



Kansas Register

Kris W. Kobach, Secretary of State

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State of Kansas

Legislature

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.

Date	Room	Time	Committee	Agenda
Aug. 10	152-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review proposed rules and regulations for Board of Cosmetology, Corporation Commission, 911 Coordinating Council, Secretary of State, Department of Revenue, Office of the Securities Commissioner, and Department of Revenue, Alcoholic Beverage Control Division.
Aug. 13	548-S	9:00 a.m.	Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight	Agenda not available.

Tom Day
Director of Legislative
Administrative Services

Doc. No. 043759

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State of Kansas

Children’s Cabinet and Trust Fund

Notice of Meeting

The Kansas Children’s Cabinet and Trust Fund will conduct a board meeting from 9:30 a.m. to 1 p.m. Friday, August 7, in Marvin Auditorium Room 101-A at the Topeka & Shawnee County Public Library, 1515 S.W. 10th Ave., Topeka.

Janice Suzanne Smith
Executive Director

Doc. No. 043748

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. 2014 Supp. 12-1675(b)(c)(d) and K.S.A. 2014 Supp. 12-1675a(g).

Effective 7-27-15 through 8-2-15

Term	Rate
1-89 days	0.13%
3 months	0.04%
6 months	0.13%
12 months	0.34%
18 months	0.55%
2 years	0.71%

Scott Miller
Director of Investments

Doc. No. 043746

(Published in the Kansas Register July 30, 2015.)

City of Hutchinson, Kansas

Notice of Proposed DBE Program

The city of Hutchinson, Kansas, has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation, 49 CFR Part 26, for FAA funding at the Hutchinson Municipal Airport. The city anticipates receiving federal financial assistance from the Department of Transportation and, as a condition of receiving this assistance, the city will sign an assurance that it will comply with 49 CFR Part 26.

The city’s overall goal for FY 2016-2018 is the following: a three-year goal of 5.63 percent of the federal financial assistance.

The proposed DBE Program is available for public inspection and comment at the office of the director of Parks and Facilities, 1500 S. Plum, Hutchinson, 67501. The city will accept comments on the goals for 45 days from the date of this notice. Comments can be sent to Justin Combs, Parks and Facilities director.

Justin Combs
Parks and Facilities Director

Doc. No. 043747

(Published in the Kansas Register July 30, 2015.)

City of Pittsburg, Kansas

Notice of Proposed DBE Program

The city of Pittsburg, Kansas, has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation, 49 CFR Part 26, for FAA funding at the Atkinson Municipal Airport. The city anticipates receiving federal financial assistance from the Department of Transportation and, as a condition of receiving this assistance, the city will sign an assurance that it will comply with 49 CFR Part 26.

The city’s overall goal for FY 2016-2018 is the following: a three-year goal of 7.12 percent of the federal financial assistance.

The proposed DBE Program is available for public inspection and comment at the office of the director of Public Works, 201 W. 4th St., Pittsburg, 66762. The city will accept comments on the goals for 45 days from the date of this notice. Comments can be sent to William Beasley, director of Public Works.

William A. Beasley
Director of Public Works

Doc. No. 043756

State of Kansas

**Department of Administration
Procurement and Contracts**

Notice to Bidders

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

- 08/21/2015 EVT0003867 Badges and Insignia
- 08/25/2015 EVT0003879 Well Plugging, Roberts Project
- 09/11/2015 EVT0003880 Physical Move Services

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

<http://admin.ks.gov/offices/procurement-and-contracts/bid-solicitations>

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

<http://admin.ks.gov/offices/procurement-and-contracts/additional-files-for-bid-solicitations>

- 08/27/2015 A-011740 Kansas State University West Hall MEP Improvements at Manhattan
- 09/01/2015 A-012657Rev Allied Flag Bldg. Expansion at Lansing Correctional Facility, Lansing

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

Tracy T. Diel, Director
Procurement and Contracts

Doc. No. 043761

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: www.emporia.edu/busaff/. Additional contact info: phone 620-341-5145, fax: 620-341-5073, email: tshepher@emporia.edu. Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Circle, Emporia, KS 66801-5415.

Fort Hays State University – Bid postings: www.fhsu.edu/purchasing/bids. Additional contact info: phone 785-628-4251, fax: 785-628-4046, email: purchasing@fhsu.edu. Mailing address: Fort Hays State Purchasing Office, 601 Park St., 318 Sheridan Hall, Hays, KS 67601.

Kansas State University – Bid postings: www.k-state.edu/purchasing/rfq. Additional contact info: phone: 785-532-6214, fax: 785-532-5577, email: kspurch@k-state.edu. Mailing address: Division of Financial Services/Purchasing, 21 Anderson Hall, Kansas State University, Manhattan, KS 66506.

Pittsburg State University – Bid postings: www.pittstate.edu/office/purchasing. Additional contact info: phone: 620-235-4169, fax: 620-235-4166, email: purch@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

University of Kansas – Electronic bid postings: <http://www.procurement.ku.edu/>. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 20, Lawrence, KS 66045. Additional contact info: phone: 785-864-5800, fax: 785-864-3454, email: purchasing@ku.edu.

University of Kansas Medical Center – Bid postings: <http://www2.kumc.edu/finance/purchasing/bids.html>. Additional contact info: phone: 913-588-1100, fax: 913-588-1102. Mailing address: University of Kansas Medical Center, Purchasing Department, Mail Stop 2034, 3901 Rainbow Blvd., Kansas City, KS 66160.

Wichita State University – Bid postings: www.wichita.edu/purchasing. Additional contact info: phone: 316-978-3080, fax: 316-978-3528. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 12, Wichita, KS 67260-0012.

Kathy Herrman
Chair of Regents Purchasing Group
Director of Purchasing
Fort Hays State University

Doc. No. 043663

State of Kansas

Governmental Ethics Commission

Opinion No. 2015-06

Written July 22, 2015, to George W. Yarnevich, Kennedy Berkley Yarnevich & Williamson, Chartered, Salina.

Synopsis: Under the facts provided, a city commissioner may participate in policy discussions concerning special assessments and vote in regard to such policy issues before the city commission for determination.

Cited herein: K.S.A. 75-4301a, K.S.A. 75-4303a, 75-4304, and 75-4306.

Dear Mr. Yarnevich,

In response to your June 19, 2015, letter request, this opinion is provided by the Kansas Governmental Ethics Commission (commission), concerning application of the local conflict of interest law, K.S.A. 75-4301a *et seq.* The commission's jurisdiction is limited to applicability of this law. This opinion, provided pursuant to K.S.A. 75-4303a(a), does not address whether some other statutory system, common law theory, or agency rule or regulation applies to your inquiry.

Factual Statement

We understand that you request this opinion on behalf of your client, Karl Ryan, a commissioner for the City of Salina, Kansas. The following facts are provided with your inquiry:

Your client is Mr. Karl Ryan, a newly-elected City Commissioner of Salina, Kansas. Mr. Ryan's wife, Jody Ryan, is an independent contractor with SalinaHomes.com, Inc. ... Kelly Dunn Construction, Inc. from time to time works on new housing developments in Salina, Kansas. Kelly Dunn Construction, Inc. in the past has used Salina Homes.com, Inc. for purposes of listing new homes that Kelly Dunn Construction, Inc. builds. There is no standing agreement between the two entities. Mr. Dunn naturally can list his new homes with any real estate agency as he desires.

Any listings that Salina Homes.com, Inc. has owned solely by Salina Homes.com, Inc. There is no contractual nature with Jody Ryan in connection with those listings.

In the past Jody Ryan has received commissions through Salina Homes.com, Inc. in connection with sale of homes that Kelly Dunn Construction, Inc. has constructed. Within the 12 months immediately preceding the date Commissioner Ryan was required to file his statement of substantial interest under K.S.A. 75-4302a(b)(1), Jody Ryan received commissions in excess of \$2,000 resulting from the sale of homes constructed by Kelly Dunn Construction, Inc. and listed for sale with Salina Homes.com, Inc.

The City of Salina Commissioners are currently reviewing the City's policy regarding the use of special assessment financing under the General Improvement and Assessment Law (K.S.A. 12-6a01, *et seq.*) for new housing developments. It is possible that depending upon the decision made by the Salina City Commissioners, Kelly Dunn Construction, Inc. may start a new housing development and would naturally have the right to list new homes with Salina Homes.com, Inc. Obviously he would also have the right to list any new homes with any other real estate agent that he so desired.

Assessment financing in Saline County has been done in the past when a new developer is allowed to add special assessments to the tax bill on lots that are being developed. That way these special assessments are paid over a period of time by the developer initially and then eventually by the owner of the house. That keeps the costs of a home down because the new homeowner will pay those assessments in real estate taxes over a period of time rather than initially up front when purchasing the home.

From the provided "Independent Contractor Agreement," between Jody Ryan and SalinaHomes.com, Inc., Jody Ryan agrees to pay to SalinaHomes.com, Inc., a monthly amount and a broker service fee from contractor sales commissions in exchange for Jody Ryan availing herself of "... unspecified services, facilities, programs and opportunities offered by SalinaHomes.com, Inc."

Questions

1. Does Mr. Ryan have a "substantial interest" in Kelly Dunn Construction, Inc.?
2. May Mr. Ryan participate in discussions concerning such special assessments and vote in connection with any possible policy decision by the Salina City Commission?

Analysis and Opinion

As a city commissioner for the City of Salina, Kansas, Karl Ryan is a local governmental officer as defined by K.S.A. 75-4301a(d):

"Local governmental officer" means any elected or appointed officer of any governmental subdivision or any of its agencies.

The local conflict of interest law makes it unlawful for local governmental officers, in such capacity, to contract with a person or business in circumstances provided in K.S.A. 75-4304(a):

No local governmental officer or employee shall, in the capacity of such an officer or employee, make or participate in the making of a contract with any person or business by which the officer or employee is employed or in whose business the officer or employee has a substantial interest.

The local conflict of interest law defines "substantial interest" in K.S.A. 75-4301a(a) as follows:

"Substantial interest" means any of the following: (1) If an individual or an individual's spouse, either individually or collectively, has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5% of any business, whichever is less, the individual has a substantial interest in that business.

(2) If an individual or an individual's spouse, either individually or collectively, has received during the preceding calendar year compensation which is or will be required to be included as taxable income on federal income tax returns of the individual and spouse in an aggregate amount of \$2,000 from any business or combination of businesses, the individual has a substantial interest in that business or combination of businesses.

(3) If an individual or an individual's spouse, either individually or collectively, has received in the preceding 12 months, without reasonable and valuable consideration, goods or services having an aggregate value of \$500 or more from a business or combination of businesses, the

individual has a substantial interest in that business or combination of businesses.

(4) If an individual or an individual's spouse holds the position of officer, director, associate, partner or proprietor of any business, other than an organization exempt from federal taxation of corporations under section 501(c)(3), (4), (6), (7), (8), (10) or (19) of chapter 26 of the United States code, the individual has a substantial interest in that business, irrespective of the amount of compensation received by the individual or individual's spouse.

(5) If an individual or an individual's spouse receives compensation which is a portion or percentage of each separate fee or commission paid to a business or combination of businesses, the individual has a substantial interest in any client or customer who pays fees or commissions to the business or combination of businesses from which fees or commissions the individual or the individual's spouse, either individually or collectively, received an aggregate of \$2,000 or more in the preceding calendar year.

Under the facts provided, we opine that Karl Ryan, a local governmental official, does have a substantial interest in Kelly Dunn Construction, Inc. by virtue of commissions exceeding \$2,000 paid in the preceding year by that business to his spouse, Jody Ryan, for services she rendered as a real estate agent. These facts meet the definition of substantial interest as defined in K.S.A. 75-4301a(a)(2) (see above). Jody Ryan's obligation to SalinaHomes.com, Inc., is to pay SalinaHomes.com, Inc. six percent of such commissions for a "Brokerage Services Fee." The implication is Jody Ryan must receive her commissions directly from sellers (in this instance, Kelly Dunn Construction, Inc., a business), in order to pay a percentage of such commissions to SalinaHomes.com, Inc.

Should this implication be incorrect, Karl Ryan would still have a substantial interest in Kelly Dunn Construction, Inc. by virtue of his spouse, Jody Ryan. If her commissions are received from SalinaHomes.com, Inc., through the brokerage services it contractually provides, a substantial interest exists pursuant to the definition provided in K.S.A. 75-4301a(a)(5). Jody Ryan, by receiving commissions paid to a business or combination of businesses (SalinaHomes.com, Inc., and/or Jody Ryan's business as a real estate agent), would have a substantial interest in the customer or client paying commissions totaling in excess of \$2000 in the preceding year (Kelly Dunn Construction, Inc.).

Although we opine Karl Ryan has a special interest in Kelly Dunn Construction, Inc., it does not preclude his participation in discussions concerning special assessments nor his ability to vote in connection with any possible policy decision by the Salina City Commission. Local governmental officers are prohibited from participating in the making of contracts in their official capacity with persons or businesses that otherwise employ the officer or in which the officer has a substantial interest. K.S.A. 75-4304(a). Policy discussions concerning taxing issues such as special assessments are not contractual for purposes of K.S.A. 75-4304(a).

G. Daniel Harden, Chairman
By Direction of the Commission

Doc. No. 043762

State of Kansas

Department of Transportation

Notice to Contractors

Electronic copies of the letting proposals and plans are available on the KDOT website at <http://www.ksdot.org/burconsmain/contracts/proposal.asp>. 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 not 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 the bid. The secretary of transportation reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2007 edition of the Kansas Department of Transportation's *Standard Specifications for State Road and Bridge Construction*.

KDOT will only accept electronic proposals using the Bid Express website at <http://www.bidx.com> until 1 p.m. local time August 19, 2015. KDOT will open and read these proposals at the Eisenhower State Office Building, 700 S.W. Harrison, Topeka, at 1:30 p.m. local time August 19, 2015. An audio broadcast of the bid letting is available at <http://www.ksdot.org/burconsmain/audio.asp>.

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.

