77: in Morris County, beginning at the US-77/K-209 junction northeast to the Morris/Dickinson County line; east Morris/Dickinson County line north to the Morris/Geary County line; in Dickinson County, beginning at the south Morris/Dickinson County line northeast to the east Morris/Dickinson

County line; and in Geary County beginning at the Morris/Geary County line north to end of hot mix asphalt at Industrial Street, milling and overlay, 15.0 miles. (State Funds)

Statewide: 81-106 KA-7361-01 – US-81: in Cloud County, beginning 0.12 mile north of Union Road north to the Cloud/Republic County line; and in Republic County, beginning at the Cloud/Republic County line north 1.43 miles, pavement patching, 4.3 miles. (State Funds)

Statewide: 106 KA-7385-01 – US-36 in Republic County, from the east city limits of Belleville east to the Republic/Washington County line; US-36 in Washington County, from the Republic/Washington County line east to the K-22/US-36 junction; and entire K-139 route by the city of Cuba in Republic County, sealing, 18.7 miles. (State Funds)

District Three – Northwest

Ellis: 26 C-5221-01 – Bridge, over Big Creek located 6.0 miles south and 1.0 mile west of Walker, bridge replacement, 0.2 mile. (Federal Funds)

District Four – Southeast

Cherokee: 166-11 KA-7383-01 – US-166, from the US-36/US-400/K-26 junction east to the Kansas/Missouri state line, milling and overlay, 1.9 miles. (State Funds)

Crawford: 69-19 KA-7352-01 – US-69, beginning 0.03 mile south of the US-400/K-171 junction north to 0.03 mile north of the US-160/US-69 north junction, pavement marking, 9.8 miles. (Federal Funds)

Franklin: 35-30 KA-6367-02 – I-35, from 8.468 miles north of the I-35/ US-59 south junction northeast to the Franklin/Miami County line, guard fence, 7.5 miles. (State Funds)

Franklin: 35-30 KA-6076-02 – I-35, beginning at the Osage/Franklin County line north 11.048 miles, guard fence, 12.1 miles. (State Funds)

Miami: 35-61 KA-6366-02 – I-35, from the Franklin/Miami county line northeast to the Miami/Johnson County line, guard fence, 2.8 miles. (State Funds)

Montgomery: 166-63 KA-6465-01 – US-166, at two locations beginning 0.71 mile east of the Chautauqua/Montgomery County line east to 0.07 mile east of US-75, guard fence, 4.5 miles. (State Funds)

Osage: 35-70 KA-6075-02 – I-35, from the Rock Creek bridge located 4.8 miles south of the Osage/Franklin County line north to the Osage/Franklin County line, guard fence, 4.8 miles. (State Funds)

Statewide: 106 KA-7390-01 – Various locations in Bourbon, Crawford, Anderson, Coffey, Elk, Cherokee, Labette, Franklin, and Miami counties, milling. (State Funds)

District Five – South Central

Butler: 254-8 KA-7367-01 – K-254, from the K-254/Shumway Road junction, east to the K-254/South Boyer Road junction in Butler County, crack repair, 3.0 miles. (State Funds)

Comanche: 160-17 KA-7389-01 – US-160, from the Comanche/Clark County line east and north to the US-183/US-160 north junction, crack repair, 18.0 miles. (State Funds)

Comanche: 1-17 KA-7377-01 – K-1, from the Oklahoma/Kansas state line north to the US-160/US-183 junction, crack repair, 13.4 miles. (State Funds)

Harper: 2-39 KA-7332-01 – K-2, from the north city limits of Anthony north to the K-2/K-14/US-160 junction in the city of Harper, crack repair, 8.0 miles. (State Funds)

Harper: 160-39 KA-7329-01 – US-160, from the Barber/Harper County line east to the US-160/K-2 junction, crack repair, 17.6 miles. (State Funds)

Kiowa: 183-49 KA-6945-01 – US-183, bridge #018 over the South Branch Rattlesnake Creek located 3.74 miles north of US-54; and bridge #019 over Rattlesnake Creek located 6.01 miles north of US-54, bridge repair. (Federal Funds)

Pratt: 281-76 KA-6895-01 – US-281 pavement restoration in Pratt from 10th Street to 8th Street, grading and surfacing, 0.2 mile. (Federal Funds)

Rice: 56-80 KA-7331-01 – US-56, from the east city limits of Lyons east to the Rice/McPherson County line, crack repair, 14.5 miles. (State Funds)

Rush: 183-83 KA-7330-01 – US-183, from the Pawnee/Rush County line north to the south city limits of La-Crosse, crack repair, 12.0 miles. (State Funds)

Sedgwick: 135-87 KA-6978-01 – I-135, bridge #046 located 4.46 miles north of I-235, bridge paint. (Federal Funds)

Sedgwick: 87 N-0693-01 – Intersection, Oliver Avenue/Kechi Road in Kechi, intersection improvement, 0.5 mile. (Federal Funds)

District Six – Southwest

Finney: 28 C-5201-01 – RS 1401, from Maple Street to US-50, grading and surfacing, 2.7 miles. (Federal Funds)

Ness: 68 C-5126-01 – RS 312, from RS 280 to K-96, guard fence, 9.0 miles. (Federal Funds)

Calvin Reed
Secretary

Department of Transportation

Doc. No. 052228

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
(continued)

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.

**There are No Bids Under this
Website Closing in this Week's Ad**

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>

07/09/2024	A-014981	Industrial Building #1 – Topeka Correctional Facility
07/16/2024	A-015096	Replace Chiller & Condenser; Pleasant View – Kansas Neurological Institute

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. 052240

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 Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Ebert Construction Company, Inc. has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

Ebert Construction Company, Inc., 103 W. Valley St., Wamego, KS 66547, owns and operates a portable air curtain incinerator that will be used to burn only tree trimmings, yard waste, and clean untreated lumber located at 103 W. Valley St., Wamego, Pottawatomie County, KS 66547 and can be relocated to various locations in Kansas.

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 during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Northeast District Office, 800 W. 24th St., Lawrence, KS 66046. To obtain or review the proposed permit and supporting documentation, contact Oliver Schultz at the central office of KDHE at 785-296-1713 or Wendi Kessler at the Northeast District Office at 785-330-4600. 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 Oliver Schultz, 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 22, 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 Oliver Schultz, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, July 22, 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 period will directly follow the EPA's 45-day review period.

(continued)

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 Ebert Construction Company, Inc. located at 103 W. Valley St., Wamego, Pottawatomie County, KS 66547 and can be relocated to various locations in Kansas. 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 Ebert Construction Company, Inc. ubicado en 103 W. Valley St., Wamego, Pottawatomie County, KS 66547 and can be relocated to various locations in Kansas. 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. 052236

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Construction Permit

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality construction permit. Advantage Metals Recycling, LLC has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300. Emissions of volatile organic compounds (VOC), particulate matter (PM), particulate matter with less than or equal to 10 microns in aerodynamic diameter (PM₁₀), particulate matter with less than or equal to 2.5 microns in aerodynamic diameter (PM_{2.5}), and hazardous air pollutants (HAPs) were evaluated during the permit review process.

Advantage Metals Recycling, LLC, 510 Walnut St., Suite 300, Kansas City, MO 64106 owns and operates a metal recycling facility located at 1153 S. 12th St., Kansas City, Wyandotte County, KS 66105, at which a replacement metal shredder and facility wide VOC limit is to be installed and established.

