



Kansas Register

Kris W. Kobach, Secretary of State

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State of Kansas

**Department of Revenue
Division of Vehicles**

**Notice of Intent to Establish a New Location for
an Existing New Motor Vehicle Dealer**

Overland Park Automotive Company LP, dba Superior Toyota/Superior Scion, has filed an intent to change its dealership location. Overland Park Automotive Company LP, dba Superior Toyota/Superior Scion, currently conducts business as Overland Park Automotive Company LP, dba Superior Toyota/Superior Scion, at 8400 W. Shawnee Mission Parkway, Merriam, Kansas. Overland Park Automotive Company LP, dba Superior Toyota/Superior Scion, seeks to relocate its location and line-make vehicles to 9505 W. 67th St., Merriam, Kansas.

Pursuant to K.S.A. 8-2430(a)(5), any existing new motor vehicle dealer with standing may protest the proposed relocation of the new-line make vehicles by Overland Park Automotive Company LP, dba Superior Toyota/Superior Scion. K.S.A. 8-2430 (c) provides standing to any

existing new motor vehicle dealer that has a franchise agreement for the same line-make vehicles as that which are to be sold or offered for sale by Overland Park Automotive Company LP, dba Superior Toyota/Superior Scion, at 9505 W. 67th St., Merriam, Kansas, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 8-2430(e), includes the location where the Overland Park Automotive Company LP, dba Superior Toyota/Superior Scion, dealership will be relocated.

Pursuant to K.S.A. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the Director of Vehicles within 30 days of this notice. Such petition or complaint must be directed to the Kansas Department of Revenue, Director of Vehicles, 11th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

Donna Shelite
Director of Vehicles

Doc. No. 040521

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State of Kansas

State Fair Board**Notice of Meeting Time Change**

The Kansas State Fair Board will meet at 8:30 a.m. Friday, May 18, at the Rock Springs 4-H Center, 1168 Highway K-157, Junction City. The board plans to retreat the afternoon of Thursday, May 17, beginning at 1:30 p.m. No action will be taken during the retreat. For more information, contact Denny Stoecklein at (620) 669-3600 or denny@kansasstatefair.com.

Jeff Deeds
President

Doc. No. 040522

State of Kansas

Criminal Justice Coordinating Council**Notice of Available Grant Funding**

The Kansas Criminal Justice Coordinating Council (KCJCC) establishes the guidelines for the Federal Edward Byrne Memorial Justice Assistance Grant (JAG). The JAG program is authorized by federal law 42 U.S.C. 3250. The KCJCC and the federal JAG program guidelines establish eligibility criteria that must be met by all organizations that receive JAG funds. Grant funds may be awarded to units of state and local government; Native American Tribes; and nonprofit, community and faith-based organizations.

The primary use of JAG is to support the following purpose areas: (1) law enforcement programs, (2) prosecution and court programs, (3) prevention and education programs, (4) corrections and community corrections programs, (5) drug treatment and enforcement programs, (6) planning, evaluation and technology improvement programs, and (7) crime victim and witness programs. Grant funds must be requested within one or more of the seven purpose areas.

Grant funds are available for the funding period of July 1, 2012 through June 30, 2013. Since this grant is competitive, there is a yearly application process with no guarantee of continued funding. In distributing grant funds, priority will be given to applicants who are not eligible to apply directly to the Federal Bureau of Justice Assistance for JAG funding.

The application is available on the Governor's Grant Portal at <https://www.kansas.gov/grants/index.do> or a copy of the application may be downloaded at https://governor.ks.gov/serving-kansans/grants-program/grant_opportunities/edward-j-byrne-memorial-justice-assistance-grant. All grant applications must be submitted via the Governor's Grant Portal by 11:59 p.m. June 8. To quickly locate the grant in the grant portal, use "JAG" for the keyword in your search. For more information, contact the Governor's Grants Program at (785) 291-3205.

Jennifer Cook, Administrator
Governor's Grants Program

Doc. No. 040527

State of Kansas

Board of Emergency Medical Services**Notice of Meetings**

The Board of Emergency Medical Services will meet at 9 a.m. Friday, June 1, in Room 106 of the Landon State Office Building, 900 S.W. Jackson, Topeka. Meetings for the Planning and Operations Committee, the Education, Examination, Certification and Training Committee, the Executive Committee and the Investigations Committee will be held Thursday, May 31, starting at 9 a.m. at the same location. Items on the agenda for the board meeting can be found on the board's website at <http://www.ksbems.org>.

All meetings of the board are open to the public. For more information, contact the executive director, Room 1031, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1228, (785) 296-7296.

Steven Sutton
Executive Director

Doc. No. 040529

State of Kansas

**Department of Administration
Office of Facilities and Property Management****Notice of Requested "On-Call" Architectural Services**

Notice is hereby given of the commencement of the selection process for "on-call" architectural services for small projects for the Kansas Department of Corrections. Contracts will be for three years.

For more information, contact Mike Gaito at (785) 296-0883. Firms interested in providing these services should be familiar with the requirements of Chapter 9 of the Building Design and Construction Manual at the website below.

To be considered, one (1) PDF file and one (1) bound proposal of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end. Proposals should be less than 5 MB and follow the current State Building Advisory Commission guidelines, which can be found in Chapter 4 of the Building Design and Construction Manual at www.da.ks.gov/fp/manual.htm. Proposals should be sent to Barbara Schilling, Office of Facilities and Property Management, Suite 600 South, Landon State Office Building, 900 SW Jackson, Topeka, 66612. If you have questions call (785) 291-3695 or email Barb.Schilling@da.ks.gov. Both the PDF and bound proposal submittals shall be delivered to the attention of Barbara Schilling before noon June 1.

Mark J. McGivern, Director
Office of Facilities and
Property Management

Doc. No. 040518

(Published in the Kansas Register May 17, 2012.)

Unified School District No. 508 Cherokee County, Kansas (Baxter Springs)

Notice of Intent to Seek Private Placement General Obligation Bonds, Series 2012

Notice is hereby given that Unified School District No. 508, Cherokee County, Kansas (Baxter Springs) (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$500,000. The proposed sale of the bonds is in all respects subject to approval of a bond purchase agreement between the issuer and the purchaser of the bonds, the adoption of a resolution by the governing body of the issuer authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

Dated May 14, 2012.

Vicki Bradley
Clerk

Doc. No. 040533

State of Kansas

Department of Administration Office of Facilities and Property Management

Notice of Requested "On-Call" Engineering Services

Notice is hereby given of the commencement of the selection process for "on-call" mechanical-electrical-plumbing engineering services for small projects for the Kansas Juvenile Justice Authority. Contracts will be for three years.

For more information, contact Larry Oppitz at (785) 368-7193. Firms interested in providing these services should be familiar with the requirements of Chapter 9 of the Building Design and Construction Manual at the website below.

To be considered, one (1) PDF file and one (1) bound proposal of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end. Proposals should be less than 5 MB and follow the current State Building Advisory Commission guidelines, which can be found in Chapter 4 of the Building Design and Construction Manual at www.da.ks.gov/fp/manual.htm. Proposals should be sent to Barbara Schilling, Office of Facilities and Property Management, Suite 600 South, Landon State Office Building, 900 SW Jackson, Topeka, 66612. If you have questions call (785) 291-3695 or email Barb.Schilling@da.ks.gov. Both the PDF and bound proposal submittals shall be delivered to the attention of Barbara Schilling before noon June 1.

Mark J. McGivern, Director
Office of Facilities and
Property Management

Doc. No. 040523

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced May 3-9 by the 2012 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 58-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at <http://www.kslegislature.org/li/>.

House Resolutions

HR 6033, by Representatives Phillips, Carlin, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley, A RESOLUTION congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year and the Woody Hayes National Coach of the Year.

Senate Bills

SB 473, AN ACT concerning state finance; relating to fiscal notes; amending K.S.A. 75-3715a and repealing the existing section, by Committee on Ways and Means.

Senate Resolutions

SR 1870, by Senators Faust-Goudeau, Abrams, Brungardt, Emler, Francisco, Haley, Hensley, Holland, Kelly, Kelsey, Kultala, Longbine, Love, Masterson, McGinn, Merrick, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, A. Schmidt, V. Schmidt, Taddiken, Teichman, Umbarger, Vratil and Wagle, A RESOLUTION congratulating and commending the Kansas Highway Patrol on its 75 years of service to the citizens of Kansas.

SR 1871, by Senator Holland, A RESOLUTION congratulating and commending the Baldwin High School design team for being named national champions in the Real World Design Challenge.

SR 1872, by Senator Emler, A RESOLUTION honoring Sterling College in their 125th year.

SR 1873, by Senator Kelly, A RESOLUTION congratulating and commending the Rochester Elementary students who placed first in the state-wide Music Memory Major Work Competition.

SR 1874, by Senator Kelly, A RESOLUTION honoring Mike Mathes as the 2012 Kansas School Superintendents Association Superintendent of the Year.

SR 1875, by Senator Lynn, A RESOLUTION congratulating the Olathe Culinary Arts Program at Olathe North High School on winning the National ProStart Invitational culinary competition.

SR 1876, by Senators Morris, Reitz, Abrams, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, Love, Marshall, Owens, V. Schmidt, Teichman, Umbarger, Vratil and Wagle, A RESOLUTION congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

SR 1877, Senators Kultala and Holland, A RESOLUTION congratulating and commending the Leavenworth High School Girls' Powerlifting Team.

Doc. No. 040517

**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. 2011 Supp. 12-1675(b)(c)(d) and K.S.A. 2011 Supp. 12-1675a(g).

Effective 5-14-12 through 5-20-12

Term	Rate
1-89 days	0.15%
3 months	0.10%
6 months	0.14%
1 year	0.21%
18 months	0.24%
2 years	0.27%

Scott Miller
Director of Investments

Doc. No. 040511

**State of Kansas
Attorney General**

Opinion 2012-8

Re: Counties and County Officers—Sheriff—Qualifications for Office; Eligibility for Nomination, Election, or Appointment; Driving Under the Influence; Effect of Diversion; March 30, 2012.

Synopsis: A person who has been charged with operating a vehicle under the influence of alcohol or drugs and thereafter completes diversion has not been convicted of or pleaded guilty to any violation of federal or state law or city ordinance relating to liquor or narcotics. The person is not disqualified under K.S.A. 19-801b(a)(3) from being a candidate for or holding the office of sheriff. Cited herein: K.S.A. 2011 Supp. 8-285; 8-1009; 8-1013; 8-1567; K.S.A. 19-801b; K.S.A. 2011 Supp. 21-5414; 21-5810; 21-6811; 21-6811a; K.S.A. 23-493; K.S.A. 2011 Supp. 50-6,112b; 72-1397; 72-5445; 72-5445a; 74-149; 74-5605; 76-11a13; L. 1972, ch. 75, § 2; L. 1982, ch. 322, § 1; L. 1997, ch. 168, § 1. RDS

Opinion 2012-9

Re: Automobiles and Other Vehicles—Driving Under Influence of Alcohol or Drugs; Related Provisions—Suspension and Restriction of Driving Privileges for Test Refusal, Test Failure or Alcohol or Drug-Related Conviction; Ignition Interlock Device.

Automobiles and Other Vehicles—Driving Under Influence of Alcohol or Drugs; Related Provisions—Authorized Restrictions of Driving Privileges; Ignition Interlock Device; April 5, 2012.

Synopsis: The application fee described in K.S.A. 2011 Supp. 8-1015(g) applies only to persons requesting retroactive application of the 2011 amendments to the suspension period of their driving privileges pursuant to K.S.A. 2011 Supp. 8-1014(g). K.S.A. 2011 Supp. 8-1015(g) authorizes only one distribution of the aggregate amount of \$100,000 from the application fees to the Division of Vehicles Operating Funds. Cited herein: K.S.A. 2011

Supp. 8-1014; 8-1015; K.S.A. 2010 Supp. 8-1014; 8-1015; L. 2011, Ch. 105, § 14, 15. AA:JLA

Opinion 2012-10

Re: Counties and County Officers—Sheriff—Budget; Charge and Custody of Jail Counties and County Officers—County Treasurer—Duty to Receive and Disburse Moneys; April 18, 2012.

Synopsis: A sheriff must pay over to the county treasurer fees collected by the sheriff’s department for performing an inspection of vehicle identification numbers. A sheriff may charge cities for the costs of incarcerating prisoners jailed on municipal charges in an amount equal to that provided by the county for the incarceration of county prisoners. A sheriff may release a prisoner jailed on municipal charges upon the prisoner signing a valid notice to appear if the prisoner has neither posted bond nor been arraigned by the municipal court within 48 hours. A sheriff may not decline to incarcerate persons brought to a county jail by the authority of city law enforcement officers under any circumstances. Cited herein: K.S.A. 2011 Supp. 8-116a; 12-4209; 12-4212; 12-4213; K.S.A. 12-4302; 19-506; 19-811; 19-814; 19-1903; 19-1930; 28-175. SF

Opinion 2012-11

Re: Procedure, Civil—Rules of Civil Procedure—Parties; Capacity; Real Party in Interest Procedure, Civil—Exemptions—Wage Garnishment; Assignment of Account; April 25, 2012.

Synopsis: The Legislature has distinguished between a creditor who sells or assigns a debt to a collection agent or agency for collection and a creditor who places a debt with a collection agent or agency for collection. When a creditor sells or assigns a debt to a collection agent or agency, the assignee is the real party in interest to file suit against the debtor and may sue in its own name under the real party in interest statute, K.S.A. 2011 Supp. 60-217(a)(1); but, the assignee cannot garnish the debtor’s wages under K.S.A. 60-2310(d). The assignee must also comply with applicable laws governing debt collection. When a creditor places a debt with a collection agent or agency for collection, there is no assignment and the creditor is the real party in interest to file suit against the debtor under K.S.A. 2011 Supp. 60-217(a)(1) and can garnish the debtor’s wages under K.S.A. 60-2310(d). Cited herein: K.S.A. 2011 Supp. 16a-2-301; 60-217; K.S.A. 60-2310. JA

Opinion 2012-12

Re: State Departments; Public Officers and Employees—Department of Revenue—Unlawful to Divulge Tax Information Taxation—Kansas Retailer’s Sales Tax—Confidentiality Requirements; April 27, 2012.

Synopsis: Solid waste tonnage fees are not subject to the confidentiality provisions of K.S.A. 2011 Supp. 75-5133. Cited herein: K.S.A. 2011 Supp. 65-3402; K.S.A. 65-3405; 65-3415a; K.S.A. 2011 Supp. 65-3415b; 75-5133; K.S.A. 79-3601; K.S.A. 2011 Supp. 79-3614. RDS

Derek Schmidt
Attorney General

Doc. No. 040515

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking a qualified consulting engineering firm prequalified in Category 221 - Non-Standard Span Bridge Design, for reconstruction of the I-70 Lewis and Clark Viaduct project as listed below. A PDF (1 MB maximum size) of the interest response must be emailed to David J. Nagy, P.E., Assistant to the Bureau Chief of Design/Contracts Engineer, at DavidN@ksdot.org. Interest responses are limited to four pages, the subject line of the email and the PDF file name must read "70-105 KA-2130-02 - Firm Name," and must be received by noon May 30 for the consulting engineering firm to be considered.

70-105 KA-2130-02

The scope of the services is to design and prepare a set of plans for the reconstruction of a portion of the I-70 Lewis and Clark Viaduct. The scope is to replace Units 1 through 7 of Bridge (030) carrying WB I-70 from the state line to just west of the Kansas River and to replace Unit 3 of Bridge (173) carrying WB I-70 to northbound Fairfax Trafficway. A .pdf aerial photo showing the location of the bridges and units will be emailed to those who contact DavidN@ksdot.org.

The Consultant Shortlist Committee will select three to five of the most highly qualified firms expressing interest and schedule an individual interview. The consulting firms can more thoroughly discuss their experience related to the project at the interview and will be expected to discuss their approach to this project in detail and the personnel to be assigned to this project. Firms not selected to be short-listed will be notified. Categories may be viewed at www.ksdot.org/divengdes/prequal.

The Consultant Selection Committee, appointed by the Secretary of Transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select one firm to perform the professional services required for completing the advertised project. After the selection, the firms not selected will be notified of the outcome.

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

1. Size and professional qualifications.
2. Experience of staff.
3. Location of firm with respect to project(s).
4. Work load of firm.
5. Firm's performance record.

The firm's accounting systems must have the following capabilities before the firm may be awarded a contract:

- Valid, reliable, and current costs must be available within the system to support cost and pricing data.
- Capability to provide a means of measuring the reasonableness of incurred costs.
- Capability to identify and accumulate allowable costs by contract or project records that will reconcile with the general ledger.

- Ability to provide supporting documentation of actual expenditures for each billing, based on costs.

For more information, contact David Nagy at DavidN@ksdot.org.

Mike King
Secretary of Transportation

Doc. No. 040500

State of Kansas

Secretary of State

Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A listing of Kansas state agencies, boards, commissions, and county officials are included in the Kansas Directory, which is available on the Secretary of State's Web site at www.sos.ks.gov. The following appointments were recently filed with the Secretary of State:

Franklin County Attorney

Stephen A. Hunting, 360 N. Sumac, Gardner, 66010. Succeeds Heather Jones, resigned.

Shawnee County Sheriff

Herman T. Jones, 320 S. Kansas Ave., Suite 200, Topeka, 66603. Succeeds Richard Barta, resigned.

Kansas Bioscience Authority

Dale Rodman, Secretary of Agriculture, 109 S.W. 9th, Topeka, 66612. Term expires March 15, 2016. Succeeds Sandra Lawrence.

Commission on Emergency Planning
and Response

Chris Howell, Room 101, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. Term expires Nov. 30, 2015.

Historic Sites Board of Review

Beka Romm, 2609 Bluestem Drive, Lawrence, 66047. Term expires June 30, 2014. Succeeds Billie Porter.

Kansas Home Inspectors Registration Board

Michael Haynes, 3612 W. Timber Ct., Lawrence, 66049. Term expires Sept. 1, 2014. Succeeds Edward Robinson.

Commission on Peace Officers'
Standards and Training

Mark Bundy, 7844 Leavenworth Road, Kansas City, KS 66109. Term expires July 1, 2014. Succeeds Steven Stowers.

Secretary of Transportation

Mike King, Department of Transportation, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603. Serves at the pleasure of the Governor. Succeeds Deb Miller, resigned.

Kansas Works State Board

Kenneth Daniel, Jr., 5630 S.W. Fairlawn Road, Topeka, 66610. Serves at the pleasure of the Governor.

Kris W. Kobach
Secretary of State

Doc. No. 040534

State of Kansas

Office of the Governor

Executive Order 12-07

WHEREAS, the Director of the Kansas Water Office has informed me, pursuant to K.S.A. 74-2608, of the drought conditions within the state; and

WHEREAS, there is every indication that the present drought conditions have improved but not totally abated; and

WHEREAS, these drought conditions may continue; and

WHEREAS, the affected areas and severity have changed; and

WHEREAS, the Kansas Emergency Management Act (K.S.A. 48-924 *et seq.*) states that the Governor shall be responsible for meeting the dangers to the state and its people from disasters, including drought.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby:

1. Declare a Drought Watch or Drought Warning for the counties below replacing Executive Order 11-48;
2. And authorize and direct all agencies under the jurisdiction of the Governor to implement the appropriate Watch or Warning level drought response actions assigned to them in the Operations Plan of the Governor's Drought Response Team.

Drought Watch counties:

Allen, Anderson, Barton, Bourbon, Butler, Chase, Chautauqua, Cherokee, Cheyenne, Clay, Cloud, Coffey, Cowley, Crawford, Decatur, Dickinson, Edwards, Elk, Ellis, Ellsworth, Ford, Franklin, Geary, Gove, Graham, Greeley, Greenwood, Hamilton, Harper, Harvey, Hodgeman, Jewel, Kingman, Labette, Lane, Lincoln, Linn, Logan, Lyon, Marion, McPherson, Miami, Mitchell, Montgomery, Morris, Neosho, Ness, Norton, Osage, Osborne, Ottawa, Pawnee, Phillips, Rawlins, Reno, Republic, Rice, Riley, Rooks, Rush, Russell, Saline, Scott, Sedgwick, Sheridan, Sherman, Smith, Sumner, Thomas, Trego, Wallace, Washington, Wichita, Wilson, Woodson

Drought Warning counties:

Barber, Clark, Comanche, Finney, Grant, Gray, Haskell, Kearny, Kiowa, Meade, Morton, Pratt, Seward, Stafford, Stanton, Stevens

County drought stages declared in the Executive Order shall remain in effect until revised or rescinded by a subsequent Executive Order.

This document shall be filed with the Secretary of State as Executive Order 12-07 and shall become effective immediately.

IT IS SO ORDERED.

Dated May 3, 2012.

Sam Brownback
Governor

Doc. No. 040513

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: thouse@emporia.edu. Mailing address: Emporia State University, Controller's Office/Purchasing, Campus Box 4021, 1200 Commercial, Emporia, KS 66801.

Fort Hays State University – Bid postings: www.fhsu.edu/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: jensch@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

University of Kansas – Electronic bid postings: <http://www.purchasing.ku.edu/>. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 30, 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.

Carla K. Bishop
Chair of Regents Purchasing Group
Director of Purchasing
Kansas State University

Doc. No. 039551

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:

05/29/2012	EVT0001436	Agricultural tractor
05/29/2012	EVT0001437	Compact track loader
05/30/2012	EVT0001414	Equipment storage building kits
05/30/2012	EVT0001426	Concrete pump, trailer type
05/30/2012	EVT0001427	Wood posts for guardrails & signs
05/30/2012	EVT0001430	Salt brine production systems
05/30/2012	EVT0001431	Liquid chloride storage/dispensing system
05/30/2012	EVT0001432	Pothole patcher, truck mounted
05/30/2012	EVT0001433	Construction roller
05/30/2012	EVT0001434	Pothole patcher, pull type
05/30/2012	EVT0001435	Equipment transport semi-trailer
05/31/2012	EVT0001438	Pothole patcher, air blown type
05/31/2012	EVT0001439	Sweeper, self propelled, non-pickup
05/31/2012	EVT0001440	Brush chipper
05/31/2012	EVT0001441	Pavement crack seal machine
05/31/2012	EVT0001442	Crew cob dump body truck
05/31/2012	EVT0001443	Shoulder spreader, grader mounted
05/31/2012	EVT0001444	Asphalt distributor, truck mounted
06/06/2012	EVT0001393	Remove and replace thermoplastic membrane roof
06/07/2012	EVT0001429	Tuckpointing maintenance — on-call services
06/08/2012	EVT0001417	Supported housing fund program services
06/12/2012	EVT0001416	Well plugging — District 1
06/20/2012	EVT0001419	Actuarial and consulting services

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

<http://www2.da.ks.gov/purch/contracts/bids.aspx>

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

<http://da.ks.gov/purch/adds/default.htm>

06/05/2012	A-011921	Campus fire alarm upgrade — Winfield Correctional Facility, Winfield
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Information regarding prequalification, projects and bid documents can be obtained at (785) 296-8899 or <http://da.ks.gov/fp/>.

Chris Howe, Director
Procurement and Contracts

Doc. No. 040530

State of Kansas

Kansas Insurance Department

Notice of Change in Pharmacy Network

Pursuant to K.S.A. 40-2,153, the Kansas Commissioner of Insurance is publishing notice that a change has occurred in a pharmacy network in the state of Kansas.

Humana, Inc., Pharmacy Network has notified the Insurance Department of the following additions to its pharmacy network:

Pharmacy Name	City	Effective
Bankes Health Mart	Abilene	1/3/2012
Patterson Health Care Pharmacy	Abilene	1/3/2012
Ricco Pharmacy	Abilene	1/3/2012
Dillon Pharmacy #615085	Andover	1/24/2012
Dillon Pharmacy #615038	Arkansas City	1/24/2012
Graves Drug	Arkansas City	1/24/2012
Wal-Mart Pharmacy #100978	Arkansas City	1/3/2012
Walgreens #11369	Arkansas City	1/3/2012
Arma Drug	Arma	1/3/2012
CVS Pharmacy #05889	Atchison	1/3/2012
Wal-Mart Pharmacy #101054	Atchison	1/24/2012
Cooper Drug Store	Augusta	1/3/2012
Dillon Pharmacy #615018	Augusta	1/24/2012
Golden Plains Pharmacy Service	Augusta	1/24/2012
Hilgers Family Pharmacy	Augusta	1/24/2012
Wal-Mart Pharmacy #100346	Augusta	1/24/2012
Baxter Drug	Baxter Springs	1/3/2012
Wal-Mart Pharmacy #100208	Baxter Springs	1/24/2012
Arbutnot Drug Company	Belleville	3/27/2012
Crossroads Pharmacy Inc	Belleville	1/3/2012
Yungeberg Drug	Blue Rapids	1/3/2012
Degoler Pharmacy	Bonner Springs	1/31/2012
The Medicine Store	Bonner Springs	1/24/2012
Wal-Mart Pharmacy #100486	Bonner Springs	1/24/2012
Walgreens #12922	Bonner Springs	1/3/2012
Medicine Shoppe #1490	Burlington	1/3/2012
Caney Drug	Caney	1/3/2012
Carbondale Clinic Pharmacy Inc.	Carbondale	1/3/2012
Ashley Clinic Pharmacy	Chanute	2/2/2012
Cardinal Drugstore	Chanute	1/24/2012
Medicap #8151	Chanute	1/3/2012
Medicine Shoppe Pharmacy #1137	Chanute	1/24/2012
Wal-Mart Pharmacy #100111	Chanute	1/24/2012
Riggs Drugs Store	Chetopa	1/3/2012
Ferguson Rexall Drugs	Clay Center	1/3/2012
Patterson Family Apothecary #967	Clay Center	1/3/2012
Patterson Healthmart Pharmacy	Clay Center	1/3/2012
Bales Pharmacy	Clearwater	3/20/2012
Med Econ Pharmacy	Coffeyville	1/3/2012
Medicine Shoppe #1153	Coffeyville	1/3/2012
Wal-Mart Pharmacy #100042	Coffeyville	1/24/2012
Wal-Mart Pharmacy #101214	Colby	1/3/2012
Wal-Mart Pharmacy #101282	Concordia	1/24/2012
Cedar Creek Pharmacy	De Soto	2/7/2012
Damm Pharmacy	Derby	1/3/2012
Derby Drug	Derby	1/3/2012
Dillon Pharmacy #615083	Derby	1/24/2012
Target Pharmacy #2448	Derby	1/24/2012
Wal-Mart Pharmacy #100592	Derby	1/24/2012
Dighton Drug	Dighton	1/3/2012
Dillon Pharmacy #615001	Dodge City	1/24/2012
Wal-Mart Pharmacy #100372	Dodge City	1/24/2012
Corner Drug and Gift Inc.	Downs	1/3/2012
Dillon Pharmacy #615029	El Dorado	1/24/2012
El Dorado Truecare Pharmacy	El Dorado	1/3/2012
Wal-Mart Pharmacy #100186	El Dorado	1/24/2012
Walgreens #10721	El Dorado	1/3/2012
Medicine Shoppe #1430	Emporia	1/3/2012
The Medicine Shoppe #1236	Emporia	1/3/2012
Wal-Mart Pharmacy #100557	Emporia	1/24/2012
Walgreens #11167	Emporia	1/3/2012