District One — Northeast

Douglas—10-23 K-8392-06 — K-10 connection, from south U.S. 59/K-10 junction east to K-10, South Lawrence Trafficway (SLT), seeding, sodding, 6.0 miles. (State Funds)

Johnson—35-46 KA-4183-01 — I-35, U.S. 56, U.S. 69, U.S. 169, K-7 and K-10, pavement marking, 18.2 miles. (Federal Funds)

Leavenworth—73-52 KA-4175-01 — U.S. 73, Leavenworth/Wyandotte county line north to Gilman Road, pavement marking, 1.9 miles. (Federal Funds)

Riley—24-81 KA-2609-01 — Intersection of U.S. 24 and Leavenworth, intersection improvement, 0.1 mile. (State Funds)

Wyandotte—635-105 KA-4105-01 — Five high mast light towers on I-635 at the I-635/K-5 interchange, lighting, 0.0 mile. (State Funds)

Wyandotte—73-105 KA-4174-01 — U.S. 73, 2,155 feet south of Parallel Parkway, north to Wyandotte County line, pavement marking, 5.8 miles. (Federal Funds)

District Two — North Central

Clay—14 C-4690-01 — Various major collectors, signing, 252.0 miles. (Federal Funds)

Ellsworth—141-27 KA-4178-01 — Bridge #052 on K-141, 1.5 miles north of the K-141/K-4 junction, guard fence, 0.0 mile. (State Funds)

Geary—18-31 KA-4008-01 — Bridge #022 on K-18, located at the junction of I-70/K-18, bridge repair. (State Funds)

McPherson—59 C-4680-01 — All major collectors south of U.S. 56 and west of RS305 excluding RS443, signing, 74.0 miles. (Federal Funds)

Morris—177-64 KA-3153-02 — Bridge #023 (Munker's Creek) on K-177, located 6.91 miles south of the Morris/Wabaunsee county line, bridge repair. (State Funds)

Saline—70-85 KA-4184-01 — Eastbound I-70 over K&O Railroad, 8 miles west of I-70/I-135 junction, slide repair, 0.5 mile. (State Funds)

Statewide—106 KA-4185-01 — Various locations in District Two in Dickinson, Morris, Geary and Ellsworth counties, milling. (State Funds)

District Three — Northwest

Norton—36-69 KA-4193-01 — U.S. 36, from the east city limits of Norton east to 0.14 mile east of the east junction of U.S. 36/K-383, conventional seal, 5.3 miles. (State Funds)

Statewide—25-106 KA-4194-01 — K-25: from the east junction of K-25/U.S. 40 north to the Logan/Thomas county line; from the Thomas/Logan county line, north to the south city limits of Colby; conventional seal, 17.8 miles. (State Funds)

Thomas—70-97 KA-4191-01 — I-70, from east of the I-70/County Road K interchange southeast to the Thomas/Logan county line, milling and overlay, 11.9 miles. (State Funds)

District Four — Southeast

Bourbon—69-6 KA-4190-01 — Bridge #009 (U.S. 69 over U.S. 54) located at the south junction of U.S. 69/U.S. 54, bridge repair. (State Funds)

Franklin—35-30 KA-4157-01 — I-35, beginning at the north side of the Eisenhower Interchange, north to the Franklin/Miami county line, pavement marking, 17.1 miles. (Federal Funds)

Miami—35-61 KA-4158-01 — I-35, from the Miami/Franklin county line to the Miami/Johnson county line, pavement marking, 2.8 miles. (Federal Funds)

Miami—61 KA-4179-01 — Two locations in the county, milling. (State Funds)

Neosho—67 C-4692-01 — 160th Road, U.S. 59 to Elk Road, signing, 11.0 miles. (Federal Funds)

District Five — South Central

Butler—77-8 KA-4192-01 — U.S. 77, from the Butler/Cowley county line north to the end of the asphalt pavement (approximately 1 mile south of the south city limits of Augusta), 1.5-inch overlay, 12.0 miles. (State Funds)

Pratt—54-76 K-8243-07 — U.S. 54, from U.S. 54/RS-501 junction east to 1 mile east of Cairo intersection, seeding, sodding, 5.0 miles. (Federal Funds)

Sedgewick—54-87 KA-4180-01 — U.S. 54, Hillside Street to Armour Street, pavement marking, 2.7 miles. (Federal Funds)

Sedgwick—87 TE-0425-01 — Pedestrian bike path in Haysville starting at existing trail at Delos Street west to Karla Avenue, pedestrian and bicycle paths, 0.3 mile. (Federal Funds)

District Six — Southwest

Ford—29 TE-0384-01 — Pedestrian bike path connecting to existing trail at Soule and Manor Drive continuing through Chilton Park, then west on Comanche to 14th Avenue, pedestrian and bicycle paths. (Federal Funds)

Mike King
Secretary of Transportation

Doc. No. 043727

State of Kansas

**Department of Health
and Environment**

**Notice of Hearing on Proposed
Administrative Regulation**

The Kansas Department of Health and Environment, Division of Environment, Bureau of Air, will conduct a public hearing at 10 a.m. Wednesday, October 7, in the Flint Hills Conference Room, third floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the adoption of proposed new air quality regulation K.A.R. 28-19-274. A summary of the proposed regulation and the estimated economic impact follows.

Summary of Regulation:

K.A.R. 28-19-274. The purpose of proposed new K.A.R. 28-19-274 regarding nitrogen oxides allocations is to replace the provision for allowance allocations for the Kansas TR NO_x annual trading budget in the Transport Rule (TR) Nitrogen Oxide (NO_x) Annual Trading Program for the 2017-2019 control periods under the U.S. Environmental Protection Agency's (USEPA) Cross-State Air Pollution Rule (CSAPR). When the proposed new regulation is adopted, KDHE will submit the regulation to the USEPA for approval into the State Implementation Plan (SIP).

Economic Impact:

Cost to agency: There are no costs to KDHE to implement this new proposed regulation. This regulation was developed for the sole purpose to ensure industries within the state do not lose valuable NO_x annual allowance allocations.

Costs to the regulated community and consumers: There will be no additional cost burdens placed on either the regulated community or consumers due to the enactment of this regulation. The regulated community stands to gain NO_x annual allowance allocations which can be traded on an open marketplace. If this regulation is not enacted, those allocations will not be allotted to the regulated community and, consequently, the value would be lost.

Cost to other governmental agencies or units: There are no costs to other governmental agencies or units by implementing this proposed regulation.

The time period between the publication of this notice and the scheduled hearing constitutes a 60-day public

comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to 5 p.m. on the day of the hearing to Zac Graves, Kansas Department of Health and Environment, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612, by email to zgraves@kdheks.gov or by fax to 785-296-7455. During the hearing, all interested parties will be given a reasonable opportunity to present their views orally on the proposed regulation as well as an opportunity to submit their written comments. In order to give each individual an opportunity to present their views, it may be necessary for the hearing officer to request that each presenter limit an oral presentation to an appropriate time frame.

Copies of the proposed regulation and the corresponding regulatory impact statement may be obtained from the KDHE Bureau of Air at <http://www.kdheks.gov/bar/planning/pnplanning.html> or by contacting Zac Graves by at zgraves@kdheks.gov, 785-296-8142 or fax 785-296-7455. Copies may also be viewed at the following locations:

- Department of Air Quality, Unified Government of Wyandotte County – Kansas City, Kansas Health Department, 619 Ann Ave., Kansas City, Kansas
- Johnson County Environmental Department, 11811 S. Sunset, Suite 2700, Olathe
- Curtis State Office Building, 1000 S.W. Jackson, Suite 310, Topeka
- KDHE Northeast District Office, 800 W. 24th St., Lawrence
- KDHE Northwest District Office, 2301 E. 13th St., Hays
- KDHE North Central District Office, 2501 Market Place, Suite D, Salina
- KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita
- KDHE Southeast District Office, 1500 W. 7th St., Chanute
- KDHE Southwest District Office, 302 W. McArtor Road, Dodge City
- Wichita-Sedgwick County Dept. of Community Health, 1900 E. 9th St., Wichita

Questions pertaining to the proposed regulation should be directed to Zac Graves at the contact information above.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and the regulatory impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Zac Graves.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043753

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

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

Public Notice No. KS-AG-15-274

Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant	Owner of Property Where Facility Will Be Located	Receiving Water
Jennifer A. Gerety and/or John A. Kramer Martin Site 604 Nemaha St. Seneca, KS 66538	J-Six Enterprises, LLC- J-Six Land Holdings Series 604 Nemaha St. Seneca, KS 66538	Kansas - Republican River Basin
Legal Description		
NE/4 of Section 17, T04S, R01E, Washington County Kansas Permit No. A-LRWS-S040		

This is an application for a permit for new construction of a swine facility for 2,490 head (996 animal units) of swine weighing greater than 55 pounds. Two new finishing buildings with concrete pits are proposed for construction. A new permit will not be issued without additional public notice.

Public Notice No. KS-AG-15-275/278

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Jennifer A. Gerety and/or John A. Kramer J-Six Enterprises, LLC - Martin Site 604 Nemaha St. Seneca, KS 66538 Kansas Permit No. A-LRWS-S040	NE/4 of Section 17, T04S, R01E, Washington County	Kansas - Republican River Basin

This information is being re-public noticed to coincide with Public Notice No. KS-AG-15-274 above, regarding an application for a proposed new swine facility. This is a new permit for a new facility for 2,490 head (996 animal units) of swine weighing more than 55

pounds. Two finish buildings approximately 41' x 253' with concrete pits will be constructed. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Bedwell Feeders Thomas W. Bedwell 120 Lisa Circle Medicine Lodge, KS 67104 Kansas Permit No. A-ARBA-C001	N/2 of Section 06, T32S, R12W, Barber County	Lower Arkansas River Basin

Federal Permit No. KS0092436
This is a permit reissuance and modification for an existing facility for 2,500 head (1,250 animal units) of cattle weighing less than 700 pounds. A waste storage structure is being added to control runoff from the commodity area. The facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Draper Cattle Chad Draper 2815 County Road 400 Oakley, KS 67748 Kansas Permit No. A-SHLG-B003	NE/4 of Section 13, T11S, R33W, Logan County	Smoky Hill River Basin

This permit is being reissued for an existing facility with a maximum capacity of 999 head (999 animal units) of cattle more than 700 pounds. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
South Fork Swine Marvin Neville 5581 S.W. 50th St. Kingman, KS 67068 Kansas Permit No. A-ARKM-S003	NE/4 of Section 32, T28S, R08W, Kingman County	Lower Arkansas River Basin

This is a permit reissuance for an existing facility for 2,000 head (800 animal units) of swine weighing greater than 55 pounds. There is no change in the permitted animal units.

Public Notice No. KS-AG-R-15-026

Per K.S.A. 65-171d, the following registration has been received for a proposed confined feeding facility:

Name and Address of Registrant	Legal Description	County
Tom Fitzgerald Road 9 Pens 9846 Road 9 Liberal, KS 67901	SW/4 of Section 06, T34S, R32W	Seward

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

All comments regarding the draft documents or application notices received on or before August 29, 2015, will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-15-274/278, KS-AG-R-15-026) and name of the applicant/permittee when preparing comments.

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

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043755

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment, as lead agency for Part C of the Individuals with Disabilities Education Act (IDEA), is soliciting comments from the public on the revision of the *Procedure Manual for Kansas Infant-Toddler Services/tiny-k*, Section 17, General Supervision. The General Supervision Section is being updated and revised to modify the process for the annual IFSP review, clarify audit requirements, and update timelines.

The General Supervision Section of the manual may be reviewed for 60 days from the publication of this notice on the KDHE website at www.ksits.org, or a hard copy may be requested by calling 785-296-6135 or 800-332-6262.

In order to be assured consideration in this process, comments will be accepted during this 60-day period. Recommendations or comments must be submitted on or before September 30 to the Kansas Department of Health and Environment, Kansas Infant-Toddler Services, Bureau of Family Health, Suite 220, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612-1274. Comments also may be sent by email to swalters@kdheks.gov.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043758

State of Kansas

Department of Wildlife, Parks and Tourism

Public Notice

The Kansas Department of Wildlife, Parks and Tourism has reached an agreement for the purchase of a tract of land in Anderson County, Kansas. The parcel consists of 157 acres, more or less, further described as: E ½ E ½ of Section 4, Township 5 South, Range 5 West of the 6th P.M. in Anderson County, Kansas. The appraised value is \$5,100/acre. The total purchase price is \$716,000, an amount less than the appraised value. This tract shall be managed as part of the Kansas Department of Wildlife, Parks and Tourism's Jamestown Wildlife Area and will remain on the county tax rolls.

Robin L Jennison
Secretary of Wildlife,
Parks and Tourism

Doc. No. 043763

State of Kansas

Department of Health and Environment

Notice of Meetings

Public meetings will be conducted by the Kansas Department of Health and Environment, as lead agency for Part C of the Individuals with Disabilities Education Act (IDEA), to receive comments from the public on the revision of the General Supervision Section of the *Procedure Manual for Kansas Infant-Toddler Services/tiny-k*. The General Supervision Section is being updated and revised to modify the process for the annual IFSP review, clarify audit requirements, and update timelines.

The public meetings will be conducted from 1 to 2 p.m. Monday, September 14, and from 3:30 to 4:30 p.m. Thursday, September 17, utilizing video conferencing at the following sites:

Topeka –

Department of Health and Environment
1000 S.W. Jackson, 3rd Floor
Flint Hills Conference Room
785-296-6135

Salina –

KDHE North Central District Office
2501 Market Place, Suite D
785-827-9639

Dodge City –

KDHE Southwest District Office
302 W. McArtor Road
620-225-0596

Chanute –

KDHE Southeast District Office
1500 W. 7th
620-431-2390

The General Supervision Section of the procedure manual is available for review at www.ksits.org or a hard copy may be requested by calling 785-296-6135 or 800-

(continued)

296-6262. Comments are welcome at the public meetings or in writing by September 30 to KDHE, Kansas Infant Toddler Services, Bureau of Family Health, Suite 220, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612-1274. Comments also may be sent by email to swalters@kdheks.gov.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043757

(Published in the Kansas Register July 30, 2015.)

**Summary Notice of Bond Sale
Unified School District No. 312
Reno County, Kansas (Haven)
\$9,000,000***

General Obligation Bonds, Series 2015

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

Bids

Subject to the Notice of Bond Sale dated July 20, 2015, written and electronic bids will be received on behalf of the clerk of Unified School District No. 312, Reno County, Kansas (Haven) (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 11 a.m. (CDT) August 10, 2015, for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 1, 2015, and will become due on October 1 in the years as follows:

Year	Principal Amount*
2016	\$310,000
2017	385,000
2018	180,000
2019	195,000
2020	565,000
2021	590,000
2022	620,000
2023	650,000
2024	680,000
2025	715,000
2026	750,000
2027	785,000
2028	820,000
2029	860,000
2030	895,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 2016.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States, a qualified financial surety bond or a wire transfer in Federal Reserve funds immediately available for use by the issuer in the amount of \$180,000.