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 and at the Wyandotte County Division of Air Quality, 619 Ann Ave., Kansas City, KS 66101. To obtain or review the proposed permit and supporting documentation, contact Matthew Reynolds, at the central office of KDHE at 785-296-1719 or Jennifer Stewart at the Wyandotte County Division of Air Quality at 913-573-6700. 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>.

A public comment period has been established to allow citizens the opportunity to express any concerns they may have about this proposed permitting action. The public comment period is to begin on Thursday, June 20, 2024, and end at 12:00 p.m. Monday, July 22, 2024. Please direct written comments or questions regarding the proposed permit to Matthew Reynolds, 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 22, 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 Matthew Reynolds, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, July 22, 2024, in order for the Secretary of Health and Environment to consider the request. If a request is received, a public hearing is tentatively scheduled for 6:00 p.m. Thursday, July 25, 2024, at the Wyandotte County Public Health Department, Auditorium Room 336, 619 Ann Ave., Kansas City, KS 66101, and will continue until audience members have an opportunity to submit comments. If no requests to hold the public hearing are received by 12:00 p.m. Monday, July 22, 2024, the public hearing will be cancelled. A notice of the cancellation will be posted at the KDHE website at <http://www.kdheks.gov/413/Public-Notices>.

If a hearing is conducted, all interested parties will be given a reasonable opportunity to present their views orally or by submission of written materials during the public hearing. In order to give all parties an opportunity to present their views, it may be necessary to limit oral presentations to a specific time limit. Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed materials in an accessible format. Requests for accommodation must be made no later than Tuesday, July 16, 2024, by contacting the Bureau of Air at 785-296-5231.

The preceding notice refers to the air permit for Advantage Metals Recycling, LLC located at 1153 S. 12th St., Kansas City, Wyandotte County, KS 66105. 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 Advantage Metals Recycling, LLC ubicado en 1153 S. 12th St., Kansas City, Wyandotte County, KS 66105. 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.]

dotte County, KS 66105. 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. 052232

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, 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-24-167/169

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Edwin F. Welch Trust #1 387 20th Rd. Haddam, KS 66944	SE/4 of Section 21 T02S, R01E Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-B002

The proposed action is to reissue an existing state permit for an existing facility for 600 head (600 animal units) of cattle weighing more than 700 pounds. There will be no change in the operation or 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
Ward Feed Yard, Inc. - Grower Yard PO Box H Larned, KS 67550	SW/4 of Section 25 T21S, R16W Pawnee County	Upper Arkansas River Basin

Kansas Permit No. A-UAPN-B006

The proposed action is to reissue an existing state permit for an existing facility for 990 head (990 animal units) of cattle weighing more than 700 pounds. There will be no change in the operation or 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
Dalbom, Inc. 1061 W. 119th St. Conway Springs, KS 67031	NW/4 of Section 04 T30S, R03W Sumner County	Lower Arkansas River Basin

Kansas Permit No. A-ARSU-M007

The proposed action is to reissue an existing state permit for an existing facility for 200 head (280 animal units) of mature dairy cattle, 30 head (15 animal units) of cattle 700 pounds or less, and 40 head (40 animal units) of cattle more than 700 pounds, for a total of 335 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Public Notice No. KS-Q-24-116/118

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g), and Federal Surface Water Criteria.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Lone Star Services, LLC Larry Romme PO Box 499 Liberal, KS 67905		Treated Domestic

Permit No. C-CI10-NO01
Federal Permit No. KSJ000218

Legal Description: SW¼, NW¼, NW¼, Section 13, Township 35S, Range 34W, Seward County, Kansas

Location: 37.008053, -100.975835

The proposed action is to reissue an existing permit. Two cell wastewater lagoon facility with only one cell in use. This permit contains as schedule of compliance to address an oversized facility and inadequate treatment. This permit contains generic language to protect water quality.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Native Stone Company 7820 SW 10th St. Topeka, KS 66615	Maris des Cygnes River via Hill Creek via Unnamed Tributary	Process Wastewater

Permit No. I-MC09-PO03
Federal Permit No. KS0100579

(continued)

Legal Description: SW¼ of Section 25, Township 13S, Range 11E, Wa-baunsee County, Kansas

Location: 38.88799, -96.14233

The proposed action consists of reissuing the NPDES permit for this facility. No significant changes were made to the permit. This facility strip mines slab rock used in landscaping lawns, retaining walls and for other purposes. Outfall 001A consists of storm-water runoff. This permit contains generic language to protect water quality.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Koch – Glitsch LP 4111 E. 37th St N. Wichita, KS 67220	Arkansas River via East Fork Chisholm Creek via Unnamed Tributary	Process Wastewater

Permit No. I-AR94-PO06

Federal Permit No. KS0099805

Legal Description: SW¼ Section 35, Township 26S, Range 1E, Sedgwick County, Kansas

Location: 37.74474, -97.29529

The proposed action consists reissuance of a Kansas/NPDES Water Pollution Control Permit for an existing groundwater contamination remediation treatment system. This is a groundwater remediation and plume control project. Contaminated groundwater from six extraction wells is treated by pumping into a holding tank and then re-pumped into two bag filters in series, and two carbon filters in series. Discharge from the treatment system can either be directly discharged to the unnamed tributary or routed to an onsite storm-water retention pond to maintain pond levels and to provide treated wastewater/stormwater storage for facility site irrigation. The total proposed design discharge from the treatment system is about 86,400 gallons/day. This permit contains limits for Trichloroethylene, and pH. The permit contains monitoring for Flow – MGD, Chloride, Total Phosphorus, Trichloroethylene, and Carbon Tetrachloride.

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 20, 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-24-167/169, KS-Q-24-116/118) 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. 052230

State of Kansas

Department of Administration Office of Facilities and Property Management

Notice of Hearing

Pursuant to K.S.A. 75-37,143(d), the State Building Advisory Commission will conduct a public hearing at 9:00 a.m. July 10, 2024, in Suite 1200, 12th Floor, Eisenhower State Office Building, 700 SW Harrison St., Topeka, Kansas. Check in at the front desk with security is required.

The purpose of the hearing is for the public to have an opportunity to comment on a request from University of Kansas to utilize design-build alternate project delivery method for the KLETC Development Phase 1 Improvements in Hutchinson, Kansas.

The phase 1 improvement building should include a professional development area and should provide for eight 1,500 square foot classrooms. Class sections serve 24 students per section. Classrooms require technology and furnishings that support learning and interaction in small groups. Administration facility for executive administration including offices, conference and meeting rooms, and associated spaces. Housing associated with professional development where the upper story(s) of the building shall be professional development program housing and should provide up to 60 beds in single-occupancy rooms, each with a private bathroom.

Construction costs are estimated at \$15,000,000.

Barbara Schilling
Deputy Director-DCC

Office of Facilities and Property Management
Department of Administration

Doc. No. 052229

State of Kansas

**Department of Administration
Office of Facilities and Property Management**

Notice of Requested On-Call Engineering Services

Notice is hereby given of the commencement of the selection process for on-call mechanical-electrical-plumbing engineering services for Kansas Commission on Veterans Affairs Office. Services are required for restricted (small) projects with a project budget of \$1,500,000 or less. One or more firms will be selected. The contracts will be for three years with two one-year renewal options.

For more information, contact Rob Leicht at Rob.Lleicht@ks.gov or 785-296-7765. Firms interested in providing these services should be familiar with the requirements which can be found in Part B-Chapter 4 of the Building Design and Construction Manual at the website below.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. These forms may be found at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/forms-and-documents>. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation, and an abbreviated project name in the title of the PDF document. Proposals should be less than 5 Mb and follow the current State Building Advisory Commission guidelines which can be found in Part B—Chapter 2 of the Building Design and Construction Manual at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/building-design-and-construction-manual-bdcm>. Paper copies and flash drives containing copies of the proposals are not required.