Richeys Rexall Drug	Erie	1/3/2012	Dillon Pharmacy #615243	Lawrence	3/2/2012
Wal-Mart Pharmacy #100039	Fort Scott	1/3/2012	Jayhawk Pharmacy	Lawrence	1/3/2012
Walgreens #11086	Fort Scott	1/3/2012	Medical Arts Pharmacy	Lawrence	1/24/2012
Woods Supermarket Pharmacy #46	Fort Scott	1/3/2012	Orchards Drug LC	Lawrence	1/24/2012
Galena Med-X Drug #6141	Galena	1/3/2012	Sigler Pharmacy	Lawrence	1/3/2012
Dillon Pharmacy #615005	Garden City	1/24/2012	Sigler Pharmacy Lawrence Family	Lawrence	1/3/2012
Dillon Pharmacy #615060	Garden City	1/24/2012	Surepoint Medical	Lawrence	1/3/2012
Garden Pharmacy	Garden City	1/3/2012	Wal-Mart Pharmacy #100484	Lawrence	1/24/2012
Sam's Pharmacy #4791	Garden City	1/24/2012	Wal-Mart Pharmacy #105219	Lawrence	1/24/2012
Wal-Mart Pharmacy #100652	Garden City	1/24/2012	Walgreens #9985	Leawood	1/3/2012
Gardner Pharmacy	Gardner	1/3/2012	CVS Pharmacy #05268	Leavenworth	1/24/2012
Price Chopper Pharmacy #117	Gardner	1/10/2012	Kmart Pharmacy #9647	Leavenworth	1/3/2012
Wal-Mart Pharmacy #105307	Gardner	1/3/2012	The Corner Pharmacy	Leavenworth	1/12/2012
Walgreens #10150	Gardner	1/3/2012	Wal-Mart Pharmacy #100026	Leavenworth	1/24/2012
The Medicine Shoppe #1660	Garnett	3/27/2012	Walgreens #12923	Leavenworth	1/24/2012
Wal-Mart Pharmacy #102562	Goodland	1/24/2012	Assured Pharmacy #9	Leawood	1/3/2012
Dillon Pharmacy #615051	Great Bend	1/24/2012	Auburn Pharmacy	Leawood	1/3/2012
Wal-Mart Pharmacy #100770	Great Bend	1/24/2012	CVS Pharmacy #08237	Leawood	1/24/2012
Pierson Hanover Professional Pharmacy	Hanover	1/3/2012	CVS Pharmacy #08588	Leawood	1/24/2012
Harper Pharmacy	Harper	1/24/2012	Emergent Care Plus	Leawood	2/7/2012
Dillon Pharmacy #615014	Hays	1/24/2012	Price Chopper Pharmacy #121	Leawood	1/10/2012
Dillon Pharmacy #615061	Hays	1/24/2012	Walgreens #13950	Leawood	3/2/2012
Medical Pavilion Pharmacy	Hays	1/24/2012	Allegre Rexall Drugs	Lebo	1/12/2012
QOL Meds #270	Hays	3/27/2012	Caremark Kansas Specialty Pharmacy	Lenexa	1/3/2012
U Save Pharmacy	Hays	1/3/2012	CVS Pharmacy #04323	Lenexa	1/3/2012
Wal-Mart Pharmacy #100664	Hays	1/24/2012	CVS Pharmacy #05265	Lenexa	1/24/2012
Homeland Pharmacy #646	Haysville	3/2/2012	Medfusionrx LLC	Lenexa	2/28/2012
Tice Healthmart	Hiawatha	3/2/2012	Pharmerica #3117	Lenexa	1/24/2012
Wal-Mart Pharmacy #100342	Hiawatha	1/3/2012	Sam's Pharmacy #108208	Lenexa	1/24/2012
Greenhaw Pharmacy Inc	Hillsboro	1/24/2012	Wichita County Pharmacy	Leoti	1/3/2012
Cardinal Pharmacy	Hoisington	1/24/2012	Dillon Pharmacy #615073	Liberal	1/24/2012
Medical Pharmacy PA	Holton	1/24/2012	Wal-Mart Pharmacy #100799	Liberal	1/24/2012
Wal-Mart Pharmacy #100378	Holton	1/24/2012	Walgreens #10722	Liberal	1/3/2012
Kex Rx Pharmacy & Home Care #2	Horton	1/24/2012	Auburn Pharmacy	Louisburg	1/3/2012
Mahanna Pharmacy	Hoxie	1/3/2012	Vohs Pharmacy	Louisburg	2/2/2012
Stevens County Retail Pharmacy	Hugoton	1/24/2012	Pamida Pharmacy #670	Lyons	1/3/2012
Dillon Pharmacy #615025	Hutchinson	1/24/2012	Dillon Pharmacy #672728	Maize	3/27/2012
Dillon Pharmacy #615048	Hutchinson	1/24/2012	Dillon Pharmacy #615015	Manhattan	1/24/2012
Hutchinson Clinic Pharmacy	Hutchinson	1/3/2012	Dillon Pharmacy #615046	Manhattan	1/24/2012
Hutchinson Drug Store	Hutchinson	1/24/2012	Kellstrom Pharmacy	Manhattan	1/3/2012
Kmart Pharmacy #3184	Hutchinson	1/3/2012	Kmart Pharmacy #7037	Manhattan	1/3/2012
Wal-Mart Pharmacy #100794	Hutchinson	1/24/2012	Lafene Health Center Pharmacy	Manhattan	1/3/2012
Independence Pharmacy	Independence	1/24/2012	Paul's Pharmacy #1299	Manhattan	3/22/2012
QOL Meds #390	Independence	3/27/2012	Wal-Mart Pharmacy #100035	Manhattan	1/24/2012
Wal-Mart Pharmacy #102893	Independence	1/24/2012	Walgreens #12814	Manhattan	1/24/2012
Wal-Mart Pharmacy #101187	Iola	1/3/2012	Marion Healthmart Pharmacy	Marion	1/24/2012
Renos Pharmacy	Jetmore	1/3/2012	Wal-Mart Pharmacy #100341	Marysville	1/24/2012
Waldrons Pharmacy	Johnson	1/3/2012	Medical Center Pharmacy	McPherson	1/3/2012
Dillon Pharmacy #615044	Junction City	1/24/2012	Dillon Pharmacy #615036	McPherson	1/24/2012
Wal-Mart Pharmacy #100043	Junction City	1/24/2012	Wal-Mart Pharmacy #100993	McPherson	1/24/2012
Bond Pharmacy	Kansas City	1/12/2012	Walgreens #12586	McPherson	1/24/2012
CVS Pharmacy #08919	Kansas City	1/3/2012	CVS Pharmacy #05272	Mission	1/24/2012
CVS Pharmacy #08584	Kansas City	1/24/2012	Montezuma Drug	Montezuma	1/3/2012
CVS Pharmacy #08600	Kansas City	1/24/2012	Moundridge Pharmacy	Moundridge	1/3/2012
CVS Pharmacy #08603	Kansas City	1/24/2012	G and L Pharmacy	Ness City	1/3/2012
CVS Pharmacy #08608	Kansas City	1/24/2012	Dillon Pharmacy #615077	Newton	1/24/2012
Degoler Pharmacy #1	Kansas City	1/3/2012	Wal-Mart Pharmacy #102428	Newton	1/24/2012
Degoler Pharmacy #3	Kansas City	1/3/2012	Moffet Drug	Norton	1/3/2012
Degoler Pharmacy #4	Kansas City	1/3/2012	Pamida Pharmacy #236	Norton	1/24/2012
Degolers Pharmacy #2	Kansas City	1/3/2012	Oakley Health Mart	Oakley	3/20/2012
Genoa Healthcare #40	Kansas City	1/3/2012	College Park Family Care #712	Olathe	1/31/2012
Hassig Drugs Inc.	Kansas City	3/29/2012	CVS Pharmacy #05156	Olathe	1/3/2012
Kansas University Medical Center	Kansas City	2/2/2012	CVS Pharmacy #05257	Olathe	1/24/2012
Kmart Pharmacy #4215	Kansas City	1/3/2012	CVS Pharmacy #05274	Olathe	1/24/2012
Medicine Shoppe #0188	Kansas City	1/3/2012	CVS Pharmacy #08569	Olathe	1/24/2012
Wal-Mart Pharmacy #101151	Kansas City	1/24/2012	Kmart Pharmacy #3322	Olathe	1/3/2012
Walgreens #10125	Kansas City	1/3/2012	Medicine Store	Olathe	1/10/2012
Hoyt Health Mart Pharmacy	La Crosse	1/24/2012	Pharmacy Express	Olathe	1/3/2012
Silver Creek Pharmacy and Gift	La Cygne	1/24/2012	Wal-Mart Pharmacy #100577	Olathe	1/24/2012
J and J Pharmacy	Lakin	1/3/2012	Wal-Mart Pharmacy #104475	Olathe	1/3/2012
Pamida Pharmacy #674	Larned	1/3/2012	Walgreens #12815	Olathe	1/24/2012
CVS Pharmacy #03212	Lawrence	1/24/2012	Schroeder Drugs	Osage City	1/3/2012
CVS Pharmacy #00676	Lawrence	1/3/2012	Oswego Drug Store	Oswego	1/3/2012
Dillon Pharmacy #615019	Lawrence	1/24/2012	Kramer Pharmacy	Ottawa	1/3/2012
Dillon Pharmacy #615070	Lawrence	1/24/2012			

(continued)

Wal-Mart Pharmacy #100382	Ottawa	1/24/2012	Pamida Pharmacy #664	Smith Center	1/3/2012
Walgreens #9376	Ottawa	1/3/2012	Price Chopper Pharmacy #6	Stanley	1/10/2012
Cancer Center Pharmacy-Southwest	Overland Park	2/2/2012	The Downtown Drugstore LLC	Tonganoxie	2/2/2012
CVS Pharmacy #05271	Overland Park	1/24/2012	CVS Pharmacy #08605	Topeka	1/24/2012
CVS Pharmacy #08573	Overland Park	1/24/2012	Dillon Pharmacy #615047	Topeka	1/24/2012
CVS Pharmacy #08582	Overland Park	1/24/2012	Dillon Pharmacy #615054	Topeka	1/24/2012
CVS Pharmacy #08585	Overland Park	1/24/2012	Dillon Pharmacy #615058	Topeka	1/24/2012
CVS Pharmacy #08586	Overland Park	1/24/2012	Genoa Healthcare #81	Topeka	3/16/2012
CVS Pharmacy #08601	Overland Park	1/24/2012	Hunters Ridge Pharmacy	Topeka	2/2/2012
CVS Pharmacy #08602	Overland Park	1/24/2012	Jayhawk Pharmacy and Patient Supply	Topeka	1/3/2012
CVS Pharmacy #08606	Overland Park	1/24/2012	Kmart Pharmacy #7409	Topeka	1/3/2012
Kmart Pharmacy #4443	Overland Park	1/3/2012	Kmart Pharmacy #7444	Topeka	1/3/2012
Medicine Shoppe #1336	Overland Park	1/3/2012	Medical Arts PBA Pharmacy	Topeka	1/3/2012
Price Chopper Pharmacy	Overland Park	1/10/2012	Sam's Pharmacy #108176	Topeka	1/24/2012
Price Chopper Pharmacy #119	Overland Park	2/21/2012	Senior Rx Care of Kansas LLC	Topeka	1/3/2012
Sam's Pharmacy #104707	Overland Park	1/24/2012	Tallgrass Pharmacy	Topeka	1/24/2012
Stark Professional Pharmacy	Overland Park	1/3/2012	Wal-Mart Pharmacy #101802	Topeka	1/24/2012
Stark Professional Pharmacy	Overland Park	1/3/2012	Wal-Mart Pharmacy #102131	Topeka	1/24/2012
Target Pharmacy #2043	Overland Park	2/14/2012	Wal-Mart Pharmacy #105441	Topeka	1/3/2012
The Medicine Shoppe #1450	Overland Park	2/2/2012	Grant County Drug	Ulysses	1/3/2012
Wal-Mart Pharmacy #101599	Overland Park	1/24/2012	Valley Falls Healthmart Pharmacy	Valley Falls	1/3/2012
Wal-Mart Pharmacy #101691	Overland Park	1/24/2012	Wamego Drug Store	Wamego	1/3/2012
Wal-Mart Pharmacy #103273	Overland Park	1/24/2012	Washington Health Mart	Washington	1/24/2012
Wal-Mart Pharmacy #105180	Overland Park	1/24/2012	Dillon Pharmacy #615063	Wellington	1/24/2012
Wal-Mart Pharmacy #105207	Overland Park	1/24/2012	Wal-Mart Pharmacy #100370	Wellington	1/24/2012
Walgreens #11370	Overland Park	1/3/2012	Wellington Health Mart Pharmacy	Wellington	1/24/2012
Walgreens #13784	Overland Park	1/24/2012	Auburn Pharmacy	Wellsville	1/3/2012
Auburn LTC	Paola	1/24/2012	Barneys Pharmacy Inc.	Wichita	3/13/2012
Rockers Pharmacy	Paola	1/24/2012	Dandurand Drug	Wichita	1/3/2012
Wal-Mart Pharmacy #100242	Paola	1/24/2012	Dillon Pharmacy #615012	Wichita	1/24/2012
Bowen Pharmacy	Parsons	1/3/2012	Dillon Pharmacy #615016	Wichita	1/24/2012
Bowen Pharmacy South	Parsons	1/24/2012	Dillon Pharmacy #615033	Wichita	1/24/2012
Parsons Family Pharmacy	Parsons	1/3/2012	Dillon Pharmacy #615034	Wichita	1/24/2012
Wal-Mart Pharmacy #100368	Parsons	1/3/2012	Dillon Pharmacy #615049	Wichita	1/24/2012
Dons Rexall Drug	Peabody	1/24/2012	Dillon Pharmacy #615065	Wichita	1/24/2012
Wenzl Drug, Inc.	Phillipsburg	2/1/2012	Dillon Pharmacy #615066	Wichita	1/24/2012
Dillon Pharmacy #615108	Pittsburg	1/24/2012	Dillon Pharmacy #615072	Wichita	1/24/2012
Wal-Mart Pharmacy #100072	Pittsburg	1/24/2012	Dillon Pharmacy #615096	Wichita	1/24/2012
Unrein Drug Store	Plainville	1/3/2012	Dillon Pharmacy #672727	Wichita	3/27/2012
Pleasanton Family Practice	Pleasanton	1/24/2012	Hart Pharmacy & Home Medical Equip.	Wichita	1/3/2012
Bruce Smith Drugs	Prairie Village	1/3/2012	JCB Laboratories	Wichita	3/20/2012
CVS Pharmacy #05261	Prairie Village	1/24/2012	Kmart Pharmacy #3358	Wichita	1/3/2012
Walgreens #13032	Prairie Village	1/3/2012	Kmart Pharmacy #4171	Wichita	1/3/2012
Dillon Pharmacy #615023	Pratt	1/24/2012	NCS Healthcare of Wichita	Wichita	1/3/2012
Pratt Medical Arts PBA Phcy	Pratt	1/3/2012	Neighborhood Pharmacy #0001	Wichita	1/24/2012
Wal-Mart Pharmacy #100419	Pratt	1/24/2012	Parklane Pharmacy	Wichita	1/12/2012
Rays Pharmacy	Quinter	1/3/2012	Preston Socora Pharmacy	Wichita	1/3/2012
CVS Pharmacy #08599	Roeland Park	1/24/2012	Sam's Pharmacy #106418	Wichita	1/24/2012
Wal-Mart Pharmacy #102490	Roeland Park	1/24/2012	Sam's Pharmacy #108254	Wichita	1/24/2012
Rose Hill Pharmacy	Rose Hill	1/3/2012	Target Pharmacy #0092	Wichita	1/10/2012
Ashcraft Pharmacy	South Hutchinson	1/3/2012	The Medicine Shoppe #1301	Wichita	1/24/2012
Sabetha Family Pharmacy	Sabetha	2/21/2012	Via Christi Clinic Pharmacy	Wichita	1/24/2012
Sabetha Healthmart	Sabetha	3/2/2012	Wal-Mart Pharmacy #101099	Wichita	1/24/2012
St. Marys Pharmacy	St. Marys	1/3/2012	Wal-Mart Pharmacy #101221	Wichita	1/24/2012
Dillon Pharmacy #615041	Salina	1/24/2012	Wal-Mart Pharmacy #101507	Wichita	1/24/2012
Dillon Pharmacy #615074	Salina	1/24/2012	Wal-Mart Pharmacy #103283	Wichita	1/24/2012
Key Rexall Pharmacy	Salina	1/3/2012	Wal-Mart Pharmacy #103492	Wichita	1/24/2012
Kmart Pharmacy #7169	Salina	1/3/2012	Wal-Mart Pharmacy #104321	Wichita	1/3/2012
Sam's Pharmacy #106426	Salina	1/24/2012	Wal-Mart Pharmacy #105855	Wichita	1/3/2012
Wal-Mart Pharmacy #100558	Salina	1/24/2012	Wal-Mart Pharmacy #105856	Wichita	1/3/2012
Satanta Retail Pharmacy	Satanta	1/3/2012	Wal-Mart Pharmacy #105860	Wichita	2/7/2012
Scott City Pharmacy	Scott City	1/3/2012	Wal-Mart Pharmacy #105873	Wichita	3/20/2012
Medical Arts Pharmacy	Seneca	3/2/2012	Wal-Mart Pharmacy #105990	Wichita	1/3/2012
Pamida Pharmacy #651	Seneca	1/3/2012	Wal-Mart Pharmacy #105991	Wichita	2/14/2012
CVS Pharmacy #04521	Shawnee	1/3/2012	Dillon Pharmacy #615045	Winfield	1/24/2012
CVS Pharmacy #05266	Shawnee	1/24/2012	Graves Drug	Winfield	1/24/2012
CVS Pharmacy #08580	Shawnee	1/24/2012	Wal-Mart Pharmacy #100369	Winfield	1/24/2012
Genoa Healthcare #77	Shawnee	3/2/2012			
Price Chopper Pharmacy #249	Shawnee	1/10/2012			
Wal-Mart Pharmacy #102855	Shawnee	1/24/2012			
Wal-Mart Pharmacy #105308	Shawnee	1/24/2012			
Walgreens #11924	Shawnee	1/24/2012			
Walgreens #9425	Shawnee	1/24/2012			
Kmart Pharmacy #4222	Shawnee Mission	1/3/2012			
Medical Center Pharmacy	Shawnee Mission	1/3/2012			

Any questions should be directed to the Insurance Department at (785) 296-3071.

Sandy Praeger
Kansas Insurance Commissioner

Doc. No. 040514

State of Kansas

**Department of Health
and Environment****Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. McPherson Municipal Plant #3 has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

McPherson Municipal Plant, P.O. Box 768, McPherson, 67460, owns and operates municipal power plant #3 located at 1486 17th Ave., McPherson, 67460.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and a copy of the proposed permit can be reviewed at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Larry D. Lowry, (785) 296-6281, at the KDHE central office, and to review the proposed permit only, contact Stan Marshall, (785) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Larry D. Lowry, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business June 19.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air, not later than the close of business June 19 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or

unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 040520

State of Kansas

**Department of Health
and Environment****Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. DCP Midstream, LP-Comanche County #1 station has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300. Emissions of nitrogen oxides (NO_x), carbon monoxide (CO), volatile organic compounds (VOC), particulate matter (PM/PM₁₀), sulfur oxides (SO_x), hazardous air pollutants (HAPs) and carbon dioxide equivalents (CO₂e) were evaluated during the permit review process.

DCP Midstream, LP-Comanche County #1 Station, 370 17th St., Suite 2500, Denver, CO 80202, proposes to construct a compressor station at S15, T31S, R20W, Comanche County, Kansas which will consist of four 1478-hp natural gas-fueled compressor engines equipped with NSCR emission controls, one TEG dehydration unit, one condenser, one enclosed ground combustor, two 210-barrel condensate storage tanks, one 210-barrel methanol storage tank and one 100-barrel sump tank.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and a copy of the proposed permit can be reviewed at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Ashley Eichman (785) 296-1713, at the KDHE central office, and to review the proposed permit only, contact Ethel Evans, (620) 356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Ashley Eichman, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business June 19.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bu-

(continued)

reau of Air, not later than the close of business June 19 in order for the Secretary of Health and Environment to consider the request.

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 040519

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment has reviewed an application from the Big State Tire & Axle, Inc. to establish and operate a waste tire processing facility. Big State Tire & Axle, Inc. remanufactures trailer house axles and generates waste tires in this process. The tires are baled for shipment to a disposal facility. This facility is located in the NE¼, Section 17, Township 26S, Range 1E, Sedgwick County, at 5929 N. Broadway, Park City. KDHE has reviewed the application and found it to be in conformance with the state waste tire statutes and regulations.

KDHE is providing public notice of its intent to issue a permit to Big State Tire & Axle, Inc. for the proposed waste tire processing facility described herein. A copy of the administrative record, which includes the draft permit and all information regarding this permit action, is available for public review until June 18 during normal business hours, Monday through Friday, at the following locations:

Kansas Department of Health and Environment
Solid Waste Permits Section
Bureau of Waste Management
1000 S.W. Jackson, Suite 320
Topeka, 66612-1366
Contact: Ken Powell
(785) 296-1121
Fax: (785) 296-1592

Park City Clerk/Finance Office
6110 N. Hydraulic
Park City, 67219-2499
Contact: Dennis Nichols, City Clerk/Finance Director
(316) 744-2026
Fax: (316) 744-3865

Anyone wishing to comment on the draft permit information should submit written statements postmarked not later than June 11 to Ken Powell (KDHE). After consideration of all comments received, the director of the Division of Environment will make a final decision on whether to issue the permit. Notice of the decision will be given to anyone who submitted written comments during the comment period and to those who requested notice of the final permit decision.

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 040528

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-12-133/145

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Dalbom Inc. Robert Dalbom 1061 W. 119th Conway Springs, KS 67031 Kansas Permit No. A-ARSU-M007	NW/4 of Section 04, T30S, R03W, Sumner County	Lower Arkansas River Basin

This is a permit modification and reissuance for an existing dairy facility with the maximum capacity of 200 head (280 animal units) of mature dairy cattle, 40 head (40 animal units) of cattle weighing greater than 700 pounds and 30 head (15 animal units) of cattle weighing 700 pounds or less, for a total of 335 animal units of cattle. This represents an increase in the permitted animal units from the previous permit. The facility consists of a milking parlor, cattle barns, a concrete manure storage area, an earthen wastewater retention structure and approximately 6.5 acres of open lot pens.

Name and Address of Applicant	Legal Description	Receiving Water
Greeley 1 Dairy — Dairy Ventures Kreg Welch and Ron Eakes 1187 Road B Tribune, KS 67879 Kansas Permit No. A-SHGL-D002	N/2 of Section 10, T16S, R41W, Greeley County	Smoky Hill River Basin

Federal Permit No. KS0098434
This permit is being reissued for an existing facility for 2,800 head (3,920 animal units) of mature dairy cattle. This represents an increase in the permitted animal units from the previous permit. The permit contains modifications consisting of an increase in the manure storage area, which will drain to the existing wastewater control system. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Ranger Feeders II, LLC Shelby G. Jones, Manager P.O. Box 880 Dighton, KS 67839 Kansas Permit No. A-UALE-C002	W/2 of Section 22 & E/2 of Section 23, T18S, R28W, Lane County	Upper Arkansas River Basin

Federal Permit No. KS0115096

This permit is being reissued for an existing facility with a maximum capacity of 12,000 head (12,000 animal units) of cattle weighing more than 700 pounds. The permit contains modifications consisting of the exclusion of extraneous freshwater run-on, as well as the addition of new waste transfer pipelines, two new runoff control basins, a new waste storage pond, and various adjustments to existing waste storage structures. There is no change in the permitted animal units from the previous permit. The facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Nathan Stutzman 6087 Trego Road Chetopa, KS 67336	NW/4 of Section 13, T34S, R20E, Labette County	Neosho River Basin

Kansas Permit No. A-NELB-M013

This is a permit modification and renewal for an existing dairy. The permittee will be adding a chicken processing facility. The proposed processing capacity is 500 head per week. The capacity of the dairy, 58.9 animal units will remain unchanged. Six horses and six mules (24 animal units) previously unaccounted for are now included. Process wastewater from the dairy and chicken processing building is directed to an earthen waste storage lagoon. Offal will be composted on-site. Runoff from the composting pad and horse pens is directed to nearby vegetated areas. The facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Persue Dairy Perry A. Beachy 4406 W. Red Rock Road Hutchinson, KS 67501	SE/4 of Section 20, T24S, R06W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M013

This permit is being reissued for an existing facility for 164 head (229.6 animal units) of mature dairy cattle, 90 head (45 animal units) of cattle weighing less than 700 pounds, 40 head (0.32 animal units) of chickens, 40 head (0.488 animal units) of laying hens and 12 head (24 animal units) of horses, for a total of 299.408 animal units. This represents an increase of 24 animal units from the previous permit. A new milking parlor to replace the existing milking parlor is proposed to be constructed.

Name and Address of Applicant	Legal Description	Receiving Water
Brad Shogren 914 Sioux Road Lindsborg, KS 67456	SW/4 of Section 27, T17S, R04W, McPherson County	Smoky Hill River Basin

Kansas Permit No. A-SHMP-B003

This is a renewal permit for an existing facility for 600 head (600 animal units) of cattle weighing greater than 700 pounds and 3 horses (6 animal units), for a total of 606 animal units of cattle and horses.

Name and Address of Applicant	Legal Description	Receiving Water
David W. Baier 1272 1300 Ave. Abilene, KS 67410	NE/4 of Section 01, T15S, R02E, Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-S018

This permit is being reissued for an existing facility with a maximum capacity of 1,650 head (660 animal units) of swine more than 55 pounds. There is no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Simon Dairy Catherine Simon 4961 S. Maize Road Clearwater, KS 67026	NE/4 of Section 19, T28S, R01W, Sedgwick County	Lower Arkansas River Basin

Kansas Permit No. A-ARSG-B005

This permit is being reissued for an existing facility for 60 head (60 animal units) of cattle weighing more than 700 pounds. This represents a decrease in the permitted capacity from the previous per-

mitted capacity of 200 head (280 animal units) of mature dairy cattle. The facility is no longer being utilized as a dairy.

Name and Address of Applicant	Legal Description	Receiving Water
Sigel Swinery Eric &/or Diana Sigel 1901 188th Road Cottonwood Falls, KS 66845	NE/4 of Section 03, T20S, R08E, Chase County	Neosho River Basin

Kansas Permit No. A-NECS-S010

This permit is being reissued for an existing swine facility for 2,430 head (972 animal units) of swine weighing more than 55 pounds. There is no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
FBN Enterprises (Marietta Enterprises) Alan W. Marietta — General Partner 302 N. York Oberlin, KS 67749	NE/4 of Section 35 & NW/4 of Section 36, T02S, R28W, Decatur County	Upper Republican River Basin

Kansas Permit No. A-URDC-H003 Federal Permit No. KS0098469

This permit is being reissued for an existing swine facility for 6,300 head (2,520 animal units) of swine weighing more than 55 pounds. There is no change in the permitted animal units from the previous permit. An approved Nutrient Management Plan for the facility is on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Daniel & Jennifer Gerety Farm (Eastgate Gestation) 1307 96th Road Seneca, KS 66538	NW/4 of Section 10, T03S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S067

This permit is being reissued for an existing facility with a maximum capacity of 1,400 head (560 animal units) of swine more than 55 pounds and 2,520 head (252 animal units) of swine 55 pounds or less, for a total of 3,920 head (812 animal units) of swine. There is no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Penner Cattle Inc. — Dennis Penner 6904 13 Road Ingalls, KS 67853	SW/4 of Section 31, T24S, R28W, Gray County	Upper Arkansas River Basin

Kansas Permit No. A-UAGY-C011 Federal Permit No. KS0091952

This permit is being reissued for an existing facility for 6,750 head (6,750 animal units) of cattle weighing more than 700 pounds. There is no change in the permitted animal units from the previous permit. An approved Nutrient Management Plan for the facility is on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Lynn Dale Yoder 23668 N.W. Indiana Road Welda, KS 66091	NW/4 of Section 7, T21S, R19E, Anderson County	Marais des Cygnets River Basin

Kansas Permit No. A-MCAN-M021

This is a new permit to reestablish a former dairy. The facility will be modified and brought up to date. The proposed capacity is 75 head of mature dairy cattle, 15 head of calves/heifers and 3 horses, for a total of 118.5 animal units. Wastewater from the parlor and milk-house will be stored in a concrete pit, and runoff from open lot and manure storage areas will be directed to grass buffers.