Delivery

The issuer will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about August 26, 2015, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2014 is \$73,069,224. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$10,570,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the undersigned, or from the financial advisor, at the addresses set forth below.

Written Bid and Good Faith Deposit

Delivery Address:

Julie McCormick, Clerk
Office of the Board of Education
414 W. Main
P.O. Box 130
Haven, KS 67543
620-465-3445
Fax: 620-465-3595
jmccormick@havenschools.com

**Financial Advisor — Facsimile Bid and
Good Faith Deposit Delivery Address:**

George K. Baum & Company
100 N. Main, Suite 810
Wichita, KS 67202
Attn: Charles M. Bouilly
316-264-9351
Fax: 316-264-9370
bouilly@gkbaum.com

Dated July 20, 2015.

Unified School District No. 312
Reno County, Kansas (Haven)

*Subject to change; see Notice of
Bond Sale dated July 20, 2015.

Doc. No. 043754

(Published in the Kansas Register July 30, 2015.)

**Summary Notice of Bond Sale
City of Kechi, Kansas
\$1,690,000*
General Obligation Refunding Bonds
Series 2015**

Details of the Sale

Subject to the terms and requirements of the Official Notice of Bond Sale dated July 23, 2015, of the city of Kechi, Kansas, bids to purchase the city's General Obligation Bonds, Series 2015, will be received at the office of the city clerk at City Hall, 220 W. Kechi Road, Kechi, KS 67067, or by telefacsimile at 316-744-9636 or electronically through the i-DEAL, LLC BiDCOMP/PARITY electronic bid submission system, until 11 a.m. central time Thursday, August 13, 2015. The bids will be considered by the governing body at its meeting at 7 p.m. on the sale date. No oral or auction bids for the bonds shall be considered, and no bids for less than 100 percent of the total principal amount of the bonds and accrued interest to the date of delivery shall be considered.

Good Faith Deposit

Each bidder must submit a good faith deposit in the form of a wire transfer or certified or cashier's check made payable to the order of the city, or a financial surety bond, in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds are dated September 15, 2015, and will be issued as registered bonds in the denomination of \$5,000 or any integral multiple thereof. Interest on the bonds is payable semiannually on March 1 and September 1 of each year, beginning March 1, 2016. Principal of the bonds becomes due on September 1 in the years and amounts as shown below:

Maturity Schedule*

Principal Amount*	Maturity Date
\$150,000	2016
155,000	2017
160,000	2018
160,000	2019
165,000	2020
170,000	2021
175,000	2022
85,000	2023
85,000	2024
90,000	2025
95,000	2026
100,000	2027
100,000	2028

Payment of Principal and Interest

The Kansas State Treasurer will serve as the bond registrar and paying agent for the bonds.

Book-Entry Bonds

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

Delivery of the Bonds

The city will prepare the bonds at its expense and will deliver the registered bonds to DTC on or about September 15, 2015.

Legal Opinion

The bonds will be sold subject to the legal opinion of Triplett, Woolf & Garretson, LLC, Wichita, Kansas, bond counsel, whose fees will be paid by the city.

Financial Matters

The city's current assessed valuation for purposes of calculating statutory debt limitations is \$18,663,948. As of September 15, 2015, the city's total outstanding general obligation debt (including the bonds), is \$5,845,000. The city's total indebtedness that is subject to debt limitation, as of September 15, 2015, is estimated to be \$821,785, which is 4.40 percent of the assessed valuation of the city.

Additional Information

For additional information contact the city clerk at the address and telephone number shown below, or the financial advisor, Dustin Avey, Piper Jaffray & Co., 11635 Rosewood St., Leawood, KS 66211-2000, 913-345-3374.

City of Kechi, Kansas
By Laura Hill, City Clerk
City Hall, 220 W. Kechi Road
Kechi, KS 67067
316-744-9287
Fax: 316-744-9636

***Preliminary; subject to change.**

Doc. No. 043760

(Published in the Kansas Register July 30, 2015.)

City of Olathe, Kansas

Notice to Bidders

Sealed bids will be received online at www.publicpurchase.com until 10 a.m. local time on Thursday, August 20, 2015, for the construction of **119th Street & I-35 Aesthetic Improvements, KDOT Project No. 46 TE-0379-01, Olathe Project No. 4-C-001-12.**

At said time and place, and promptly thereafter, all bids that have been duly received will be publicly opened online at www.publicpurchase.com. Only bids submitted electronically at www.publicpurchase.com will be accepted.

The work consists of the following:

Construction of a monument sign located at 119th and I-35 consisting of various concrete, masonry and steel components as described in the plans and specifications. Sign measures approximately 60 feet long by 20 feet high and 17 feet wide. The project is funded by the Kansas Department of Transportation and the city of Olathe and subject to state and local regulations.

Bid documents including drawings and specifications are on file at the office of Public Works of Olathe, Kansas, and are open for public inspections. Bid documents and drawings may be downloaded free of charge from www.publicpurchase.com.

(continued)

A satisfactory bid bond executed by the bidder or an acceptable surety, in an amount equal to 5 percent of the total bid for work, shall be submitted with each proposal. A scanned copy of the bid bond must be included with the online bid submitted at www.publicpurchase.com. The original copy of the bid bond form must be submitted to the engineer within 48 hours of bid opening. Failure to submit the original copy of the bid bond will result in rejection of the bid and owner's selection of the next low qualified bidder.

The successful bidder will be required to furnish and pay satisfactory performance and payment bond or bonds.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the contract documents must be paid on this project, and that the contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex or national origin. Contractors must comply with Title 29 relating to the employment of apprentices in accordance with requirements published by the United States Department of Labor as contained in the contract documents.

Bidders are informed that the prime contractor and subcontractors are required to comply with Section 109 of the Housing and Community Development Act of 1974, Title VI of the Civil Rights Act of 1964, Executive Order 11246, and Section 3 of the Housing and Urban Development Act of 1968. Contractors' responsibilities under these laws are outlined at Title 24, CFR Part 1 and Part 570 relating to nondiscrimination in federally assisted programs of the Department of Housing and Urban Development; Title 24, Part 130 relating to equal employment opportunity under HUD-assisted construction contract; and Title 24, Part 135 relating to employment opportunities for businesses and lower income persons in connection with assisted projects.

The prime general contractor and subcontractors, where appropriate, under the terms of the contract shall be required to comply with the following requirements prior to issuance of a construction work order:

- (A) Maintain an affirmative action file detailing efforts to meet affirmative action hiring responsibilities and utilize minority firms as subcontractors and suppliers;
- (B) Submit a copy of their affirmative action plan to the city for review and HUD concurrence;
- (C) Provide a preliminary statement of workforce needs by category for the project and goals for minorities; and
- (D) Attend a scheduled preconstruction conference for orientation on HUD equal opportunity and labor standards requirements.

The city of Olathe reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the city of Olathe for a period not to exceed 60 days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidders, prior to awarding the contract.

Donald T. Howell
Olathe City Clerk

State of Kansas

Wildlife, Parks and Tourism Commission

Notice of Meeting

A public meeting will be conducted by the Wildlife, Parks and Tourism Commission at 6:30 p.m. Thursday, August 20, at the Kansas Wetlands Education Center, 592 N.E. K-156 Highway, Great Bend, to consider the future regulatory business of the Kansas Department of Wildlife, Parks and Tourism.

A general discussion and workshop meeting on business of the Wildlife, Parks and Tourism Commission will begin at 1 p.m. August 20 at the location listed above. The meeting will recess at approximately 5 p.m., then resume at 6:30 p.m. at the same location for more business. There will be public comment periods at the beginning of the afternoon and evening meeting for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete business matters, the commission will reconvene at 9 a.m. August 21 at the same location.

Any individual with a disability may request accommodation in order to participate in the public meeting and may request the meeting materials in an accessible format. Requests for accommodation should be made at least five working days in advance of the meeting by contacting Sheila Kemmis, commission secretary, at 620-672-5911. Persons with a hearing impairment may call the Kansas Commission for the Deaf and Hard of Hearing at 800-432-0698 to request special accommodations.

This notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on future proposed administrative regulations. All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife, Parks and Tourism, 1020 S. Kansas Ave., Suite 200, Topeka, 66612, or to sheila.kemmis@ksoutdoors.com if electronically. All interested parties will be given a reasonable opportunity at the meeting to express their views orally in regard to the proposed business. During the meeting, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed future regulations.

Other information may be obtained by writing the chairman of the commission at the address above, electronically on the department's website at www.kdwpt.state.ks.us, or by calling 785-296-2281.

Gerald Lauber
Chairman

Doc. No. 043764

Doc. No. 043750

State of Kansas

Department of Administration

Notice of Hearing on Proposed
Administrative Regulation

A public hearing will be conducted at 9 a.m. Friday, October 9, in Room 530 of the Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the adoption of proposed amendments to a rule and regulation of the Office of Facilities and Procurement Management, Department of Administration, on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to the office of the chief counsel, 1000 S.W. Jackson, Suite 500, Topeka, 66612-1300, or by email to Philip.Michael@da.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulation during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Philip Michael at 785-291-3013 or TTY 800-766-3777. The main entrance to the Curtis State Office Building is accessible. Handicapped parking is available in metered spaces surrounding the building and adjacent parking garage on the west side of Jackson Street, the north side of 10th Street, the west side of Kansas Avenue and the north side of 11th Street.

Summaries of the proposed regulation and the economic impact follow. (Note: Statements indicating that a regulation is "not anticipated to have any economic impact" are intended to indicate that no economic impact on the Department of Administration, other state agencies, state employees or the general public has been identified.)

Copies of the proposed regulation and the economic impact statement can be viewed at the following website: <http://admin.ks.gov/offices/chief-counsel>.

K.A.R. 1-45-22. Parking fees for state parking garage. This regulation, as amended, removes the current state garage parking fee formula and will allow for contractually set parking fees. K.A.R. 1-45-22 currently sets standard monthly parking fees for agencies and employees using the parking garage according to a 2 percent annual formulaic increase on the 2003 base rate of \$45.90 per month or \$21.19 biweekly. The regulation mandates the 2 percent increase through the year 2031. The proposed amendments to this regulation remove the 2 percent annual increase and remove set monthly rates from the regulation by instead proposing that this rate be set annually in contract. The purpose of this proposed change is to allow the flexibility to set and keep state garage parking

rates at a stable market-competitive rate to ensure continued garage occupancy rates and keep expenses down for both state employees and state agencies utilizing the parking garage. The Department of Administration anticipates that there will be minimal economic impact to state of Kansas employees and agencies as a result of these proposed amendments to K.A.R. 1-45-22.

Sarah Shipman
Acting Secretary of Administration

Doc. No. 043751

State of Kansas

Department for Aging and Disability Services
Department of Health and Environment
Division of Health Care FinanceNotice of Nursing Facility Medicaid Rates
for State Fiscal Year 2016;
Methodology for Calculating Rates,
and Rate Justifications;
Response to Written Comments;

Notice of Intent to Amend the Medicaid State Plan

Under the Medicaid program, 42 U.S.C. § 1396 et seq., the state of Kansas pays nursing facilities, nursing facilities for mental health, and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The secretary of the Kansas Department for Aging and Disability Services (KDADS) 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), KDADS is publishing the Medicaid per diem rates for Medicaid-certified nursing facilities for state fiscal year 2016, 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, 2015.

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 are maintained by DHCF:
 1. Attachment 4.19D, Part I, Subpart C, Exhibit C-1, inclusive;

(continued)

2. Attachment 4.19D, Part I, Subpart U

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 provision set out in this notice appears in the version which the state currently intends to submit to CMS on or before September 30, 2015. 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 will charge a fee for copies. Written requests for copies should be sent to:

Secretary for Aging and Disability Services
New England Building, 2nd Floor
503 S. Kansas Ave.
Topeka, KS 66603-3404
Fax: 785-296-0767

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

Under the Medicaid program, the State of Kansas pays nursing facilities (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 KDADS 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-arm's 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 reentering the Medicaid program that has not actively participated or billed services for 24 months or more. The requirements are found in K.A.R. 129-10-17.

2) Rate Determination

Rates for Existing Nursing Facilities

Medicaid rates for Kansas nursing facilities 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 2010, 2011, and 2012 as allowed by K.S.A. 75-5945 et seq.

If the current provider has not submitted a calendar year report between 2010 and 2012, 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 12/31/12. 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's upper payment limit is exceeded, the allowable per diem rate is the sum of the three cost centers' upper payment limits. There is also a separate upper payment limit for the 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 diem pass-throughs to cover costs not included in the cost report data. The incentive factor and real and personal property fee are explained in separate sections. Pass-throughs 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 12/31/12. This adjustment will be based on the IHS Global Insight, National Skilled Nursing Facility Market Basket Without Capital Index (IHS Index). The IHS 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 12/31/12. The provider shall remain in new enrollment status until the base data 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 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 2010 to 2012. 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 12/31/12. This adjustment will be based on the IHS Index. The IHS 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 12/31/12. The provider shall remain in change-of-provider status until the base data 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 Reentering 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 calendar year 2010.

All cost data used to set rates for facilities reentering the program shall be adjusted to 12/31/12. This adjustment will be based on the IHS Index. The IHS 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 12/31/12. The provider shall remain in reenrollment status until the base data 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.

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

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

The facility-wide average CMI is the simple average, carried to four decimal places, of all resident case mix indices. The Medicaid-average CMI is the simple average, carried to four decimal places, of all indices for residents, 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 Medi-

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care were known to be the per diem payer source on the first day of the calendar quarter or at any time during the preceding quarter. Case mix indices for ventilator-dependent residents for whom additional reimbursement has been determined shall be excluded from the average CMI calculations.

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

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

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

4) Resident Days

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 pro-

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

5) Inflation Factors

Inflation will be applied to the allowable reported costs from the calendar year cost report(s) used to determine the base cost data from the midpoint of each cost report period to 12/31/12. The inflation will be based on the IHS Global Insight, CMS Nursing Home without Capital Market Basket index.

The IHS Global Insight, 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

The inflation factor for the real and personal property fees will be based on the IHS index.