Proposals should be sent to professional.qualifications@ks.gov. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions about the proposal submissions, please contact Randy Riveland at randy.riveland@ks.gov or call 785-296-0749. The PDF proposal submissions shall be delivered to the attention of State Building Advisory Commission by 2:00 p.m. on or before July 5, 2024.

The State of Kansas, as a matter of public policy, encourages anyone doing business with the State of Kansas to take steps to discourage human trafficking. If prospective bidders/vendors/contractors have any policies or participate in any initiatives that discourage human trafficking, then the prospective bidder/vendor/contractor is encouraged to submit same as part of their bid response.

Barbara Schilling
Deputy Director-DCC
Office of Facilities and Property Management
Department of Health and Environment

Doc. No. 052242

State of Kansas

Department of Wildlife and Parks

Notice of Requested On-Call Engineering Services

Notice is hereby given of the commencement of the selection process for on-call civil-structural engineering services for the Kansas Department of Wildlife and Parks. Services are required for the improvements and upgrade of the Flint Hills Trail State Park within the counties of Miami, Franklin, Osage, Lyon, Morris, and Dickinson. The contract will be for three years with the ability to extend for five additional one-year periods. The project will also encompass trail development in the cities of Council Grove, Herington, and Wilsey and will include design and plan preparation for trail-heads within these three towns. Additionally, RAISE grant administration, bid document preparation and bid evaluation, construction engineering and management, and closeout of project will be within this on-call. The project is estimated to have a construction cost, in all phases, in excess of \$25,000,000. For more information, contact Brett Blackburn at brett.blackburn@ks.gov or 785-296-8404.

Respondents should demonstrate their capacity for success on projects involving civil-structural engineering projects in Kansas and/or surrounding states. Vendors shall have a strong understanding and success in the application of the underlying principles of civil-structural engineering using a combination of engineering best management practices and techniques with 10 or more verifiable years experience (15 or more preferred). The respondents will also have experience in project development following the Kansas Department of Transportation LPA Project Development Manual.

Preferred qualifications for licensed civil-structural engineering consultant include but may not be limited to:

- Experience in design of roadway improvements, storm sewer, pavement markings/signing, utility line alignment and improvements.
- Licensed survey and topographical design, including property research and easement descriptions.
- Trail development design and management, including availability of full-time experienced inspectors.
- An understanding of Kansas Department of Health and Environment, and other regulatory agency's regulations/statutes concerning stormwater management, regulation, permitting, and compliance.
- Proficiency in the analysis, design, construction, and maintenance of load bearing structures that reinforce or counteract loads in dams, bridges, buildings, and other structures.
- Proficiency in the analysis, design, construction, and maintenance of AASHTO compliant standards for bicycle and pedestrian facilities.
- Experience providing effective presentation of project related information to the public or other stakeholders.
- Proficiency specifying, examining, and inspecting materials to be used for the construction of complex structures including, dams, bridges, pre-manufactured

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tured restrooms, shelters, shower buildings, cabins, and other load bearing structures.

- Familiarity with the requirements which can be found in the Building Design and Construction Manual at <http://admin.ks.gov/offices/ofpm/dcc/f-and-d>, as well as Kansas Department of Administration – Office of Facilities and Property Management submission procedures.
- Experience working with FEMA, USACE, DWR, KDHE and other regulatory agencies to obtain permitting/approval for applicable projects (including NPDES, SWPPP, etc.).
- Bridge inspection and design.
- Earthen dam safety inspections, slide mitigation (including RSS slope stabilization), and dam/spillway improvement design (including tower, inlet/outlet, spillway, valve, etc.).
- Inundation mapping review, hydrologic and hydraulic analysis/modeling for lake/dam study, FEMA grant submission knowledge, and other dam/lake related management functions.
- Pond/dike design, modification and repair and working knowledge of pumps, pumphouses, including design of transfer systems in wildlife and low water areas.
- Concrete, asphalt, and aggregate parking lot, roadway, and path design and maintenance.
- Experience developing conceptual, construction-ready and as-built designs for projects (e.g. including appropriately “stamped” drawings as applicable).
- Successful preparation of federal and state permit applications and associated plans for related projects.
- Ability and willingness to build upon previously developed assessments, adjust design concepts, and work with local, federal and state officials to meet project goals.
- Ability to perform/provide proper topographical surveys and related information.
- Experienced in providing, hiring, or collaborating work product with qualified geotechnical professionals or landscape architects as needed for design, analysis, and project completion.
- Experience working with multiple stakeholders including landowners, state and local agencies/boards, and project administrators related to reporting site specific project details before, during and after construction.
- Successful preparation of bid documents and demonstrated effectiveness facilitating pre-bid meetings, site visits, and all related correspondence.
- Construction oversight of contractors implementing plans, design specifications, and meeting permit conditions for related projects.
- A demonstrated ability to meet project goals within the projected timeline and budget.
- Ability to respond timely to solicitation from agency and timely initiate consultation/design and project needs.
- Respondent must show proof of registration and or certification with the Kansas State Board of Technical Professions for applicable work classifications.

- 10 or more years of verifiable experience in licensed civil-structural engineering (15 or more preferred).
- Must have at least 5 years experience designing and managing complex trail construction projects.

Proposals should include a PDF of the following: Statement of professional qualifications (similar to State of Kansas DCC Forms 050,052,054), and information regarding similar work experience. Include firm name, address, contact phone number and email.

To be considered, proposals should be via email along with a transmittal to brett.blackburn@ks.gov. It is the proposer’s responsibility to ensure proposals are received by the closing date and time. Delays in email delivery or any other means of transmittal shall not excuse late proposal submissions. Proposals received after the date and time noted below will not be considered. The PDF proposal submissions shall be delivered to the attention of brett.blackburn@ks.gov later than 5:00 p.m. on or before Friday, July 5, 2024.

The State of Kansas, as a matter of public policy, encourages anyone doing business with the State of Kansas to take steps to discourage human trafficking. If prospective bidders/vendors/contractors have any policies or participate in any initiatives that discourage human trafficking, the prospective bidder/vendor/contractor is encouraged to submit same as part of their bid response. Selected Firms will have to fill out a State of Kansas Tax Clearance Form, State of Kansas form “Policy Regarding Sexual Harassment” and State of Kansas form Regarding Non-Boycott of Israel. COC forms, and other applicable forms as required by the state of Kansas.

Christopher Kennedy
Secretary

Department of Wildlife and Parks

Doc. No. 052239

State of Kansas

Department for Aging and Disability Services

Department of Health and Environment
Division of Health Care Finance

**Revised 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

The Notice of Final Nursing Facility Medicaid Rate for State Fiscal Year 2025 is being revised to include corrected case mix index (CMI) data. The CMI data that was used in the final notice published June 13, 2024 did not include updates to the January 1, 2024 Medicaid CMI data. Those updates included payer source revisions submitted by providers to Myers and Stauffer as well as any assessment updates submitted through the CMS system during the preliminary listings review period. The methodology used to calculate the Medicaid rates has not been changed but for the sake of clarity it has been repeated in this revised notice. The Medicaid rate list has been updated to reflect the corrected Medicaid CMI and

corresponding Medicaid rate for each facility. The justifications statistics have also been updated to reflect the revised rates.