Public Notice No. KS-Q-12-039

The requirements of the draft permits public noticed below are pursuant to the Kansas Surface Water Quality *(continued)*

Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria:

Name and Address of Applicant	Receiving Stream	Type of Discharge
Clearwater, City of P.O. Box 453 Clearwater, KS 67026	Ninnescah River	Treated Domestic Wastewater
Kansas Permit No. M-AR22-0001	Federal Permit No. KS0022365	
Legal Description: SE $\frac{1}{4}$, SE $\frac{1}{4}$, S26, and N $\frac{1}{2}$, NE $\frac{1}{4}$, NNE $\frac{1}{4}$, S35, T29S, R2W, Sedgwick County, KS		

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for chlorides, ammonia, E. coli and pH. Contained in the permit is a schedule of compliance requiring the permittee to submit an Operations Review if the facility is unable to consistently meet the limits of the permit.

Public Notice No. KS-PT-12-011

Name and Address of Applicant	Receiving Facility	Type of Discharge
Brad Spencer 940 Spring Creek Drive Sunrise Beach, MO 65079	Meriden MWWTP	Process Wastewater

Facility name: Ernest Spencer Metals

Facility Location: 3323 E. 82nd, Meriden, KS 66512

Kansas Permit No. P-KS43-0002 Federal Tracking No. KSP000092

Facility Description: The proposed action is to reissue a pretreatment permit for this facility. This facility repairs and rebuilds tank and hopper railcars. This facility performs job shop powder coating. Steel parts are phosphated using a solution called Steelprep 300, prior to being painted, using a pressure-spray operation (Outfall 001). When a discharge does occur, it is often hauled off-site for treatment and disposal, in lieu of discharging to the city sanitary sewer. The proposed permit contains limits for cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide, total toxic organics and pH, as well as monitoring of effluent flow. The permit limits are pursuant to state and federal pretreatment requirements.

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 June 16 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-12-133/145, KS-Q-12-039, KS-PT-011) 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.

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 040525

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, June 7, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the K DFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the K DFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

Project No. 000872—Maximum Principal Amount: \$121,827.41. Owner/Operator: Brian Pope. Description: Acquisition of 140 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Brian Pope and is located at Section 3, Township 18, Range 1, McPherson County, Kansas, approximately 2.5 miles south of Roxbury (27th Ave.) on the east side of the road.

The bond, when issued, will be a limited obligation of the K DFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the K DFA, nor will it be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

All individuals who appear at the hearing will be given an opportunity to express their views concerning the proposal to issue the bond to finance the project, and all written comments previously filed with the K DFA at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the K DFA.

Timothy M. Shallenburger
President

Doc. No. 040532

State of Kansas

**Department of Health
and Environment****Notice of Hearing**

A public hearing will be conducted at 2 p.m. Friday, June 22, in the Azure Conference Room of the Curtis State Office Building, 1000 S.W. Jackson, fourth floor, Topeka, to discuss the Kansas Public Water Supply Loan Fund (KPWSLF) 2012 Intended Use Plan (IUP). This plan will describe how the KPWSLF intends to use available funds and award additional subsidy in the form of loan principal forgiveness. Copies of the IUP can be obtained online at http://www.kdheks.gov/pws/loan/2013_IUP_draft.pdf.

Any individual with a disability may request accommodation to participate in the public hearing. Requests for accommodation should be made at least five working days before the hearing by contacting Linda White at (785) 296-5514.

Comments can be presented at the hearing or in writing prior to the hearing. Written comments should be addressed to Linda White, Kansas Department of Health and Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612.

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 040531

State of Kansas

Kansas Development Finance Authority**Notice of Hearing**

The Kansas Development Finance Authority will conduct a public hearing at 9 a.m. Thursday, May 31, at its offices at 555 S. Kansas Ave., Suite 202, Topeka, with respect to (i) a plan by the Kansas Development Finance Authority to issue its revenue bonds (Adventist Health System/Sunbelt Obligated Group) in an aggregate principal amount not to exceed \$175,000,000, in one or more series over the longest period permitted by law (the Kansas Bonds); and (ii) a plan by the Highlands County Health Facilities Authority to issue its revenue bonds (Adventist Health System/Sunbelt, Inc. Accounts Receivable Program) in an aggregate principal amount not to exceed \$75,000,000, with respect to facilities in Kansas, in one or more series over the longest period permitted by law (the AR Bonds).

The proceeds of the Kansas Bonds will be used to (a) finance, refinance or reimburse all or a portion of the costs of acquiring (including related land costs), constructing, improving, renovating and equipping (including, but not limited to, medical equipment, computer equipment, office equipment and general building equipment and fixtures) the health care facilities located at 2600 Bruce B. Downs Boulevard, Wesley Chapel, Florida, consisting of an 80-bed acute-care hospital facility and related medical clinics and medical office buildings under construction, which will be known as Florida Hospital Wesley Chapel (the Wesley Chapel Facilities); (b) providing a debt service reserve fund for the benefit of all or a portion of the

Kansas Bonds, if deemed necessary or desirable; (c) paying a portion of the interest to accrue on the Kansas Bonds, if deemed necessary or desirable; (d) paying certain working capital expenditures, if deemed necessary or desirable; and (e) paying certain costs of issuance of the Kansas Bonds, including the costs of any credit or liquidity enhancement thereof, if deemed necessary or desirable. Pasco-Pinellas Hillsborough Community Health System, Inc., a Florida not-for-profit corporation (PPHCHS), will be the initial operator of the Wesley Chapel Facilities, and the Wesley Chapel Facilities are expected to be owned and operated by PPHCHS, Adventist Health System/Sunbelt, Inc., a Florida not-for-profit corporation; University Community Hospital, Inc., a Florida not-for-profit corporation; or Florida Hospital Zephyrhills, Inc., a Florida not-for-profit corporation.

The proceeds of the AR Bonds will be used to (a) finance, refinance or reimburse all or a portion of the costs of acquiring (including related land costs), constructing, improving, renovating and equipping (including, but not limited to, medical equipment, computer equipment, office equipment and general building equipment and fixtures) Shawnee Mission Medical Center, a 504-bed acute-care hospital located at 9100 W. 74th St., Merriam, Kansas (the Shawnee Mission Facilities); (b) providing a debt service reserve fund for the benefit of all or a portion of the AR Bonds, if deemed necessary or desirable; (c) paying a portion of the interest to accrue on the AR Bonds, if deemed necessary or desirable; (d) paying certain working capital expenditures, if deemed necessary or desirable; and (e) paying certain costs of issuance of the AR Bonds, including the costs of any credit or liquidity enhancement thereof, if deemed necessary or desirable. The Shawnee Mission Facilities are owned, operated or managed by Shawnee Mission Medical Center, Inc., a Kansas not-for-profit corporation.

The public hearing is required by Section 147(f) of the Internal Revenue Code of 1986, as amended. At such public hearing there will be an opportunity for persons to express their views concerning the foregoing. Anyone may appear in person at such public hearing or submit written comments to be considered thereat.

Additional information concerning the above may be obtained from, and written comments should be addressed to, Rebecca Floyd, Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, 66603, (785) 357-4445.

In accordance with the Americans with Disabilities Act, any person with a disability as defined by the ADA needing special accommodations to participate in the public hearing should contact Rebecca Floyd not later than two business days prior to the public hearing.

Timothy M. Shallenburger
President

Doc. No. 040524

State of Kansas

Kansas Lottery

Temporary Administrative
Regulations

Article 2.—LOTTERY RETAILERS

111-2-283. 18534 Trails N Rails grand opening promotion. (a) During the term of this promotion, Trails N Rails customers who purchase \$5 or more of Kansas lottery online Super Kansas Cash on a single ticket shall be given an entry form into a drawing. Rules applicable to the Trails N Rails grand opening promotion are contained in K.A.R. 111-2-283 through K.A.R. 111-2-284 and K.A.R. 111-6-1 *et seq.*

(b) The term of this promotion shall be April 1, 2012, through 1:00 p.m. on April 13, 2012.

(c) During the term of this promotion, a drop box for the deposit of the entries shall be provided by the lottery.

(d) After the term of this promotion has ended, three entries and three alternate entries shall be drawn by the Kansas lottery.

(e) Drawing prizes shall include a poker table and chip set, one winner bag containing promotional items provided by the Kansas lottery, and one \$25 gift certificate provided by Trails N Rails.

(f) The winner of the first entry drawn shall get his or her choice of the three drawing prizes. The winner of the second ticket drawn shall get his or her choice of the two remaining drawing prizes. The winner of the third ticket drawn shall be awarded the remaining drawing prize.

(g) The drawing shall be held at the store location on or about Friday, April 13, 2012, at approximately 1:05 p.m. (Authorized by and implementing K.S.A. 2011 Supp. 74-8710; effective T-111-4-12-12, March 14, 2012.)

111-2-284. Method of entry. (a) Entry into the Trails N Rails grand opening promotion shall be accomplished as follows:

(1) During the term of this promotion, for every qualifying purchase of a Kansas lottery online Super Kansas Cash \$5 single ticket or more, an entry form shall automatically dispense at the lottery terminal and shall be given to the purchaser.

(2) The purchaser must complete the information on the entry form in a legible manner. Only one name shall appear on each entry form.

(3) The completed entry form must be placed into the designated drawing receptacle provided at Trails N Rails no later than 1:00 p.m. on April 13, 2012.

(4) The holder of the entry is not required to personally attend the drawing or be present at the time of the drawing to be determined a winner.

(5) The drawing shall be conducted at Trails N Rails pursuant to K.A.R. 111-6-1 *et seq.* after the entry deadline for the promotion.

(6) Only entry forms that were generated at Trails N Rails during the stated period of time may be entered in the drawing.

(b) There is no limit on the number of entries a person may make, but each person may only win once.

(c) All eligible entries, which are deposited into the drawing receptacle no later than 1:00 p.m. on April 13, 2012, shall be entered into the drawing.

(d) Eligible entrants in the promotion must be 18 years of age or older, and may not be an employee of 18534 Trails N Rails.

(e) Completing the information on the back of the entry form and entering the entry form into the drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 2011 Supp. 74-8710; effective, T-111-4-12-12, March 14, 2012.)

111-2-285. 13805 Douglass Jack & Jill Grocery anniversary promotion. (a) During the term of this promotion, Douglass Jack & Jill Grocery customers who purchase \$5 or more of Kansas lottery online Super Kansas Cash on a single ticket shall be given an entry form into a drawing. Rules applicable to the Douglass Jack & Jill anniversary promotion are contained in K.A.R. 111-2-285 through K.A.R. 111-2-286 and K.A.R. 111-6-1 *et seq.*

(b) The term of this promotion shall be April 1, 2012, through 1:00 p.m. on April 14, 2012.

(c) During the term of this promotion, a drop box for the deposit of the entries shall be provided by the lottery. After the promotion has ended, a member of the Kansas lottery security staff or a designee assigned by the Kansas lottery director of security shall remove the drop box containing entries from the retailer location and transport the drop box to Kansas lottery headquarters where the entries shall be held by Kansas lottery security until the drawing is conducted.

(d) After the term of this promotion has ended, three entries and three alternate entries shall be drawn by the Kansas lottery.

(e) Drawing prizes shall include a poker table and chip set, one winner bag containing promotional items provided by the Kansas lottery, and one \$20 gift certificate provided by Douglass Jack & Jill Grocery.

(f) The winner of the first entry drawn shall get his or her choice of the three drawing prizes. The winner of the second ticket drawn shall get his or her choice of the two remaining drawing prizes. The winner of the third ticket drawn shall be awarded the remaining drawing prize.

(g) The drawing shall be held at Kansas lottery headquarters in Topeka, Kansas, during the week of April 16, 2012. (Authorized by and implementing K.S.A. 2011 Supp. 74-8710; effective T-111-4-12-12, March 14, 2012.)

111-2-286. Method of entry. (a) Entry into the Douglass Jack & Jill grocery anniversary promotion shall be accomplished as follows:

(1) During the term of this promotion, for every qualifying purchase of a Kansas lottery online Super Kansas Cash \$5 single ticket or more, an entry form shall automatically dispense at the lottery terminal and shall be given to the purchaser.

(2) The purchaser must complete the information on the entry form in a legible manner. Only one name shall appear on each entry form.

(3) The completed entry form must be placed into the designated drawing receptacle provided at Douglass Jack & Jill Grocery no later than 1:00 p.m. on April 14, 2012.

(4) The holder of the entry is not required to personally attend the drawing or be present at the time of the drawing to be determined a winner.

(5) The drawing shall be conducted at Kansas lottery headquarters in Topeka, Kansas, pursuant to K.A.R. 111-6-1 *et seq.* after the entry deadline for the promotion.

(6) Only entry forms that were generated at Douglass Jack & Jill Grocery during the stated period of time may be entered in the drawing.

(b) There is no limit on the number of entries a person may make, but each person may only win once.

(c) All eligible entries, which are deposited into the drawing receptacle no later than 1:00 p.m. on April 14, 2012, shall be entered into the drawing.

(d) Eligible entrants in the promotion must be 18 years of age or older, and may not be an employee of 13805 Douglass Jack & Jill Grocery.

(e) Completing the information on the back of the entry form and entering the entry form into the drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 2011 Supp. 74-8710; effective, T-111-4-12-12, March 14, 2012.)

Article 4.—INSTANT GAMES AND DRAWINGS

111-4-3172. “Grease” instant ticket lottery game number 422. (a) The Kansas lottery shall conduct an instant winner lottery game entitled “Grease” commencing on or after April 1, 2012. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3172.

(b) The “game and prize symbols” and “captions” for this game are as follows:

Game Symbols	Captions
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRN
14	FRTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EGTN
19	NINTN
20	TWNTY
21	TWYONE
22	TWYTWO
23	TWYTHR
24	TWYFOR
25	TWYFIV
26	TWYSIX
27	TWYSEV
28	TWYEGT

29	TWYNIN
30	THRTY
31	THRONE
32	THRTWO
33	THRTHR
34	THRFOR
35	THRIV
GREASE	WINALL

Prize Symbols

FREE
\$2 ⁰⁰
\$4 ⁰⁰
\$5 ⁰⁰
10 ⁰⁰
25 ⁰⁰
50 ⁰⁰
\$100
\$150
\$1000
\$10000

Captions

TICKET
TWO\$
FOUR\$
FIVE\$
TEN\$
TWEN-FIV
FIFTY
ONE-HUN
ONHNFTY
ONETHOU
10-THOU

(c) For this game, a play/prize symbol shall appear in 22 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(f) “Grease” is a key number match game with a “WIN ALL” feature. A player will scratch the play area to reveal two “PINK LADIES’/T-BIRDS’ NUMBERS,” 10 “YOUR NUMBERS,” and 10 prize amounts. If any of the “YOUR NUMBERS” match any of the “PINK LADIES’/T-BIRDS’ NUMBERS,” the player wins the prize shown below that number. If the player reveals a “GREASE” symbol, the player wins all 10 prizes shown instantly.

(g) Each ticket in this game may win up to 10 times.

(h) Approximately 300,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
Free	Free Ticket	40,000
\$2	\$2	11,000
\$4	\$4	3,500
(\$2 x 2)	\$4	3,600
\$5	\$5	5,200
\$10	\$10	3,400
(\$5 x 2)	\$10	3,200
\$25	\$25	700
(\$10 x 2) + \$5	\$25	700
(\$5 x 5)	\$25	700
(\$2 x 7) + \$5 + \$4 + \$2 (WIN ALL)	\$25	900
\$50	\$50	200
(\$25 x 2)	\$50	200
(\$5 x 10)	\$50	200
(\$10 x 2) + \$5 + \$25	\$50	200

(continued)

(\$10 x 3) + (\$4 x 3) + (\$2 x 4) (WIN ALL)	\$50	250	12,500
\$150	\$150	30	4,500
\$100 + (\$5 x 8) + \$10	\$150	30	4,500
(\$10 x 6) + \$25 + \$5 + \$50 + \$10 (WIN ALL)	\$150	30	4,500
\$1,000	\$1,000	4	4,000
(\$100 x 10)	\$1,000	5	5,000
\$10,000	\$10,000	3	30,000
TOTAL		<u>74,052</u>	<u>\$322,400</u>

(j) The odds of winning a prize in this game are approximately one in 4.05. (Authorized by K.S.A. 2011 Supp. 74-8710; implementing K.S.A. 2011 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-12-12, March 14, 2012.)

111-4-3173. "Happy Camper" instant ticket lottery game number 430. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Happy Camper" commencing on or after April 1, 2012. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3173.

(b) The "game and prize symbols" and "captions" for this game are as follows:

Game Symbols	Captions
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
Symbol of a tent	WINALL

Prize Symbols	Captions
FREE	TICKET
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
25. ⁰⁰	TWEN-FIV
50. ⁰⁰	FIFTY
\$500	FIVE-HUN
\$5000	FIVTHOU

(c) For this game, a play/prize symbol shall appear in 11 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(f) "Happy Camper" is a key number match game. A player will scratch the play area to reveal one "WINNING NUMBER," five "YOUR NUMBERS" and five prize amounts. If the player matches the "WINNING NUMBER" to any of the "YOUR NUMBERS," the player wins the prize shown below that number. If the player

reveals a "TENT" symbol, the player wins all five prizes instantly.

(g) Each ticket in this game may win up to five times.

(h) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game	
Free	Free Ticket	60,000	\$0
\$1	\$1	60,000	60,000
\$2	\$2	37,650	75,300
(\$1 x 2)	\$2	37,650	75,300
\$5	\$5	7,800	39,000
(\$2 x 2) + \$1	\$5	7,800	39,000
(\$1 x 5) (WIN ALL)	\$5	7,800	39,000
\$10	\$10	1,500	15,000
(\$1 x 3) + \$5 + \$2	\$10	1,800	18,000
(\$5 x 2)	\$10	1,500	15,000
(\$2 x 5) + (WIN ALL)	\$10	1,500	15,000
\$25	\$25	375	9,375
(\$5 x 3) + \$10	\$25	375	9,375
(\$5 x 5)	\$25	450	11,250
\$50	\$50	105	5,250
(\$25 x 2)	\$50	105	5,250
(\$10 x 5) (WIN ALL)	\$50	105	5,250
\$500	\$500	15	7,500
\$5,000	\$5,000	9	45,000
TOTAL		<u>226,539</u>	<u>\$488,850</u>

(j) The odds of winning a prize in this game are approximately one in 3.97. (Authorized by K.S.A. 2011 Supp. 74-8710; implementing K.S.A. 2011 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-12-12, March 14, 2012.)

111-4-3174. "Triple Tripler" instant ticket lottery game number 431. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Triple Tripler" commencing on or after April 1, 2012. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3174.

(b) The "game and prize symbols" and "captions" for this game are as follows:

Game Symbols	Captions
SINGLE PRIZE	
TRIPLE PRIZE	
TRIPLE TRIPLER	

Prize Symbols	Captions
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$3. ⁰⁰	THR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
18. ⁰⁰	EIGHTEEN
30. ⁰⁰	THIRTY
90. ⁰⁰	NINETY
\$1000	ONETHOU
\$2000	TWOTHOU

\$6000

SIXTHOU

(c) For this game, a play/prize symbol shall appear in seven play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(f) "Triple Tripler" is a match three of six game with a triple prize and a triple tripler feature. A player will remove the scratch-off material covering the game play area to reveal six prize amounts and a "YOUR PRIZE LEVEL." The "YOUR PRIZE LEVEL" will be either the words "SINGLE PRIZE," the words "TRIPLE PRIZE," or the words "TRIPLE TRIPLER." If the player matches three like prize amounts and the words "SINGLE PRIZE" are revealed, the player will win the prize amount shown. If a player matches three like prize amounts and the words "TRIPLE PRIZE" are revealed, the player will win triple the prize amount shown. If a player matches three like prize amounts and the words "TRIPLE TRIPLER" are revealed, the player will win nine times the prize shown.

(g) Each ticket in this game may win up to one time.

(h) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - \$1's + (single prize)	\$1	75,000	\$75,000
3 - \$1's + (triple prize)	\$3	22,500	67,500
3 - \$3's + (single prize)	\$3	22,800	68,400
3 - \$5's + (single prize)	\$5	13,500	67,500
3 - \$2's + (triple prize)	\$6	6,900	41,400
3 - \$1's + (triple tripler)	\$9	5,400	48,600
3 - \$5's + (triple prize)	\$15	2,250	33,750
3 - \$2's + (triple tripler)	\$18	900	16,200
3 - \$18's + (single prize)	\$18	960	17,280
3 - \$30's + (single prize)	\$30	360	11,250
3 - \$10's + (triple prize)	\$30	390	11,700
3 - \$10's + (triple tripler)	\$90	150	13,500
3 - \$90's + (single prize)	\$90	150	13,500
3 - \$1,000's + (triple prize)	3,000	3	9,000
3 - \$6,000's + (single prize)	\$6,000	3	18,000
3 - \$2,000's + (triple prize)	\$6,000	3	18,000
TOTAL		<u>151,284</u>	<u>\$530,580</u>

(j) The odds of winning a prize in this game are approximately one in 5.95. (Authorized by K.S.A. 2011 Supp. 74-8710; implementing K.S.A. 2011 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-12-12, March 14, 2012.)

111-4-3175. "Double Doubler" instant ticket lottery game number 432. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Double Doubler" commencing on or after April 1, 2012. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3175.

(b) The "game and prize symbols" and "captions" for this game are as follows:

Game Symbols
SINGLE PRIZE
DOUBLE PRIZE
DOUBLE DOUBLER

Captions

Prize Symbols

Captions

\$1^{.00}

ONE\$

\$2^{.00}

TWO\$

\$5^{.00}

FIVE\$

20^{.00}

TWENTY

40^{.00}

FORTY

\$2500

TWF-HUN

\$5000

FIVTHOU

(c) For this game, a play/prize symbol shall appear in seven play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(f) "Double Doubler" is a match three of six game with a double prize and a double doubler feature. A player will remove the scratch-off material covering the game play area to reveal six prize amounts and a "YOUR PRIZE LEVEL." The "YOUR PRIZE LEVEL" will be either the words "SINGLE PRIZE," the words "DOUBLE PRIZE," or the words "DOUBLE DOUBLER." If the player matches three like prize amounts and the words "SINGLE PRIZE" are revealed, the player will win the prize amount shown. If a player matches three like prize amounts and the words "DOUBLE PRIZE" are revealed, the player will win double the prize amount shown. If a player matches three like prize amounts and the words "DOUBLE DOUBLER" are revealed, the player will win four times the prize shown.

(g) Each ticket in this game may win up to one time.

(h) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - \$1's + (single prize)	\$1	72,000	\$72,000
3 - \$2's + (single prize)	\$2	18,900	37,800
3 - \$1's + (double prize)	\$2	23,400	46,800
3 - \$1's + (double doubler)	\$4	10,500	42,000
3 - \$5's + (single prize)	\$5	12,000	60,000
3 - \$5's + (double prize)	\$10	7,800	78,000
3 - \$5's + (double doubler)	\$20	4,500	90,000
3 - \$20's + (double prize)	\$40	390	15,600
3 - \$40's + (single prize)	\$40	120	4,800
3 - \$20's + (double doubler)	\$80	30	2,400
3 - \$2,500 + (single prize)	\$2,500	6	15,000
3 - \$5,000 + (double prize)	\$10,000	3	30,000
3 - \$2,500 + (double doubler)	\$10,000	3	30,000
TOTAL		<u>149,652</u>	<u>\$524,400</u>

(j) The odds of winning a prize in this game are approximately one in 6.01. (Authorized by K.S.A. 2011

(continued)

Supp. 74-8710; implementing K.S.A. 2011 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-12-12, March 14, 2012.)

111-4-3176. "We Salute You" instant ticket lottery game number 433. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "We Salute You" commencing on or after April 1, 2012. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3176.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play/Prize Symbols	Captions
FREE	TICKET
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$4. ⁰⁰	FOUR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
20. ⁰⁰	TWENTY
40. ⁰⁰	FORTY
\$100	ONE-HUN
\$500	FIV-HUN
\$1500	FTN-HUN
\$3000	THRTHOU
Symbol of an eagle	DOUBLE

(c) For this game, a play/prize symbol shall appear in six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(f) "We Salute You" is a match three of six prize amounts or a match two prize amounts plus an "EAGLE" symbol to win double the prize amount. A player will remove the latex covering the play area to reveal six prize amounts or five prize amounts and an "EAGLE" symbol. If the player matches three like prize amounts, the player wins that amount. If the player matches two like prize amounts plus an "EAGLE" symbol, the player wins double the prize amount.

(g) Each ticket in this game may win up to one time.

(h) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - Free's	Free Ticket	60,000	\$0
3 - \$1.00's	\$1	75,000	75,000
2 - \$1.00's & (D)	\$2	30,000	60,000
3 - \$2.00's	\$2	30,000	60,000
3 - \$2.00's & (D)	\$4	9,000	36,000
3 - \$4.00's	\$4	9,000	36,000
3 - \$5.00's	\$5	10,500	52,500
2 - \$5.00's & (D)	\$10	3,000	30,000
3 - \$10.00's	\$10	3,000	30,000
2 - \$10.00's & (D)	\$20	900	18,000

3 - \$20.00's	\$20	750	15,000
2 - \$20.00's & (D)	\$40	150	6,000
3 - \$40.00's	\$40	150	6,000
3 - \$100.00's	\$100	150	15,000
3 - \$500.00's	\$500	30	15,000
2 - \$1,500's & (D)	\$3,000	6	18,000
3 - \$3,000's	\$3,000	6	18,000
TOTAL		<u>231,642</u>	<u>\$490,500</u>

(j) The odds of winning a prize in this game are approximately one in 3.89. (Authorized by K.S.A. 2011 Supp. 74-8710; implementing K.S.A. 2011 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-12-12, March 14, 2012.)

111-4-3177. "Bonus Crossword" instant ticket lottery game number 435. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Bonus Crossword" commencing on or after April 1, 2012. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3177.

(b) The "play symbols" for this game are as follows: A - B - C - D - E - F - G - H - I - J - K - L - M - N - O - P - Q - R - S - T - U - V - W - X - Y - Z. There are no "play symbol captions" in this game.

(c) For this game, a play symbol shall appear in each of 18 play spots within the "YOUR LETTERS" play area, in each of two play spots within the "BONUS" play area, and a variable number of times within the crossword puzzle grid.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(f) "Bonus Crossword" consists of three play areas. In the upper part of the ticket there is a crossword puzzle grid that contains 11 spaces (height) by 11 spaces (width) covered by transparent latex. In the "YOUR LETTERS" play area, located in the lower part of the ticket, there are 18 letters located under opaque latex. To the right of the "YOUR LETTERS" play area is the "BONUS" play area in which there are two letters covered by opaque latex. Imaged around each of the 18 "YOUR LETTERS" and two "BONUS" letters there will be a four-sided box composed of solid lines. A player will remove the latex from the "YOUR LETTERS" and "BONUS" play areas one letter at a time, and then for each matching letter in the crossword puzzle grid scratch off the transparent latex. Each letter revealed in the "YOUR LETTERS" and "BONUS" play areas may be used an unlimited number of times in the crossword puzzle grid. If a player reveals at least three complete words in the crossword puzzle grid, the player wins the corresponding prize in the prize legend. The prize legend on the front of the ticket indicates prizes won for number of words revealed.