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.

The Schedule C is an array of non-owner administrator and co-administrator salaries. The schedule includes the calendar year 2012 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. The Schedule C for the owner/related party/administrator/co-administrator per diem compensation limit is the first schedule run during the rate setting.

The Schedule C is used to set the per diem limitation for all non-owner administrator and co-administrator salaries and owner/related party compensation in excess of the civil service based salary limitation schedule. The per diem limit for a 50-bed or larger home is set at the 90th percentile on all salaries reported for non-owner administrators and co-administrators. A limitation table is then established for facilities with less than 50 beds. This table begins with a reasonable salary per diem for an administrator of a 15-bed or less facility. 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 will be 105% of the median determined from a total resident day-weighted array of the property fees in effect April 1, 2015.

Cost Center Upper Payment Limits

The Schedule B computer run is an array of all per diem costs for each of the three cost centers—Operating, Indirect Health Care, and Direct Health Care. The schedule includes 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 12/31/12. This will bring the costs reported by the providers to a common point in time for comparisons. The inflation will be based on the IHS Global Insight, 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.

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

Operating	110% of the median
Indirect Health Care	115% of the median
Direct Health Care	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 facility's cost report period CMI by the statewide average CMI for the cost report year, 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.

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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 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 \$60 and the upper payment limit is based on 130% of the median, then the upper payment limit for the statewide average CMI would be \$78 ($D=130\% \times \60).

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 Medicaid CMI is divided by the statewide average CMI for the cost data period. 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 quarterly 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 \$60.00, the Direct Health Care per diem limit is \$78.00, 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 \$60.00, 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 \$54.00 ($0.9000/1.0000 \times \60.00). 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 quarter rose to 1.1000, the Medicaid Acuity Adjustment would be \$66.00 ($1.1000/1.0000 \times \60.00). 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 meth-

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

The property fees in effect on June 1, 2008 were inflated with 12 months of inflation effective July 1, 2008. The inflation factor was from the IHS Global Insight, CMS Nursing Home without Capital Market Basket. The providers receive the lower of the inflated property fee or the upper payment limit.

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

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

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

9) Incentive Factors

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

Nursing Facility Quality and Efficiency Incentive Factor:

The Nursing Facility Incentive Factor is a per diem amount determined by six 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 \$2.25 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 \$0.20 per diem add-on. Providers that achieve a turnover rate at or below the 75th percentile will earn a \$2.25 per diem add-on. Providers that have a turnover rate greater than the 75th percentile but that reduce their turnover rate by 10% or more will receive a per diem add-on of \$0.20. Finally, providers that have a Medicaid occupancy percentage of 60% or more will receive a \$1.00 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 Points
CMI adjusted staffing ratio ≥ 75th percentile (4.93), or CMI adjusted staffing < 75th percentile but improved ≥ 10%	\$2.25 \$0.20
Staff turnover rate ≤ 75th percentile, 46% or Staff turnover rate > 75th percentile but reduced ≥ 10%	\$2.25 \$0.20
Medicaid occupancy ≥ 60%	\$1.00
Total Incentive Points Available	\$5.90

The Culture Change/Person-Centered Care Incentive Program

The Culture Change/Person-Centered Care Incentive Program (PEAK 2.0) includes five 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 two levels are intended to encourage quality improvement for homes that have not yet met the minimum competency requirements for a person-centered care home. Homes can earn both of these incentives simultaneously as they progress toward the minimum competency level.

The third level recognizes those homes that have attained a minimum level of core competency in person-centered care. The fourth and fifth levels 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	Home completes the KCCI evaluation tool according to the application 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 of the program for one year before they are eligible for reapplication.	Available beginning July 1 of enrollment year. Incentive granted for one full fiscal year.
Level 1 Pursuit of Culture Change \$0.50	Homes should submit the KCCI evaluation tool (annually). Home submits an action plan addressing 4 PEAK 2.0 cores in Domains 1-4. The home self-reports progress on the action planned cores via phone conference with the PEAK team. The home may be selected for a random	

	site visit. The home must participate in the random site visit, if selected, to continue incentive payment. Homes should demonstrate successful completion of 75% of core competencies selected. A home can apply for Levels 1 & 2 in the same year. Homes that do not achieve Level 2 with three consecutive years of participation at Level 1 must return to a Level 0 or sit out for two years depending on KDADS and KSU's recommendation.	Available beginning July 1 of enrollment year. Incentive granted for one full fiscal year.
Level 2 Culture Change Achievement \$1.00	This is a bridge level to acknowledge achievement in Level 1. Homes may receive this level at the same time they are working on other PEAK core areas at Level 1. Homes may receive this incentive for up to 3 years. If Level 3 is not achieved at the end of the third year, homes must start back at Level 0 or 1 depending on KDADS and KSU's recommendation.	Available beginning July 1 following confirmed completion of action plan goals. Incentive is granted for one full fiscal year.
Level 3 Person-Centered Care Home \$2.00	Demonstrates minimum competency as a person-centered care home (see KDADS full criteria). This is confirmed through a combination of the following: High score on the KCCI evaluation tool. Demonstration of success in other levels of the program. Performing successfully on a Level 2 screening call with the KSU PEAK 2.0 team. Passing a full site visit.	Available beginning July 1 following confirmed minimum competency as a person-centered care home. Incentive is granted for one full fiscal year. Renewable biennially.
Level 4 Sustained Person-Centered Care Home \$3.00	Homes earn person-centered care home award two consecutive years.	Available beginning July 1 following confirmation of the upkeep of minimum person-centered care competencies. Incentive is granted for two fiscal years. Renewable biennially.
Level 5 Person-Centered Care Mentor Home \$4.00	Homes earn sustained person-centered care home award and successfully engage in mentoring activities suggested by KDADS (see KDADS mentoring activities). Mentoring activities should be documented.	Available beginning July 1 following confirmation of mentor home standards. Incentive is granted for two fiscal years. Renewable biennially.

Nursing Facility for Mental Health Quality and Efficiency Incentive Factor:

The Quality and Efficiency Incentive plan for a NF-MH will be established separately from NF. NF-MHs 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 NF-MH 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 three dollars. 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

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two points if their case-mix adjusted staffing ratio equals or exceeds 4.20, which is 120% of the statewide NF-MH median of 3.50. They will receive one point if the ratio is less than 120% of the NF-MH median but greater than or equal to 3.85, which is 110% of the statewide NF-MH median. Providers with staffing ratios below 110% of the NF-MH median will receive no points for this incentive measure.

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

NF-MH providers may earn one point for low operating expense outcomes measures. They will earn a point if their per diem operating expenses are below \$19.11, or 90% of the statewide median of \$21.23.

NF-MH providers may earn up to two points for their turnover rate outcome measure. Providers with direct health care staff turnover equal to or below 24%, 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 24% but equal to or below 36%, 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, NF-MH providers may earn up to two points for their retention rate outcome measure. Providers with staff retention rates at or above 84%, the 75th percentile statewide will earn two points. Providers with staff retention rates at or above 75%, 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% (3.78) of NF-MH median (3.47), or CMI adjusted staffing ratio between 110% (3.15) and 120%	2, or 1
Total occupancy ≤ 90%	1
Operating expenses < \$19.35, 90% of NF-MH median, \$21.50	1
Staff turnover rate ≤ 75th percentile, 44%	2, or 1
Staff turnover rate ≤ 50th percentile, 52%	
Contracted labor < 10% of total direct health care labor costs	2, or 1
Staff retention ≥ 75th percentile, 73%	
Staff retention ≥ 50th percentile, 67%	1
Total Incentive Points Available	8

The Schedule E is an array containing the incentive points awarded to each NF-MH 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 NF-MH provider will be reviewed prior to any incentive factor payment. In order to qualify for the 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 re-

ceive "G" level deficiencies, but no "H" level or higher deficiencies, and that correct the "G" level deficiencies within 30 days of the survey, will receive 50% of the calculated incentive factor. Homes that receive no deficiencies higher than scope and severity level "F" will 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 rate effective date. The following table lists the rate effective dates and corresponding review period end dates.

Rate 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. 30-10-19. The rate may be revised for an add-on reimbursement factor (i.e., rebased property fee), desk review adjustment or field audit adjustment.

11) Retroactive Rate Adjustments

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

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

If a projected cost report is approved to determine an interim rate, a settlement 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.

II. Medicaid Per Diem Rates for Kansas Nursing Facilities

A.1 Cost Center Limitations: The state proposes the following cost center limitations which are used in setting rates effective July 1, 2015.

Cost Center	Limit Formula	Per Day Limit
Operating	110% of the Median Cost	\$32.25
Indirect Health Care	115% of the Median Cost	\$47.78
Direct Health Care	130% of the Median Cost	\$103.69
Real and Personal Property Fee	105% of the Median Fee	\$9.38

These amounts were determined according to the "Reimbursement Limitations" section. The Direct Healthcare Limit is calculated based on a CMI of 1.0175, which is the statewide average.

A.2 Quality Care Assessment Per Diem Pass-Through: To compensate providers for increased expenses incurred due to the quality care assessment, a per diem pass-through will be determined and paid to each Medicaid provider. The per diem will be added to the nursing facility Medicaid per diem rate. The quality care assessment pass-through will not be subject to cost center limits or the 85% occupancy rule.

1) Qualifying Providers. All providers currently enrolled in the Medicaid program will be eligible for the quality care assessment pass-through per diem.

2) Per Diem Pass-Through Calculation. The quality care assessment pass-through per diem will be determined by multiplying the quarterly quality care assessment paid by each qualifying provider by four to determine an annualized assessment expense. The annualized assessment expense will be divided by the total resident days from the calendar year cost report preceding the start of the fiscal year. For example, during fiscal year 2016 (July 1, 2015 through June 30, 2016), the resident day total from the calendar year 2014 cost report will be used to determine the per diem pass-through.

For providers filing a projected cost report the projected resident day total will be used to initially calculate the pass-through per diem. The per diem pass-through will be adjusted retroactively for an historical cost report covering the projection period.

B. Case Mix Index. These rates are based upon each nursing facility's Medicaid average CMI calculated with a cutoff date of April 1, 2015, using the July 1, 2014 Kansas Medicaid/Medican CMI Table. In Section II.C below, each nursing facility's Medicaid average CMI is listed beside its per diem rate.

C. 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.

Prov. Num.	Facility Name	City	Daily Rate	Medicaid CMI
19928	Village Manor	Abilene	158.77	0.9046
20875	Alma Manor	Alma	163.97	0.8583
11211	Life Care Center of Andover	Andover	171.38	1.2370
21600	Victoria Falls SNF	Andover	174.04	0.9740
19671	Anthony Community Care Center	Anthony	158.63	0.9724
18691	Medicalodges Health Care Center Arkansas City	Arkansas City	166.32	1.0212
19387	Arkansas City Presbyterian Manor	Arkansas City	166.70	0.9533
19245	Arma Health and Rehabilitation	Arma	127.56	1.2179
10826	Medicalodges Atchison	Atchison	179.13	1.0278
15023	Atchison Senior Village	Atchison	169.68	0.8955
21222	Dooley Center	Atchison	175.56	0.7389
05720	Attica Long Term Care	Attica	165.87	0.9496
26464	Good Samaritan Society - Atwood	Atwood	176.54	1.0300
15113	Lake Point Nursing Center	Augusta	151.84	0.9613
15363	Baldwin Care Center	Baldwin City	149.61	1.0148
20919	Quaker Hill Manor	Baxter Springs	136.80	0.9717
05415	Great Plains of Republic County, Inc.	Belleville	191.93	1.0081
18503	Belleville Healthcare Center	Belleville	136.66	0.9208
05516	Mitchell County Hospital LTCU	Beloit	184.79	0.9983
11467	Hilltop Lodge Nursing Home	Beloit	154.25	1.0041
20732	Bonner Springs Nursing and Rehabilitation	Bonner Springs	160.86	1.0924
15462	Hill Top House	Bucklin	180.05	1.0977
26565	Buhler Sunshine Home, Inc.	Buhler	180.27	0.9923
16780	Life Care Center of Burlington	Burlington	153.45	1.1041
20676	Caney Nursing Center	Caney	104.76	0.9457
21132	Caney Nursing Home	Centralia	179.15	0.9456
11144	Heritage Health Care Center	Chanute	139.91	1.0430
20147	Diversicare of Chanute	Chanute	164.39	1.1426
20942	Applewood Rehabilitation	Chanute	78.10	0.7593
16845	Chapman Valley Manor	Chapman	141.29	0.8817
16351	Cheney Golden Age Home Inc.	Cheney	159.49	1.0486
21009	Cherryvale Care Center	Cherryvale	130.27	1.0155
19019	Chetopa Manor	Chetopa	143.21	1.1733
18308	The Shepherd's Center	Cimarron	144.77	0.8975
11107	Medicalodges Clay Center	Clay Center	179.78	0.9811