Under the Medicaid program, 42 U.S.C. 1396 et seq., the State of Kansas pays nursing facilities, nursing facilities for mental health, and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The Secretary of Aging 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 revised 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

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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, National 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.

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 review 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

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

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

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

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

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

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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	\$3.00
CMI adjusted staffing < 75th percentile but improved ≥ 10%	\$0.50
Staff retention rate ≥ 75th percentile, 71%	
Contracted labor < 10% of total direct health care labor costs or	\$2.50
Staff retention rate < 75th percentile but increased ≥ 10%	
Contracted labor < 10% of total direct health care labor costs	\$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.

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.

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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-

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 Health-care 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 revised 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.

(continued)

Facility Name	City	Daily Rate	Medicaid CMI	Facility Name	City	Daily Rate	Medicaid CMI
Life Care Center of Andover	Andover	228.51	1.3429	Frankfort Community Care Home, Inc.	Frankfort	296.76	1.0422
Anthony Community Care Center	Anthony	266.25	1.1992	Medicalodges Frontenac	Frontenac	261.39	1.4011
Medicalodges Health Care Ctr Arkansas	Arkansas City	268.52	1.3839	Galena Nursing Home	Galena	242.30	1.1599
Arkansas City Presbyterian Manor	Arkansas City	287.54	1.1335	Garden Valley Retirement Village	Garden City	227.08	1.2985
Arma Operator, LLC	Arma	292.31	1.8789	Recover Care Meadowbrook Rehab, LLC	Gardner	363.57	1.3987
Medicalodges Atchison	Atchison	276.24	1.1979	Anderson County Hospital	Garnett	352.38	1.3140
Atchison Senior Village Rehab & NC	Atchison	326.67	1.2823	Parkview Heights Nursing and Rehab	Garnett	362.29	1.4957
Dooley Center	Atchison	296.74	0.8717	The Nicol Home, Inc.	Gasco	303.23	1.6545
Attica Long Term Care	Attica	325.34	1.1108	Medicalodges Goddard	Goddard	299.13	1.5018
Good Samaritan Society-Atwood	Atwood	317.23	1.2245	Bethesda Home	Goessel	319.12	1.1336
Lake Point Nursing Center	Augusta	272.35	1.4055	Topside Manor, Inc	Goodland	287.16	1.1047
Baldwin Healthcare & Rehab Center	Baldwin City	298.23	1.6065	Medicalodges Great Bend	Great Bend	351.91	1.4585
Quaker Hill Manor	Baxter Springs	264.03	1.2279	Azria Health Great Bend	Great Bend	277.63	1.5606
Catholic Care Center Inc.	Bel Aire	350.31	1.4003	Haviland Operator, LLC	Haviland	193.53	0.9650
Belleville Healthcare and Rehab Ctr	Belleville	291.64	1.4050	Good Samaritan Society-Hays	Hays	266.83	1.1888
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	279.44	1.3430	Diversicare of Haysville	Haysville	234.96	1.5212
Advena Living of Bonner Springs	Bonner Springs	283.19	1.3064	Legacy at Herington	Herington	293.50	1.2404
Hill Top House	Bucklin	336.87	1.4225	Schowalter Villa	Hesston	340.99	1.1607
Buhler Sunshine Home, Inc.	Buhler	303.12	1.1383	Anew Healthcare and Rehab Hiawatha	Hiawatha	245.67	1.2248
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	231.59	1.3096	Parkside Homes, Inc.	Hillsboro	306.34	1.1680
Diversicare of Chanute	Chanute	257.29	1.2598	Medicalodges Jackson County	Holton	294.08	1.2022
Chapman Valley Manor	Chapman	294.99	1.3450	Sheridan County Hospital	Hoxie	322.98	1.1455
Cheney Golden Age Home Inc.	Cheney	285.50	1.1925	Pioneer Manor	Hugoton	329.27	1.1231
Advena Living of Cherryvale	Cherryvale	241.96	1.2843	Diversicare of Hutchinson	Hutchinson	279.98	1.1226
The Shepherd's Center	Cimarron	296.83	1.1961	Good Sam Society-Hutchinson Village	Hutchinson	289.34	1.1329
Advena Living of Clay Center	Clay Center	276.07	1.3608	Hutchinson Operator, LLC	Hutchinson	302.76	1.5315
Clay Center Presbyterian Manor	Clay Center	314.42	1.1343	Wesley Towers	Hutchinson	293.36	1.1827
Advena Living of Clearwater	Clearwater	276.05	1.2677	Medicalodges Independence	Independence	247.47	1.2530
Park Villa Nursing Home	Clyde	272.28	1.1909	Montgomery Place Nursing Center, LLC	Independence	253.53	1.3181
Medicalodges Coffeyville on Midland	Coffeyville	304.84	1.3258	Pleasant View Home	Inman	328.89	1.2372
Medicalodges Iola	Coffeyville	297.92	1.1390	Stanton County Hospital- LTCU	Johnson	328.79	1.1789
Colby Operator, LLC	Colby	366.19	1.7403	Valley View Senior Life	Junction City	277.88	1.2733
Prairie Senior Living Complex	Colby	359.15	1.4563	Medicalodges Post Acute Care Center	Kansas City	275.29	1.0944
Pioneer Lodge	Coldwater	300.00	1.3010	Riverbend Post Acute Rehabilitation	Kansas City	303.90	1.5462
Medicalodges Columbus	Columbus	317.64	1.3837	Lifecare Center of Kansas City	Kansas City	263.62	1.0524
Sunset Home, Inc.	Concordia	289.01	1.4458	Providence Place LTCU	Kansas City	361.15	1.4758
Spring View Manor Healthcare & Rehab	Conway Springs	299.78	1.5608	Ignite Med Resort Rainbow Blvd, LLC	Kansas City	328.91	1.6348
Chase County Care and Rehab	Cottonwood Falls	402.60	1.7456	The Healthcare Resort of Kansas City	Kansas City	366.58	1.4751
Diversicare of Council Grove	Council Grove	241.28	1.1886	The Wheatlands	Kingsman	241.27	1.1378
Hilltop Manor Nursing Center	Cunningham	246.48	1.2869	Medicalodges Kinsley	Kinsley	366.30	1.7613
Westview of Derby Rehab & Health	Derby	228.67	1.2270	Kiowa District Manor	Kiowa	324.38	1.1796
Derby Health and Rehabilitation	Derby	346.27	1.4374	Locust Grove Village	Lacrosse	267.16	1.0862
Hillside Village	DeSoto	283.26	1.4779	High Plains Retirement Village	Lakin	342.56	1.3274
Trinity Manor	Dodge City	271.41	1.1643	Lansing Care and Rehab	Lansing	322.78	1.4926
Sunporch of Dodge City	Dodge City	296.68	1.1084	Diversicare of Larned	Larned	223.61	1.1119
Manor of the Plains	Dodge City	374.36	1.4562	Lawrence Presbyterian Manor	Lawrence	358.63	1.3380
Downs Care and Rehab	Downs	326.90	1.6380	Medicalodges Leavenworth	Leavenworth	309.40	1.3653
Anew Healthcare Easton	Easton	273.99	1.3953	The Healthcare Resort of Leawood	Leawood	390.27	1.7454
Parkway Care and Rehab	Edwardsville	258.88	1.4365	Delmar Gardens of Lenexa	Lenexa	245.50	1.2605
Kaw River Care and Rehab	Edwardsville	307.91	1.4365	Lakeview Village	Lenexa	330.79	1.1774
Edwardsville Care and Rehab	Edwardsville	203.06	1.0402	Westchester Village of Lenexa	Lenexa	331.74	1.1700
Lakepoint Nursing Center-El Dorado	El Dorado	260.62	1.1738	Leonardville Nursing Home	Leonardville	303.99	1.1785
El Dorado Care and Rehab	El Dorado	352.44	1.7334	Wichita County Health Center	Leoti	251.45	0.6600
Good Samaritan Society-Ellis	Ellis	273.56	1.2352	Good Samaritan Society-Liberal	Liberal	325.86	1.5459
Good Sam Society-Ellsworth Village	Ellsworth	321.03	1.3567	Wheatridge Park Care Center	Liberal	281.47	1.3198
Emporia Presbyterian Manor	Emporia	289.66	1.0818	Lincoln Park Manor, Inc.	Lincoln	280.95	1.2265
Holiday Resort	Emporia	297.91	1.3893	Bethany Home Association	Lindsborg	334.00	1.1737
Flint Hills Care and Rehab Center	Emporia	239.59	1.2038	Linn Community Nursing Home	Linn	269.97	1.3992
Enterprise Estates Nursing Center, I	Enterprise	263.35	1.3210	Sandstone Heights Nursing Home	Little River	332.73	1.2724
Esckridge Care and Rehab	Esckridge	238.95	1.1206	Logan Manor Community Health Service	Logan	283.82	1.2715
Medicalodges Eudora	Eudora	296.28	1.3471	Louisburg Healthcare and Rehab Center	Louisburg	292.51	1.4089
Eureka Nursing Center	Eureka	255.55	1.4081	Meadowlark Hills Retirement Community	Manhattan	320.69	1.1795
Kansas Soldiers' Home	Fort Dodge	332.93	1.2531	Ascension Living Via Christi Village	Manhattan	296.77	1.1856
Medicalodges Fort Scott	Fort Scott	245.04	1.2326	St. Luke Living Center	Marion	292.22	1.1990
Fowler Residential Care	Fowler	307.01	1.0093	Riverview Estates, Inc.	Marquette	298.15	1.1984