(g) To qualify as a complete word to win a prize in this game, the words revealed must meet the following requirements:

- (1) must contain at least three letters;
- (2) cannot be formed diagonally, run right to left or from bottom to top;
- (3) must appear in an unbroken horizontal or vertical string of letters in the "crossword" puzzle;

(4) an unbroken string of letters cannot be interrupted by a black space and must contain every single letter square between two black spaces;

(5) every single letter in the unbroken string must be revealed in "YOUR LETTERS," or "BONUS" areas and be included to form a word; and

(6) the three small letters outside the squares in the "YOUR LETTERS" area are for validation purposes and cannot be used to play "Bonus Crossword."

(h) Each ticket in this game may win up to one time. Only the highest prize won on each ticket will be awarded.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE	Free Ticket	100,000	\$0
\$5	\$5	26,000	130,000
\$10	\$10	13,800	138,000
\$20	\$20	4,600	92,000
\$100	\$100	600	60,000
\$500	\$500	92	46,000
\$2,000	\$2,000	22	44,000
\$20,000	\$20,000	4	80,000
TOTAL		<u>145,118</u>	<u>\$590,000</u>

(k) The odds of winning a prize in this game are approximately one in 4.13. (Authorized by K.S.A. 2011 Supp. 74-8710; implementing K.S.A. 2011 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-12-12, March 14, 2012.)

111-4-3178. "Stinkin' Rich" instant ticket lottery game number 436. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Stinkin' Rich" commencing on or after April 1, 2012. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3178.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRN
14	FRTN
15	FIFTN
16	SIXTN

17	SEVTN
18	EGTN
19	NINTN
20	TWNTY
21	TWYONE
22	TWYTWO
23	TWYTHR
24	TWYFOR
25	TWYFIV
26	TWYSIX
27	TWYSEV
28	TWYEGT
29	TWYNIN
30	THRTY
31	THRONE
32	THRTWO
33	THRTHR
34	THRFOR
35	THR FIV
36	THRSIX
37	THRSEV
38	THREGT
39	THRNIN
40	FORTY
Symbol of a coin	WIN
5X	5TIMES

Prize Symbols	Captions
\$5 ⁰⁰	FIVE\$
10 ⁰⁰	TEN\$
15 ⁰⁰	FIFTEEN
20 ⁰⁰	TWENTY
25 ⁰⁰	TWEN-FIV
50 ⁰⁰	FIFTY
75 ⁰⁰	SVTYFIV
\$100	ONE-HUN
\$500	FIVE-HUN
\$1000	ONETHOU
\$5000	FIVTHOU
\$25000	25-THOU

(c) For this game, a play/prize symbol shall appear in 44 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 059.

(e) The price of instant tickets sold by a retailer for this game shall be \$5.00 each.

(f) "Stinkin' Rich" is a key number match game with an instant win and a multiplier. A player will remove the scratch-off material to reveal four "WINNING NUMBERS" and 20 "YOUR NUMBERS" with a prize amount below each of the "YOUR NUMBERS." If the player matches any of the "YOUR NUMBERS" to any of the "WINNING NUMBERS," the player wins the prize shown below that number. If a player reveals a "COIN" symbol, the player wins the prize shown automatically. If a player reveals a "5X" symbol, the player wins five times the prize shown below that number.

(g) Each ticket in this game may win up to 20 times.

(h) Approximately 300,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes

(continued)

per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
\$5	36,000	\$180,000
\$10	12,000	120,000
\$5 + \$5	12,000	120,000
\$15	6,000	90,000
\$5 + \$10	5,000	75,000
(\$5 x 3)	5,000	75,000
\$25	1,000	25,000
\$10 + \$15	1,000	25,000
\$5 + (\$10 x 2)	1,000	25,000
(\$5 x 5)	800	20,000
\$50	200	10,000
\$10(5X)	250	12,500
(\$10 x 2) + (\$15 x 2)	250	12,500
(\$25 x 2)	250	12,500
\$10 + \$15 + \$25	200	10,000
\$75	80	6,000
(\$5 x 15)	80	6,000
\$5 + (\$10 x 4) + (\$15 x 2)	100	7,500
\$10(5X) + \$10 + \$15	120	9,000
\$100	30	3,000
(\$5 x 20)	25	2,500
\$15(5X) + (\$5 x 5)	25	2,500
(\$5 x 11) + (\$10 x 2) + \$25	30	3,000
\$10 + \$15 + \$25 + \$50	30	3,000
\$500	8	4,000
(\$20 x 5) + (\$25 x 12) + \$75 + \$10 + \$15	8	4,000
\$50(5X) + (\$75 x 2) + (\$50 x 2)	10	5,000
\$1,000	6	6,000
\$100(5X) + (\$100 x 5)	6	6,000
\$5,000	2	10,000
(\$500 x 6) + (\$1,000 x 2)	2	10,000
\$25,000	3	75,000
TOTAL	81,515	\$975,000

(j) The odds of winning a prize in this game are approximately one in 3.68. (Authorized by K.S.A. 2011 Supp. 74-8710; implementing K.S.A. 2011 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-12-12, March 14, 2012.)

111-4-3179. "Blackout Bingo" instant ticket lottery game number 437. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Blackout Bingo" commencing on or after April 1, 2012. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3179.

(b) The "play symbols" for the four bingo "CARD" play areas for this game are as follows:

01	02	03	04	05	06	07	08	09	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	FREE				

In the "CALLER'S CARD" play area, a letter/number combination game symbol appears in each of the 24 play spots. In the "BONUS NUMBERS" play area, a letter/combination game symbol appears in each of the six play spots. "Play symbols" for the "CALLER'S CARD," and the "BONUS NUMBERS" play areas for this instant game are the following:

B01	I16	N31	G46	O61
B02	I17	N32	G47	O62
B03	I18	N33	G48	O63
B04	I19	N34	G49	O64
B05	I20	N35	G50	O65
B06	I21	N36	G51	O66
B07	I22	N37	G52	O67
B08	I23	N38	G53	O68
B09	I24	N39	G54	O69
B10	I25	N40	G55	O70
B11	I26	N41	G56	O71
B12	I27	N42	G57	O72
B13	I28	N43	G58	O73
B14	I29	N44	G59	O74
B15	I30	N45	G60	O75

(c) There are no "play symbol captions" for this game.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(f) "Blackout Bingo" is a two-part vertically oriented game. The first part consists of the "CALLER'S CARD" and the "BONUS NUMBERS." The "CALLER'S CARD" contains 24 draw numbers covered by opaque latex. The "BONUS NUMBERS" consist of six draw numbers covered by opaque latex.

The second part consists of four "GAME CARDS" each containing 24 numbers and a "FREE" space in the center of each card, for a total of 25 squares. The "GAME CARDS" are each covered by translucent scratch-off.

A player removes the scratch-off material from the areas on the ticket indicated by the words "CALLER'S CARD" and "BONUS NUMBERS" to reveal a total of 30 letter/number combinations. A player wins by matching the "CALLER'S CARD" and "BONUS NUMBERS" to the numbers on the four "GAME CARDS." If the player finds a diagonal, vertical, or horizontal straight line, or four corners of the grid, or an "X" pattern, or matches all of the numbers on a game card for a blackout, the player wins a prize according to the prize legend beside the respective "GAME CARD."

(g) Each ticket in this game may win up to four times. Only the highest prize won on each card will be awarded.

(h) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game	
Line — Card 1	\$2	63,000	\$126,000

Line — Card 2	\$2	63,000	126,000
Line — Card 1 & Card 2	\$4	30,000	120,000
Line — Card 3	\$5	24,000	120,000
Line — Card 2 & 3	\$7	17,100	119,700
Line — Card 1 & 2 & 3	\$9	9,000	81,000
Line — Card 4	\$10	6,600	66,000
Line — Card 3 & 4	\$15	4,500	67,500
Line — Card 1 & 2 & 3 & 4	\$19	1,500	28,500
4 Corners — Card 1	\$20	1,500	30,000
4 Corners — Card 2	\$50	360	18,000
X — Card 1	\$50	360	18,000
Blackout — Card 1	\$100	60	6,000
4 Corners — Card 3	\$100	60	6,000
4 Corners — Card 4	\$100	60	6,000
X — Card 2	\$100	60	6,000
4 Corners — Card 2 & 3	\$150	45	6,750
4 Corners — Card 2 & 4	\$150	45	6,750
4 Corners — Card 3 & 4	\$200	24	4,800
X — Card 3	\$200	30	6,000
4 Corners — Card 2 & 3 & 4	\$250	24	6,000
X — Card 4	\$250	27	6,750
Blackout — Card 2	\$500	18	9,000
Blackout — Card 3	\$1,000	15	15,000
Blackout — Card 4	\$10,000	9	90,000
TOTAL		<u>221,397</u>	<u>\$1,095,750</u>

(j) The odds of winning a prize in this game are approximately one in 4.07. (Authorized by K.S.A. 2011 Supp. 74-8710, implementing 2011 Supp. K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-4-12-12, March 14, 2012.)

111-4-3180. "Best of 7s" instant ticket lottery game number 438. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Best of 7s" commencing on or after April 1, 2012. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3180.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Game 1:

Play Symbols	Captions
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
7 outlined	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRN
14	FRTN
15	FIFTN
16	SIXTN
18	EGTN
19	NINTN
20	TWNTY
21	TWYONE
22	TWYTWO
23	TWYTHR
24	TWYFOR

25	TWYFIV
26	TWYSIX
28	TWYEGT
29	TWYNIN
30	THRTY

MAYBE NEXT TIME
GOOD LUCK

Games 2, 3, and 4:

Play Symbols	Captions
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SEV
8	EGT
9	NIN

Bonus Areas:

Play Symbols	Captions
MAYBE NEXT TIME	
GOOD LUCK	

Prize Symbols	Captions
10 ⁰⁰	TEN\$
15 ⁰⁰	FIFTEEN
20 ⁰⁰	TWENTY
25 ⁰⁰	TWEN-FIV
40 ⁰⁰	FORTY
50 ⁰⁰	FIFTY
75 ⁰⁰	SVTYFIV
\$100	ONE-HUN
\$500	FIVE-HUN
\$1000	ONETHOU
\$10000	10-THOU
\$75000	75-THOU

(c) For this game, a play/prize symbol shall appear in 46 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 029.

(e) The price of instant tickets sold by a retailer for this game shall be \$10.00 each.

(f) "Best of 7s" features four separate games and two instant win areas. In game 1, the player will remove the scratch-off material to reveal 10 "YOUR NUMBERS," 10 prize amounts and three "WINNING NUMBERS." If the player matches any of the "YOUR NUMBERS" to any of the "WINNING NUMBERS," the player wins the prize amount shown below that number. If the player gets a red "7," the player wins that prize automatically. A player can win up to 10 times in this play area.

In game 2, the player will remove the scratch-off material to reveal nine play symbols and one prize amount. If the player gets three "7s" in any one row, column, or diagonal, the player wins the prize shown in the prize box. If the player gets three red "7s" in any one row, column, or diagonal, the player wins double the prize. A player can win up to one time in this play area.

(continued)

In game 3, the player will remove the scratch-off material to reveal five play symbols and five prize amounts. If the player gets a "7" in any spot, the player wins the prize shown for that 7. If the player gets a red "7," the player wins double the prize. A player can win up to five times in this play area.

In game 4 the player will remove the scratch-off material to reveal a play symbol. If the player gets a "7," the player wins \$20. If the player gets a red "7," the player wins \$40. A player can win up to one time in this play area.

In each of the bonus play areas, if the player reveals any prize amount, the player wins that amount instantly. A player can win up to two times, once in each bonus play area.

(g) Each ticket in this game may win up to 19 times.

(h) Approximately 300,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
\$10	\$10	30,000	\$300,000
	\$10	15,000	150,000
\$15	\$15	24,050	360,750
\$20	\$20	4,000	80,000
\$10	\$20	2,500	50,000
\$10 DBL	\$20	4,000	80,000
\$25	\$25	5,300	132,500
\$10	\$25	5,000	125,000
\$40	\$40	1,200	48,000
\$20 DBL	\$40	1,330	53,200
\$50	\$50	750	37,500
\$10 + \$10 DBL + \$10 DBL	\$50	1,100	55,000
(\$10 x 5)	\$50	800	40,000
\$75	\$75	300	22,500
\$20 DBL + \$25 + \$10	\$75	450	33,750
(\$25 x 3)	\$75	350	26,250
\$50	\$75	300	22,500
(\$10 x 5)	\$75	350	26,250
\$100	\$100	100	10,000
\$50 DBL	\$100	100	10,000
\$10 + \$20 DBL	\$100	150	15,000
(\$20 x 5)	\$100	150	15,000
(\$10 x 10)	\$100	200	20,000
\$500	\$500	30	15,000
(\$100 DBL x 2) + \$20 + \$50 + \$10	\$500	35	17,500
(\$100 x 5)	\$500	25	12,500
(\$50 x 9)	\$500	30	15,000
(\$10 x 6) + (\$20 x 9) + (\$100 x 2)	\$500	40	20,000
\$1,000	\$1,000	12	12,000
\$500 DBL	\$1,000	12	12,000
(\$50 x 10) + (\$100 x 5)	\$1,000	14	14,000
(\$25 x 6) + (\$50 x 7) + (\$100 x 4)	\$1,000	14	14,000
\$10,000	\$10,000	4	40,000
\$75,000	\$75,000	3	225,000

TOTAL

97,699 \$2,110,200

(j) The odds of winning a prize in this game are approximately one in 3.07. (Authorized by K.S.A. 2011 Supp. 74-8710; implementing K.S.A. 2011 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-12-12, March 14, 2012.)

111-4-3181. "Art in the Park" instant ticket lottery game number 466. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Art in the Park" commencing on or after April 1, 2012. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3181.

(b) The "game and prize symbols" and "captions" for this game are as follows:

Game Symbols	Captions
Symbol of a pair of binoculars	BINOC
Symbol of a bird	BIRD
Symbol of a balloon	BLOON
Symbol of a butterfly	BTRFLY
Symbol of a buck	BUCK
Symbol of a campfire	CAMPFIRE
Symbol of a 4-leaf clover	CLOVER
Symbol of a cloud	CLOUDS
Symbol of a deer	DEER
Symbol of a barbeque grill	BBQGRILL
Symbol of a tree	TREE
Symbol of a lady bug	LADYBUG
Symbol of a maple leaf	MAPLE
Symbol of the sun	SUN
Symbol of a swan	SWAN
Symbol of a swing	SWING
Symbol of the moon	MOON
Symbol of a fish	FISH
Symbol of a horse	HORSE
Symbol of an apple	APPLE
2X	WIN X2
Prize Symbols	Captions
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
\$10. ⁰⁰	TEN\$
\$15. ⁰⁰	FIFTN\$
\$20. ⁰⁰	TWENTY
\$50. ⁰⁰	FIFTY
\$100	HUNDRED
\$500	FIV-HUN
\$10,000	TENTHO
FREE	\$2 TICKET
Bonus Symbols	Captions
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
\$10. ⁰⁰	TEN\$
\$15. ⁰⁰	FIFTN\$
\$20. ⁰⁰	TWENTY
\$50. ⁰⁰	FIFTY
\$100	HUNDRED
\$500	FIV-HUN
\$10,000	TENTHO
TRY AGAIN	

(c) For this game, a play/prize symbol shall appear in 67 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(f) In the "Art in the Park" ticket, the player will scratch the game play area to reveal nine "YOUR SYMBOLS" with an associated prize symbol plus two "WINNING SYMBOLS." If the player matches any of the "YOUR SYMBOLS" to either of the "WINNING SYMBOLS," the player wins the prize shown for that symbol. In the bonus area, the player will scratch the bonus play area to reveal a bonus symbol. If a prize amount is revealed, the player wins that prize.

(g) Each ticket in this game may win up to 10 times.

(h) Approximately 240,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 120,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
\$2 Free Ticket	28,800	\$0
\$2	20,800	41,600
\$5	11,200	56,000
\$10	400	4,000
\$5 (2X)	1,200	12,000
(\$2 x 5)	1,600	16,000
\$15	200	3,000
\$5 (2X) + \$5	500	7,500
\$20	100	2,000
(\$2 (2X) x 5)	350	7,000
\$5 (2X) + (\$2 x 5)	350	7,000
\$50	100	5,000
\$10 (2X) + \$5 (2X) + (\$2 x 5) + (\$5 x 2)	200	10,000
(\$5 x 10)	100	5,000
\$100	10	1,000
\$15 (2X) + \$10 (2X) + (\$5 x 4) + (\$10 x 3)	15	1,500
(\$5 x 2) + \$10 + \$20 + (\$15 x 4)	15	1,500
\$500	2	1,000
(\$50 (2X) x 5)	2	1,000
(\$20 (2X) x 5) + (\$50 x 4) + \$100	4	2,000
(\$100 (2X) x 2) + (\$20 x 5)	2	1,000
\$10,000	3	30,000
Subtotal	65,953	\$215,100
Second-chance drawing prizes, art prize package	\$11,607	4
TOTAL	<u>65,957</u>	<u>\$261,528</u>

(j) The odds of winning a prize in this game are approximately one in 3.64. (Authorized by K.S.A. 2011 Supp. 74-8710; implementing K.S.A. 2011 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-12-12, March 14, 2012.)

Article 5.—MULTI-STATE ONLINE GAMES AND DRAWINGS

111-5-82. Prize pool; reserve account. (a) The product group shall establish a grand prize pool and a lower

tier prize pool for this game. Any amount remaining in the prize pool at the end of this game shall be carried forward to a replacement game or expended in a manner as directed by the product group. The product group may establish a grand prize collection percentage, with any excess beyond actual grand prize liabilities collected in the grand prize pool. The product group may establish a lower-tier prize collection percentage, with any excess beyond actual lower tier prize liabilities collected to a lower tier prize pool. The product group may determine to expend all or a portion of the funds in these prize accounts for the payment of prizes or special prizes in the game, subject to the finance and audit committee.

(b) One and thirty-two thousand two hundred thirteen hundred thousandths percent (1.32213%) of sales shall be placed in trust in one or more prize reserve accounts until the prize reserve accounts reach the amount designated by the product group. The product group, with approval of the finance and audit committee, may establish a maximum balance for these prize reserve accounts. The product group may determine to expend all or a portion of these funds in these prize reserve accounts for the payment of prizes or special prizes in the game, subject to the approval of the finance and audit committee. The shares may be adjusted with refunds from the prize reserve account as may be needed to maintain the approved maximum balance and shares. Any amount remaining in prize reserve accounts at the end of this game shall be carried forward to a replacement prize reserve account or expended in a manner as directed by the product group. (Authorized by K.S.A. 2011 Supp. 74-8710; implementing K.S.A. 2011 Supp. 74-8710 and K.S.A. 2011 Supp. 74-8731; effective, T-111-7-15-02, May 15, 2002; amended, T-111-8-20-02, Aug. 14, 2002; amended, T-111-4-12-12, March 14, 2012.)

111-5-83. Expected prize payout. (a) Each grand prize shall be paid on a lump-sum basis of \$22,000, except that if a total of more than 10 plays sold by the party lotteries are entitled to a grand prize, all grand prize winners shall be paid the total prize money to be paid on 10 eligible tickets (taking into account eligible double prizes) and divided equally per prize type (standard prize and double Tuesday prize winners each receiving their proportionate share) on a pari-mutuel basis on the number of winning game play areas. Except as provided in these rules, all other prizes awarded shall be paid as set cash prizes with the following expected prize payout percentages (these percentages assume the prize reserve account or accounts established by K.A.R. 111-5-82(b) have been fully funded):

For all plays which are not Double Tuesday qualifying plays:

Number of Matches Per Play*	Prize Payment	Prize Pool Percentage Allocated to Prize
Two (2) of first set plus two (2) of second set	\$22,000 Grand Prize*	41.1862%
Two (2) of first set plus any one (1) of second set	\$100	8.9861%
Any one (1) of first set plus two (2) of second set	\$100	8.9861%

(continued)

Two (2) of first set plus none of second set	\$3	1.5501%
None of first set plus two (2) of second set	\$3	1.5501%
Any one (1) of first set plus any one (1) of second set	\$3	12.9399%
Any one (1) of first set plus none of second set	Free Ticket	12.4008%
None of first set plus any one (1) of second set	Free Ticket	12.4008%
None of first set plus none of second set	\$0	0.0000%

*If more than 10 plays chosen by players contain the four winning grand prize numbers in any one drawing, the prizes shall be divided as set forth in K.A.R. 111-5-83(a). The above percentages assume maximum funding of prize reserve account has been reached.

For all Double Tuesday qualifying plays:

On Double Tuesdays:

Number of Matches Per Play*	Prize Payment	Prize Pool Percentage Allocated to Prize
Two (2) of first set plus two (2) of second set	\$44,000 Grand Prize*	41.1862%
Two (2) of first set plus any one (1) of second set	\$200	8.9861%
Any one (1) of first set plus two (2) of second set	\$200	8.9861%
Two (2) of first set plus none of second set	\$6	1.5501%
None of first set plus two (2) of second set	\$6	1.5501%
Any one (1) of first set plus any one (1) of second set	\$6	12.9399%
Any one (1) of first set plus none of second set	2 Free Tickets	12.4008%
None of first set plus any one (1) of second set	2 Free Tickets	12.4008%
None of first set plus none of second set	\$0	0.0000%

*If more than 10 plays chosen by players contain the four winning grand prize numbers in any one drawing, the prizes shall be divided as set out in K.A.R. 111-5-83(a). The above percentages assume maximum funding of prize reserve account has been reached.

(b) The prize pool percentage allocated to the prizes shall be carried forward to subsequent draws if all or a portion of it is not needed to pay the prizes awarded in the current draw. If the total of the prizes awarded to party lotteries in a drawing exceeds the percentage of the prize pool allocated to the prizes, then the amount needed to fund the prizes awarded shall be obtained from the following sources, in the following order: (1) the amount allocated to the prizes and carried forward from previous draws, if any; (2) an amount from the prize reserve account, if available, not to exceed the balance of the account; (3) an amount from the lottery's unreserved account held by MUSL based upon the percent of sales by lottery for that drawing as compared to the sales of all other party lotteries; or, (4) from the lottery's general funds based on the percent of sales by lottery for that drawing as compared to the sales of all other party lotteries. (Authorized by and implementing K.S.A. 2011 Supp. 74-8710; effective, T-111-7-15-02, May 15, 2002; amended, T-111-8-20-02; Aug. 14, 2002; amended, T-111-9-23-08, Feb. 13, 2008; amended, T-111-4-12-12, March 14, 2012.)

Article 301.—SPECIFIC LOTTERY FACILITY GAMES AT LOTTERY GAMING FACILITIES

111-301-6. Play. (a) After the cards have been shuffled, the dealer shall offer the stack of cards to a player to be cut. The player may cut the cards by placing a cutting card provided by the dealer. The cut card must be placed in the stack so there are no fewer than 52 cards on either side of the cut card for a six deck game or no fewer than 26 cards on either side of the cut card for a double deck game.

(b) At the commencement of each round of play, the dealer shall, starting on his left and continuing around the table, deal the cards in the following order:

(1) One card face upwards to each box on the blackjack layout in which a wager is contained;

(2) One card face down to himself; and,

(3) A second card face upwards to each box in which a wager is contained.

(4) A second card face down to himself at which time the dealer's first card shall be turned face up and placed on top of the dealer's second card.

(c) After two cards have been dealt to each player and the appropriate number to the dealer, the dealer shall, beginning from his left, have each player indicate whether he wishes to double down, split pairs, stand or draw.

(d) As each player indicates his decision(s), the dealer shall deal face upwards whatever additional cards, if any, which are necessary to effectuate such decision.

(e) After the decision(s) of each player have been implemented and all additional cards have been dealt, the dealer shall expose the dealer hole card. Any additional cards authorized to be dealt to the hand of the dealer shall be dealt face upwards.

(f) If the dealer has a blackjack, no additional cards shall be dealt and each player's wager shall be settled.

(g) Payment of blackjack shall be made as follows:

(1) If the first face up card dealt to the dealer is a 2, 3, 4, 5, 6, 7, 8, or 9 and a player has a blackjack, the dealer shall immediately pay the blackjack at odds of 3 to 2 and shall remove that player's cards before any player receives a third card. If the first face up card dealt to the dealer is a king, queen, jack or 10 and a player has a blackjack, the dealer shall check the dealer's hole card for an ace. If the dealer's hole card does not give the dealer a blackjack, the player having a blackjack shall immediately be paid at odds of 3 to 2. If the dealer's hole card gives him a blackjack, the wager of the player having a blackjack shall be void and constitute a "push" or a "tie."

(2) Whenever the first card dealt to the dealer is an ace, each player shall have the right to make an insurance bet which, except as otherwise provided herein, shall win if the dealer's second card is a king, queen, jack or 10 and shall lose if the dealer's second card is an ace, 2, 3, 4, 5, 6, 7, 8, or 9. An insurance bet may be made by placing on the insurance line of the layout an amount not more than half the amount staked on the player's initial wager, except that a player may bet an amount in excess of half the initial wager to the next unit that can be wagered in chips, when because of the limitation of the value of chip denominations, half the initial wager cannot be bet. After

all insurance wagers have been placed, the dealer will check the dealer's hole card for blackjack. If the dealer has a blackjack, the dealer will collect all of the losing original wagers and then pay all insurance wagers at odds of 2 to 1. The wager of a player having the blackjack shall be void and constitute a "push" or a "tie." If the dealer does not have a blackjack, the dealer will immediately collect all of the losing insurance wagers. When a player has a blackjack, the player shall be given the option of taking even money for the player's wager instead of making an insurance wager. In such circumstances, the dealer shall pay the wager at 1 to 1 odds before checking the dealer's hole card and shall remove that player's cards before any player receives a third card.

(3) Except for a blackjack, a player may elect to double down, which means to make an additional wager not in excess of the amount of the player's original wager on the first two cards dealt to him on the condition that one and only one additional card shall be dealt to the hand on which he has elected to double down. If a dealer obtains a blackjack after a player doubles down, the dealer shall only collect the amount of the original wager of such player and shall not collect the additional amount wagered in doubling down. Upon a player's election to double down, the dealer shall deal the player's hand one additional card face upwards or sideways on the layout. In the alternative, if the one additional card is dealt face down, such card shall be turned face upward after the dealer has drawn additional cards to his hand and at such time as all players' wagers are to be settled at the conclusion of the round of play. A double down wager shall win if the total of the player's cards exceeds the total of the dealer's cards without exceeding a total of twenty-one (21). A double down wager shall push or tie if the player's hand and the dealer's hand are equal. A double down wager shall lose if the total of the player's cards exceeds twenty-one (21) or is less than the total of the dealer's cards. A double down wager shall be paid at the rate of 1:1 on both the original wager and the double down portion of the wager.

(h) If the initial two cards dealt to a player are identical in value, the player may elect to split the hand into two separate hands provided that he makes a wager on the second hand so formed in an amount equal to his original wager. When a player splits pairs, the dealer shall deal a card to and complete the player's decisions with respect to the first incomplete hand on the dealer's left before proceeding to deal any cards to any other hand. After a second card is dealt to a split pair, the player shall indicate his decision to stand or draw with respect thereto except that:

(1) A player may split pairs a maximum of three times to make a total of four hands; and

(2) A player splitting aces shall only have one card dealt to each ace and may not elect to receive additional cards.