15168	Clay Center Presbyterian Manor	Clay Center	189.81	1.0800
16418	Clearwater Nursing and Rehabilitation	Clearwater	176.13	1.1700
17813	Park Villa Nursing Home	Clyde	158.27	1.1005
05764	Coffeyville Regional Medical Center	Coffeyville	219.62	1.2800
11514	Windsor Place	Coffeyville	156.88	0.9885
15991	Medicalodges Coffeyville	Coffeyville	180.53	0.9642
19917	Windsor Place at Iola, LLC	Coffeyville	159.45	0.9547
19110	Colby Health and Rehabilitation	Colby	133.18	1.0265
19648	Prairie Senior Living Complex	Colby	183.37	0.9818
25251	Pioneer Lodge	Coldwater	140.65	0.8213
18410	Medicalodges Columbus	Columbus	173.33	1.0096
15226	Mt. Joseph Senior Village, LLC	Concordia	147.99	1.0479
21187	Sunset Home, Inc.	Concordia	169.15	1.1271
27217	Spring View Manor	Conway Springs	132.11	0.8638
19872	Golden Living Center-Chase Co.	Cottonwood Falls	135.75	0.9204
20136	Diversicare of Council Grove	Council Grove	140.09	1.0063
18163	Hilltop Manor Nursing Center	Cunningham	146.82	1.1779
10748	Westview of Derby	Derby	129.23	0.9542
21560	Derby Health and Rehabilitation	Derby	196.57	1.1730
20492	Hillside Village	De Soto	162.60	0.9795
05347	Lane County Hospital - LTCU	Dighton	179.40	0.8967
11378	Trinity Manor	Dodge City	173.50	1.0635
17385	Good Samaritan Society-Dodge City	Dodge City	153.31	0.9277
21143	Manor of the Plains	Dodge City	173.33	1.0200
20838	Medicalodges Douglass	Douglass	167.66	1.0175
10995	Golden Living Center-Downs	Downs	144.22	1.1326
19153	Country Care Home	Easton	135.31	0.8529
20614	Golden Living Center-Parkway	Edwardsville	158.36	1.0741
20625	Golden Living Center-Kaw River	Edwardsville	188.01	1.1044
20636	Golden Living Center-Edwardsville	Edwardsville	145.18	0.8460
10782	Lakepoint Nursing Center-El Dorado	El Dorado	147.09	1.0542
19907	Golden Living Center-El Dorado	El Dorado	160.00	1.0908
05696	Morton County Hospital	Elkhart	154.02	1.0263
19635	Woodhaven Care Center	Ellinwood	153.56	0.9914
25485	Good Samaritan Society - Ellis	Ellis	165.80	1.0535
15416	Good Sam Society-Ellsworth Village	Ellsworth	155.57	1.0121
11232	Emporia Presbyterian Manor	Emporia	187.63	1.0818
11367	Holiday Resort	Emporia	146.08	0.9972
20175	Flint Hills Care Center, Inc.	Emporia	132.19	1.0241
17791	Enterprise Estates Nursing Center, Inc.	Enterprise	136.66	0.9422
20715	Golden Living Center-Eskridge	Eskridge	118.90	0.7659
17781	Medicalodges Eudora	Eudora	146.26	0.9155
18927	Eureka Nursing Center	Eureka	152.34	1.0550
21570	Kansas Soldiers' Home	Fort Dodge	175.49	1.0192
15045	Medicalodges Fort Scott	Fort Scott	162.88	0.9378
20446	Fort Scott Manor	Fort Scott	136.26	0.9529
17857	Fowler Residential Care	Fowler	207.90	1.1800
27555	Frankfort Community Care Home, Inc.	Frankfort	143.80	0.8654
15305	Medicalodges Frontenac	Frontenac	154.78	1.0267
20930	Galena Nursing & Rehab Center	Galena	147.16	1.1326
11345	Garden Valley Retirement Village	Garden City	157.07	1.0769
15430	Homestead Health & Rehab	Garden City	173.20	0.9947
05712	Meadowbrook Rehab Hosp., LTCU	Gardner	233.16	1.3814
19579	Medicalodges Gardner	Gardner	148.57	0.9267
05808	Anderson County Hospital	Garnett	182.76	0.8867
21053	Golden Heights Living Center	Garnett	157.17	0.9908
15316	Medicalodges Girard	Girard	136.00	0.9581
15214	The Nicol Home, Inc.	Glasco	150.30	0.8493
11197	Medicalodges Goddard	Goddard	174.33	0.9912
05595	Bethesda Home	Goessel	178.24	0.9606
17295	Good Samaritan Society-Sherman Co.	Goodland	173.37	1.0363
10714	Cherry Village Benevolence	Great Bend	144.61	0.8636
16837	Great Bend Health & Rehab Center	Great Bend	141.28	0.9762

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11029	Halstead Health and Rehab Center	Halstead	161.73	1.0163	21530	Via Christi Village Manhattan, Inc.	Manhattan	155.85	0.9858
20122	Haviland Health and Rehabilitation	Haviland	84.71	0.6818	05156	St. Luke Living Center	Marion	146.15	0.8100
17486	Good Samaritan Society-Hays	Hays	155.29	0.9600	18037	Riverview Estates, Inc.	Marquette	147.25	0.8850
21640	Via Christi Village-Hays	Hays	170.33	0.9911	21162	Cambridge Place	Marysville	143.38	0.9283
11080	Diversicare of Haysville	Haysville	151.33	1.0001	20855	McPherson Health and Rehabilitation	McPherson	118.50	1.1163
15348	Medicalodges Herington	Herington	148.58	0.9710	25935	The Cedars, Inc.	McPherson	172.32	0.9443
16902	Schowalter Villa	Hesston	207.41	1.0663	25982	Meade District Hospital, LTCU	Meade	202.94	1.0247
21032	Maple Heights of Hiawatha	Hiawatha	137.05	0.9847	10805	Trinity Nursing & Rehab Center	Merriam	162.28	1.1051
19334	Highland Healthcare and Rehab Center	Highland	124.61	0.9387	05191	Great Plains of Ottawa County, Inc.	Minneapolis	159.04	0.9617
25531	Dawson Place, Inc.	Hill City	150.39	0.9280	17734	Good Samaritan Society-Minneapolis	Minneapolis	151.52	0.9536
05426	Salem Home	Hillsboro	169.61	1.0365	18274	Minneola District Hospital-LTCU	Minneola	203.95	1.1024
17690	Parkside Homes, Inc.	Hillsboro	167.66	0.9688	15528	Bethel Home, Inc.	Montezuma	165.61	0.8479
17835	Medicalodges Jackson County	Holton	161.27	0.9633	20085	Moran Manor	Moran	137.40	1.1133
10602	Mission Village Living Center	Horton	109.03	0.8225	15901	Pine Village	Moundridge	166.53	0.9675
15394	Howard Twilight Manor	Howard	136.86	0.8564	18140	Moundridge Manor, Inc.	Moundridge	178.71	0.9813
05281	Sh Sheridan County Hospital	Hoxie	183.92	0.9546	17565	Mt. Hope Nursing Center	Mt. Hope	137.58	0.8370
11018	Pioneer Manor	Hugoton	191.95	0.9179	18230	Villa Maria, Inc.	Mulvane	149.81	0.9186
11078	Diversicare of Hutchinson	Hutchinson	166.94	1.0180	20605	Golden Living Center-Neodesha	Neodesha	147.20	1.2255
17148	Good Sam Society-Hutchinson Village	Hutchinson	168.03	0.9289	05630	Ness County Hospital Dist.#2	Ness City	175.15	0.8857
19596	Hutchinson Health and Rehabilitation	Hutchinson	127.86	0.9598	10062	Asbury Park	Newton	179.85	0.9698
21154	Wesley Towers	Hutchinson	188.12	0.9724	15574	Kansas Christian Home	Newton	167.57	0.9502
21176	Ray E. Dillon Living Center	Hutchinson	184.69	0.9576	15585	Newton Presbyterian Manor	Newton	192.21	1.0800
11448	Medicalodges Independence	Independence	140.14	1.1367	10051	Bethel Care Center	North Newton	187.73	1.0728
19300	Montgomery Place Nursing Center, LLC	Independence	159.21	1.2560	16103	Andbe Home, Inc.	Norton	156.64	0.9194
25913	Pleasant View Home	Inman	165.61	0.8850	15619	Village Villa	Nortonville	130.37	0.9759
15003	Iola Nursing and Residential Care Center	Iola	126.32	0.9760	19683	Logan County Manor	Oakley	185.48	0.9369
05066	Hodgeman Co Health Center-LTCU	Jetmore	185.09	0.9690	05562	Decatur County Hospital	Oberlin	162.39	0.8292
05674	Stanton County Hospital-LTCU	Johnson	183.77	0.9300	25395	Good Samaritan Society-Decatur Co.	Oberlin	147.11	0.8180
10480	Valley View Senior Life	Junction City	164.92	0.9648	10668	Villa St. Francis	Olathe	184.37	1.0336
10591	Medicalodges Post Acute Care Center	Kansas City	172.92	1.0621	10920	Pinnacle Ridge Nursing and Rehabilitation	Olathe	182.48	1.2052
11030	Kansas City Presbyterian Manor	Kansas City	192.12	1.0109	11245	Royal Terrace Nursing & Rehab. Center	Olathe	175.18	1.1106
20377	Lifecare Center of Kansas City	Kansas City	161.46	1.1022	15653	Good Samaritan Society-Olathe	Olathe	183.38	0.9997
21660	Providence Place	Kansas City	196.19	0.9810	21109	Evergreen Community of Johnson Count	Olathe	197.33	1.0020
21740	Kansas City Transitional Care Center	Kansas City	199.23	1.1267	21460	Aberdeen Village, Inc.	Olathe	200.32	1.0160
20245	Kensington Health and Rehabilitation	Kensington	108.79	0.8088	21710	Nottingham Health & Rehab	Olathe	215.74	1.1855
21121	The Wheatlands	Kingman	154.02	1.0247	26423	Onaga Health and Rehabilitation	Onaga	115.79	1.0508
18432	Medicalodges Kinsley	Kinsley	182.90	0.8883	18206	Peterson Health Care	Osage City	133.81	1.0004
20806	Kiowa District Manor	Kiowa	177.69	0.9557	27578	Osage Nursing & Rehab Center	Osage City	158.80	1.2007
05246	Rush Co. Memorial Hospital	La Crosse	151.61	0.8988	10973	Life Care Center of Osawatomie	Osawatomie	168.17	1.1929
18757	Locust Grove Village	La Crosse	152.87	0.8913	17521	Parkview Care Center	Osborne	143.28	0.9000
20232	High Plains Retirement Village	Lakin	197.46	1.0185	20301	Hickory Pointe Care & Rehab Center	Oskaloosa	154.64	1.0056
20197	Golden Living Center-Lansing	Lansing	168.04	1.1392	18403	Oswego Health and Rehabilitation	Oswego	129.29	0.9971
21680	Twin Oaks Health & Rehab	Lansing	189.61	0.9425	20467	Ottawa Retirement Village	Ottawa	146.91	1.1169
20451	Diversicare of Larned	Larned	155.33	0.9530	11121	Brookside Manor	Overbrook	134.04	0.8898
11175	Lawrence Presbyterian Manor	Lawrence	178.55	0.9771	11301	Garden Terrace at Overland Park	Overland Park	165.38	1.1032
11391	Brandon Woods at Alvamar	Lawrence	188.64	0.9502	11336	Promise Skilled Nursing of Overland	Overland Park	198.57	1.5500
21450	Pioneer Ridge Retirement Community	Lawrence	175.64	0.9929	11412	Manorcare Health Serv. of Overland Park	Overland Park	176.40	1.0665
11096	Medicalodges Leavenworth	Leavenworth	166.63	0.8663	11423	Villa Saint Joseph	Overland Park	204.83	1.0835
11355	Delmar Gardens of Lenexa	Lenexa	142.42	0.9485	11478	Delmar Gardens of Overland Park	Overland Park	174.33	0.9883
21470	Lakeview Village	Lenexa	203.85	1.0819	21200	Overland Park Nursing & Rehab	Overland Park	177.53	1.1003
21690	The Covenant Place of Lenexa	Lenexa	196.41	1.0109	21252	Indian Creek Healthcare Center	Overland Park	173.45	1.2030
16261	Leonardville Nursing Home	Leonardville	138.39	0.9168	21430	Village Shalom, Inc.	Overland Park	200.72	1.0350
05786	Wichita County Health Center	Leoti	178.33	0.9020	21730	Tallgrass Creek, Inc.	Overland Park	199.42	1.0175
17508	Good Samaritan Society-Liberal	Liberal	152.27	1.0013	16553	Riverview Manor, Inc.	Oxford	113.52	0.9408
21510	Wheatridge Park Care Center	Liberal	164.25	0.9278	18713	Medicalodges Paola	Paola	113.65	0.6525
17577	Lincoln Park Manor, Inc.	Lincoln	152.24	0.9819	20298	North Point Skilled Nursing Center	Paola	169.64	1.1741
15890	Bethany Home Association	Lindsborg	194.02	1.0559	18322	Elmhaven East	Parsons	132.33	0.9754
17352	Linn Community Nursing Home	Linn	145.41	0.9538	18792	Elmhaven West	Parsons	138.32	0.9962
27566	Sandstone Heights Nursing Home	Little River	182.68	0.9071	18871	Parsons Presbyterian Manor	Parsons	164.77	0.9214
17328	Logan Manor Community Health Service	Logan	184.72	1.0747					
20096	Louisburg Care Center	Louisburg	144.23	0.9585					
17497	Good Samaritan Society-Lyons	Lyons	158.64	0.9290					
10894	Meadowlark Hills Retirement Community	Manhattan	187.05	0.9645					
11491	Stoneybrook Retirement Community	Manhattan	192.93	1.1736					