Facility Name	City	Daily Rate	Medicaid CMI	Facility Name	City	Daily Rate	Medicaid CMI
Cambridge Place	Marysville	267.75	1.2896	Advena Living at Fountainview	Rose Hill	238.63	1.0971
McPherson Operator, LLC	McPherson	364.11	2.0153	Rossville Healthcare and Rehab Center	Rossville	278.77	1.3858
The Cedars, Inc.	McPherson	331.99	1.2572	Wheatland Nursing & Rehab Center	Russell	226.87	1.1172
Meade District Hospital, LTCU	Meade	315.00	1.0450	Russell Regional Hospital	Russell	260.03	0.6600
Merriam Gardens Healthcare & Rehab	Merriam	275.38	1.4027	Sabetha Nursing Center	Sabetha	258.06	1.1998
Minneapolis Healthcare and Rehab	Minneapolis	268.40	1.3397	Apostolic Christian Home	Sabetha	296.76	1.2700
Minneola District Hospital-LTCU	Minneola	323.98	1.1541	Smoky Hill Rehabilitation Center	Salina	240.79	1.3599
Bethel Home, Inc.	Montezuma	304.89	1.1697	Kenwood View Health and Rehab Center	Salina	281.88	1.5791
Moran Manor	Moran	240.64	1.1515	Salina Windsor SNF OPCO, LLC	Salina	243.91	1.1613
Pine Village	Moundridge	287.41	1.1688	Pinnacle Park Nursing and Rehabilitation	Salina	276.23	1.3787
Moundridge Manor, Inc.	Moundridge	301.04	1.1157	Salina Presbyterian Manor	Salina	320.37	1.2380
Villa Maria, Inc.	Mulvane	292.31	1.2304	Satanta Dist. Hosp. LTCU	Satanta	353.20	1.3356
Neodesha Care and Rehab	Neodesha	300.25	1.6264	Park Lane Nursing Home	Scott City	325.55	1.2770
Ness County Hospital Dist.#2	Ness City	317.23	1.0511	Pleasant Valley Manor	Sedan	226.37	1.2404
Paramount Community Living and Rehab	Newton	324.45	1.4243	Diversicare of Sedgwick	Sedgwick	306.11	1.3006
Kansas Christian Home	Newton	296.02	1.2669	Crestview Nursing & Residential Living	Seneca	282.96	1.5419
Newton Presbyterian Manor	Newton	324.84	1.1379	Life Care Center of Seneca	Seneca	261.17	1.4382
Bethel Care Center	North Newton	334.77	1.2116	Shawnee Gardens Healthcare and Rehab	Shawnee	292.59	1.3713
Andbe Home, Inc.	Norton	237.53	1.0592	Sharon Lane Health and Rehabilitation	Shawnee	259.40	1.2159
Anew Healthcare	Nortonville	242.38	1.2081	Brookdale Rosehill	Shawnee	398.00	1.5582
Logan County Senior Living	Oakley	331.29	1.2113	Smith Center Operator, LLC	Smith Center	301.78	2.0436
Good Samaritan Society-Decatur Co.	Oberlin	301.97	1.0685	Sunporch of Smith County	Smith Center	285.07	1.0505
Villa St. Francis Catholic Care Ctr.	Olathe	356.30	1.5443	Mennonite Friendship Manor, Inc.	South Hutchinson	352.29	1.3855
Azria Health at Olathe	Olathe	289.08	1.3287	Southwinds at Spearville	Spearville	325.30	1.2396
Good Samaritan Society-Olathe	Olathe	351.92	1.4182	Spring Hill Care and Rehab	Spring Hill	316.33	1.6510
Evergreen Community of Johnson Count	Olathe	349.55	1.2900	Cheyenne County Village, Inc.	St. Francis	334.39	1.3093
Aberdeen Village, Inc.	Olathe	358.58	1.3297	Community Hospital of Onaga, LTCU	St. Mary's	328.64	1.1097
Nottingham Health & Rehab	Olathe	341.28	1.2083	Prairie Mission Retirement Village	St. Paul	253.39	1.1505
The Healthcare Resort of Olathe	Olathe	352.97	1.6103	Leisure Homestead at Stafford	Stafford	267.58	1.3299
Onaga Operator, LLC	Onaga	322.63	1.5402	Sterling Village	Sterling	317.12	1.1448
Osage Nursing & Rehab Center	Osage City	259.33	1.2589	Solomon Valley Manor	Stockton	262.26	1.2297
Life Care Center of Osawatomie	Osawatomie	318.34	1.3293	Tonganoxie Opco LLC	Tonganoxie	286.30	1.2875
Parkview Health and Rehab LLC	Osborne	266.10	1.6977	Brewster Health Center	Topeka	335.58	1.2550
Heritage Gardens Health and Rehab	Oskaloosa	317.04	1.3472	Topeka Presbyterian Manor Inc.	Topeka	343.90	1.2499
Oswego Operator, LLC	Oswego	300.29	1.7689	Legacy on 10th Ave.	Topeka	245.71	1.1245
Rock Creek of Ottawa	Ottawa	290.25	1.5155	Halstead Health and Rehab Center	Topeka	249.98	1.2500
Brookside Manor	Overbrook	248.46	1.0935	McCrite Plaza Health Center	Topeka	340.66	1.5416
Brookdale Overland Park	Overland Park	361.97	1.2922	Rolling Hills Health Center	Topeka	248.00	1.2895
Garden Terrace at Overland Park	Overland Park	290.03	1.1683	Excel Healthcare and Rehab Topeka	Topeka	278.37	1.4537
KPC Promise Hospital of Overland Par	Overland Park	374.28	2.6436	Stoneybrook Retirement Community	Topeka	265.99	1.3295
Excel Healthcare and Rehab OP	Overland Park	301.96	1.1960	Valley Health Care Center	Topeka	207.81	0.8607
Villa Saint Joseph	Overland Park	335.09	1.2663	Tanglewood Nursing and Rehabilitation	Topeka	239.92	1.2511
Delmar Gardens of Overland Park	Overland Park	308.14	1.3475	Brighton Place West Health Center	Topeka	211.07	1.2523
Prairie Ridge Health & Rehab LLC	Overland Park	306.25	1.2792	Countryside Health Center	Topeka	133.16	0.9049
Village Shalom, Inc.	Overland Park	343.38	1.2533	Providence OpCo LLC	Topeka	210.19	1.0898
Tallgrass Creek, Inc.	Overland Park	356.15	1.3425	Brighton Place North	Topeka	129.65	1.0506
Shawnee Post Acute Rehab Center	Overland Park	362.07	1.6333	The Gardens at Aldersgate	Topeka	343.43	1.9109
Stratford Commons Rehab & HCC	Overland Park	397.72	1.7143	Recover-Care Plaza West Care Center	Topeka	267.46	1.4947
Colonial Village	Overland Park	357.64	1.4300	Holiday Resort of Salina	Topeka	266.97	1.2074
Anew Healthcare - Oxford	Oxford	270.71	1.2830	Lexington Park Nursing and Post Acute	Topeka	299.07	1.3104
Medicalodges Paola	Paola	167.88	0.9405	Pioneer Ridge Retirement Community	Topeka	243.47	1.2808
North Point Skilled Nursing Center	Paola	240.24	1.3455	Western Prairie Senior Living	Topeka	282.73	1.3311
Elmhaven East	Parsons	247.38	1.2695	Twin Oaks Health & Rehab	Topeka	287.95	1.3135
Parsons Presbyterian Manor	Parsons	317.63	1.1488	The Healthcare Resort of Topeka	Topeka	331.95	1.8901
Good Samaritan Society-Parsons	Parsons	266.12	1.0468	Ranch House Senior Living	Topeka	259.07	1.2630
Peabody Operator, LLC	Peabody	229.74	1.2528	Greeley County Hospital, LTCU	Tribune	282.31	1.2292
Access Mental Health	Peabody	174.05	0.9646	Trego Co. Lemke Memorial LTCU	Wakeeney	326.74	1.1569
Phillips County Retirement Center	Phillipsburg	264.37	1.1740	Wakefield Care and Rehab	Wakefield	317.93	1.5956
Medicalodges Pittsburg South	Pittsburg	316.58	1.3744	Good Samaritan Society-Valley Vista	Wamego	308.92	1.3988
Pittsburg Care and Rehab	Pittsburg	236.22	1.3232	Wathena Healthcare and Rehab Center	Wathena	323.88	1.7408
Ascension Living Via Christi Village	Pittsburg	300.76	1.2673	Botkin Care and Rehab	Wellington	258.47	1.3561
Rooks County Senior Services, Inc.	Plainville	316.56	1.3226	Sumner Operator, LLC	Wellington	280.11	1.3371
The Village at Mission	Prairie Village	393.46	1.5707	Wellsville Manor	Wellsville	286.76	1.5818
Grand Plains - Skilled Nursing	Pratt	286.41	1.3029	Westy Community Care Home	Westmoreland	260.13	1.0522
Pratt Operator, LLC	Pratt	282.02	1.7059	Wheat State Manor	Whitewater	303.16	1.3415
Prairie Sunset Manor	Pretty Prairie	301.79	1.4793	Medicalodges Wichita	Wichita	292.97	1.1478
Protection Valley Manor	Protection	232.64	0.9413	Meridian Rehab and Health Care Center	Wichita	228.76	1.2413
Richmond Healthcare and Rehab Center	Richmond	292.18	1.6400				