(i) A player may elect to draw one or more additional cards whenever his point count total is less than 21 except that:

(1) A player electing to double down shall draw one and only one additional card;

(2) A player splitting aces shall only have one card dealt to each ace and may not elect to receive additional cards.

(j) A dealer shall draw additional cards to his or her hand until he or she has:

(1) A hard total of 17, 18, 19, 20, or 21, whichever comes first; or

(2) A soft total of 18, 19, 20, or 21, whichever comes first. A dealer shall draw no additional cards to his hand, regardless of the point count, if decisions have been made on all players' hands and the point count of the dealer's hand will have no effect on the outcome of the round of play. A split bet shall win if the total of the player's cards exceeds the total of the dealer's cards without exceeding a total of twenty-one (21). A split bet shall lose if the total of the player's cards exceeds twenty-one (21) or is less than the total of the dealer's cards. A split bet shall tie or push if the player's hand and the dealer's hand are equal. A split bet shall be paid at the rate of 1:1 on both the original wager and the split wager.

(k) A card found turned face upwards in the shoe shall not be used in the game and shall be placed in the discard rack.

(l) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe.

(m) If the dealer has a hard total of 17 and accidentally draws a card for himself, such card shall be burned.

(n) If the dealer misses dealing his first or second card to himself, the dealer shall continue dealing the first two cards to each player, and then deal the appropriate number of cards to himself. (Authorized by K.S.A. 2011 Supp. 74-8710 and 74-8748; implementing K.S.A. 2011 Supp. 74-8710; effective, T-111-12-24-09, Dec. 3, 2009; amended, T-111-5-17-11, April 13, 2011; amended, T-111-7-6-11, May 18, 2011; amended, T-111-4-12-12, March 14, 2012.)

Article 501.—SOUTH CENTRAL GAMING ZONE

111-501-12. Splitting pairs. (a) When the initial two cards dealt to a player are identical in value, the player may split the hand into two separate hands. The wager on the second hand must be equal to the original wager.

(b) When a player splits pairs, the dealer shall deal a second card to the first of the split hands and complete the player's decisions with respect to that hand before proceeding to deal any cards to the second hand.

(c) After a second card is dealt to a split pair, the dealer shall announce the point total of such hand and the player shall indicate a decision to stand, draw or double down with respect thereto, except that:

(1) Except for aces, which may only be split one time, a player may split pairs again if the second card dealt is identical in value to a card of the split pair. Other than aces, a player may split a total of three times to create a total of four hands.

(2) A player splitting aces shall only have one card dealt to each ace and cannot elect to receive additional cards. (Authorized by K.S.A. 2011 Supp. 74-8710 and 74-8748; implementing K.S.A. 2011 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011; amended, T-111-4-12-12, March 14, 2012.)

Dennis Wilson
Executive Director

Doc. No. 040512

State of Kansas

Secretary of State

Certification of New State Laws

I, Kris W. Kobach, Secretary of State of the State of Kansas, do hereby certify that each of the following bills is a correct copy of the original enrolled bill now on file in my office.

Kris W. Kobach
Secretary of State

(Published in the Kansas Register May 17, 2012.)

HOUSE BILL No. 2631

AN ACT concerning dental care; amending K.S.A. 2011 Supp. 65-1424, 65-1456 and 75-6102 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2011 Supp. 65-1424 is hereby amended to read as follows: 65-1424. (a) As used in this act:

(1) "Proprietor" means any person who employs dentists or dental hygienists in the operation of a dental office.

(2) "Dental franchisor" means any person or entity, pursuant to a written agreement, who provides a licensed dentist any dental practice management consulting services, which may include marketing or advertising services, signage or branding consulting, or places in possession of a licensed dentist such dental material or equipment as may be necessary for the management of a dental office on the basis of a lease or any other agreement for compensation. A person or entity is not a dental franchisor if the agreement with the dentist:

(A) Permits the person or entity to interfere with the professional judgment of the dentist; or

(B) contains terms that would constitute a violation of the dental practices act, rules and regulations adopted by the board, any orders and directives issued by the board or any other applicable law.

(3) "Unlicensed proprietor" means any person or entity not authorized to own or operate a dental practice that enters into an agreement with a dentist or dental hygienist related to the practice of dentistry or dental hygiene which:

(A) Permits the person or entity to interfere with the professional judgment of the dentist; or

(B) contains terms that would constitute a violation of the dental practices act, rules and regulations adopted by the board, any orders and directives issued by the board or any other applicable law.

A licensee of dentistry who enters into any arrangement with an unlicensed proprietor may have such license limited, suspended or revoked by the board.

(b) The estate or agent for a deceased or substantially disabled dentist may employ dentists, for a period of not more than ~~one year~~ 18 months following the date of death or substantial disability of the dentist, to provide service to patients until the practice can be sold or closed. Upon application showing good cause, including, but not limited to, evidence of a good faith effort to sell or close the dental practice, the Kansas dental board may extend the time in six-month increments for a period of not more than one additional year for which the practice can be sold or closed. The Kansas dental board may adopt rules and regulations as necessary to carry out the provisions of this section.

Sec. 2. On and after July 1, 2012, K.S.A. 2011 Supp. 65-1456 is hereby amended to read as follows: 65-1456. (a) The board may suspend or revoke the license of any dentist who shall permit any dental hygienist operating under such dentist's supervision to perform any operation other than that permitted under the provisions of article 14 of chapter 65 of the Kansas Statutes Annotated, ~~or acts amendatory thereof and amendments thereto~~, and may suspend or revoke the license of any hygienist found guilty of performing any operation other than those permitted under article 14 of chapter 65 of the Kansas Statutes Annotated, ~~or acts amendatory thereof and amendments thereto~~. No license of any dentist or dental hygienist shall be suspended or revoked in any administrative proceedings without first complying with the notice and hearing requirements of the Kansas administrative procedure act.

(b) The practice of dental hygiene shall include those educational, preventive, and therapeutic procedures which result in the removal of

extraneous deposits, stains and debris from the teeth and the rendering of smooth surfaces of the teeth to the depths of the *gingival sulci*. Included among those educational, preventive and therapeutic procedures are the instruction of the patient as to daily personal care, protecting the teeth from dental caries, the scaling and polishing of the crown surfaces and the planing of the root surfaces, in addition to the curettage of those soft tissues lining the free *gingiva* to the depth of the *gingival sulcus* and such additional educational, preventive and therapeutic procedures as the board may establish by rules and regulations.

(c) Subject to such prohibitions, limitations and conditions as the board may prescribe by rules and regulations, any licensed dental hygienist may practice dental hygiene and may also perform such dental service as may be performed by a dental assistant under the provisions of K.S.A. 65-1423, and amendments thereto.

(d) Except as otherwise provided in this section, the practice of dental hygiene shall be performed under the direct or general supervision of a licensed dentist at the office of such licensed dentist. The board shall designate by rules and regulations the procedures which may be performed by a dental hygienist under direct supervision and the procedures which may be performed under general supervision of a licensed dentist. As used in this section: (1) "Direct supervision" means that the dentist is in the dental office, personally diagnoses the condition to be treated, personally authorizes the procedure and before dismissal of the patient evaluates the performance; and (2) "general supervision" means a Kansas licensed dentist may delegate verbally or by written authorization the performance of a service, task or procedure to a licensed dental hygienist under the supervision and responsibility of the dentist, if the dental hygienist is licensed to perform the function, and the supervising dentist examines the patient at the time the dental hygiene procedure is performed, or during the 12 calendar months preceding the performance of the procedure, except that the licensed hygienist shall not be permitted to diagnose a dental disease or ailment, prescribe any treatment or a regimen thereof, prescribe, order or dispense medication or perform any procedure which is irreversible or which involves the intentional cutting of the soft or hard tissue by any means. A dentist is not required to be on the premises at the time a hygienist performs a function delegated under part (2) of this subsection.

(e) The practice of dental hygiene may be performed at an adult care home, hospital long-term care unit, state institution, local health department or indigent health care clinic on a resident of a facility, client or patient thereof so long as:

(1) A licensed dentist has delegated the performance of the service, task or procedure;

(2) the dental hygienist is under the supervision and responsibility of the dentist;

(3) either the supervising dentist is personally present or the services, tasks and procedures are limited to the cleaning of teeth, education and preventive care; and

(4) the supervising dentist examines the patient at the time the dental hygiene procedure is performed or has examined the patient during the 12 calendar months preceding performance of the procedure; and

(f) The practice of dental hygiene may be performed with consent of the parent or legal guardian, on children participating in residential and nonresidential centers for therapeutic services, on all children in families which are receiving family preservation services, on all children in the custody of the secretary of social and rehabilitation services or the commissioner of juvenile justice authority and in an out-of-home placement residing in foster care homes, on children being served by runaway youth programs and homeless shelters; and on children birth to five and children in public and nonpublic schools kindergarten through grade 12 regardless of the time of year and children participating in youth organizations, so long as such children ~~birth to five, in public or nonpublic schools or participating in youth organizations also meet the requirements of medicaid, healthwave, or free or reduced lunch programs or Indian health services who are dentally underserved are targeted~~; at any state correctional institution, local health department or indigent health care clinic, as defined in K.S.A. 65-1466, and amendments thereto, and at any federally qualified health center, federally qualified health center look-alike or a community health center that receives funding from section 330 of the health center consolidation act, on a person, inmate, client or patient thereof and on other persons as may be defined by the board; so long as:

(1) The dental hygienist has received an "extended care permit I" from the Kansas dental board specifying that the dental hygienist has performed 1,200 hours of dental hygiene care within the past three years or has been an instructor at an accredited dental hygiene program for two academic years within the past three years;

(2) the dental hygienist shows proof of professional liability insurance;

(3) the dental hygienist is sponsored by a dentist licensed in the state of Kansas, including a signed agreement stating that the dentist shall monitor the dental hygienist's activities, except such dentist shall not monitor more than five dental hygienists with an extended care permit;

(4) the tasks and procedures are limited to: (A) removal of extraneous deposits, stains and debris from the teeth and the rendering of smooth surfaces of the teeth to the depths of the *gingival sulci*; (B) the application of topical anesthetic if the dental hygienist has completed the required course of instruction approved by the dental board; (C) the application of fluoride; (D) dental hygiene instruction; (E) assessment of the patient's apparent need for further evaluation by a dentist to diagnose the presence of dental caries and other abnormalities; and (F) other duties as may be delegated verbally or in writing by the sponsoring dentist consistent with this act;

(5) the dental hygienist advises the patient and legal guardian that the services are preventive in nature and do not constitute a comprehensive dental diagnosis and care;

(6) the dental hygienist provides a copy of the findings and the report of treatment to the sponsoring dentist and any other dental or medical supervisor at a participating organization found in this subsection; and

(7) any payment to the dental hygienist for dental hygiene services is received from the sponsoring dentist or the participating organization found in this subsection.

(g) The practice of dental hygiene may be performed on persons with developmental disabilities and on persons who are 65 years and older who live in a residential center, an adult care home, subsidized housing, hospital long-term care unit, state institution or are served in a community senior service center, elderly nutrition program or at the home of a homebound person who qualifies for the federal home and community based service (HCBS) waiver on a resident of a facility, client or patient thereof so long as:

(1) The dental hygienist has received an "extended care permit II" from the Kansas dental board specifying that the dental hygienist has: (A) performed ~~1,000~~ 1,600 hours of dental hygiene care or has been an instructor at an accredited dental hygiene program for two academic years within the past three years; and (B) completed six hours of training on the care of special needs patients or other training as may be accepted by the board;

(2) the dental hygienist shows proof of professional liability insurance;

(3) the dental hygienist is sponsored by a dentist licensed in the state of Kansas, including a signed agreement stating that the dentist shall monitor the dental hygienist's activities, except such dentist shall not monitor more than five dental hygienists with an extended care permit II;

(4) the tasks and procedures are limited to: (A) Removal of extraneous deposits, stains and debris from the teeth and the rendering of smooth surfaces of the teeth to the depths of the *gingival sulci*; (B) the application of topical anesthetic if the dental hygienist has completed the required course of instruction approved by the dental board; (C) the application of fluoride; (D) dental hygiene instruction; (E) assessment of the patient's apparent need for further evaluation by a dentist to diagnose the presence of dental caries and other abnormalities; and (F) other duties as may be delegated verbally or in writing by the sponsoring dentist consistent with this act;

(5) the dental hygienist advises the patient and legal guardian that the services are preventive in nature and do not constitute comprehensive dental diagnosis and care;

(6) the dental hygienist provides a copy of the findings and the report of treatment to the sponsoring dentist and any other dental or medical supervisor at a participating organization found in this subsection;

(7) any payment to the dental hygienist for dental hygiene services is received from the sponsoring dentist or the participating organization found in this subsection; and

(8) the dental hygienist completes a minimum of ~~six~~ three hours of education in the area of special needs care within the board's continuing dental education requirements for relicensure.

(h) *The expanded practice of dental hygiene may be performed with consent of the parent or legal guardian, on children participating in residential and nonresidential centers for therapeutic services, on all children in families which are receiving family preservation services, on all children in the custody of the secretary of social and rehabilitation services or the commissioner of juvenile justice authority and in an out-of-home placement residing in foster care homes, on children being served by runaway youth programs and homeless shelters; and on children birth to five and children in public and nonpublic schools*

kindergarten through grade 12 regardless of the time of year and children participating in youth organizations, so long as such children who are dentally underserved are targeted; at any state correctional institution, local health department or indigent health care clinic, as defined in K.S.A. 65-1466, and amendments thereto, and at any federally qualified health center, federally qualified health center look-alike or a community health center that receives funding from section 330 of the health center consolidation act, on a person, inmate, client or patient; on persons with developmental disabilities and on persons who are 65 years and older who live in a residential center, an adult care home, subsidized housing, hospital long-term care unit, state institution or are served in a community senior service center, elderly nutrition program or at the home of a homebound person who qualifies for the federal home and community based service (HCBS) waiver on a resident of a facility, client or patient thereof so long as:

(1) *The dental hygienist has received an "extended care permit III" from the Kansas dental board specifying that the dental hygienist has: (A) Performed 2,000 hours of dental hygiene care or has been an instructor at an accredited dental hygiene program for three academic years within the past four years; and (B) completed a course of study of 18 seat hours approved by the board which includes, but is not limited to, emergency dental care techniques, the preparation and placement of temporary restorations, the adjustment of dental prostheses and appropriate pharmacology;*

(2) *the dental hygienist shows proof of professional liability insurance;*

(3) *the dental hygienist is sponsored by a dentist licensed in the state of Kansas, including a signed agreement stating that the dentist shall monitor the dental hygienist's activities, except such dentist shall not monitor more than five dental hygienists with an extended care permit III;*

(4) *the tasks and procedures are limited to: (A) Removal of extraneous deposits, stains and debris from the teeth and the rendering of smooth surfaces of the teeth to the depths of the gingival sulci; (B) the application of topical anesthetic if the dental hygienist has completed the required course of instruction approved by the dental board; (C) the application of fluoride; (D) dental hygiene instruction; (E) assessment of the patient's apparent need for further evaluation by a dentist to diagnose the presence of dental caries and other abnormalities; (F) identification and removal of decay using hand instrumentation and placing a temporary filling, including glass ionomer and other palliative materials; (G) adjustment of dentures, placing soft reline in dentures, checking partial dentures for sore spots and placing permanent identification labeling in dentures; (H) smoothing of a sharp tooth with a slow speed dental handpiece; (I) use of local anesthetic, including topical, infiltration and block anesthesia, when appropriate to assist with procedures where medical services are available in a nursing home, health clinic or any other settings if the dental hygienist has completed a course on local anesthesia and nitrous oxide as required in this act; (J) extraction of deciduous teeth that are partially exfoliated with class 4 mobility; and (K) other duties as may be delegated verbally or in writing by the sponsoring dentist consistent with this act;*

(5) *the dental hygienist advises the patient and legal guardian that the services are palliative or preventive in nature and do not constitute comprehensive dental diagnosis and care;*

(6) *the dental hygienist provides a copy of the findings and the report of treatment to the sponsoring dentist and any other dental or medical supervisor at a participating organization found in this subsection;*

(7) *the dental hygienist notifies the patient or the patient's parent or legal guardian of such patient's need for treatment by a dentist, when the dental hygienist finds an apparent need for evaluation to diagnose the presence of dental caries and other abnormalities;*

(8) *any payment to the dental hygienist for dental hygiene services is received from the sponsoring dentist or the participating organization found in this subsection; and*

(9) *the dental hygienist completes a minimum of three hours of education related to the expanded scope of dental hygiene practice in subsection (h)(4) of this act within the board's continuing dental education requirements for relicensure.*

~~(h)~~(i) *In addition to the duties specifically mentioned in subsection (b) of K.S.A. 65-1456, and amendments thereto, any duly licensed dental hygienist may:*

(1) *Give fluoride treatments as a prophylactic measure, as defined by the United States public health service and as recommended for use in dentistry;*

(2) *remove overhanging restoration margins and periodontal surgery materials by hand scaling instruments; and*

(3) *administer local block and infiltration anaesthesia and nitrous oxide. (A) The administration of local anaesthesia shall be performed under the direct supervision of a licensed dentist except that topically applied local anaesthesia, as defined by the board, may be administered under the general supervision of a licensed dentist. (B) Each dental hygienist who administers local anaesthesia regardless of the type shall*

(continued)

have completed courses of instruction in local anaesthesia and nitrous oxide which have been approved by the board.

~~(j)~~(j) (1) The courses of instruction required in subsection ~~(h)(3)(B)~~ (i)(3)(B) shall provide a minimum of 12 hours of instruction at a teaching institution accredited by the American dental association.

(2) The courses of instruction shall include courses which provide both didactic and clinical instruction in: (A) Theory of pain control; (B) anatomy; (C) medical history; (D) pharmacology; and (E) emergencies and complications.

(3) Certification in cardiac pulmonary resuscitation shall be required in all cases.

~~(j)~~(k) The board is authorized to issue to a qualified dental hygienist an extended care permit I or extended care permit II, or extended care permit III as provided in subsections ~~(f) and~~ (g) and (h) of this section.

~~(k)~~(l) Nothing in this section shall be construed to prevent a dental hygienist from providing dental hygiene instruction or visual oral health care screenings or fluoride applications in a school or community based setting regardless of the age of the patient.

(m) As used in this section, "dentally underserved" means a person who lacks resources to pay for medically necessary health care services and who meets the eligibility criteria for qualification as a medically indigent person established by the secretary of health and environment under K.S.A. 75-6120, and amendments thereto.

New Sec. 3. On and after July 1, 2012, the state board of regents shall endeavor to add additional seats at the university of Missouri-Kansas City school of dentistry or other locations with the requirement that such students provide services in underserved areas of Kansas for a minimum of four years after graduation.

New Sec. 4. (a) There is established a special volunteer dental license for dentists who are retired from active practice and wish to donate their expertise for the dental care and treatment of indigent and underserved persons of the state. The special volunteer dental license shall be:

- (1) Issued by the Kansas dental board to eligible dentists;
 - (2) issued without the payment of an application fee, license fee or renewal fee;
 - (3) issued or renewed without any continuing education requirements;
 - (4) issued for a fiscal year or part thereof; and
 - (5) renewable annually upon approval of the board.
- (b) A dentist shall meet the following requirements to be eligible for a special volunteer dental license:

(1) Completion of a special volunteer dental license application, including documentation of the dentist's dental school graduation and practice history;

(2) documentation that the dentist has been previously issued a full and unrestricted license to practice dentistry in Kansas or in another state of the United States and that the dentist has never been the subject of any disciplinary action in any jurisdiction;

(3) acknowledgment and documentation that the dentist's practice under the special volunteer dental license will be exclusively and totally devoted to providing dental care to underserved and indigent persons in Kansas; and

(4) acknowledgment and documentation that the dentist will not receive or have the expectation to receive any payment or compensation, either direct or indirect, for any dental services rendered under the special volunteer dental license.

(c) The provisions of this section shall become effective on and after July 1, 2012.

Sec. 5. On and after July 1, 2012, K.S.A. 2011 Supp. 75-6102 is hereby amended to read as follows: 75-6102. As used in K.S.A. 75-6101 through 75-6118, and amendments thereto, unless the context clearly requires otherwise:

(a) "State" means the state of Kansas and any department or branch of state government, or any agency, authority, institution or other instrumentality thereof.

(b) "Municipality" means any county, township, city, school district or other political or taxing subdivision of the state, or any agency, authority, institution or other instrumentality thereof.

(c) "Governmental entity" means state or municipality.

(d) (1) "Employee" means: (A) Any officer, employee, servant or member of a board, commission, committee, division, department, branch or council of a governmental entity, including elected or appointed officials and persons acting on behalf or in service of a governmental entity in any official capacity, whether with or without compensation and a charitable health care provider;

(B) any steward or racing judge appointed pursuant to K.S.A. 74-8818, and amendments thereto, regardless of whether the services of

such steward or racing judge are rendered pursuant to contract as an independent contractor;

(C) employees of the United States marshal's service engaged in the transportation of inmates on behalf of the secretary of corrections;

(D) a person who is an employee of a nonprofit independent contractor, other than a municipality, under contract to provide educational or vocational training to inmates in the custody of the secretary of corrections and who is engaged in providing such service in an institution under the control of the secretary of corrections provided that such employee does not otherwise have coverage for such acts and omissions within the scope of their employment through a liability insurance contract of such independent contractor;

(E) a person who is an employee or volunteer of a nonprofit program, other than a municipality, who has contracted with the commissioner of juvenile justice or with another nonprofit program that has contracted with the commissioner of juvenile justice to provide a juvenile justice program for juvenile offenders in a judicial district provided that such employee or volunteer does not otherwise have coverage for such acts and omissions within the scope of their employment or volunteer activities through a liability insurance contract of such nonprofit program;

(F) a person who contracts with the Kansas guardianship program to provide services as a court-appointed guardian or conservator;

(G) an employee of an indigent health care clinic;

(H) former employees for acts and omissions within the scope of their employment during their former employment with the governmental entity;

(I) any member of a regional medical emergency response team, created under the provisions of K.S.A. 48-928, and amendments thereto, in connection with authorized training or upon activation for an emergency response; and

(J) medical students enrolled at the university of Kansas medical center who are in clinical training, on or after July 1, 2008, at the university of Kansas medical center or at another health care institution.

(2) "Employee" does not include: (A) An individual or entity for actions within the scope of K.S.A. 60-3614, and amendments thereto; or

(B) any independent contractor under contract with a governmental entity except those contractors specifically listed in paragraph (1) of this subsection.

(e) "Charitable health care provider" means a person licensed by the state board of healing arts as an exempt licensee or a federally active licensee, a person issued a limited permit by the state board of healing arts, a physician assistant licensed by the state board of healing arts, a mental health practitioner licensed by the behavioral sciences regulatory board, an ultrasound technologist currently registered in any area of sonography credentialed through the American registry of radiology technologists, the American registry for diagnostic medical sonography or cardiovascular credentialing international and working under the supervision of a person licensed to practice medicine and surgery, or a health care provider as the term "health care provider" is defined under K.S.A. 65-4921, and amendments thereto, who has entered into an agreement with:

(1) The secretary of health and environment under K.S.A. 75-6120, and amendments thereto, who, pursuant to such agreement, gratuitously renders professional services to a person who has provided information which would reasonably lead the health care provider to make the good faith assumption that such person meets the definition of medically indigent person as defined by this section or to a person receiving medical assistance from the programs operated by the Kansas health policy authority, and who is considered an employee of the state of Kansas under K.S.A. 75-6120, and amendments thereto;

(2) the secretary of health and environment and who, pursuant to such agreement, gratuitously renders professional services in conducting children's immunization programs administered by the secretary;

(3) a local health department or indigent health care clinic, which renders professional services to medically indigent persons or persons receiving medical assistance from the programs operated by the Kansas health policy authority gratuitously or for a fee paid by the local health department or indigent health care clinic to such provider and who is considered an employee of the state of Kansas under K.S.A. 75-6120, and amendments thereto. Professional services rendered by a provider under this paragraph (3) shall be considered gratuitous notwithstanding fees based on income eligibility guidelines charged by a local health department or indigent health care clinic and notwithstanding any fee paid by the local health department or indigent health care clinic to a provider in accordance with this paragraph (3); or

(4) the secretary of health and environment to provide dentistry services defined by K.S.A. 65-1422 *et seq.*, and amendments thereto, or dental hygienist services defined by K.S.A. 65-1456, and amendments

thereto, that are targeted, but are not limited to medically indigent persons, and are provided on a gratuitous basis: (A) At a location sponsored by a not-for-profit organization that is not the dentist or dental hygienist office location; or (B) at the office location of a dentist or dental hygienist provided the care be delivered as part of a program organized by a not-for-profit organization and approved by the secretary of health and environment; or (C) as part of a charitable program organized by the dentist that has been approved by the secretary of health and environment upon a showing that the dentist seeks to treat medically indigent patients on a gratuitous basis, except that such dentistry services and dental hygienist services shall not include "oral and maxillofacial surgery" as defined by ~~Kansas administrative regulation 71-2-2~~ rules and regulations adopted by the Kansas dental board, or use sedation or general anesthesia that result in "deep sedation" or "general anesthesia" as defined by ~~Kansas administrative regulation 71-5-1~~ rules and regulations adopted by the Kansas dental board.

(f) "Medically indigent person" means a person who lacks resources to pay for medically necessary health care services and who meets the eligibility criteria for qualification as a medically indigent person established by the secretary of health and environment under K.S.A. 75-6120, and amendments thereto.

(g) "Indigent health care clinic" means an outpatient medical care clinic operated on a not-for-profit basis which has a contractual agreement in effect with the secretary of health and environment to provide health care services to medically indigent persons.

(h) "Local health department" shall have the meaning ascribed to such term under K.S.A. 65-241, and amendments thereto.

(i) "Fire control, fire rescue or emergency medical services equipment" means any vehicle, firefighting tool, protective clothing, breathing apparatus and any other supplies, tools or equipment used in firefighting or fire rescue or in the provision of emergency medical services.

Sec. 6. K.S.A. 2011 Supp. 65-1424 is hereby repealed.

Sec. 7. On and after July 1, 2012, K.S.A. 2011 Supp. 65-1456 and 75-6102 are hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 17, 2012.)

SENATE BILL No. 134

AN ACT concerning prescription of drugs; relating to controlled substances, electronic prescription and the prescription monitoring program; amending K.S.A. 65-4123 and K.S.A. 2011 Supp. 65-1626, 65-1637, 65-1683, 65-1685, 65-1693, 65-4101, 65-4111 and 65-4113 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2011 Supp. 65-1626 is hereby amended to read as follows: 65-1626. For the purposes of this act:

(a) "Administer" means the direct application of a drug, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

(1) A practitioner or pursuant to the lawful direction of a practitioner;

(2) the patient or research subject at the direction and in the presence of the practitioner; or

(3) a pharmacist as authorized in K.S.A. 65-1635a, and amendments thereto.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser but shall not include a common carrier, public warehouseman or employee of the carrier or warehouseman when acting in the usual and lawful course of the carrier's or warehouseman's business.