25733	Good Samaritan Society-Parsons	Parsons	159.84	1.0231	19446	Brighton Place West	Topeka	100.87	0.6790
					19692	Countryside Health Center	Topeka	117.26	0.9226
10098	Peabody Health and Rehabilitation	Peabody	127.12	0.9788	20557	Providence Living Center	Topeka	95.52	0.6801
					20963	Brighton Place North	Topeka	90.76	0.6639
20753	Westview Manor of Peabody	Peabody	87.90	0.6183	21110	Aldersgate Village	Topeka	193.11	1.0453
21045	Phillips County Retirement Center	Phillipsburg	139.02	0.9639	21211	Plaza West Care Center, Inc.	Topeka	177.92	1.0025
					21420	Lexington Park Nursing and Post Acute	Topeka	199.36	1.0592
10433	Medicalodges Pittsburg South	Pittsburg	167.15	0.9831					
20749	Golden Living Center-Pittsburg	Pittsburg	145.84	1.0692	18772	Greeley County Hospital, LTCU	Tribune	173.23	0.8823
21520	Via Christi Village Pittsburg, Inc.	Pittsburg	137.35	0.9518	21590	The Legacy at Park View	Ulysses	187.98	0.9549
					18465	Valley Health Care Center	Valley Falls	132.27	0.6578
26666	Rooks County Senior Services, Inc.	Plainville	176.92	1.0800	05292	Trego Co. Lemke Memorial LTCU	WaKeeney	183.88	0.9487
05775	Pratt Regional Medical Center	Pratt	178.39	1.0111	20865	Trego Manor	WaKeeney	165.40	0.9404
20020	Prat Health and Rehabilitation	Pratt	122.58	1.0447	20704	Golden Living Center-Wakefield	Wakefield	159.11	1.0286
17464	Prescott Country View Nursing Center	Prescott	142.21	0.9853	26442	Good Samaritan Society - Valley Vista	Wamego	167.45	0.9717
21440	Prairie Sunset Manor	Pretty Prairie	166.28	0.8968	16597	The Centennial Homestead, Inc.	Washington	159.98	1.1014
17587	Protection Valley Manor	Protection	135.29	0.8905	20186	Wathena Nursing & Rehab Center	Wathena	142.28	0.9200
05044	Gove County Medical Center	Quinter	191.02	0.9955					
05617	Grisell Memorial Hosp. Dist. #1-LTCU	Ransom	166.14	0.9319	20076	Coffey County Hospital	Waverly	177.04	0.8407
15485	Richmond Healthcare and Rehabilitation	Richmond	156.96	1.0236	19863	Golden Living Center-Wellington	Wellington	141.74	0.9970
20696	Fountainview Nursing and Rehab Center	Rose Hill	149.27	1.0400	20369	Wellington Health and Rehab	Wellington	120.56	0.9075
18445	Rossville Healthcare & Rehab Center	Rossville	148.54	1.0154	20392	Wellsville Manor	Wellsville	136.40	0.9537
					17767	Westy Community Care Home	Westmoreland	131.07	0.9305
20772	Wheatland Nursing & Rehab Center	Russell	150.49	1.0461	10578	Wheat State Manor	Whitewater	168.06	0.9297
					10141	Medicalodges Wichita	Wichita	171.34	1.0597
21480	Russell Regional Hospital	Russell	182.11	0.8533	10613	Meridian Rehab and Health Care Center	Wichita	148.55	1.0080
19782	Sabetha Nursing Center	Sabetha	151.66	1.0476	10646	Catholic Care Center Inc.	Wichita	177.46	0.9757
26238	Apostolic Christian Home	Sabetha	141.22	0.8787	10670	Kansas Masonic Home	Wichita	195.26	1.1867
10775	Smokey Hill Rehabilitation Center	Salina	141.93	1.0009	10736	Homestead Health Center, Inc.	Wichita	191.31	0.9797
					10854	Woodlawn Rehab and Health Care Center	Wichita	122.79	1.1548
10952	Kenwood View Health and Rehab Center	Salina	162.02	1.0494	11052	Wichita Presbyterian Manor	Wichita	173.02	0.8782
11186	Windsor Estates	Salina	141.47	0.9206	11266	Sandpiper Healthcare and Rehab Center	Wichita	149.89	1.0576
11459	Pinnacle Park Nursing and Rehabilitation	Salina	138.76	1.0156	11313	Lakepoint Nursing and Rehabilitation	Wichita	158.73	0.9953
11480	Salina Presbyterian Manor	Salina	185.03	0.9773	11322	Manorcare Health Services of Wichita	Wichita	159.49	1.1206
21382	Holiday Resort of Salina	Salina	170.48	1.0054	11504	College Hill Nursing and Rehab Center	Wichita	140.97	0.9038
05685	Satanta Dist. Hosp. LTCU	Satanta	184.85	0.9512	18584	Rolling Hills Health and Rehab	Wichita	141.81	1.0253
16338	Park Lane Nursing Home	Scott City	178.97	0.8840	18591	Golden Living Center-Wichita	Wichita	147.86	0.9081
19545	Pleasant Valley Manor	Sedan	130.14	0.9827	21233	The Health Care Center @ Larksfield Pl.	Wichita	204.25	1.3175
19708	Diversicare of Sedgwick	Sedgwick	166.74	1.0952	21360	Life Care Center of Wichita	Wichita	167.86	1.0973
16038	Crestview Nursing & Residential Living	Seneca	135.27	1.0600	21541	Via Christi Hope	Wichita	64.04	0.0000
18253	Life Care Center of Seneca	Seneca	141.26	1.0559	21550	Family Health & Rehabilitation Center	Wichita	168.58	0.9612
21630	Wallace County Community Center	Sharon Springs	162.69	0.9233	21620	Caritas Center	Wichita	164.63	0.8052
15384	Shawnee Gardens Nursing Center	Shawnee	140.89	0.9970	21650	Regent Park Rehab and Healthcare	Wichita	191.53	0.9900
21190	Sharon Lane Health Services	Shawnee	151.86	1.0425	21670	Avita Health & Rehab of Reeds Cove	Wichita	194.14	1.0164
05505	Smith County Memorial Hospital LTCU	Smith Center	166.48	0.8900	21700	Via Christi Village Ridge	Wichita	182.61	0.8554
18154	Smith Center Health and Rehabilitation	Smith Center	114.09	0.9754	21720	Via Christi Village McLean, Inc.	Wichita	163.73	1.0150
18138	Mennonite Friendship Manor, Inc.	South Hutchinson	177.06	0.9710	20660	Golden Living Center-Wilson	Wilson	153.39	1.1180
20650	Golden Living Center-Spring Hill	Spring Hill	160.13	1.0348	05584	FW Huston Medical Center	Winchester	149.71	0.9323
25204	Good Samaritan Society-Cheyenne County	St. Francis	183.84	1.0429	16813	Winfield Senior Living Community	Winfield	150.05	0.9423
19884	Leisure Homestead at St. John	St. John	137.21	0.9047	21350	Cumbernauld Village, Inc.	Winfield	192.33	0.9612
19467	Community Hospital of Onaga, LTCU	St. Marys	174.88	0.9350	21410	Winfield Rest Haven II LLC	Winfield	166.52	0.8681
21240	Prairie Mission Retirement Village	St. Paul	149.61	1.0810	21580	Kansas Veterans' Home	Winfield	162.53	0.8903
17655	Leisure Homestead at Stafford	Stafford	141.51	0.9950	20336	Yates Center Health and Rehabilitation	Yates Center	124.60	1.0806
26622	Sterling Presbyterian Manor	Sterling	175.60	0.8492					
20222	Solomon Valley Manor	Stockton	172.20	1.0353					
05641	Seasons of Life Living Center	Syracuse	178.70	0.8936					
11155	Tonganoxie Nursing Center	Tonganoxie	157.28	1.0869					
10310	Brewster Health Center	Topeka	185.30	0.9381					
10343	Topeka Presbyterian Manor Inc.	Topeka	182.74	0.9806					
10917	The Legacy on 10th Avenue	Topeka	137.77	0.9093					
11254	McCrite Plaza Health Center	Topeka	164.93	0.9325					
11276	Rolling Hills Health Center	Topeka	170.81	1.0110					
11388	Manorcare Health Services of Topeka	Topeka	166.04	1.0205					
19347	Tanglewood Nursing and Rehabilitation	Topeka	149.68	1.0859					

III. Justifications for the Rates

1. The rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan and pending amendments thereto.
2. The rates are calculated according to a methodology which satisfies the requirements K.S.A. 75-5945 et seq. and the DHCF regulations in K.A.R. Article 129-10 implementing that statute and applicable federal law.

(continued)

3. The state's analyses project that the rates:
 - a. Would result in payment, in the aggregate of 90.27% of the Medicaid day weighted average inflated allowable nursing facility costs statewide; and
 - b. Would result in a maximum allowable rate of \$193.10; with the total average allowable cost being \$158.33.
 - c. Estimated average rate July 1, 2015 \$158.33
 - d. Average payment rate April 1, 2015 \$158.33

Amount of change	\$0.00
Percent of change	-0.0%
4. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will have a net increase of \$0.0.
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 292 nursing facilities (representing 82.72% of all the licensed nursing facilities in Kansas) participate in the Medicaid program, while an additional 38 hospital-based long-term care units are also certified to participate in the Medicaid program;
 - b. There is at least one Medicaid-certified nursing facility and/or nursing facility for mental health, or Medicaid-certified hospital-based long-term care unit in 105 of the 105 counties in Kansas;
 - c. The statewide average occupancy rate for nursing facilities participating in Medicaid is 83.52%;
 - d. The statewide average Medicaid occupancy rate for participating facilities is 56.10%; and
 - e. The rates would cover 89.43% 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.

IV. Request for Copies

Rhonda Boose
 Nursing Facility Reimbursement Manager
 Kansas Department for Aging and Disability Services
 New England Building
 503 S. Kansas Ave.
 Topeka, KS 66603-3404
 Fax: 785-296-0256

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, 2015.

Kari Bruffett
 Secretary for Aging and
 Disability Services
 Mike Randol, Director
 Division of Health Care Finance

Doc. No. 043749

State of Kansas

State Corporation Commission

Permanent Administrative Regulations

Article 2.—OIL AND GAS CONSERVATION

82-2-402. (Authorized by K.S.A. 55-1003; effective, E-72-4, Jan. 1, 1972; effective Jan. 1, 1973; revoked Aug. 14, 2015.)

82-2-506. (Authorized by K.S.A. 55-134, K.S.A. 1973 Supp. 55-133; effective, E-72-4, Jan. 1, 1972; effective Jan. 1, 1973; revoked Aug. 14, 2015.)

82-2-507. (Authorized by K.S.A. 55-135; effective, E-72-4, Jan. 1, 1972; effective Jan. 1, 1973; revoked Aug. 14, 2015.)

Article 3.—PRODUCTION AND CONSERVATION OF OIL AND GAS

82-3-100. Applicability; exception. (a) This article shall apply throughout Kansas unless specifically limited. Special orders may be issued by the commission. These special orders shall prevail over any conflicting regulations.

(b) An exception to the requirements of any regulation in this article may be granted by the commission, after considering whether the exception will prevent waste, protect correlative rights, and prevent pollution. Each party requesting an exception shall file an application with the conservation division. The applicant shall publish notice of the application pursuant to K.A.R. 82-3-135a and notice of any hearing pursuant to K.A.R. 82-3-135. (Authorized by and implementing K.S.A. 2014 Supp. 55-152, K.S.A. 55-604, K.S.A. 55-704; effective T-83-44, Dec. 8, 1982; effective May 1, 1983; amended May 1, 1984; amended April 23, 1990; amended Aug. 14, 2015.)

82-3-106. Surface casing and cement. (a) Each operator shall set and cement surface casing pursuant to this regulation and the instructions on the notice of intent to drill approved pursuant to K.A.R. 82-3-103 before drilling to any depth to test for or produce oil or gas.

(b) Each operator shall set and cement surface casing in compliance with the following, which are hereby adopted by reference:

(1) Table I and appendix A, as incorporated in the commission order dated August 1, 1991, docket no. 34,780-C (C-1825); and

(2) appendix B, as incorporated in the commission order dated June 29, 1994, docket no. 133,891-C (C-20,079).

(c) Cementing alternatives.

(1) Alternate I cementing shall be performed as follows:

(A) A single string of surface casing shall be set from surface to the depth specified in the documents adopted in subsection (b).

(B) The surface casing shall be cemented continuously from the bottom of the surface casing string to the surface.

(2) Alternate II cementing, which includes a primary surface casing string and additional surface casing, shall be performed as follows:

(A) The primary surface casing string shall be set to a depth at least 20 feet below all unconsolidated material.

(B) The primary surface casing shall be cemented from the bottom of the primary surface casing string to the surface.

(C) All additional surface casing strings next to the borehole shall be set and cemented from the depth specified in the documents adopted in subsection (b) to the surface.

(i) The operator shall notify the appropriate district office before cementing the additional casing.

(ii) The additional cementing shall be completed within 120 days after the spud date unless otherwise provided in the documents adopted in subsection (b).

(iii) A backside squeeze shall be prohibited unless permitted by the appropriate district office with consideration of the cement evaluation method to be utilized and submitted as verification of cement placement. "Backside squeeze" shall mean the uncontrolled placement of cement from the surface into the annular space between the primary surface casing and the additional casing.

(d) Methods and materials.

(1) The operator shall use a drill bit that is at least two and one-quarter inches larger in diameter than the surface casing, when measured from the outside of the casing.

(2) The annular space between the surface casing and the borehole shall be filled with a portland cement blend and maintained at surface level.

(3) If cement does not circulate, the operator shall notify the appropriate district office immediately and perform remedial cementing sufficient to prevent fluid migration. If the surface casing is perforated, the operator shall pressure-test the surface casing according to district office specifications to ensure mechanical integrity.

(4) The use of any material other than a portland cement blend shall be prohibited.

(5) The cemented casing string shall stand and further operations shall not begin until the cement has been in place for at least eight hours and has reached a compressive strength of 300 pounds per square inch.

(6) The operator shall install centralizers as follows:

(A) If the surface casing is 300 feet or less, a centralizer shall be installed at the top of the shoe joint.

(B) If the surface casing is more than 300 feet, a centralizer shall be installed at approximately 300 feet and at every fourth joint of casing to the bottom of the surface casing.

(7) When total depth has been reached during drilling operations, the operator or contractor shall not move the rig off of the well until the required casing has been run or the well has been plugged. All wells that are subject to the documents adopted in paragraph (b)(2) shall be exempt from the requirements in this paragraph.

(e) Each operator of a well not in compliance with this regulation shall shut the well in until compliance is achieved.

(f) Upon written, timely request by an operator, the director may provide an exception to any of the requirements of this regulation. In considering a request for an exception, the director may require the operator to provide financial assurance sufficient to cover the plugging costs for the well. Each request shall demonstrate that fresh and usable water will be protected by the proposed

exception. (Authorized by K.S.A. 2014 Supp. 55-152; implementing K.S.A. 2014 Supp. 55-152, K.S.A. 55-159, K.S.A. 55-162; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended May 1, 1984; amended, T-85-1, Jan. 13, 1984; amended, T-85-51, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-46, Dec. 19, 1986; amended May 1, 1987; amended May 1, 1988; amended May 8, 1989; amended April 23, 1990; amended Feb. 24, 1992; amended March 20, 1995; amended Aug. 14, 2015.)

82-3-109. Well spacing orders and basic proration orders. (a) Any interested party may file an application for a new or amended well spacing order or basic proration order. Each application shall include the following:

(1) If the application is for amendment, a description of the amendment;

(2) the well location and depth and the common source of supply;

(3) a description of the acreage, with an affirmation that all of the acreage is reasonably expected to be productive from the common source of supply;

(4) the proposed well location restriction and provisions for any exceptions;

(5) the proposed configuration of units for purposes of acreage attribution;

(6) a list of the persons provided notice pursuant to K.A.R. 82-3-135a and the date that notice was provided;

(7) the factors proposed to be used in any proration formula;

(8) the applicant's license number; and

(9) any other relevant information required by the commission.