(continued)

Facility Name	City	Daily Rate	Medicaid CMI
Homestead Health Center, Inc.	Wichita	310.43	1.2494
Advena Living on Woodlawn	Wichita	250.72	1.3238
Wichita Presbyterian Manor	Wichita	335.72	1.4330
Sandpiper Healthcare and Rehab Center	Wichita	240.50	1.4228
Lakepoint Wichita LLC	Wichita	300.59	1.3731
Excel Healthcare and Rehab Wichita	Wichita	289.79	1.3989
Legacy at College Hill	Wichita	262.75	1.3284
Seville Operator, LLC	Wichita	356.76	1.5949
Lincoln Care and Rehab	Wichita	302.54	1.3942
The Health Care Center at Larksfield Pl	Wichita	329.23	1.2382
Life Care Center of Wichita	Wichita	293.11	1.2262
Family Health & Rehabilitation Center	Wichita	338.85	1.3419
Caritas Center	Wichita	321.13	1.1073
Regent Park Rehab and Healthcare	Wichita	325.78	1.2285
Avita Health & Rehab of Reeds Cove	Wichita	314.53	1.3463
Ascension Living Via Christi Village	Wichita	325.00	1.3133
Ascension Living Via Christi Village	Wichita	317.90	1.2780
Mount St Mary	Wichita	330.63	1.2075
Azria Health Wichita	Wichita	330.95	1.3739
Wilson Care and Rehab	Wilson	352.96	1.7875
F W Huston Medical Center	Winchester	197.04	1.1007
Winfield Senior Living Community	Winfield	278.75	1.7305
Cumbernauld Village, Inc.	Winfield	335.54	1.4260
Winfield Rest Haven II LLC	Winfield	318.83	1.1557
Kansas Veterans' Home	Winfield	326.72	1.2080
Yates Operator, LLC	Yates Center	258.22	1.3299
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 revised final rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan and pending amendments thereto.
2. The revised 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 104.49% 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 - \$288.27
 - d. Average payment rate July 1, 2023 - \$276.36
Amount of change - \$11.91
Percent of change - 4.31%
4. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase approximately \$42.2 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 104.51%** 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 revised final notice of the Nursing Facility rates ends on July 20, 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.

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. 052235

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 applied behavioral analysis service reimbursement rate for Intensive Individual Supports 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	\$0
FFY 2025	\$0

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

The last day for public comment is July 22, 2024.

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

Doc. No. 052233

State of Kansas

Secretary of State

Notice of Forfeiture

In accordance with Kansas statutes, the following business entities organized under the laws of Kansas and the foreign business entities authorized to do business in Kansas were forfeited during the month of May 2024 for failure to timely file an annual report and pay the annual report fee.

Please Note: The following list represents business entities forfeited in May. Any business entity listed may have filed for reinstatement and be considered in good standing. To check the status of a business entity, go to the Kansas Business Center’s Business Entity Search Station at <https://www.kansas.gov/bess/flow/main?execution=e2s4> (select Business Entity Database) or contact the Business Services Division at 785-296-4564.