(c) "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

(d) "Authorized distributor of record" means a wholesale distributor with whom a manufacturer has established an ongoing relationship to distribute the manufacturer's prescription drug. An ongoing relationship is deemed to exist between such wholesale distributor and a manufacturer when the wholesale distributor, including any affiliated group of the wholesale distributor, as defined in section 1504 of the internal revenue code, complies with any one of the following: (1) The wholesale distributor has a written agreement currently in effect with the manufacturer evidencing such ongoing relationship; and (2) the

wholesale distributor is listed on the manufacturer's current list of authorized distributors of record, which is updated by the manufacturer on no less than a monthly basis.

(~~tt~~)e) "Board" means the state board of pharmacy created by K.S.A. 74-1603, and amendments thereto.

(~~tt~~)f) "Brand exchange" means the dispensing of a different drug product of the same dosage form and strength and of the same generic name as the brand name drug product prescribed.

(~~tt~~)g) "Brand name" means the registered trademark name given to a drug product by its manufacturer, labeler or distributor.

(~~tt~~)h) "Chain pharmacy warehouse" means a permanent physical location for drugs or devices, or both, that acts as a central warehouse and performs intracompany sales or transfers of prescription drugs or devices to chain pharmacies that have the same ownership or control. Chain pharmacy warehouses must be registered as wholesale distributors.

(~~tt~~)i) "Co-licensee" means a pharmaceutical manufacturer that has entered into an agreement with another pharmaceutical manufacturer to engage in a business activity or occupation related to the manufacture or distribution of a prescription drug and the national drug code on the drug product label shall be used to determine the identity of the drug manufacturer.

(j) "DEA" means the U.S. department of justice, drug enforcement administration.

(~~tt~~)k) "Deliver" or "delivery" means the actual, constructive or attempted transfer from one person to another of any drug whether or not an agency relationship exists.

(~~tt~~)l) "Direct supervision" means the process by which the responsible pharmacist shall observe and direct the activities of a pharmacy student or pharmacy technician to a sufficient degree to assure that all such activities are performed accurately, safely and without risk or harm to patients, and complete the final check before dispensing.

(~~tt~~)m) "Dispense" means to deliver prescription medication to the ultimate user or research subject by or pursuant to the lawful order of a practitioner or pursuant to the prescription of a mid-level practitioner.

(~~tt~~)n) "Dispenser" means a practitioner or pharmacist who dispenses prescription medication.

(~~tt~~)o) "Distribute" means to deliver, other than by administering or dispensing, any drug.

(~~tt~~)p) "Distributor" means a person who distributes a drug.

(~~tt~~)q) "Drop shipment" means the sale, by a manufacturer, that manufacturer's co-licensee, that manufacturer's third party logistics provider, or that manufacturer's exclusive distributor, of the manufacturer's prescription drug, to a wholesale distributor whereby the wholesale distributor takes title but not possession of such prescription drug and the wholesale distributor invoices the pharmacy, the chain pharmacy warehouse, or other designated person authorized by law to dispense or administer such prescription drug, and the pharmacy, the chain pharmacy warehouse, or other designated person authorized by law to dispense or administer such prescription drug receives delivery of the prescription drug directly from the manufacturer, that manufacturer's co-licensee, that manufacturer's third party logistics provider, or that manufacturer's exclusive distributor, of such prescription drug. Drop shipment shall be part of the "normal distribution channel."

(~~tt~~)r) "Drug" means: (1) Articles recognized in the official United States pharmacopoeia, or other such official compendiums of the United States, or official national formulary, or any supplement of any of them; (2) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals; (3) articles, other than food, intended to affect the structure or any function of the body of man or other animals; and (4) articles intended for use as a component of any articles specified in clause (1), (2) or (3) of this subsection; but does not include devices or their components, parts or accessories, except that the term "drug" shall not include amygdalin (laetrile) or any livestock remedy, if such livestock remedy had been registered in accordance with the provisions of article 5 of chapter 47 of the Kansas Statutes Annotated, prior to its repeal.

(~~tt~~)s) "Durable medical equipment" means technologically sophisticated medical devices that may be used in a residence, including the following: (1) Oxygen and oxygen delivery system; (2) ventilators; (3) respiratory disease management devices; (4) continuous positive airway pressure (CPAP) devices; (5) electronic and computerized wheelchairs and seating systems; (6) apnea monitors; (7) transcutaneous electrical nerve stimulator (TENS) units; (8) low air loss cutaneous pressure management devices; (9) sequential compression devices; (10) feeding pumps; (11) home phototherapy devices; (12) infusion delivery devices; (13) distribution of medical gases to end users for human consumption;

(continued)

(14) hospital beds; (15) nebulizers; or (16) other similar equipment determined by the board in rules and regulations adopted by the board.

(t) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(u) "Electronic prescription application" means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber's computers and servers where access and records are controlled by the prescriber.

(v) "Electronic signature" means a confidential personalized digital key, code, number or other method for secure electronic data transmissions which identifies a particular person as the source of the message, authenticates the signatory of the message and indicates the person's approval of the information contained in the transmission.

(w) "Electronic transmission" means the transmission of an electronic prescription, formatted as an electronic data file, from a prescriber's electronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

(x) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

(y) "Exclusive distributor" means any entity that: (1) Contracts with a manufacturer to provide or coordinate warehousing, wholesale distribution or other services on behalf of a manufacturer and who takes title to that manufacturer's prescription drug, but who does not have general responsibility to direct the sale or disposition of the manufacturer's prescription drug; (2) is registered as a wholesale distributor under the pharmacy act of the state of Kansas; and (3) to be considered part of the normal distribution channel, must be an authorized distributor of record.

(s) "Electronic transmission" means transmission of information in electronic form or the transmission of the exact visual image of a document by way of electronic equipment:

(z) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes but is not limited to transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer; or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

(aa) "Generic name" means the established chemical name or official name of a drug or drug product.

(bb) (1) "Institutional drug room" means any location where prescription-only drugs are stored and from which prescription-only drugs are administered or dispensed and which is maintained or operated for the purpose of providing the drug needs of:

- (A) Inmates of a jail or correctional institution or facility;
- (B) residents of a juvenile detention facility, as defined by the revised Kansas code for care of children and the revised Kansas juvenile justice code;

(C) students of a public or private university or college, a community college or any other institution of higher learning which is located in Kansas;

- (D) employees of a business or other employer; or
- (E) persons receiving inpatient hospice services.

(2) "Institutional drug room" does not include:

- (A) Any registered pharmacy;
- (B) any office of a practitioner; or
- (C) a location where no prescription-only drugs are dispensed and no prescription-only drugs other than individual prescriptions are stored or administered.

(cc) "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

(dd) "Intracompany transaction" means any transaction or transfer between any division, subsidiary, parent or affiliated or related company under common ownership or control of a corporate entity, or any transaction or transfer between co-licensees of a co-licensed product.

(ee) "Medical care facility" shall have the meaning provided in K.S.A. 65-425, and amendments thereto, except that the term shall also include facilities licensed under the provisions of K.S.A. 75-3307b, and amendments thereto, except community mental health centers and facilities for the mentally retarded.

(ff) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a drug either directly or indirectly by extraction from substances of natural origin, independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the drug or labeling or relabeling of its container, except that this term

shall not include the preparation or compounding of a drug by an individual for the individual's own use or the preparation, compounding, packaging or labeling of a drug by:

(1) A practitioner or a practitioner's authorized agent incident to such practitioner's administering or dispensing of a drug in the course of the practitioner's professional practice;

(2) a practitioner, by a practitioner's authorized agent or under a practitioner's supervision for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale; or

(3) a pharmacist or the pharmacist's authorized agent acting under the direct supervision of the pharmacist for the purpose of, or incident to, the dispensing of a drug by the pharmacist.

(gg) "Manufacturer" means a person licensed or approved by the FDA to engage in the manufacture of drugs and devices.

(hh) "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed pursuant to the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.

(ii) "Normal distribution channel" means a chain of custody for a prescription-only drug that goes from a manufacturer of the prescription-only drug, from that manufacturer to that manufacturer's co-licensed partner, from that manufacturer to that manufacturer's third-party logistics provider, or from that manufacturer to that manufacturer's exclusive distributor, directly or by drop shipment, to:

(1) A pharmacy to a patient or to other designated persons authorized by law to dispense or administer such drug to a patient;

(2) a wholesale distributor to a pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient;

(3) a wholesale distributor to a chain pharmacy warehouse to that chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient; or

(4) a chain pharmacy warehouse to the chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient.

(jj) "Person" means individual, corporation, government, governmental subdivision or agency, partnership, association or any other legal entity.

(kk) "Pharmacist" means any natural person licensed under this act to practice pharmacy.

(ll) "Pharmacist-in-charge" means the pharmacist who is responsible to the board for a registered establishment's compliance with the laws and regulations of this state pertaining to the practice of pharmacy, manufacturing of drugs and the distribution of drugs. The pharmacist-in-charge shall supervise such establishment on a full-time or a part-time basis and perform such other duties relating to supervision of a registered establishment as may be prescribed by the board by rules and regulations. Nothing in this definition shall relieve other pharmacists or persons from their responsibility to comply with state and federal laws and regulations.

(mm) "Pharmacist intern" means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving an internship; or (3) a graduate of a pharmacy program located outside of the United States which is not accredited and who has successfully passed equivalency examinations approved by the board.

(nn) "Pharmacy," "drugstore" or "apothecary" means premises, laboratory, area or other place: (1) Where drugs are offered for sale where the profession of pharmacy is practiced and where prescriptions are compounded and dispensed; or (2) which has displayed upon it or within it the words "pharmacist," "pharmaceutical chemist," "pharmacy," "apothecary," "drugstore," "druggist," "drugs," "drug sundries" or any of these words or combinations of these words or words of similar import either in English or any sign containing any of these words; or (3) where the characteristic symbols of pharmacy or the characteristic prescription sign "Rx" may be exhibited. As used in this subsection, premises refers only to the portion of any building or structure leased, used or controlled by the licensee in the conduct of the business registered by the board at the address for which the registration was issued.

(cc) "Pharmacy student" means an individual, registered with the board of pharmacy, enrolled in an accredited school of pharmacy:

(oo) "Pharmacy prescription application" means software that is used to process prescription information, is installed on a pharmacy's computers or servers, and is controlled by the pharmacy.

~~(ff)(pp)~~ "Pharmacy technician" means an individual who, under the direct supervision and control of a pharmacist, may perform packaging, manipulative, repetitive or other nondiscretionary tasks related to the processing of a prescription or medication order and who assists the pharmacist in the performance of pharmacy related duties, but who does not perform duties restricted to a pharmacist.

~~(gg)(qq)~~ "Practitioner" means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist or scientific investigator or other person authorized by law to use a prescription-only drug in teaching or chemical analysis or to conduct research with respect to a prescription-only drug.

~~(hh)(rr)~~ "Preceptor" means a licensed pharmacist who possesses at least two years' experience as a pharmacist and who supervises students obtaining the pharmaceutical experience required by law as a condition to taking the examination for licensure as a pharmacist.

~~(ii)~~ "Prescription" means, according to the context, either a prescription order or a prescription medication.

~~(ss)~~ "Prescriber" means a practitioner or a mid-level practitioner.

~~(jj)(tt)~~ "Prescription" or "prescription order" means: (1) An order to be filled by a pharmacist for prescription medication issued and signed by a prescriber in the authorized course of such prescriber's professional practice; or (2) an order transmitted to a pharmacist through word of mouth, note, telephone or other means of communication directed by such prescriber, regardless of whether the communication is oral, electronic, facsimile or in printed form.

~~(uu)~~ "Prescription medication" means any drug, including label and container according to context, which is dispensed pursuant to a prescription order.

~~(kk)(vv)~~ "Prescription-only drug" means any drug whether intended for use by man or animal, required by federal or state law (including 21 U.S.C. § 353, as amended), to be dispensed only pursuant to a written or oral prescription or order of a practitioner or is restricted to use by practitioners only.

~~(ll)~~ "Prescription order" means: (1) An order to be filled by a pharmacist for prescription medication issued and signed by a practitioner or a mid-level practitioner in the authorized course of professional practice; or (2) an order transmitted to a pharmacist through word of mouth, note, telephone or other means of communication directed by such practitioner or mid-level practitioner.

~~(mm)(uuw)~~ "Probation" means the practice or operation under a temporary license, registration or permit or a conditional license, registration or permit of a business or profession for which a license, registration or permit is granted by the board under the provisions of the pharmacy act of the state of Kansas requiring certain actions to be accomplished or certain actions not to occur before a regular license, registration or permit is issued.

~~(nn)(xx)~~ "Professional incompetency" means:

(1) One or more instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree which constitutes gross negligence, as determined by the board;

(2) repeated instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree which constitutes ordinary negligence, as determined by the board; or

(3) a pattern of pharmacy practice or other behavior which demonstrates a manifest incapacity or incompetence to practice pharmacy.

~~(oo)(yy)~~ "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized record-keeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

~~(zz)~~ "Retail dealer" means a person selling at retail nonprescription drugs which are prepackaged, fully prepared by the manufacturer or distributor for use by the consumer and labeled in accordance with the requirements of the state and federal food, drug and cosmetic acts. Such nonprescription drugs shall not include: (1) A controlled substance; (2) a prescription-only drug; or (3) a drug intended for human use by hypodermic injection.

~~(pp)(aaa)~~ "Secretary" means the executive secretary of the board.

~~(qq)(bbb)~~ "Third party logistics provider" means an entity that: (1) Provides or coordinates warehousing, distribution or other services on behalf of a manufacturer, but does not take title to the prescription drug or have general responsibility to direct the prescription drug's sale or disposition; (2) is registered as a wholesale distributor under the pharmacy act of the state of Kansas; and (3) to be considered part of the normal distribution channel, must also be an authorized distributor of record.

~~(rr)(ccc)~~ "Unprofessional conduct" means:

(1) Fraud in securing a registration or permit;

(2) intentional adulteration or mislabeling of any drug, medicine, chemical or poison;

(3) causing any drug, medicine, chemical or poison to be adulterated or mislabeled, knowing the same to be adulterated or mislabeled;

(4) intentionally falsifying or altering records or prescriptions;

(5) unlawful possession of drugs and unlawful diversion of drugs to others;

(6) willful betrayal of confidential information under K.S.A. 65-1654, and amendments thereto;

(7) conduct likely to deceive, defraud or harm the public;

(8) making a false or misleading statement regarding the licensee's professional practice or the efficacy or value of a drug;

(9) commission of any act of sexual abuse, misconduct or exploitation related to the licensee's professional practice; or

(10) performing unnecessary tests, examinations or services which have no legitimate pharmaceutical purpose.

~~(ss)~~ "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed pursuant to the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.

~~(tt)(ddd)~~ "Vaccination protocol" means a written protocol, agreed to by a pharmacist and a person licensed to practice medicine and surgery by the state board of healing arts, which establishes procedures and recordkeeping and reporting requirements for administering a vaccine by the pharmacist for a period of time specified therein, not to exceed two years.

~~(eee)~~ "Valid prescription order" means a prescription that is issued for a legitimate medical purpose by an individual prescriber licensed by law to administer and prescribe drugs and acting in the usual course of such prescriber's professional practice. A prescription issued solely on the basis of an internet-based questionnaire or consultation without an appropriate prescriber-patient relationship is not a valid prescription order.

~~(uu)(fff)~~ "Veterinary medical teaching hospital pharmacy" means any location where prescription-only drugs are stored as part of an accredited college of veterinary medicine and from which prescription-only drugs are distributed for use in treatment of or administration to a nonhuman.

~~(vv)(ggg)~~ "Wholesale distributor" means any person engaged in wholesale distribution of prescription drugs or devices in or into the state, including, but not limited to, manufacturers, repackagers, own-label distributors, private-label distributors, jobbers, brokers, warehouses, including manufacturers' and distributors' warehouses, co-licensees, exclusive distributors, third party logistics providers, chain pharmacy warehouses that conduct wholesale distributions, and wholesale drug warehouses, independent wholesale drug traders and retail pharmacies that conduct wholesale distributions. Wholesale distributor shall not include persons engaged in the sale of durable medical equipment to consumers or patients.

~~(www)(hhh)~~ "Wholesale distribution" means the distribution of prescription drugs or devices by wholesale distributors to persons other than consumers or patients, and includes the transfer of prescription drugs by a pharmacy to another pharmacy if the total number of units of transferred drugs during a twelve-month period does not exceed 5% of the total number of all units dispensed by the pharmacy during the immediately preceding twelve-month period. Wholesale distribution does not include:

(1) The sale, purchase or trade of a prescription drug or device, an offer to sell, purchase or trade a prescription drug or device or the dispensing of a prescription drug or device pursuant to a prescription;

(2) the sale, purchase or trade of a prescription drug or device or an offer to sell, purchase or trade a prescription drug or device for emergency medical reasons;

(3) intracompany transactions, as defined in this section, unless in violation of own use provisions;

(4) the sale, purchase or trade of a prescription drug or device or an offer to sell, purchase or trade a prescription drug or device among hospitals, chain pharmacy warehouses, pharmacies or other health care entities that are under common control;

(5) the sale, purchase or trade of a prescription drug or device or the offer to sell, purchase or trade a prescription drug or device by a charitable organization described in 503(c)(3) of the internal revenue code of 1954 to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

(continued)

(6) the purchase or other acquisition by a hospital or other similar health care entity that is a member of a group purchasing organization of a prescription drug or device for its own use from the group purchasing organization or from other hospitals or similar health care entities that are members of these organizations;

(7) the transfer of prescription drugs or devices between pharmacies pursuant to a centralized prescription processing agreement;

(8) the sale, purchase or trade of blood and blood components intended for transfusion;

(9) the return of recalled, expired, damaged or otherwise non-salable prescription drugs, when conducted by a hospital, health care entity, pharmacy, chain pharmacy warehouse or charitable institution in accordance with the board's rules and regulations;

(10) the sale, transfer, merger or consolidation of all or part of the business of a retail pharmacy or pharmacies from or with another retail pharmacy or pharmacies, whether accomplished as a purchase and sale of stock or business assets, in accordance with the board's rules and regulations;

(11) the distribution of drug samples by manufacturers' and authorized distributors' representatives;

(12) the sale of minimal quantities of drugs by retail pharmacies to licensed practitioners for office use; or

(13) the sale or transfer from a retail pharmacy or chain pharmacy warehouse of expired, damaged, returned or recalled prescription drugs to the original manufacturer, originating wholesale distributor or to a third party returns processor in accordance with the board's rules and regulations.

Sec. 2. K.S.A. 2011 Supp. 65-1637 is hereby amended to read as follows: 65-1637. (a) In every store, shop or other place defined in this act as a "pharmacy" there shall be a pharmacist-in-charge and, except as otherwise provided by law, the compounding and dispensing of prescriptions shall be limited to pharmacists only. ~~Except as otherwise provided by the pharmacy act of this state, when a pharmacist is not in attendance at a pharmacy, the premises shall be enclosed and secured. Prescription orders may be written, oral, telephonic or by electronic transmission unless prohibited by law. Blank forms for written prescription orders may have two signature lines. If there are two lines, one signature line shall state: "Dispense as written" and the other signature line shall state: "Brand exchange permissible." Prescriptions shall only be filled or refilled in accordance with the following requirements:~~

~~(a) All prescriptions shall be filled in strict conformity with any directions of the prescriber, except that a pharmacist who receives a prescription order for a brand name drug product may exercise brand exchange with a view toward achieving a lesser cost to the purchaser unless:~~

~~(1) The prescriber, in the case of a prescription signed by the prescriber and written on a blank form containing two signature lines, signs the signature line following the statement "dispense as written," or~~

~~(2) the prescriber, in the case of a prescription signed by the prescriber, writes in the prescriber's own handwriting "dispense as written" on the prescription, or~~

~~(3) the prescriber, in the case of a prescription other than one in writing signed by the prescriber, expressly indicates the prescription is to be dispensed as communicated, or~~

~~(4) the federal food and drug administration has determined that a drug product of the same generic name is not bioequivalent to the prescribed brand name prescription medication.~~

~~(b) Prescription orders shall be recorded in writing by the pharmacist and the record so made by the pharmacist shall constitute the original prescription to be dispensed by the pharmacist. This record, if telephoned by other than the physician shall bear the name of the person so telephoning. Nothing in this paragraph shall be construed as altering or affecting in any way laws of this state or any federal act requiring a written prescription order.~~

~~(c) (1) Except as provided in paragraph (2), no prescription shall be refilled unless authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filed by the pharmacist.~~

~~(2) A pharmacist may refill a prescription order issued on or after the effective date of this act for any prescription drug, except a drug listed on schedule II of the uniform controlled substances act or a narcotic drug listed on any schedule of the uniform controlled substances act without the prescriber's authorization when all reasonable efforts to contact the prescriber have failed and when, in the pharmacist's professional judgment, continuation of the medication is necessary for the patient's health, safety and welfare. Such prescription refill shall only be in an amount judged by the pharmacist to be sufficient to maintain the patient until the prescriber can be contacted, but in no event shall a refill under this paragraph be more than a seven day supply or one~~

~~package of the drug. However, if the prescriber states on a prescription that there shall be no emergency refilling of that prescription, then the pharmacist shall not dispense any emergency medication pursuant to that prescription. A pharmacist who refills a prescription order under this subsection (c)(2) shall contact the prescriber of the prescription order on the next business day subsequent to the refill or as soon thereafter as possible. No pharmacist shall be required to refill any prescription order under this subsection (c)(2). A prescriber shall not be subject to liability for any damages resulting from the refilling of a prescription order by a pharmacist under this subsection (c)(2) unless such damages are occasioned by the gross negligence or willful or wanton acts or omissions by the prescriber.~~

~~(d) If any prescription order contains a provision that the prescription may be refilled a specific number of times within or during any particular period, such prescription shall not be refilled except in strict conformity with such requirements.~~

~~(e) If a prescription order contains a statement that during any particular time the prescription may be refilled at will, there shall be no limitation as to the number of times that such prescription may be refilled except that it may not be refilled after the expiration of the time specified or one year after the prescription was originally issued, whichever occurs first.~~

~~(f) Any pharmacist who exercises brand exchange and dispenses a less expensive drug product shall not charge the purchaser more than the regular and customary retail price for the dispensed drug.~~

~~Nothing contained in this section shall be construed as preventing a pharmacist from refusing to fill or refill any prescription if in the pharmacist's professional judgment and discretion such pharmacist is of the opinion that it should not be filled or refilled~~

~~(b) Except as otherwise provided by the pharmacy act of this state, when a pharmacist is not in attendance at a pharmacy, the premises shall be enclosed and secured.~~

New Sec. 3. (a) The pharmacist shall exercise professional judgment regarding the accuracy, validity and authenticity of any prescription order consistent with federal and state laws and rules and regulations. A pharmacist shall not dispense a prescription drug if the pharmacist, in the exercise of professional judgment, determines that the prescription is not a valid prescription order.

(b) The prescriber may authorize an agent to transmit to the pharmacy a prescription order orally, by facsimile transmission or by electronic transmission provided that the first and last names of the transmitting agent are included in the order.

(c) (1) A new written or electronically prepared and transmitted prescription order shall be manually or electronically signed by the prescriber. If transmitted by the prescriber's agent, the first and last names of the transmitting agent shall be included in the order.

(2) If the prescription is for a controlled substance and is written or printed from an electronic prescription application, the prescription shall be manually signed by the prescriber prior to delivery of the prescription to the patient or prior to facsimile transmission of the prescription to the pharmacy.

(3) An electronically prepared prescription shall not be electronically transmitted to the pharmacy if the prescription has been printed prior to electronic transmission. An electronically prepared and transmitted prescription which is printed following electronic transmission shall be clearly labeled as a copy, not valid for dispensing.

(4) In consultation with industry, the state board of pharmacy shall conduct a study on the issues of electronic transmission of prior authorizations and step therapy protocols. The report on the results of such study shall be completed and submitted to the legislature no later than January 15, 2013.

(5) The board is hereby authorized to conduct pilot projects related to any new technology implementation when deemed necessary and practicable, except that no state moneys shall be expended for such purpose.

(d) An authorization to refill a prescription order or to renew or continue an existing drug therapy may be transmitted to a pharmacist through oral communication, in writing, by facsimile transmission or by electronic transmission initiated by or directed by the prescriber.

(1) If the transmission is completed by the prescriber's agent, and the first and last names of the transmitting agent are included in the order, the prescriber's signature is not required on the fax or alternate electronic transmission.

(2) If the refill order or renewal order differs in any manner from the original order, such as a change of the drug strength, dosage form or directions for use, the prescriber shall sign the order as provided by paragraph (1).

(e) Regardless of the means of transmission to a pharmacy, only a pharmacist or a pharmacist intern shall be authorized to receive a new

prescription order from a prescriber or transmitting agent. A pharmacist, a pharmacist intern or a registered pharmacy technician may receive a refill or renewal order from a prescriber or transmitting agent if such registered pharmacy technician's supervising pharmacist has authorized that function.

(f) A refill is one or more dispensings of a prescription drug or device that results in the patient's receipt of the quantity authorized by the prescriber for a single fill as indicated on the prescription order.

(1) A prescription for a prescription drug or device that is not a controlled substance may authorize no more than 12 refills within 18 months following the date on which the prescription is issued.

(2) A prescription for a schedule III, IV or V controlled substance may authorize no more than five refills within six months following the date on which the prescription is issued.

(g) Prescriptions shall only be filled or refilled in accordance with the following requirements:

(1) All prescriptions shall be filled in strict conformity with any directions of the prescriber, except that a pharmacist who receives a prescription order for a brand name drug product may exercise brand exchange with a view toward achieving a lesser cost to the purchaser unless:

(A) The prescriber, in the case of a prescription manually or electronically signed by the prescriber and prepared on a form containing two signature lines, signs the signature line following the statement "dispense as written";

(B) the prescriber, in the case of a written prescription signed by the prescriber, writes in the prescriber's own handwriting "dispense as written" on the prescription;

(C) the prescriber, in the case of a prescription other than one in writing signed by the prescriber, expressly indicates the prescription is to be dispensed as communicated; or

(D) the federal food and drug administration has determined that a drug product of the same generic name is not bioequivalent to the prescribed brand name prescription medication.

(h) If a prescription order contains a statement that during any particular time the prescription may be refilled at will, there shall be no limitation as to the number of times that such prescription may be refilled except that it may not be refilled after the expiration of the time specified or one year after the prescription was originally issued, whichever occurs first.

(i) Prescription orders shall be recorded in writing by the pharmacist and the record so made by the pharmacist shall constitute the original prescription to be dispensed by the pharmacist. This record, if telephoned by other than the prescriber, shall bear the name of the person so telephoning. Nothing in this section shall be construed as altering or affecting in any way laws of this state or any federal act requiring a written prescription order.

(j) (1) Except as provided in paragraph (2), no prescription shall be refilled unless authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filled by the pharmacist.

(2) A pharmacist may refill a prescription order issued on or after the effective date of this act for any prescription drug except a drug listed on schedule II of the uniform controlled substances act or a narcotic drug listed on any schedule of the uniform controlled substances act without the prescriber's authorization when all reasonable efforts to contact the prescriber have failed and when, in the pharmacist's professional judgment, continuation of the medication is necessary for the patient's health, safety and welfare. Such prescription refill shall only be in an amount judged by the pharmacist to be sufficient to maintain the patient until the prescriber can be contacted, but in no event shall a refill under this paragraph be more than a seven day supply or one package of the drug. However, if the prescriber states on a prescription that there shall be no emergency refilling of that prescription, then the pharmacist shall not dispense any emergency medication pursuant to that prescription. A pharmacist who refills a prescription order under this subsection (j)(2) shall contact the prescriber of the prescription order on the next business day subsequent to the refill or as soon thereafter as possible. No pharmacist shall be required to refill any prescription order under this subsection (j)(2). A prescriber shall not be subject to liability for any damages resulting from the refilling of a prescription order by a pharmacist under this subsection (j)(2) unless such damages are occasioned by the gross negligence or willful or wanton acts or omissions by the prescriber.