(b) Each applicant for a well spacing order or basic proration order or for amendments adding or deleting acreage in an existing well spacing order or basic proration order shall submit the following evidence with the application:

(1) A net sand isopachus map of the subject common source of supply;

(2) a geological structure map of the subject common source of supply;

(3) to the extent practicable, a cross section of logs representative of wells in the acreage affected by the application;

(4) data from any available drill stem test;

(5) an economic analysis, including a reservoir or drainage study; and

(6) any other relevant information required by the commission.

(c) Each applicant shall file an application with the conservation division. The applicant shall publish notice of the application pursuant to K.A.R. 82-3-135a and notice of any hearing pursuant to K.A.R. 82-3-135.

(d) Except as otherwise specified in this subsection, the drilling of any wells within an area subject to an application for spacing or proration shall be prohibited until the commission has issued a final order on the application. However, any operator may drill a well during the pendency of the application if the well location conforms to the most restrictive location provisions in the applica-

(continued)

tion. (Authorized by K.S.A. 55-604, K.S.A. 55-704; implementing K.S.A. 55-603, K.S.A. 55-703a, K.S.A. 55-704; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended, T-85-51, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1987; amended May 1, 1988; amended May 8, 1989; amended April 23, 1990; amended Aug. 14, 2015.)

82-3-203. Production allowable. (a) An allowable shall be assigned to each well in a nonprorated pool. The allowable shall be set by the following schedule and shall take effect on the date of first production:

Depth of Producing Interval	Daily Production Allowable (barrels per well per day)
0-4000'	100
4001-6000'	200
Below 6000'	300

(b) Any interested party may file an application for an exception to this regulation with the conservation division. The application shall include the following:

- (1) The location of the well and the acreage attributed to the well;
- (2) the allowable requested;
- (3) the geological name of the producing formation;
- (4) the top and bottom depths of the producing formation;

(5) a list of the persons provided notice pursuant to K.A.R. 82-3-135a and the date that notice was provided; and

(6) any other relevant information that the commission may require.

(c) The applicant shall publish notice of the application pursuant to K.A.R. 82-3-135a and notice of any hearing pursuant to K.A.R. 82-3-135. (Authorized by and implementing K.S.A. 55-604; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended May 1, 1984; amended, T-85-51, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 8, 1989; amended April 23, 1990; amended June 6, 1994; amended Aug. 14, 2015.)

82-3-207. Oil drilling unit. This regulation shall apply to all oil wells not covered by a special commission order.

(a) Standard drilling unit. The standard drilling unit shall be 10 acres, except that the standard drilling unit for the counties and well depths listed in K.A.R. 82-3-108 (b) shall be 2.5 acres.

(b) Exceptions. Exceptions to the standard drilling unit may be granted by the commission to prevent waste or to protect correlative rights. (Authorized by and implementing K.S.A. 55-604; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended May 1, 1984; amended May 1, 1986; amended May 1, 1988; amended Aug. 14, 2015.)

82-3-208. Venting or flaring of casinghead gas. (a) The venting or flaring of non-sour casinghead gas may be permitted by the director if the operator files an affidavit with the conservation division that states all of the following:

- (1) The well produces 25 mcf/d or less of casinghead gas.

(2) The casinghead gas volume is uneconomic to market due to pipeline or marketing expenses.

(3) The operator has made a diligent effort to obtain a market for the gas.

(b) If the well produces more than 25 mcf/d, venting or flaring may be permitted only by commission order after consideration of the following:

- (1) The availability of a market or of pipeline facilities;
- (2) the probable recoverable gas reserves;
- (3) the necessity for maintenance of reservoir gas pressure to maximize the recoverability of oil reserves from the formation;
- (4) the feasibility of reinjecting the gas;
- (5) a reasonable testing period;
- (6) any anticipated change in the gas-to-oil ratio;
- (7) the applicant's compliance with the department's applicable air quality regulations; and
- (8) any other relevant fact or circumstance.

(c) Any interested party may file an application to vent or flare more than 25 mcf/d of casinghead gas. Each applicant shall file an application with the conservation division. The applicant shall publish notice of the application pursuant to K.A.R. 82-3-135a and notice of any hearing pursuant to K.A.R. 82-3-135.

(d) Each application shall include a list of the persons provided notice pursuant to K.A.R. 82-3-135a and the date that notice was provided.

(e) The volume of gas vented or flared under this regulation shall be metered, and the records shall be retained for at least two years. This information shall be reported to the commission semiannually or as designated by the commission.

(f) All gas venting or flaring shall be done in a manner designed to prevent damage to property and injury to persons who are reasonably expected to be in the vicinity for work, pleasure, or business. (Authorized by K.S.A. 55-604, K.S.A. 55-704; implementing K.S.A. 55-604, K.S.A. 55-702, and K.S.A. 55-704; effective May 1, 1984; amended May 1, 1986; amended April 23, 1990; amended Jan. 14, 2005; amended Aug. 14, 2015.)

82-3-209. Flaring of sour gas. (a) Sour casinghead gas may be flared only if permitted by commission order, with consideration of the following factors:

- (1) The availability of a market or of pipeline facilities;
- (2) probable recoverable gas reserves;
- (3) the necessity for maintenance of gas pressure in the formation;
- (4) the feasibility of reinjection of sour gas;
- (5) any anticipated change in the gas-oil ratio;
- (6) the hydrogen sulfide content of the gas;
- (7) the feasibility of desulfurization of the gas;
- (8) the proposed flaring facility;
- (9) the applicant's compliance with the department's air quality regulations; and
- (10) any other relevant fact.

(b) Each applicant shall file an application with the conservation division. The applicant shall publish notice of the application pursuant to K.A.R. 82-3-135a and any hearing pursuant to K.A.R. 82-3-135.

(c) Each application shall include a list of the persons provided notice pursuant to K.A.R. 82-3-135a and the date that notice was provided.

(d) All sour gas flared under this regulation shall be metered and analyzed for its hydrogen sulfide content. This information shall be reported to the commission semiannually or as designated by the commission. (Authorized by K.S.A. 55-604, K.S.A. 55-704; implementing K.S.A. 55-604, K.S.A. 55-702, K.S.A. 55-703, K.S.A. 55-704; effective May 1, 1987; amended April 23, 1990; amended Aug. 14, 2015.)

82-3-312. Gas allowables and drilling unit. This regulation shall apply to all gas wells not covered by a special commission order.

(a) Daily allowable. The daily allowable for each well shall be 50 percent of the well's actual open-flow potential, as measured by the testing procedures specified in K.A.R. 82-3-303. Each well in compliance with K.A.R. 82-3-304 shall be entitled to a minimum allowable of 250 mcf per day.

(b) Coalbed natural gas exemption. Coalbed natural gas wells that are exempt from the requirements of K.A.R. 82-3-304(a) and (c) shall be exempt from subsection (a) of this regulation.

(c) Standard drilling unit. The standard drilling unit shall be 10 acres.

(d) Drilling unit exceptions. Exceptions to the standard drilling unit may be granted by the commission to prevent waste or to protect correlative rights. (Authorized by K.S.A. 55-704; implementing K.S.A. 55-703; effective May 1, 1985; amended May 1, 1986; amended May 1, 1988; amended April 23, 1990; amended Aug. 29, 1997;

amended June 1, 2001; amended Jan. 25, 2002; amended Jan. 14, 2005; amended Aug. 14, 2015.)

82-3-1100, 82-3-1101, 82-3-1102, 82-3-1103, 82-3-1104, 82-3-1105, 82-3-1106, 82-3-1107, 82-3-1108, 82-3-1109, and 82-3-1110. (Authorized by and implementing K.S.A. 2007 Supp. 55-1637; effective Feb. 26, 2010; revoked Aug. 14, 2015.)

82-3-1111. (Authorized by K.S.A. 2008 Supp. 55-1637 and 55-1640; implementing K.S.A. 2008 Supp. 55-1637; effective Feb. 26, 2010; revoked Aug. 14, 2015.)

82-3-1112, 82-3-1113, 82-3-1114, 82-3-1115, and 82-3-1116. (Authorized by and implementing K.S.A. 2007 Supp. 55-1637; effective Feb. 26, 2010; revoked Aug. 14, 2015.)

82-3-1117. (Authorized by and implementing K.S.A. 2008 Supp. 55-1637; effective Feb. 26, 2010; revoked Aug. 14, 2015.)

82-3-1118 and 82-3-1119. (Authorized by and implementing K.S.A. 2007 Supp. 55-1637; effective Feb. 26, 2010; revoked Aug. 14, 2015.)

82-3-1120. (Authorized by and implementing K.S.A. 2007 Supp. 55-1639; effective Feb. 26, 2010; revoked Aug. 14, 2015.)

Amy L. Gilbert
Secretary

Doc. No. 043752

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2014 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

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1-14-11	Amended	V. 33, p. 886

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

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5-7-4	Amended	V. 33, p. 325
5-7-4b	New	V. 33, p. 326
5-22-7	Amended	V. 34, p. 513

AGENCY 9: DEPARTMENT OF AGRICULTURE—DIVISION OF ANIMAL HEALTH

Reg. No.	Action	Register
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9-29-1 through 9-29-15	Revoked	V. 33, p. 927

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

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10-10-5	Amended	V. 33, p. 921

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Reg. No.	Action	Register
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14-20-42	New (T)	V. 34, p. 825
14-21-23	New (T)	V. 34, p. 825

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-11-7	Amended (T)	V. 33, p. 730
16-11-7	Amended	V. 33, p. 1047
16-13-1	New (T)	V. 33, p. 731
16-13-1	New	V. 33, p. 1048

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17-11-21	Amended	V. 33, p. 684
17-24-2	Amended	V. 33, p. 946
17-25-1	Amended	V. 33, p. 946

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22-8-11	Amended	V. 33, p. 371
22-8-12	Amended	V. 33, p. 371

AGENCY 26: DEPARTMENT FOR AGING AND DISABILITY SERVICES

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26-39-500 through 26-39-506	New	V. 33, p. 1171-1174

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28-4-94	New	V. 34, p. 420
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28-4-552	Revoked	V. 33, p. 202
28-4-556	Revoked	V. 33, p. 202
28-4-564	Amended	V. 33, p. 202
28-4-565	Amended	V. 33, p. 203
28-4-568	Amended	V. 33, p. 203
28-4-569	Amended	V. 33, p. 204
28-4-573	New	V. 33, p. 204
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28-16-28f	Amended	V. 34, p. 199
28-16-28g	Amended	V. 33, p. 643
28-16-58	Amended	V. 34, p. 200
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28-19-750	Amended	V. 33, p. 1126

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40-3-59	New	V. 33, p. 68
40-4-37e	Amended	V. 34, p. 120
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40-16-1	New	V. 33, p. 69
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AGENCY 54: STATE LIBRARY OF KANSAS

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65-5-10	Revoked	V. 34, p. 481

65-5-11	Revoked	V. 34, p. 481
65-5-13	New	V. 34, p. 481

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

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66-8-8	Amended	V. 33, p. 952
66-9-5	Amended	V. 33, p. 952
66-9-6	Amended (T)	V. 33, p. 629
66-9-6	Amended	V. 33, p. 953
66-9-7	Amended	V. 33, p. 953
66-10-1	Amended	V. 33, p. 953
66-10-10	Amended	V. 33, p. 953
66-10-10a	Amended	V. 33, p. 953
66-10-11	Revoked	V. 33, p. 953
66-10-12	Amended	V. 33, p. 953
66-10-13	Amended (T)	V. 33, p. 629
66-10-13	Amended	V. 33, p. 954
66-10-14	Amended (T)	V. 33, p. 629
66-10-14	Amended	V. 33, p. 954
66-10-14	Amended	V. 33, p. 954
66-11-1a	Amended (T)	V. 33, p. 630
66-11-1a	Amended	V. 33, p. 954
66-11-1b	Amended	V. 33, p. 955
66-11-4	Amended (T)	V. 33, p. 630
66-11-4	Amended	V. 33, p. 955
66-11-5	Amended	V. 33, p. 955
66-12-1	Amended (T)	V. 33, p. 630
66-12-1	Amended	V. 33, p. 955
66-14-1	Amended	V. 34, p. 617
66-14-2	Amended	V. 34, p. 617
66-14-3	Amended	V. 34, p. 618
66-14-5	Amended	V. 34, p. 618
66-14-6	Amended	V. 33, p. 955
66-14-7	Amended	V. 34, p. 618
66-14-10	Amended	V. 34, p. 618
66-14-11	Amended	V. 34, p. 619

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-2-22	Amended	V. 34, p. 70
68-11-1	Amended	V. 33, p. 493
68-11-2	Amended	V. 33, p. 493
68-16-1		
through		
68-16-9	Revoked	V. 34, p. 70
68-20-10a	Amended	V. 34, p. 70
68-20-31	New (T)	V. 34, p. 103
68-20-31	New	V. 34, p. 480
68-21-1	Amended	V. 33, p. 493
68-21-2	Amended	V. 33, p. 494
68-21-7	Amended	V. 33, p. 1150

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-3-27	Amended	V. 33, p. 108
69-3-29	New	V. 33, p. 108
69-11-1	Amended	V. 33, p. 108
69-11-2	Amended	V. 33, p. 108
69-12-5	Amended	V. 33, p. 108
69-15-1	Amended	V. 33, p. 517
69-15-3	Amended	V. 33, p. 108
69-15-4	Amended	V. 33, p. 109
69-15-5	Amended	V. 33, p. 109
69-15-7	Amended	V. 33, p. 109
69-15-12		
through		
69-15-15	Amended	V. 33, p. 109-111
69-15-17	Amended	V. 33, p. 111
69-15-30	Amended	V. 33, p. 518

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-4-1	Amended	V. 33, p. 492

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-2-1	Amended	V. 33, p. 241
74-2-7	Amended	V. 33, p. 242
74-4-9	Amended	V. 33, p. 242
74-5-2	Amended	V. 33, p. 243
74-5-101	Amended	V. 33, p. 244
74-5-202	Amended	V. 33, p. 244
74-5-406	Amended	V. 33, p. 244
74-5-407	Amended	V. 33, p. 245
74-6-2	Amended	V. 33, p. 245
74-11-6	Amended	V. 33, p. 245
74-11-7	Amended	V. 33, p. 246
74-11-15	Revoked	V. 33, p. 246

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-4-3a	Amended (T)	V. 34, p. 373
82-4-3a	Amended	V. 34, p. 846
82-4-3f	Amended	V. 34, p. 515
82-4-3g	Amended	V. 34, p. 518
82-11-1	Amended	V. 33, p. 1308
82-11-4	Amended	V. 33, p. 1308
82-11-11	Amended	V. 33, p. 1313