Domestic Business Entities

- 3 K Holstein Farm, Inc., Garden Plain, KS
- Agoldenworld, Inc., Overland Park, KS
- Arrow Renovation & Construction, LLC, Olathe, KS
- Bethel Music Ministry, Inc., Overland Park, KS
- Big Dog Little Dog, Inc., Kansas City, KS
- Bird City Area on Aging, Inc., Bird City, KS
- Brown’s Tree Service, L.C., Topeka, KS
- Clay Legvcy C.A.R.E.S, Inc., Wichita, KS
- Creative-Coldsnow Artist Materials and Framing, LLC, Overland Park, KS
- Derby Swim Club, Derby, KS
- Don Karst Well Service, Inc., Russell, KS
- Douglas Market Development, LLC, Wichita, KS
- Faith Academy of Wichita Association, Wichita, KS
- Fralick Farm, Inc., Dodge City, KS
- HE of Andover, LLC, Park City, KS
- Healy Biodiesel, Inc., Clearwater, KS
- Holstein Supply Kansas, Inc., Syracuse, KS
- Hy-Plains Cattle Company, L.L.C., Montezuma, KS
- Ice Cold Elite Basketball, Inc., Topeka, KS
- Insite, Inc., Goddard, KS
- J and P Family Farms, Inc., Inman, KS
- JBP, Inc., Goodland, KS

- Jerry D. Guess Holdings, L.L.C., Olathe, KS
- K O Ranch, LLC, Alton, KS
- Kansas Basketball Academy Foundation, Wichita, KS
- Kansas City Outdoor Club, Inc., Mission, KS
- KC Warriors Baseball Club, Kansas City, KS
- Kim H Corp., Colby, KS
- Kinsey Farms, Inc., Troy, KS
- Kitty Care Club, Marysville, KS
- LFK Holdings, L.L.C., Lawrence, KS
- Liberal Office Machines Company, Liberal, KS
- Mecca, LLC, Kansas City, KS
- Mobile Products, Inc., Longview, TX
- Mr. Aka’s Private Umbrella, LLC, Wichita, KS
- Mr. Aka’s Black History Day’s, LLC, Wichita, KS
- Muslet, L.L.C., Kansas City, KS
- North Pointe Townhome Home Owners Association, Manhattan, KS
- Patchen Electric and Industrial Supply, Inc., Lawrence, KS
- Patriot’s Produce, LLC, Lebo, KS
- Pelton Ag, Inc., Burdett, KS
- Pilotrade Supply Chain Service Company Limited, Denver, CO
- Rent Wichita, LLC, Wichita, KS
- Rush County Insurance Services, Inc., La Crosse, KS
- Saba, LLC, Kansas City, KS
- Scofield Farms, Inc., Belleville, KS
- Six Figure Capital, Inc., Manhattan, KS
- Society of Successors Elite, Wichita, KS
- Star Contracting Service, Inc., Lone Jack, MO
- Surviving Suicide Foundation, Great Bend, KS
- T Corp, Inc., Colby, KS
- Three Bowl House 168, Inc., Lawrence, KS
- Thunder Roustabout, Inc., Russell, KS
- Toll Farms, Inc., Lindsborg, KS
- Topeka Grizzlies Baseball Club, Topeka, KS
- Tre El Tatts, Inc., Topeka, KS
- Twisted Oak Farms, Inc., Newton, KS
- University of Kansas Robotics Organization, Lawrence, KS
- Wichita R V, Inc., Andover, KS
- Wiechman Feedyard, L.P., Scott City, KS

Foreign Business Entities

- ABM Building Solutions, LLC, Sugar Land, TX
- ABM Emobility USA, LLC, Sugar Land, TX
- American Cancer Society, Inc., Kennesaw, GA
- Beaver River Auction, Inc., Norman, OK
- Carey Johnson Oil Company, Inc., Lawton, OK
- Cleveland Chiropractic College Alumni Association, Blue Springs, MO
- Denver Commercial Builders, Inc., Denver, CO
- Design 1 Group, LLC, Bristol, TN
- Edge Fire Protection, Inc., Pelham, AL
- Enhanced Recovery Company, LLC, Jacksonville, FL
- Fair Environmental Services, LLC, Hockley, TX
- GDP Drilling, LLC, Wichita, KS
- Green Energy Tech, LLC, Stanberry, MO
- Irvinbilt Constructors, Inc., Chillicothe, MO
- L.E. Bell Construction Company, Inc., Heflin, AL
- R & R Pipeline Construction and Repair, Inc., Houston, TX
- Rev Ambulance Group Orlando, Inc., Winter Park, FL
- Signet Service Plans, Inc., Akron, OH
- Tempo Medical, P.A., New York, NY
- Wescon Plastics, LLC, Wichita, KS

Scott Schwab
 Secretary of State

Doc. No. 052227

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be held at 9:00 a.m. June 27, 2024, in the conference room of Kansas Development Finance Authority (the “Authority”), 534 S. Kansas Ave., Suite (continued)

800, Topeka, Kansas, on the proposed issuance, or reissuance, by the Authority in one or more series of tax-exempt facility revenue bonds (the "Reissued Bonds") in a principal amount of not to exceed \$4,470,000 to refund and reissue the Authority's Multifamily Housing Revenue Bonds (Davidson's Landing Apartment Homes Project) Series 2021E-2 (the "Refunded Bonds"), which were originally issued as qualified residential project bonds under Section 142 of the Internal Revenue Code. The proceeds of the Refunded Bonds were applied to finance a portion of the costs of the construction and equipping of an approximately 115-unit multifamily housing development for persons of low and moderate income located at or about 651 N. 65th St., Kansas City, Kansas, and known as Davidson's Landing Apartments (the "Project"). The Project was initially, and is currently, owned and operated by Davidson's Landing WHP, LP, a Kansas limited partnership (the "Borrower").

The Reissued 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 Reissued Bonds constitute an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged, but the Reissued Bonds will be payable solely and only from revenues pledged by the Borrower in amounts sufficient to pay the principal of, interest and redemption premium, if any, on the Reissued 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 any specific Reissued Bonds, and all written comments previously sent to 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. 052234

State of Kansas

Department of Education

Permanent Administrative Regulation

Article 31.—ACCREDITATION

91-31-35. Graduation requirements. (a) Each governing body shall adopt a written policy specifying that pupils are eligible for graduation only after completion of at least the following graduation requirements as established by the state board:

(1) Four units of English language arts, which shall include reading, writing, literature, grammar, and at least one-half unit of communication. The chief administrative officer may waive up to one unit of this requirement if

the chief administrative officer determines that a pupil will benefit more by taking another subject;

(2) three units of history and government, which shall include world history; United States history; United States government, including the Constitution of the United States; concepts of economics and geography; and, except as otherwise provided in K.A.R. 91-31-35 (e), a course of instruction in Kansas history and government;

(3) three units of science, which shall include physical, biological, and earth and space science concepts and which shall include at least one unit as a laboratory course;

(4) three units of mathematics, including algebraic and geometric concepts;

(5) one-half unit of physical education. This requirement shall be waived if the school district is provided with a statement by a licensed physician that a pupil is mentally or physically incapable of participating in a regular or modified physical education program;

(6) one-half unit of health education which may include safety, first aid, or physiology. This requirement shall be waived if the school district is provided with a statement, signed by a lawful custodian of the pupil, indicating that the requirement is contrary to the religious teachings of the pupil;

(7) one-half unit of financial literacy;

(8) one unit of fine arts, which may include art, music, dance, theatre, forensics, and other similar studies selected by the governing body;

(9) one unit of advanced science, technology, engineering, advanced math or other similar studies selected by the governing body;

(10) four and one-half units of elective courses;

(11) two or more accomplishments approved by the State Board that demonstrate the pupil will be a successful Kansas high school graduate;

(12) One of the following filings, unless exempted by the chief administrative officer;

(A) A free application for federal student aid with the United States department of education, or;

(B) On a form created by the state board, file a waiver with the governing body indicating that a parent or guardian or, if the pupil is at least 18 years of age or legally emancipated, the pupil understands what the free application for federal student aid is and has chosen not to file an application.