(k) If any prescription order contains a provision that the prescription may be refilled a specific number of times within or during any particular period, such prescription shall not be refilled except in strict conformity with such requirements.

(l) Any pharmacist who exercises brand exchange and dispenses a less expensive drug product shall not charge the purchaser more than the regular and customary retail price for the dispensed drug.

(m) Nothing contained in this section shall be construed as preventing a pharmacist from refusing to fill or refill any prescription if in the pharmacist's professional judgment and discretion such pharmacist is of the opinion that it should not be filled or refilled.

Sec. 4. K.S.A. 2011 Supp. 65-1683 is hereby amended to read as follows: 65-1683. (a) The board shall establish and maintain a prescription monitoring program for the monitoring of scheduled substances and drugs of concern dispensed in this state or dispensed to an address in this state.

(b) Each dispenser shall submit to the board by electronic means information required by the board regarding each prescription dispensed for a substance included under subsection (a). The board shall promulgate rules and regulations specifying the nationally recognized telecommunications format to be used for submission of information that each dispenser shall submit to the board. Such information may include, but not be limited to:

- (1) The dispenser identification number;
- (2) the date the prescription is filled;
- (3) the prescription number;
- (4) whether the prescription is new or is a refill;
- (5) the national drug code for the drug dispensed;
- (6) the quantity dispensed;
- (7) the number of days supply of the drug;
- (8) the patient identification number;
- (9) the patient's name;
- (10) the patient's address;
- (11) the patient's date of birth;
- (12) the prescriber identification number;
- (13) the date the prescription was issued by the prescriber; and
- (14) the source of payment for the prescription.

(c) The board shall promulgate rules and regulations specifying the transmission methods and frequency of the dispenser submissions required under subsection (b).

(d) The board may issue a waiver to a dispenser that is unable to submit prescription information by electronic means. Such waiver may permit the dispenser to submit prescription information by paper form or other means, provided that all information required by rules and regulations is submitted in this alternative format.

(e) *The board is hereby authorized to apply for and to accept grants and may accept any donation, gift or bequest made to the board for furthering any phase of the prescription monitoring program.*

(f) *The board shall remit all moneys received by it under subsection (e) to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the board or a person designated by the president.*

Sec. 5. K.S.A. 2011 Supp. 65-1685 is hereby amended to read as follows: 65-1685. (a) The prescription monitoring program database, all information contained therein and any records maintained by the board, or by any entity contracting with the board, submitted to, maintained or stored as a part of the database, shall be privileged and confidential, shall not be subject to subpoena or discovery in civil proceedings and may only be used for investigatory or evidentiary purposes related to violations of state or federal law and regulatory activities of entities charged with administrative oversight of those persons engaged in the prescribing or dispensing of scheduled substances and drugs of concern, shall not be a public record and shall not be subject to the Kansas open records act, K.S.A. 45-215 *et seq.*, and amendments thereto, except as provided in subsections (c) and (d).

(b) The board shall maintain procedures to ensure that the privacy and confidentiality of patients and patient information collected, recorded, transmitted and maintained is not disclosed to persons except as provided in subsections (c) and (d).

(c) The board is hereby authorized to provide data in the prescription monitoring program to the following persons:

(1) Persons authorized to prescribe or dispense scheduled substances and drugs of concern, for the purpose of providing medical or pharmaceutical care for their patients;

(2) an individual who requests the individual's own prescription monitoring information in accordance with procedures established by the board;

(continued)

(3) designated representatives from the professional licensing, certification or regulatory agencies charged with administrative oversight of those persons engaged in the prescribing or dispensing of scheduled substances and drugs of concern;

(4) local, state and federal law enforcement or prosecutorial officials engaged in the administration, investigation or enforcement of the laws governing scheduled substances and drugs of concern subject to the requirements in K.S.A. 22-2502, and amendments thereto;

(5) designated representatives from the ~~Kansas health policy authority~~ department of health and environment regarding authorized Medicaid program recipients;

(6) persons authorized by a grand jury subpoena, inquisition subpoena or court order in a criminal action;

(7) personnel of the prescription monitoring program advisory committee for the purpose of operation of the program; ~~and~~

(8) personnel of the board for purposes of administration and enforcement of this act or the uniform controlled substances act, K.S.A. 65-4101 *et seq.*, and amendments thereto;

(9) persons authorized to prescribe or dispense scheduled substances and drugs of concern, when an individual is obtaining prescriptions in a manner that appears to be misuse, abuse or diversion of scheduled substances or drugs of concern; and

(10) medical examiners, coroners or other persons authorized under law to investigate or determine causes of death.

(d) The prescription monitoring program advisory committee established pursuant to K.S.A. 65-1689, and amendments thereto, is authorized to review and analyze the data for purposes of identifying patterns and activity of concern.

(1) If a review of information appears to indicate a person may be obtaining prescriptions in a manner that may represent misuse or abuse of controlled substances and drugs of concern, the advisory committee is authorized to notify the prescribers and dispensers who prescribed or dispensed the prescriptions. If the review identifies patterns or other evidence sufficient to create a reasonable suspicion of criminal activity, the advisory committee is authorized to notify the appropriate law enforcement agency.

(2) If a review of information appears to indicate that a violation of state or federal law relating to prescribing controlled substances and drugs of concern may have occurred, or that a prescriber or dispenser has knowingly prescribed, dispensed or obtained controlled substances and drugs of concern in a manner that is inconsistent with recognized standards of care for the profession, the advisory committee shall determine whether a report to the professional licensing, certification or regulatory agencies charged with administrative oversight of those persons engaged in prescribing or dispensing of controlled substances and drugs of concern or to the appropriate law enforcement agency is warranted.

(A) For purposes of such determination the advisory committee may, in consultation with the appropriate regulatory agencies and professional organizations, establish criteria regarding appropriate standards and utilize volunteer peer review committees of professionals with expertise in the particular practice to create such standards and review individual cases.

(B) The peer review committee or committees appointed herein shall have authority to request and receive information in the prescription monitoring program database from the director of the prescription monitoring program.

(C) If the determination is made that a referral to a regulatory or law enforcement agency is not warranted but educational or professional advising might be appropriate, the advisory committee may refer the prescribers or dispensers to other such resources.

(e) The board is hereby authorized to provide data in the prescription monitoring program to public or private entities for statistical, research or educational purposes after removing information that could be used to identify individual practitioners, dispensers, patients or persons who received prescriptions from dispensers.

Sec. 6. K.S.A. 2011 Supp. 65-1693 is hereby amended to read as follows: 65-1693. (a) A dispenser who knowingly fails to submit prescription monitoring information to the board as required by this act or knowingly submits incorrect prescription monitoring information shall be guilty of a severity level 10, nonperson felony.

(b) A person authorized to have prescription monitoring information pursuant to this act who knowingly discloses such information in violation of this act shall be guilty of a severity level 10, nonperson felony.

(c) A person authorized to have prescription monitoring information pursuant to this act who knowingly uses such information in a manner or for a purpose in violation of this act shall be guilty of a severity level 10, nonperson felony.

(d) A person who knowingly, and without authorization, obtains or attempts to obtain prescription monitoring information shall be guilty of a severity level 10, nonperson felony.

(e) It shall not be a violation of this act for a practitioner or dispenser to disclose or use information obtained pursuant to this act when such information is disclosed or used solely in the course of such practitioner's or dispenser's care of the patient who is the subject of the information.

Sec. 7. K.S.A. 2011 Supp. 65-4101 is hereby amended to read as follows: 65-4101. As used in this act: (a) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by: (1) A practitioner or pursuant to the lawful direction of a practitioner; or (2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser. It does not include a common carrier, public warehouseman or employee of the carrier or warehouseman.

(c) "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

~~(c)~~(d) "Board" means the state board of pharmacy.

~~(d)~~(e) "Bureau" means the bureau of narcotics and dangerous drugs, United States department of justice, or its successor agency.

~~(e)~~(f) "Controlled substance" means any drug, substance or immediate precursor included in any of the schedules designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111 and 65-4113, and amendments thereto.

(g) (1) "Controlled substance analog" means a substance that is intended for human consumption, and:

(A) The chemical structure of which is substantially similar to the chemical structure of a controlled substance listed in or added to the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto;

(B) which has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto; or

(C) with respect to a particular individual, which such individual represents or intends to have a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto.

(2) "Controlled substance analog" does not include:

(A) A controlled substance;

(B) a substance for which there is an approved new drug application; or

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug and cosmetic act, 21 U.S.C. § 355, to the extent conduct with respect to the substance is permitted by the exemption.

~~(f)~~(h) "Counterfeit substance" means a controlled substance which, or the container or labeling of which, without authorization bears the trademark, trade name or other identifying mark, imprint, number or device or any likeness thereof of a manufacturer, distributor or dispenser other than the person who in fact manufactured, distributed or dispensed the substance.

~~(g)~~(i) "Cultivate" means the planting or promotion of growth of five or more plants which contain or can produce controlled substances.

(j) "DEA" mean the U.S. department of justice, drug enforcement administration.

(k) "Deliver" or "delivery" means the actual, constructive or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.

~~(h)~~(l) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the packaging, labeling or compounding necessary to prepare the substance for that delivery, or pursuant to the prescription of a mid-level practitioner.

~~(i)~~(m) "Dispenser" means a practitioner or pharmacist who dispenses.

~~(j)~~(n) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

~~(k)~~(o) "Distributor" means a person who distributes.

~~(l)~~(p) "Drug" means:

(1) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them;

(2) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or animals;

(3) substances, (other than food), intended to affect the structure or any function of the body of man or animals; and

(4) substances intended for use as a component of any article specified in clause (1), (2) or (3) of this subsection. It does not include devices or their components, parts or accessories.

(m)(q) "Immediate precursor" means a substance which the board has found to be and by rule and regulation designates as being the principal compound commonly used or produced primarily for use and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail or limit manufacture.

(m)(r) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(s) "Electronic prescription application" means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber's computers and servers where access and records are controlled by the prescriber.

(t) "Electronic signature" means a confidential personalized digital key, code, number or other method for secure electronic data transmissions which identifies a particular person as the source of the message, authenticates the signatory of the message and indicates the person's approval of the information contained in the transmission.

(u) "Electronic transmission" means the transmission of an electronic prescription, formatted as an electronic data file, from a prescriber's electronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

(v) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

(w) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes, but is not limited to, transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer; or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

(x) "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

(y) "Isomer" means all enantiomers and diastereomers.

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly or by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or re-packaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for the individual's own lawful use or the preparation, compounding, packaging or labeling of a controlled substance:

(1) By a practitioner or the practitioner's agent pursuant to a lawful order of a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner or by the practitioner's authorized agent under such practitioner's supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or medical care facility as an incident to dispensing of a controlled substance.

(aa) "Marijuana" means all parts of all varieties of the plant *Cannabis* whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination.

(bb) "Medical care facility" shall have the meaning ascribed to that term in K.S.A. 65-425, and amendments thereto.

(cc) "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed under the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.

(dd) "Narcotic drug" means any of the following whether produced directly or indirectly by extraction from substances of vegetable origin

or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis:

(1) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate;

(2) any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (1) but not including the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) coca leaves and any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

(ee) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under K.S.A. 65-4102, and amendments thereto, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromorphan). It does include its racemic and levorotatory forms.

(ff) "Opium poppy" means the plant of the species *Papaver somniferum* L. except its seeds.

(gg) "Person" means individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity.

(hh) "Pharmacist" means any natural person licensed under K.S.A. 65-1625 et seq., to practice pharmacy.

(ii) "Pharmacist intern" means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving such person's internship; or (3) a graduate of a pharmacy program located outside of the United States which is not accredited and who had successfully passed equivalency examinations approved by the board.

(jj) "Pharmacy prescription application" means software that is used to process prescription information, is installed on a pharmacy's computers and servers, and is controlled by the pharmacy.

(kk) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

~~(l) "Pharmacist" means an individual currently licensed by the board to practice the profession of pharmacy in this state.~~

(ll) "Practitioner" means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist licensed under the optometry law as a therapeutic licensee or diagnostic and therapeutic licensee, or scientific investigator or other person authorized by law to use a controlled substance in teaching or chemical analysis or to conduct research with respect to a controlled substance.

(mm) "Prescriber" means a practitioner or a mid-level practitioner.

(nn) "Production" includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

(oo) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized record-keeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

(pp) "Ultimate user" means a person who lawfully possesses a controlled substance for such person's own use or for the use of a member of such person's household or for administering to an animal owned by such person or by a member of such person's household.

~~(y) "Isomer" means all enantiomers and diastereomers.~~

~~(z) "Medical care facility" shall have the meaning ascribed to that term in K.S.A. 65-425, and amendments thereto.~~

~~(aa) "Cultivate" means the planting or promotion of growth of five or more plants which contain or can produce controlled substances.~~

~~(bb) (1) "Controlled substance analog" means a substance that is intended for human consumption, and:~~

~~(A) The chemical structure of which is substantially similar to the chemical structure of a controlled substance listed in or added to the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto;~~

~~(B) which has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto; or~~

~~(C) with respect to a particular individual, which the individual represents or intends to have a stimulant, depressant or hallucinogenic ef-~~

(continued)

fect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto:

- (2) "Controlled substance analog" does not include:
(A) A controlled substance;
(B) a substance for which there is an approved new drug application, or

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug, and cosmetic act (21 U.S.C. § 355) to the extent conduct with respect to the substance is permitted by the exemption.

(cc) "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed under the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.

Sec. 8. K.S.A. 2011 Supp. 65-4111 is hereby amended to read as follows: 65-4111. (a) The controlled substances listed in this section are included in schedule IV and the number set forth opposite each drug or substance is the DEA controlled substances code which has been assigned to it.

(b) Any material, compound, mixture or preparation which contains any quantity of the following substances including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation and having a potential for abuse associated with a depressant effect on the central nervous system:

Table listing substances and their DEA codes: (1) Alprazolam 2882, (2) Barbitol 2145, (3) Bromazepam 2748, (4) Camazepam 2749, (5) Carisoprodol 8192, (6) Chloral betaine 2460, (7) Chloral hydrate 2465, (8) Chlordiazepoxide 2744, (9) Clobazam 2751, (10) Clonazepam 2737, (11) Clorazepate 2768, (12) Clotiazepam 2752, (13) Cloxazolam 2753, (14) Delorazepam 2754, (15) Diazepam 2765, (16) Dichloralphenazone 2467, (17) Estazolam 2756, (18) Ethchlorvynol 2540, (19) Ethinamate 2545, (20) Ethyl loflazepate 2758, (21) Fludiazepam 2759, (22) Flunitrazepam 2763, (23) Flurazepam 2767, (24) Fospropofol 2138, (25) Halazepam 2762, (26) Haloxazolam 2771, (27) Ketazolam 2772, (28) Loprazolam 2773, (29) Lorazepam 2885, (30) Lormetazepam 2774, (31) Mebutamate 2800, (32) Medazepam 2836, (33) Meprobamate 2820, (34) Methohexital 2264, (35) Methylphenobarbital (mephobarbital) 2250, (36) Midazolam 2884, (37) Nimetazepam 2837, (38) Nitrazepam 2834, (39) Nordiazepam 2838, (40) Oxazepam 2835, (41) Oxazolam 2839, (42) Paraldehyde 2585, (43) Petrichloral 2591, (44) Phenobarbital 2285, (45) Pinazepam 2883, (46) Prazepam 2764, (47) Quazepam 2881.

Table listing substances and their DEA codes: (47)(48) Temazepam 2925, (48)(49) Tetrazepam 2886, (49)(50) Triazolam 2887, (50)(51) Zolpidem 2783, (51)(52) Zaleplon 2781, (52)(53) Zopiclone 2784.

(c) Any material, compound, mixture, or preparation which contains any quantity of fenfluramine (1670), including its salts, isomers (whether optical, position or geometric) and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible. The provisions of this subsection (c) shall expire on the date fenfluramine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position or geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

Table listing substances and their DEA codes: (1) Cathine ((+)-norpseudoephedrine) 1230, (2) Diethylpropion 1610, (3) Fencamfamin 1760, (4) Fenproporex 1575, (5) Mazindol 1605, (6) Mefenorex 1580, (7) Pemoline (including organometallic complexes and chelates thereof) 1530, (8) Phentermine 1640.

The provisions of this subsection (d)(8) shall expire on the date phentermine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

Table listing substances and their DEA codes: (9) Pipradrol 1750, (10) SPA((-)-1-dimethylamino-1, 2-diphenylethane) 1635, (11) Sibutramine 1675, (12) Mondafinil 1680.

(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following, including salts thereof:

Table listing substances and their DEA codes: (1) Pentazocine 9709, (2) Butorphanol (including its optical isomers) 9720.

(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

Table listing substances and their DEA codes: (1) Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit 9167, (2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propion-oxybutane) 9278.

(g) Butyl nitrite and its salts, isomers, esters, ethers or their salts.

(h) The board may except by rule and regulation any compound, mixture or preparation containing any depressant substance listed in subsection (b) from the application of all or any part of this act if the compound, mixture or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

Sec. 9. K.S.A. 2011 Supp. 65-4113 is hereby amended to read as follows: 65-4113. (a) The controlled substances or drugs, by whatever official name, common or usual name, chemical name or brand name designated, listed in this section are included in schedule V.

(b) Any compound, mixture or preparation containing limited quantities of any of the following narcotic drugs which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

Table listing substances and their DEA codes: (1) Not more than 200 milligrams of codeine or any of its salts per 100 milliliters or per 100 grams.

- (2) Not more than 100 milligrams of dihydrocodeine or any of its salts per 100 milliliters or per 100 grams.
- (3) Not more than 100 milligrams of ethylmorphine or any of its salts per 100 milliliters or per 100 grams.
- (4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.
- (5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.
- (6) Not more than .5 milligram of difenoxin (9168) and not less than 25 micrograms of atropine sulfate per dosage unit.
- (c) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position or geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Propylhexedrine (except when part of a compound used for nasal decongestion which is authorized to be sold lawfully over the counter without a prescription under the federal food, drug and cosmetic act, so long as it is used only for such purpose) 8161
- (2) Pyrovalerone..... 1485
- (d) Any compound, mixture or preparation containing any detectable quantity of ephedrine, its salts or optical isomers, or salts of optical isomers.
- (e) Any compound, mixture or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers.
- (f) Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:
- (1) Ezogabine N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester..... 2779
- (2) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide] 2746
- (3) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid] 2782

Sec. 10. K.S.A. 65-4123 is hereby amended to read as follows: 65-4123. (a) Except as otherwise provided in K.S.A. 65-4117, and amendments thereto, or in this subsection (a), no schedule I controlled substance may be dispensed. The board by rules and regulations may designate in accordance with the provisions of this subsection (a) a schedule I controlled substance as a schedule I designated prescription substance. ~~A schedule I controlled substance designated as a schedule~~

~~I-designated prescription substance may be dispensed only upon the written prescription of a practitioner. Prior to designating a schedule I controlled substance as a schedule I designated prescription substance, the board shall find: (1) That the schedule I controlled substance has an accepted medical use in treatment in the United States; (2) that the public health will benefit by the designation of the substance as a schedule I designated prescription substance; and (3) that the substance may be sold lawfully under federal law pursuant to a prescription. No prescription for a schedule I designated prescription substance may be refilled.~~

(b) Except when dispensed by a practitioner, other than a pharmacy, to an ultimate user, no controlled substance in schedule II may be dispensed without the written or electronic prescription of a practitioner or a mid-level practitioner-prescriber. In emergency situations, as defined by rules and regulations of the board, schedule II drugs may be dispensed upon oral prescription of a practitioner or a mid-level practitioner-prescriber reduced promptly to writing or transmitted electronically and filed by the pharmacy. No prescription for a schedule II substance may be refilled.

(c) Except when dispensed by a practitioner, other than a pharmacy, to an ultimate user, a controlled substance included in schedule III, IV or V which is a prescription drug shall not be dispensed without a written or oral prescription of a practitioner or a mid-level practitioner either a paper prescription manually signed by a prescriber, a facsimile of a manually signed paper prescription transmitted by the prescriber or the prescriber's agent to the pharmacy, an electronic prescription that has been digitally signed by a prescriber with a digital certificate, or an oral prescription made by an individual prescriber and promptly reduced to writing. The prescription shall not be filled or refilled more than six months after the date thereof or be refilled more than five times.

(d) A controlled substance shall not be distributed or dispensed other than for a medical purpose. Prescriptions shall be retained in conformity with the requirements of K.S.A. 65-4121 and amendments thereto except by a valid prescription order as defined in K.S.A. 65-1626, and amendments thereto. Electronic prescriptions shall be retained electronically for five years from the date of their creation or receipt. The records must be readily retrievable from all other records and easily rendered into a format a person can read. Paper, oral and facsimile prescriptions shall be maintained as a hard copy for five years at the registered location.

New Sec. 11. A controlled substance listed in schedules II through V, excluding schedule V nonnarcotic depressants that have an effect on the central nervous system, shall not be distributed on a gratuitous basis by a manufacturer or distributor to a practitioner, mid-level practitioner, pharmacist or any other person.

Sec. 12. K.S.A. 65-4123 and K.S.A. 2011 Supp. 65-1626, 65-1637, 65-1683, 65-1685, 65-1693, 65-4101, 65-4111 and 65-4113 are hereby repealed.

Sec. 13. This act shall take effect and be in force from and after its publication in the Kansas register.

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 2011 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION		
Reg. No.	Action	Register
1-9-5a	New (T)	V. 30, p. 983
1-9-5a	New	V. 30, p. 1414
1-64-1	Revoked	V. 31, p. 171
1-65-1	New	V. 30, p. 44
1-66-1	New	V. 30, p. 44
1-66-2	New	V. 30, p. 45
1-66-3	New	V. 30, p. 45
1-67-1	New	V. 30, p. 45
1-67-2	New	V. 30, p. 45
1-67-3	New	V. 30, p. 45

1-68-1	New	V. 30, p. 45
1-68-2	New	V. 30, p. 46

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-1-2	Amended	V. 30, p. 635
4-1-5	Amended	V. 30, p. 635
4-1-6	Revoked	V. 30, p. 636
4-1-8	Revoked	V. 30, p. 636
4-1-9	Amended	V. 30, p. 636
4-1-9a	New	V. 30, p. 636
4-1-9b	New	V. 30, p. 637
4-1-11	Revoked	V. 30, p. 637
4-1-13	Amended	V. 30, p. 637
4-1-14	Amended	V. 30, p. 637
4-1-17	Amended	V. 30, p. 638
4-3-47	Amended (T)	V. 30, p. 25
4-3-47	Amended	V. 30, p. 411
4-3-48	Revoked	V. 30, p. 411
4-3-49	Amended	V. 30, p. 1179
4-3-50	Amended	V. 30, p. 411
4-3-51	Amended	V. 30, p. 1179
4-15-4	Amended	V. 31, p. 570
4-15-5	Amended (T)	V. 30, p. 1628
4-15-5	Amended	V. 31, p. 301
4-15-6	Amended	V. 31, p. 301
4-15-7	Amended	V. 31, p. 570
4-15-8	Amended	V. 31, p. 570
4-15-9	Amended	V. 31, p. 571
4-15-9a	New	V. 31, p. 571
4-15-10	Amended	V. 31, p. 571

4-15-13	Amended	V. 31, p. 572
4-27-1	Amended (T)	V. 30, p. 985
4-27-1	Amended	V. 30, p. 1414
4-28-7	Amended (T)	V. 30, p. 985
4-28-7	Amended	V. 30, p. 1414

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-16-1	Amended (T)	V. 30, p. 1237
5-16-1	Amended	V. 30, p. 1629
5-16-3	Amended (T)	V. 30, p. 1237
5-16-3	Amended	V. 30, p. 1629
5-16-5	Amended (T)	V. 30, p. 1238
5-16-5	Amended	V. 30, p. 1630
5-21-4	Amended	V. 30, p. 369
5-22-4a	Amended	V. 30, p. 1025
5-22-4d	Amended	V. 30, p. 1025

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-23-4	Amended	V. 31, p. 197
7-23-14	New	V. 31, p. 197
7-36-7	New	V. 31, p. 198
7-36-8	New	V. 31, p. 199
7-46-1	New	V. 31, p. 199
7-46-2	New	V. 31, p. 199
7-46-3	New	V. 31, p. 200

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

Reg. No.	Action	Register
14-10-6	Amended	V. 31, p. 13
14-10-7 through 14-10-10	Revoked	V. 31, p. 13
14-10-11	Amended	V. 31, p. 13
14-10-12 through 14-10-15	Revoked	V. 31, p. 13
14-10-16	Amended	V. 31, p. 13
14-10-17	New	V. 31, p. 14
14-10-18	New	V. 31, p. 14
14-13-12	Amended	V. 30, p. 1023

**AGENCY 19: GOVERNMENTAL ETHICS
COMMISSION**

Reg. No.	Action	Register
19-22-1	Amended	V. 30, p. 92
19-23-1	Amended	V. 30, p. 92
19-30-4	Revoked	V. 30, p. 92

AGENCY 22: STATE FIRE MARSHAL

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22-1-1	Amended	V. 30, p. 46
22-1-2	Amended	V. 30, p. 46
22-1-3	Amended	V. 30, p. 46
22-8-13	Amended	V. 30, p. 47
22-10-3	Amended	V. 30, p. 47
22-11-6	Revoked	V. 30, p. 48
22-11-8	Amended	V. 30, p. 48
22-15-7	Revoked	V. 30, p. 49
22-18-3	Amended	V. 30, p. 49
22-19-2	Amended	V. 30, p. 1024
22-19-3	Revoked	V. 30, p. 1025
22-19-5	Amended	V. 30, p. 1025

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-1-1	Amended	V. 30, p. 915
26-1-5	Amended	V. 30, p. 916
26-1-6	Amended	V. 30, p. 916
26-1-7	Revoked	V. 30, p. 917
26-1-8	New	V. 30, p. 917
26-2-3	Amended	V. 30, p. 917
26-2-9	Revoked	V. 30, p. 918
26-2-10	New	V. 30, p. 919
26-3-1	Amended	V. 30, p. 920
26-3-4	Revoked	V. 30, p. 921
26-4-1	Amended	V. 30, p. 921
26-4-6 through 26-4-15	Revoked	V. 30, p. 921
26-4a-1	Revoked	V. 30, p. 921
26-4a-2	New	V. 30, p. 921
26-5-2 through 26-5-10	Revoked	V. 30, p. 922
26-8-2	Amended	V. 30, p. 922
26-8-5	Amended	V. 30, p. 922
26-8-8	Amended	V. 30, p. 922
26-9-1	Amended	V. 30, p. 922
26-11-1 through 26-11-3	Revoked	V. 30, p. 923
26-42-103	New	V. 30, p. 1349

**AGENCY 28: DEPARTMENT OF HEALTH
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28-1-27	New	V. 30, p. 111
28-1-30	New	V. 30, p. 369
28-1-31	New	V. 30, p. 370
28-1-32	New	V. 30, p. 370
28-4-93	New	V. 31, p. 80
28-4-113	Amended	V. 31, p. 80
28-4-114	Amended	V. 31, p. 81
28-4-114a	New	V. 31, p. 83
28-4-115	Amended	V. 31, p. 83
28-4-115a	New	V. 31, p. 85
28-4-116	Amended	V. 31, p. 86
28-4-116a	New	V. 31, p. 87
28-4-120	Revoked	V. 31, p. 88
28-4-121	Revoked	V. 31, p. 88
28-4-428a	New	V. 31, p. 88