AGENCY 85: ABSTRACTERS' BOARD OF EXAMINERS

Reg. No.	Action	Register
85-4-1	Amended	V. 34, p. 177
85-7-1	Amended	V. 34, p. 177

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-24-2	Amended	V. 34, p. 247
88-26-1		
through		
88-26-8	Amended	V. 34, p. 247-250
88-26-9		
through		
88-26-16	Revoked	V. 34, p. 250
88-28-6	Amended	V. 34, p. 250
88-29-1	Amended	V. 34, p. 313
88-29-5	Amended	V. 34, p. 314
88-29-6	Amended	V. 34, p. 314
88-29-7	Amended	V. 34, p. 315
88-29-7a	Amended	V. 34, p. 315
88-29-11	Amended	V. 34, p. 315
88-29a-1	Amended	V. 34, p. 316
88-29a-5	Amended	V. 34, p. 318
88-29a-6	Amended	V. 34, p. 318
88-29a-7	Amended	V. 34, p. 318
88-29a-7a	Amended	V. 34, p. 319
88-29b-1	Amended	V. 34, p. 319
88-29b-4	Amended	V. 34, p. 320
88-29b-5	Amended	V. 34, p. 321
88-29b-6	Amended	V. 34, p. 322
88-29b-7	Amended	V. 34, p. 323
88-29b-7a	Amended	V. 34, p. 324

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-200		
through		
91-1-204	Amended (T)	V. 33, p. 764-772
91-1-200		
through		
91-1-204	Amended	V. 33, p. 1049-1057
91-1-214	Amended	V. 33, p. 1081
91-1-220	Amended (T)	V. 33, p. 775
91-1-220	Amended	V. 33, p. 1060

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-146		
through		
92-12-149	New	V. 33, p. 1194
92-14-6	Amended	V. 33, p. 1028
92-14-9	Revoked	V. 33, p. 1028
92-56-1	Amended	V. 33, p. 371
92-56-2	Amended	V. 33, p. 372
92-56-4	Amended	V. 33, p. 374

92-56-5 Amended V. 33, p. 375
 92-56-6 through
 92-56-9 New V. 33, p. 375, 376

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

Reg. No.	Action	Register
93-4-2 through		
93-4-6	Amended	V. 33, p. 974, 975
93-9-1	New	V. 34, p. 260

**AGENCY 102: BEHAVIORAL SCIENCES
 REGULATORY BOARD**

Reg. No.	Action	Register
102-3-3a	Amended	V. 33, p. 1219

**AGENCY 105: BOARD OF INDIGENTS'
 DEFENSE SERVICES**

Reg. No.	Action	Register
105-11-1	Amended	V. 33, p. 1253

**AGENCY 108: STATE EMPLOYEES
 HEALTH CARE COMMISSION**

Reg. No.	Action	Register
108-1-1	Amended	V. 33, p. 1284
108-1-3	Amended	V. 33, p. 1286
108-1-4	Amended	V. 33, p. 1288

**AGENCY 109: BOARD OF
 EMERGENCY MEDICAL SERVICES**

Reg. No.	Action	Register
109-2-7	Amended	V. 33, p. 644
109-2-8	Amended	V. 34, p. 71
109-2-11	Amended	V. 33, p. 644
109-2-13	Amended	V. 33, p. 646
109-3-5	Amended	V. 33, p. 849
109-10-1	Revoked	V. 34, p. 344
109-10-1c	Amended	V. 34, p. 344
109-10-1e	Amended	V. 34, p. 345
109-10-2	Revoked	V. 34, p. 345
109-10-7	Amended	V. 34, p. 345
109-11-3a	Amended	V. 34, p. 345
109-11-4a	Amended	V. 34, p. 346
109-11-6a	Amended	V. 34, p. 346
109-11-10	Revoked	V. 34, p. 347
109-15-1	Amended	V. 33, p. 1283

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. The following regulations were filed after December 15, 2013:

Reg. No.	Action	Register
111-2-62	Amended	V. 34, p. 376
111-2-314	New	V. 33, p. 59
111-2-315	New	V. 33, p. 758
111-2-316	New	V. 33, p. 1101
111-2-317	New	V. 33, p. 1101
111-4-3295 through		
111-4-3305	New	V. 33, p. 35-44
111-4-3306 through		
111-4-3310	New	V. 33, p. 60-64

111-4-3311 through		
111-4-3316	New	V. 33, p. 395-397
111-4-3317 through		
111-4-3325	New	V. 33, p. 646-653
111-4-3326 through		
111-4-3333	New	V. 33, p. 685-688
111-4-3334	New	V. 33, p. 709
111-4-3335	New	V. 33, p. 710
111-4-3336 through		
111-4-3340	New	V. 33, p. 732-736
111-4-3341	New	V. 33, p. 758
111-4-3342	New	V. 33, p. 759
111-4-3343	New	V. 33, p. 760
111-4-3344	New	V. 33, p. 887
111-4-3345	New	V. 33, p. 761
111-4-3346 through		
111-4-3355	New	V. 33, p. 888-898
111-4-3356 through		
111-4-3362	New	V. 33, p. 998-1003
111-4-3363 through		
111-4-3368	New	V. 33, p. 1101-1106
111-4-3369	New	V. 33, p. 1195
111-4-3370	New	V. 34, p. 6
111-4-3371	New	V. 34, p. 7
111-4-3372 through		
111-4-3379	New	V. 34, p. 90-93
111-4-3380 through		
111-4-3383	New	V. 34, p. 121-123
111-4-3384	New	V. 34, p. 244
111-4-3385 through		
111-4-3394	New	V. 34, p. 376-383
111-4-3393	Amended	V. 34, p. 546
111-4-3395 through		
111-4-3398	New	V. 34, p. 547-550
111-4-3399	New	V. 34, p. 849
111-4-3400	New	V. 34, p. 850
111-5-23	Amended	V. 33, p. 397
111-5-25	Amended	V. 33, p. 398
111-5-26	Amended	V. 33, p. 398
111-5-28	Amended	V. 33, p. 399
111-5-31	Amended	V. 33, p. 400
111-5-200	Amended	V. 33, p. 400
111-5-212a	New	V. 33, p. 688
111-5-213 through		
111-5-217	New	V. 33, p. 689, 690
111-5-218	New	V. 33, p. 898
111-7-66	Amended	V. 34, p. 383
111-7-261	New	V. 33, p. 654
111-7-262	New	V. 33, p. 898
111-7-263	New	V. 33, p. 1196
111-7-264	Amended	V. 34, p. 384
111-9-199 through		
111-9-203	New	V. 33, p. 45-47
111-9-204	New	V. 33, p. 690
111-9-205	New	V. 33, p. 691
111-9-206	New	V. 33, p. 737
111-9-207	New	V. 33, p. 737
111-9-208 through		
111-9-211	New	V. 33, p. 1196-1198
111-9-212	New	V. 34, p. 246
111-9-213	New	V. 34, p. 246
111-9-214	New	V. 34, p. 852
111-9-215	New	V. 34, p. 852
111-15-1	Amended	V. 33, p. 1004
111-15-2	Amended	V. 33, p. 1004
111-15-3	Amended	V. 33, p. 1005
111-15-5	Amended	V. 33, p. 1006
111-15-8	Amended	V. 33, p. 1006
111-15-21	Amended	V. 33, p. 1007
111-17-9	Amended	V. 33, p. 48
111-17-10	Amended	V. 33, p. 48

111-17-12	New	V. 33, p. 65
111-17-13	New	V. 33, p. 403
111-17-14	New	V. 33, p. 738
111-17-15	Amended	V. 33, p. 899
111-17-16	New	V. 33, p. 1007
111-17-17	New	V. 34, p. 93
111-17-18	New	V. 34, p. 619
111-17-19	New	V. 34, p. 853
111-17-20	New	V. 34, p. 854
111-301-17	Amended	V. 34, p. 123
111-301-18	Amended	V. 33, p. 900
111-301-19	Amended	V. 34, p. 124
111-301-21	Amended	V. 34, p. 551
111-301-22	Amended	V. 34, p. 551
111-301-24	Amended	V. 34, p. 551
111-301-25	Amended	V. 34, p. 552
111-301-26	Amended	V. 34, p. 552
111-301-28	Amended	V. 34, p. 552
111-301-29	Amended	V. 34, p. 552
111-301-32 through		
111-301-36	Amended	V. 34, p. 552, 553
111-301-45	New	V. 33, p. 901
111-301-46	Amended	V. 33, p. 1107
111-312-5	Amended	V. 33, p. 763
111-312-7	Amended	V. 33, p. 763
111-401-129	Amended	V. 34, p. 554
111-401-195	Amended	V. 34, p. 96
111-401-196 through		
111-401-200	New	V. 34, p. 97, 98
111-501-6	Amended	V. 34, p. 556
111-501-101	Amended	V. 33, p. 67

**AGENCY 115: DEPARTMENT OF
 WILDLIFE, PARKS AND TOURISM**

Reg. No.	Action	Register
115-2-1	Amended	V. 33, p. 1126
115-2-3	Amended	V. 33, p. 1127
115-4-2	Amended	V. 33, p. 708
115-4-4	Amended	V. 33, p. 921
115-4-13	Amended	V. 34, p. 312
115-4-15	Amended	V. 33, p. 90
115-7-2	Amended	V. 34, p. 103
115-7-3	Amended	V. 33, p. 1128
115-7-10	Amended	V. 33, p. 1128
115-8-1	Amended	V. 33, p. 709
115-9-6	Amended	V. 34, p. 104
115-15-1	Amended	V. 33, p. 1129
115-15-2	Amended	V. 33, p. 1130
115-18-21	Revoked	V. 33, p. 1131
115-30-1	Amended	V. 34, p. 104

**AGENCY 117: REAL ESTATE
 APPRAISAL BOARD**

Reg. No.	Action	Register
117-2-1	Amended	V. 33, p. 1253
117-2-2	Amended	V. 33, p. 1254
117-2-2a	Amended	V. 33, p. 1255
117-2-3	Amended	V. 33, p. 1256
117-3-1	Amended	V. 33, p. 1256
117-3-2	Amended	V. 33, p. 1257
117-3-2a	Amended	V. 33, p. 1258
117-3-3	Amended	V. 33, p. 1258
117-4-1	Amended	V. 33, p. 1259
117-4-2	Amended	V. 33, p. 1260
117-4-2a	Amended	V. 33, p. 1261
117-4-3	Amended	V. 33, p. 1261
117-5-1	Amended	V. 33, p. 1261
117-5-2	Amended	V. 33, p. 1261
117-5-2a	Amended	V. 33, p. 1262
117-6-1	Amended	V. 33, p. 1262
117-6-2	Amended	V. 33, p. 1263
117-6-3	Amended	V. 33, p. 1264
117-7-1	Amended	V. 34, p. 420
117-20-4	Amended	V. 33, p. 834

**AGENCY 123: DEPARTMENT OF
 CORRECTIONS—DIVISION OF
 JUVENILE SERVICES**

Reg. No.	Action	Register
123-6-105	Amended (T)	V. 33, p. 732
123-6-105	Amended	V. 34, p. 868

(continued)

123-6-105a	New (T)	V. 33, p. 732	129-2-2	New	V. 33, p. 146	129-6-103	New	V. 33, p. 162
123-6-105a	New	V. 34, p. 868	129-5-1	Amended (T)	V. 34, p. 100	129-6-106		
AGENCY 125: KANSAS AGRICULTURAL REMEDATION BOARD			129-5-1	Amended	V. 34, p. 340	through		
Reg. No.	Action	Register	129-6-30	New	V. 33, p. 146	129-6-113	New	V. 33, p. 163-171
125-1-7	Amended	V. 34, p. 17	129-6-34	New	V. 33, p. 146	129-6-120	New	V. 33, p. 172
AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION			129-6-35	New	V. 33, p. 148	129-6-140	New	V. 33, p. 173
Reg. No.	Action	Register	129-6-36	New	V. 33, p. 148	129-6-150	New	V. 33, p. 173
127-2-2	Amended	V. 34, p. 347	129-6-38	Revoked	V. 33, p. 148	129-6-151	Amended	V. 33, p. 173
AGENCY 128: DEPARTMENT OF COMMERCE— KANSAS ATHLETIC COMMISSION			129-6-39	New	V. 33, p. 148	129-6-152	Amended	V. 33, p. 174
Reg. No.	Action	Register	129-6-41	New	V. 33, p. 149	129-6-153	New	V. 33, p. 174
128-2-1	Amended	V. 33, p. 946	129-6-42	New	V. 33, p. 149	129-14-2	New	V. 33, p. 174
128-2-3	Amended	V. 33, p. 947	129-6-50			129-14-3	New	V. 33, p. 175
128-2-4	Amended	V. 33, p. 947	through			129-14-20	New	V. 33, p. 175
128-2-12	Amended	V. 33, p. 947	129-6-57	New	V. 33, p. 149-154	129-14-21	New	V. 33, p. 175
128-2-13	Amended	V. 33, p. 948	129-6-60	New	V. 33, p. 156	129-14-22	Revoked	V. 33, p. 175
128-3-1	Amended	V. 33, p. 949	129-6-63	New	V. 33, p. 157	129-14-23	New	V. 33, p. 176
AGENCY 129: DEPARTMENT OF HEALTH AND ENVIRONMENT—DIVISION OF HEALTH CARE FINANCE			129-6-65	New	V. 33, p. 157	129-14-25	New	V. 33, p. 176
Reg. No.	Action	Register	129-6-70			129-14-26	New	V. 33, p. 176
129-1-1	New	V. 33, p. 146	through			129-14-27	Amended	V. 33, p. 177
129-2-1	New	V. 33, p. 146	129-6-74	New	V. 33, p. 157, 158	129-14-28	New	V. 33, p. 177
			129-6-77	Revoked	V. 33, p. 159	129-14-30		
			129-6-80			through		
			129-6-89	New	V. 33, p. 159-161	129-14-37	New	V. 33, p. 178-180
			129-6-91	New	V. 33, p. 161	129-14-40	New	V. 33, p. 180
			129-6-94			129-14-50	New	V. 33, p. 180
			through			129-14-51	Amended	V. 33, p. 180
			129-6-97	New	V. 33, p. 161, 162	129-14-52	Amended	V. 33, p. 180

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