(b) At least 21 units of credit shall be required for graduation.

(c) A unit may only satisfy one graduation requirement at a time.

(d) Any governing body may increase the number of units of credit required for graduation. Any additional requirements of the governing body that increase the number of units of credit required for graduation shall apply to those students who will enter the ninth grade in the school year following the effective date of the additional requirement.

(e) The governing body shall waive the requirement for a course of instruction in Kansas history and government required in K.A.R. 91-31-35(a)(2) for any student who transfers into the district at a grade level above that in which the course is taught.

(f) Unless more stringent requirements are specified by existing local policy, the graduation requirements specified in this regulation shall apply to those students who enter the ninth grade in the school year following the effective date of this regulation and to each subsequent class of students. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Consti-

tution, K.S.A. 72-3235, and K.S.A. 2023 Supp. 72-5170; effective July 1, 2005; amended Oct. 8, 2021; amended July 5, 2024.)

Dr. Randy Watson
Commissioner
Department of Education

Doc. No. 052241

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 26: DEPARTMENT FOR AGING AND DISABILITY SERVICE

Reg. No.	Action	Register
26-52-1	New (T)	V. 43, Issue 9
26-52-1	New	V. 43, Issue 24
26-52-2	New (T)	V. 43, Issue 9
26-52-2	New	V. 43, Issue 24
26-52-3	New (T)	V. 43, Issue 9
26-52-3	New	V. 43, Issue 24
26-52-4	New (T)	V. 43, Issue 9
26-52-4	New	V. 43, Issue 24
26-52-5	New (T)	V. 43, Issue 9
26-52-5	New	V. 43, Issue 24
26-52-6	New (T)	V. 43, Issue 9
26-52-6	New	V. 43, Issue 24
26-52-7	New (T)	V. 43, Issue 9
26-52-7	New	V. 43, Issue 24
26-52-8	New (T)	V. 43, Issue 9
26-52-8	New	V. 43, Issue 24
26-52-9	New (T)	V. 43, Issue 9
26-52-9	New	V. 43, Issue 24
26-52-10	New (T)	V. 43, Issue 9
26-52-10	New	V. 43, Issue 24
26-52-11	New (T)	V. 43, Issue 9
26-52-11	New	V. 43, Issue 24
26-52-12	New (T)	V. 43, Issue 9
26-52-12	New	V. 43, Issue 24
26-52-13	New (T)	V. 43, Issue 9
26-52-13	New	V. 43, Issue 24
26-52-14	New (T)	V. 43, Issue 9
26-52-14	New	V. 43, Issue 24
26-52-15	New (T)	V. 43, Issue 9
26-52-15	New	V. 43, Issue 24
26-52-16	New (T)	V. 43, Issue 9
26-52-16	New	V. 43, Issue 24
26-52-17	New (T)	V. 43, Issue 9
26-52-17	New	V. 43, Issue 24
26-52-18	New (T)	V. 43, Issue 9
26-52-18	New	V. 43, Issue 24
26-52-19	New (T)	V. 43, Issue 9
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26-52-20	New (T)	V. 43, Issue 9
26-52-20	New	V. 43, Issue 24
26-52-21	New (T)	V. 43, Issue 9
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26-52-22	New (T)	V. 43, Issue 9
26-52-22	New	V. 43, Issue 24

26-52-23	New (T)	V. 43, Issue 9
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26-52-24	New (T)	V. 43, Issue 9
26-52-24	New	V. 43, Issue 24
26-52-25	New (T)	V. 43, Issue 9
26-52-25	New	V. 43, Issue 24
26-52-26	New (T)	V. 43, Issue 9
26-52-26	New	V. 43, Issue 24
26-52-27	New (T)	V. 43, Issue 9
26-52-27	New	V. 43, Issue 24
26-52-28	New (T)	V. 43, Issue 9
26-52-28	New	V. 43, Issue 24
26-52-29	New (T)	V. 43, Issue 9
26-52-29	New	V. 43, Issue 24
26-52-30	New (T)	V. 43, Issue 9
26-52-30	New	V. 43, Issue 24
26-52-31	New (T)	V. 43, Issue 9
26-52-31	New	V. 43, Issue 24
26-52-32	New (T)	V. 43, Issue 9
26-52-32	New	V. 43, Issue 24

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-2-6	Amended	V. 43, Issue 23
102-3-3a	Amended	V. 43, Issue 23
102-4-3a	Amended	V. 43, Issue 23
102-5-3	Amended	V. 43, Issue 23
102-5-7b	Amended	V. 43, Issue 23
102-5-10	Amended	V. 43, Issue 23
102-7-3	Amended	V. 43, Issue 23
102-7-4	Amended	V. 43, Issue 23
102-7-5	Amended	V. 43, Issue 23
102-7-7	Amended	V. 43, Issue 23
102-7-8	Amended	V. 43, Issue 23

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*. 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
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111-20-6	New	V. 43, Issue 5
111-20-7	New	V. 43, Issue 5
111-20-8	New	V. 43, Issue 5
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111-20-10	New	V. 43, Issue 5
111-20-11	New	V. 43, Issue 5
111-20-12	New	V. 43, Issue 5
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111-20-20	New	V. 43, Issue 5
111-20-21	New	V. 43, Issue 5
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111-20-23	New	V. 43, Issue 5
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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	112-201-12	New (T)	V. 42, Issue 44	112-203-2	New (T)	V. 42, Issue 44
112-201-2	New (T)	V. 42, Issue 44	112-201-13	New (T)	V. 42, Issue 44	112-203-3	New (T)	V. 42, Issue 44
112-201-3	New (T)	V. 42, Issue 44	112-201-14	New (T)	V. 42, Issue 44	112-203-4	New (T)	V. 42, Issue 44
112-201-4	New (T)	V. 42, Issue 44	112-201-15	New (T)	V. 42, Issue 44	112-203-5	New (T)	V. 42, Issue 44
112-201-5	New (T)	V. 42, Issue 44	112-201-16	New (T)	V. 42, Issue 44	112-203-6	New (T)	V. 42, Issue 44
112-201-6	New (T)	V. 42, Issue 44	112-201-17	New (T)	V. 42, Issue 44	112-203-7	New (T)	V. 42, Issue 44
112-201-7	New (T)	V. 42, Issue 44	112-201-18	New (T)	V. 42, Issue 44	112-203-8	New (T)	V. 42, Issue 44
112-201-8	New (T)	V. 42, Issue 44	112-201-19	New (T)	V. 42, Issue 44	112-204-1	New (T)	V. 42, Issue 44
112-201-9	New (T)	V. 42, Issue 44	112-201-20	New (T)	V. 42, Issue 44	112-204-2	New (T)	V. 42, Issue 44
112-201-10	New (T)	V. 42, Issue 44	112-201-21	New (T)	V. 42, Issue 44	112-204-3	New (T)	V. 42, Issue 44
112-201-11	New (T)	V. 42, Issue 44	112-201-22	New (T)	V. 42, Issue 44	112-204-4	New (T)	V. 42, Issue 44
			112-201-23	New (T)	V. 42, Issue 44	112-204-5	New (T)	V. 42, Issue 44
			112-202-1	New (T)	V. 42, Issue 44	112-204-6	New (T)	V. 42, Issue 44
			112-202-2	New (T)	V. 42, Issue 44	112-204-7	New (T)	V. 42, Issue 44
			112-203-1	New (T)	V. 42, Issue 44			

Kansas Register
Secretary of State
1st Floor, Memorial Hall
120 SW 10th Ave.
Topeka, KS 66612-1594