28-4-440	Amended	V. 31, p. 89
28-16-28g	Amended	V. 30, p. 1023
28-19-645a	New (T)	V. 30, p. 232
28-19-645a	New	V. 30, p. 1181
28-29-1a	New	V. 30, p. 1541
28-31-1	Revoked	V. 30, p. 414
28-31-2	Revoked	V. 30, p. 414
28-31-3	Revoked	V. 30, p. 414
28-31-4	Amended	V. 30, p. 414
28-31-5	Revoked	V. 30, p. 415
28-31-6	Amended	V. 30, p. 415
28-31-7	Revoked	V. 30, p. 415
28-31-8	Revoked	V. 30, p. 415
28-31-8b	Revoked	V. 30, p. 415
28-31-9	Revoked	V. 30, p. 415
28-31-10	Amended	V. 31, p. 196
28-31-12	Amended	V. 30, p. 416
28-31-13	Amended	V. 30, p. 417
28-31-14	Revoked	V. 30, p. 417
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28-31-16	Revoked	V. 30, p. 417
28-31-100	New	V. 30, p. 417
28-31-100a	New	V. 30, p. 418
28-31-100d	New	V. 30, p. 418
28-31-100e	New	V. 30, p. 419
28-31-100f	New	V. 30, p. 420
28-31-100p	New	V. 30, p. 420
28-31-100q	New	V. 30, p. 420
28-31-100r	New	V. 30, p. 420
28-31-100s	New	V. 30, p. 421
28-31-124	New	V. 30, p. 422
28-31-124a	New	V. 30, p. 423
28-31-124b	New	V. 30, p. 423
28-31-124c	New	V. 30, p. 423
28-31-124d	New	V. 30, p. 424
28-31-124e	New	V. 30, p. 424
28-31-260	New	V. 30, p. 425
28-31-260a	New	V. 30, p. 426
28-31-261	New	V. 30, p. 426
28-31-261a	New	V. 30, p. 427
28-31-262	New	V. 30, p. 427
28-31-262a	New	V. 30, p. 427
28-31-263	New	V. 30, p. 428
28-31-263a	New	V. 30, p. 429
28-31-264	New	V. 30, p. 429
28-31-264a	New	V. 30, p. 431
28-31-265	New	V. 30, p. 432
28-31-265a	New	V. 30, p. 433
28-31-266	New	V. 30, p. 433
28-31-267	New	V. 30, p. 434
28-31-267a	New	V. 30, p. 434
28-31-268	New	V. 30, p. 434
28-31-270	New	V. 30, p. 434
28-31-270a	New	V. 30, p. 435
28-31-273	New	V. 30, p. 436
28-31-279	New	V. 30, p. 436
28-31-279a	New	V. 30, p. 437
28-34-126	New (T)	V. 30, p. 1000
28-34-126	New	V. 30, p. 1471
28-34-127	New (T)	V. 30, p. 1000
28-34-127	New	V. 30, p. 1472
28-34-129 through 28-34-144	New (T)	V. 30, p. 1000-1006
28-34-129	through	
28-34-144	New	V. 30, p. 1472-1478
28-35-135l	Amended	V. 30, p. 195
28-35-135t	Amended	V. 30, p. 196
28-35-135w	Amended	V. 30, p. 197
28-35-175a	Amended	V. 30, p. 198
28-35-178b	Amended	V. 30, p. 198
28-35-178e	Amended	V. 30, p. 200
28-35-178j	Amended	V. 30, p. 201
28-35-180b	Amended	V. 30, p. 201
28-35-181a	Amended	V. 30, p. 203
28-35-181e	Revoked	V. 30, p. 203
28-35-181j	Amended	V. 30, p. 203
28-35-181m	Amended	V. 30, p. 204
28-35-181o	Amended	V. 30, p. 205
28-35-192b	Amended	V. 30, p. 206
28-35-192c	Amended	V. 30, p. 206
28-35-192d	Revoked	V. 30, p. 207
28-35-192e	Amended	V. 30, p. 207
28-35-192g	Amended	V. 30, p. 207
28-35-194a	Amended	V. 30, p. 207
28-35-212a	Amended	V. 30, p. 208
28-35-216a	Amended	V. 30, p. 209
28-35-225b	New	V. 30, p. 210

28-35-231c	Amended	V. 30, p. 210
28-35-242	Amended	V. 30, p. 210
28-35-264	Amended	V. 30, p. 210
28-35-334	Amended	V. 30, p. 211
28-35-346	Amended	V. 30, p. 212
28-35-411	Amended	V. 30, p. 212
28-35-600 through 28-35-608	New	V. 31, p. 90-93
28-38-18	Amended	V. 30, p. 1346
28-39-169a	Amended	V. 30, p. 1346
28-39-169b	Amended	V. 30, p. 1347
28-39-169c	Amended	V. 30, p. 1348
28-53-1	Amended	V. 30, p. 463
28-53-2	Amended	V. 30, p. 463
28-53-4	Amended	V. 30, p. 463
28-54-1 through 28-54-5	Amended	V. 31, p. 280-282
28-61-2	Amended	V. 30, p. 336
28-61-3	Amended	V. 30, p. 337
28-61-4	Amended	V. 30, p. 337

**AGENCY 40: KANSAS INSURANCE
DEPARTMENT**

Reg. No.	Action	Register
40-1-22	Amended	V. 30, p. 722
40-1-37	Amended	V. 30, p. 193
40-3-33	Revoked	V. 30, p. 232
40-4-42c	Amended	V. 31, p. 170
40-5-7	Revoked	V. 31, p. 114
40-10-16	New	V. 30, p. 556

**AGENCY 44: DEPARTMENT OF
CORRECTIONS**

Reg. No.	Action	Register
44-5-115	Amended	V. 31, p. 301
44-9-101	Amended	V. 31, p. 302
44-9-105	Amended	V. 31, p. 303
44-9-107	New	V. 31, p. 304
44-9-501 through 44-9-504	New	V. 31, p. 304, 305
44-11-111	Amended	V. 31, p. 193
44-11-113	Amended	V. 31, p. 194
44-11-119	Amended	V. 31, p. 195
44-11-121	Amended	V. 31, p. 195
44-11-123	Amended	V. 31, p. 195
44-11-127	Amended	V. 31, p. 195
44-11-129	Amended	V. 31, p. 196
44-11-132	Amended	V. 31, p. 196

AGENCY 45: PRISONER REVIEW BOARD

Reg. No.	Action	Register
45-100-1	Revoked	V. 31, p. 306
45-500-1 through 45-500-4	Revoked	V. 31, p. 306

**AGENCY 51: DEPARTMENT OF LABOR—
DIVISION OF WORKERS COMPENSATION**

Reg. No.	Action	Register
51-3-8	Amended	V. 30, p. 1649
51-7-8	Amended	V. 30, p. 1541
51-9-7	Amended	V. 30, p. 1577

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-11-101	Amended	V. 31, p. 572
60-11-102	Amended	V. 31, p. 573
60-11-103	Amended	V. 31, p. 573
60-11-104	Amended	V. 31, p. 574
60-11-104a	Amended	V. 31, p. 574
60-11-105	Amended	V. 31, p. 574
60-11-106	Amended	V. 31, p. 575
60-11-107	Amended	V. 31, p. 575
60-11-113	Amended	V. 31, p. 575
60-11-116	Amended	V. 31, p. 575
60-11-118	Amended	V. 31, p. 576
60-11-119	Amended	V. 31, p. 576
60-11-120	Amended	V. 31, p. 576
60-11-121	Amended	V. 31, p. 576
60-13-112	Amended	V. 31, p. 576
60-16-102	Amended	V. 31, p. 577
60-16-103	Amended	V. 31, p. 577
60-16-104	Amended	V. 31, p. 578
60-17-101	Amended	V. 31, p. 580
60-17-104	Amended	V. 31, p. 580

60-17-105 Amended V. 31, p. 581
 60-17-110 Amended V. 31, p. 581
 60-17-111 Amended V. 31, p. 581

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-6	Amended	V. 30, p. 1215
63-4-1	Amended	V. 30, p. 1215
63-6-2	Amended	V. 30, p. 1215
63-6-3	Amended	V. 30, p. 1216
63-7-1	Amended	V. 30, p. 1216
63-7-2	Amended	V. 30, p. 1217
63-7-6	Amended	V. 30, p. 1217
63-7-7	Amended	V. 30, p. 1217
63-7-9	New	V. 30, p. 1218
63-7-10	New	V. 30, p. 1218
63-7-11	New	V. 30, p. 1218

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-7-1	Amended	V. 30, p. 1681
66-9-7	Amended	V. 30, p. 1681
66-10-1	Amended	V. 30, p. 1681
66-10-3	Amended	V. 30, p. 1681
66-12-1	Amended	V. 30, p. 1681

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-2-22	Amended	V. 30, p. 537
68-20-10a	Amended	V. 30, p. 538
68-20-24	New (T)	V. 30, p. 357
68-20-25	New (T)	V. 30, p. 357
68-20-26	New (T)	V. 30, p. 357
68-20-27	New (T)	V. 30, p. 357
68-20-28	New (T)	V. 30, p. 635
68-20-29	New (T)	V. 30, p. 635
68-21-2	Amended	V. 30, p. 370
68-22-1		
through		
68-22-5	New	V. 30, p. 1515

AGENCY 70: BOARD OF VETERINARY MEDICAL EXAMINERS

Reg. No.	Action	Register
70-7-1	Amended	V. 31, p. 14

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-4-1	Amended	V. 30, p. 1680

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-1-4	Amended	V. 31, p. 607
74-2-7	Amended	V. 31, p. 607
74-4-3a	Amended	V. 31, p. 608
74-4-7	Amended	V. 31, p. 608
74-4-8	Amended	V. 31, p. 609
74-4-10	Amended	V. 31, p. 610
74-5-2	Amended	V. 31, p. 610
74-5-101	Amended	V. 31, p. 611
74-5-202	Amended	V. 31, p. 612
74-5-302	Revoked	V. 31, p. 612
74-11-6	Amended	V. 31, p. 612

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-2-1	Amended	V. 30, p. 1048
81-5-21	New	V. 30, p. 1049
81-20-1	Revoked	V. 30, p. 866
81-20-2	Revoked	V. 30, p. 866
81-22-1	Amended	V. 30, p. 866
81-22-2	Revoked	V. 30, p. 866
81-23-1	Revoked	V. 30, p. 867
81-23-2	Revoked	V. 30, p. 867
81-24-1	Revoked	V. 30, p. 867
81-25-1	Revoked	V. 30, p. 867
81-25-2	Revoked	V. 30, p. 867
81-25-3	Revoked	V. 30, p. 867
81-26-3	Revoked	V. 30, p. 867
81-28-1	Revoked	V. 30, p. 867
81-28-2	Revoked	V. 30, p. 867
81-30-1	Revoked	V. 30, p. 867

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-4-1	Amended	V. 30, p. 1478
82-4-2a	New	V. 30, p. 1480

82-4-3a	Amended	V. 30, p. 1480
82-4-3f	Amended	V. 30, p. 1481
82-4-3g	Amended	V. 30, p. 1484
82-4-3i	Amended	V. 30, p. 1486
82-4-6d	Amended	V. 30, p. 1488
82-4-8a	Amended	V. 30, p. 1489
82-4-20	Amended	V. 30, p. 1489
82-11-4	Amended	V. 30, p. 1026
82-11-10	Amended	V. 30, p. 1030
82-12-7	Amended	V. 30, p. 1085

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-28-1	Amended	V. 30, p. 193
88-28-6	Amended (T)	V. 30, p. 1047
88-28-6	Amended	V. 30, p. 1377
88-29-1	Amended	V. 31, p. 380
88-29-3		
through		
88-29-7	Amended	V. 30, p. 947, 948
88-29-5	Amended	V. 31, p. 381
88-29-6	Amended	V. 31, p. 382
88-29-7	Amended	V. 31, p. 382
88-29-7a	Amended	V. 31, p. 382
88-29-8	Amended	V. 30, p. 949
88-29-8c	New	V. 30, p. 949
88-29-9		
through		
88-29-12	Amended	V. 30, p. 949-952
88-29-10	Amended	V. 31, p. 382
88-29-18	Amended	V. 30, p. 953
88-29-19	Amended	V. 30, p. 953
88-29a-5	Amended	V. 31, p. 383
88-29a-6	Amended	V. 31, p. 384
88-29a-7	Amended	V. 31, p. 384
88-29a-7a	Amended	V. 31, p. 385
88-29a-8	New	V. 30, p. 956
88-29a-8c	New	V. 30, p. 956
88-29a-9	New	V. 30, p. 956
88-29a-10	Amended	V. 31, p. 385
88-29a-11	Amended	V. 31, p. 387
88-29a-18	Amended	V. 31, p. 388
88-29a-19	Amended	V. 31, p. 389
88-30-1	Amended	V. 30, p. 194

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-200		
through		
91-1-204	Amended	V. 30, p. 1050-1057
91-1-230	Amended	V. 30, p. 1060
91-1-231	Amended	V. 30, p. 1060
91-1-232	Amended	V. 30, p. 1061
91-1-235	Amended	V. 30, p. 1062
91-1-236	Amended	V. 30, p. 1063

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-66a	Amended	V. 30, p. 1415
92-19-3	Revoked	V. 30, p. 280
92-19-3a	New	V. 30, p. 280
92-19-3b	New	V. 30, p. 283
92-19-3c	New	V. 30, p. 285
92-19-10	Revoked	V. 30, p. 285
92-19-16a	Amended	V. 30, p. 285
92-19-16b	Revoked	V. 30, p. 286
92-19-40	Revoked	V. 30, p. 286
92-19-42	Revoked	V. 30, p. 286
92-19-49b	Amended	V. 30, p. 286
92-19-55b	New	V. 30, p. 287
92-19-59	Amended	V. 30, p. 289
92-19-73	Amended	V. 30, p. 289

AGENCY 94: COURT OF TAX APPEALS

Reg. No.	Action	Register
94-3-2	Amended	V. 30, p. 1213
94-5-8	Amended	V. 30, p. 1213

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-28a-5	Amended	V. 31, p. 323
100-28a-10	Amended	V. 31, p. 324

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-5-3	Amended	V. 30, p. 371
102-6-1	Revoked	V. 31, p. 114

102-6-2	Revoked	V. 31, p. 114
102-6-4	Revoked	V. 31, p. 114
102-6-5	Revoked	V. 31, p. 114
102-6-8	Revoked	V. 31, p. 114
102-6-9	Revoked	V. 31, p. 114
102-6-9a	Revoked	V. 31, p. 114
102-6-10	Revoked	V. 31, p. 114
102-6-11	Revoked	V. 31, p. 114
102-6-12	Revoked	V. 31, p. 114
102-7-1	New (T)	V. 30, p. 1542
102-7-1	New	V. 31, p. 16
102-7-2	New (T)	V. 30, p. 1543
102-7-2	New	V. 31, p. 17
102-7-3	New (T)	V. 30, p. 1543
102-7-3	New	V. 31, p. 17
102-7-4	New (T)	V. 30, p. 1546
102-7-4	New	V. 31, p. 20
102-7-4a	New (T)	V. 30, p. 1548
102-7-4a	New	V. 31, p. 21
102-7-4b	New (T)	V. 30, p. 1548
102-7-4b	New	V. 31, p. 22
102-7-5	New (T)	V. 30, p. 1549
102-7-5	New	V. 31, p. 23
102-7-6	New (T)	V. 30, p. 1550
102-7-6	New	V. 31, p. 23
102-7-7	New (T)	V. 30, p. 1552
102-7-7	New	V. 31, p. 25
102-7-7a	New (T)	V. 30, p. 1552
102-7-7a	New	V. 31, p. 25
102-7-8	New (T)	V. 30, p. 1552
102-7-8	New	V. 31, p. 26
102-7-9	New (T)	V. 30, p. 1552
102-7-9	New	V. 31, p. 26
102-7-10	New (T)	V. 30, p. 1553
102-7-10	New	V. 31, p. 27
102-7-11	New (T)	V. 30, p. 1554
102-7-11	New	V. 31, p. 27
102-7-11a	New (T)	V. 30, p. 1556
102-7-11a	New	V. 31, p. 29
102-7-12	New (T)	V. 30, p. 1556
102-7-12	New	V. 31, p. 29

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-4-2	Amended (T)	V. 30, p. 1086
105-4-2	Amended	V. 30, p. 1466
105-4-3	Amended (T)	V. 30, p. 1086
105-4-3	Amended	V. 30, p. 1466
105-11-1	Amended (T)	V. 30, p. 1086
105-11-1	Amended	V. 30, p. 1466

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 30, p. 166
108-1-3	Amended	V. 30, p. 168
108-1-4	Amended	V. 30, p. 170

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-1-1	Amended	V. 31, p. 48
109-1-1a	New (T)	V. 30, p. 138
109-1-1a	New	V. 30, p. 573
109-1-2	Amended	V. 31, p. 51
109-2-1	Amended	V. 31, p. 51
109-2-2	Amended	V. 31, p. 51
109-2-4	Revoked	V. 31, p. 52
109-2-5	Amended	V. 31, p. 52
109-2-6	Amended	V. 31, p. 54
109-2-8	Amended	V. 31, p. 55
109-2-10a	New	V. 31, p. 56
109-2-11	Amended	V. 31, p. 57
109-2-12	Amended	V. 31, p. 58
109-2-13	Amended	V. 31, p. 58
109-3-3	New	V. 31, p. 246
109-3-4	New	V. 31, p. 247
109-3-5	New	V. 31, p. 247
109-5-1	Amended (T)	V. 30, p. 138
109-5-1	Amended	V. 30, p. 573
109-5-1a	New (T)	V. 30, p. 139
109-5-1a	New	V. 30, p. 574
109-5-1b	New (T)	V. 30, p. 139
109-5-1b	New	V. 30, p. 574
109-5-1c	New	V. 31, p. 247
109-5-1d	New (T)	V. 30, p. 139

(continued)

109-5-1d	New	V. 30, p. 574
109-5-1e	New (T)	V. 30, p. 139
109-5-1e	New	V. 30, p. 574
109-5-1f	New (T)	V. 30, p. 139
109-5-1f	New	V. 30, p. 574
109-5-5	Amended	V. 30, p. 1154
109-5-7a	New (T)	V. 30, p. 139
109-5-7a	New	V. 30, p. 574
109-5-7b	New (T)	V. 30, p. 140
109-5-7b	New	V. 30, p. 575
109-5-7c	New (T)	V. 31, p. 245
109-5-7c	New	V. 31, p. 497
109-5-7d	New (T)	V. 30, p. 141
109-5-7d	New	V. 30, p. 576
109-7-1	Amended	V. 31, p. 248
109-8-1	Amended (T)	V. 30, p. 141
109-8-1	Amended	V. 30, p. 576
109-8-2	New	V. 31, p. 225
109-9-1	Amended	V. 30, p. 1154
109-9-4	Amended	V. 30, p. 1154
109-10-1a	New (T)	V. 30, p. 141
109-10-1a	New	V. 30, p. 577
109-10-1b	New (T)	V. 30, p. 142
109-10-1b	New	V. 30, p. 577
109-10-1c	New	V. 31, p. 225
109-10-1d	New (T)	V. 30, p. 142
109-10-1d	New	V. 30, p. 577
109-10-1e	New (T)	V. 30, p. 142
109-10-1e	New	V. 30, p. 577
109-10-1f	New (T)	V. 30, p. 142
109-10-1f	New	V. 30, p. 577
109-10-1g	New (T)	V. 30, p. 142
109-10-1g	New	V. 30, p. 578
109-10-3	Amended	V. 30, p. 1155
109-10-5	Revoked	V. 30, p. 1155
109-10-6	Amended (T)	V. 30, p. 143
109-10-6	Amended	V. 30, p. 578
109-11-1a	New (T)	V. 30, p. 143
109-11-1a	New	V. 30, p. 578
109-11-3a	New (T)	V. 30, p. 144
109-11-3a	New	V. 30, p. 579
109-11-4a	New	V. 31, p. 225
109-11-6a	New (T)	V. 30, p. 144
109-11-6a	New	V. 30, p. 579
109-13-1	Amended	V. 31, p. 248
109-15-1	Amended	V. 30, p. 1155
109-15-2	Amended	V. 30, p. 1156

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-4-1		
through		
110-4-5	Amended	V. 30, p. 25-27
110-21-1		
through		
110-21-5	New	V. 30, p. 411-413
110-22-1		
through		
110-22-5	New (T)	V. 30, p. 984, 985
110-22-1		
through		
110-22-6	New	V. 30, p. 1416, 1417

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. The following regulations were filed after December 22, 2011:

Reg. No.	Action	Register
111-2-270		
through		
111-2-276	New	V. 31, p. 114-116
111-2-277		
through		
111-2-282	New	V. 31, p. 582, 583

111-4-3135	New	V. 31, p. 116
111-4-3136	New	V. 31, p. 121
111-4-3137		
through		
111-4-3142	New	V. 31, p. 274-278
111-4-3144		
through		
111-4-3158	New	V. 31, p. 345-354
111-4-3159		
through		
111-4-3162	New	V. 31, p. 583-587
111-4-3163		
through		
111-4-3171	New	V. 31, p. 613-617
111-5-23		
through		
111-5-28	Amended	V. 31, p. 355-358
111-5-31	Amended	V. 31, p. 359
111-5-33	Amended	V. 31, p. 279
111-5-194	Amended	V. 31, p. 359
111-5-200	New	V. 31, p. 360
111-5-201		
through		
111-5-206	New	V. 31, p. 618, 619
111-9-174	New	V. 31, p. 122
111-9-175	New	V. 31, p. 123
111-9-176	New	V. 31, p. 124
111-9-177	New	V. 31, p. 360
111-17-3	New	V. 31, p. 279
111-17-4	New	V. 31, p. 619
111-201-14	Amended	V. 31, p. 361
111-401-1		
through		
111-401-50	New	V. 31, p. 389-407
111-401-51		
through		
111-401-118	New	V. 31, p. 427-449
111-401-119		
through		
111-401-166	New	V. 31, p. 528-552
111-501-9	Amended	V. 31, p. 124
111-501-14		
through		
111-501-26	New	V. 31, p. 124-129
111-501-35		
through		
111-501-81	New	V. 31, p. 129-146
111-501-82		
through		
111-501-102	New	V. 31, p. 620-628

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-100-2	Amended	V. 30, p. 1605
112-101-6	Amended	V. 30, p. 290
112-101-8	Amended	V. 30, p. 1605
112-102-2	Amended	V. 30, p. 1605
112-102-8	Amended	V. 30, p. 290
112-102-10	Amended	V. 30, p. 1605
112-103-2	Amended	V. 30, p. 291
112-103-4	Amended	V. 30, p. 292
112-103-5	Amended	V. 30, p. 292
112-103-8	Amended	V. 30, p. 292
112-103-11	Amended	V. 30, p. 1605
112-103-15	Amended	V. 30, p. 292
112-104-1	Amended	V. 30, p. 293
112-104-5	Amended	V. 30, p. 1606
112-104-6	Amended	V. 30, p. 1606
112-104-8	Amended	V. 30, p. 294
112-104-13	Amended	V. 30, p. 295
112-104-14	Amended	V. 30, p. 297
112-104-15	Amended	V. 30, p. 297
112-104-16	Amended	V. 30, p. 298
112-104-32	Amended	V. 30, p. 300
112-104-42	New	V. 30, p. 1608
112-105-1	Amended	V. 30, p. 301
112-105-2	Amended	V. 30, p. 301
112-105-3	Amended	V. 30, p. 301
112-106-1	Amended	V. 30, p. 301
112-106-2	Amended	V. 30, p. 303
112-106-5	Amended	V. 30, p. 303
112-106-6	Amended	V. 30, p. 304
112-107-3	Amended	V. 30, p. 304
112-107-5	Amended	V. 30, p. 307
112-107-10	Amended	V. 30, p. 308
112-107-21	Amended	V. 30, p. 309
112-107-22	Amended	V. 30, p. 310

112-108-18	Amended	V. 30, p. 311
112-108-23	Amended	V. 30, p. 1609
112-108-36	Amended	V. 30, p. 312
112-108-55	Amended	V. 30, p. 313
112-110-1	Amended	V. 30, p. 1611
112-110-3	Amended	V. 30, p. 313
112-110-14	Amended	V. 30, p. 1612
112-112-1	Amended	V. 30, p. 314
112-112-3	Amended	V. 30, p. 314
112-112-4	Amended	V. 30, p. 314
112-112-7	Amended	V. 30, p. 315
112-112-9	Amended	V. 30, p. 315

AGENCY 115: DEPARTMENT OF WILDLIFE, PARKS, AND TOURISM

Reg. No.	Action	Register
115-1-1	Amended	V. 30, p. 943
115-2-2	Amended	V. 30, p. 1665
115-2-3	Amended	V. 30, p. 1466
115-2-3a	Revoked	V. 30, p. 1180
115-4-2	Amended	V. 31, p. 425
115-4-4	Amended	V. 31, p. 426
115-4-4a	Amended	V. 31, p. 427
115-4-6b	New	V. 30, p. 332
115-4-11	Amended	V. 30, p. 332
115-5-1	Amended	V. 30, p. 944
115-5-2	Amended	V. 30, p. 945
115-7-3	Amended	V. 30, p. 1665
115-7-6	Amended	V. 30, p. 1665
115-7-9	Amended	V. 30, p. 536
115-7-10	Amended	V. 30, p. 1665
115-8-1	Amended	V. 30, p. 1467
115-8-6	Amended	V. 30, p. 1665
115-8-9	Amended	V. 30, p. 1467
115-8-10	Amended	V. 30, p. 1468
115-8-12	Amended	V. 30, p. 1666
115-8-13	Amended	V. 30, p. 1180
115-16-3	Amended	V. 30, p. 1180
115-16-5	Amended	V. 30, p. 334
115-17-1	Amended	V. 30, p. 1468
115-17-2	Amended	V. 30, p. 1468
115-17-2a	New	V. 30, p. 1469
115-17-3	Amended	V. 30, p. 1469
115-17-4	Amended	V. 30, p. 1470
115-17-5	Amended	V. 30, p. 1470
115-17-10	Amended	V. 30, p. 1470
115-17-11	Amended	V. 30, p. 1470
115-17-12	Amended	V. 30, p. 1471
115-30-13	New	V. 30, p. 1666

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-7-1	Amended	V. 30, p. 92

AGENCY 120: KANSAS HEALTH POLICY AUTHORITY (FORMERLY HEALTH CARE DATA GOVERNING BOARD)

Reg. No.	Action	Register
120-1-2	Revoked	V. 30, p. 1024

AGENCY 129: DEPARTMENT OF HEALTH AND ENVIRONMENT—DIVISION OF HEALTH CARE FINANCE

Reg. No.	Action	Register
129-5-1	Amended	V. 31, p. 171
129-10-31	New	V. 30, p. 92

AGENCY 130: HOME INSPECTORS REGISTRATION BOARD

Reg. No.	Action	Register
130-2-1	Amended (T)	V. 30, p. 1629
130-2-1	Amended	V. 31, p. 224

AGENCY 131: COMMITTEE ON SURETY BONDS AND INSURANCE

Reg. No.	Action	Register
131-1-1	New	V. 30, p. 195

AGENCY 132: KANSAS 911 COORDINATING COUNCIL

Reg. No.	Action	Register
132-2-1	New	V. 31, p. 223
132-4-1	New	V. 31, p. 224

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