



Kansas Register

Kris W. Kobach, Secretary of State

Vol. 31, No. 26

June 28, 2012

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In this issue . . .	Page
Secretary of State	
Executive appointments	912
Department of Administration—Procurement and Contracts	
Notice to bidders for state purchases	913
Kansas Department of Transportation	
Notices to consulting engineers	913, 914
Notice of public auction	914
Notice to contractors	915
Kansas Department of Labor	
Notice of maximum and minimum weekly unemployment benefit amounts	916
Legislative interim committee schedule	916
Pooled Money Investment Board	
Notice of investment rates	916
State Board of Technical Professions	
Notice of meetings	916
City of Augusta	
Notice of intent to seek private placement of general obligation bonds	916
City of McPherson	
Notice of intent to seek private placement of general obligation bonds	916
Notice of Bond Sale	
City of Wichita	917
City of Spring Hill	918
Department of Health and Environment	
Notice concerning water pollution control permits/applications	919
Pittsburg State University	
Request for construction manager at risk services and notice of public hearing	920
Kansas Board of Regents Universities	
Notice to bidders	921
Attorney General	
Opinions 2012-13 through 2012-16	921
Social and Rehabilitation Services, Kansas Department on Aging, and Department of Health and Environment—Division of Health Care Finance	
Notice of final nursing facility Medicaid rates	922
Index to administrative regulations	932

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:

State Representative, 113th District

Lorene Bethell, P.O. Box 186, Alden, 67512. Succeeds Robert Bethell, deceased.

Chautauqua County Clerk

Cindy A. Alberts, 520 N. Main, Moline, 67353. Succeeds Cammie Farner, resigned.

Kansas Works State Board

Caleb Asher, 1715 S.W. Webster Ave., Topeka, 66604. Serves at the pleasure of the Governor.

Gregg Burden, Executive Director, Kansas Commission on Veterans' Affairs, Suite 701, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603. Serves at the pleasure of the Governor.

Shawn Sullivan, Secretary of Aging, 503 Kansas Ave., Topeka, 66603. Serves at the pleasure of the Governor.

Charlie Tetrick, 5810 Windsor Drive, Fairway, 66205. Serves at the pleasure of the Governor.

Kris W. Kobach
Secretary of State

Doc. No. 040655

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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:

07/10/2012	EVT0001534	Aggregates, Woodson & Wilson
07/11/2012	EVT0001524	Pavement Crack Sealant, Hot Applied
07/11/2012	EVT0001533	Highway and Related Signs
07/12/2012	EVT0001525	Clothing, Uniform
07/12/2012	EVT0001535	Trout Stocking Services
07/13/2012	EVT0001538	Kansas Broadband Needs Assessment

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>

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. 040653

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms prequalified in Category 311 — Geotechnical Engineering Services, and/or prequalified in Category 312 — Materials Laboratory Testing Services, and/or Category 333 — Geotechnical Specialist, for the on-call services 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 six pages, the subject line of the email and the PDF file name must read "2012 Geotech - Firm Name," and must be received by noon July 12 for the consulting engineering firm to be considered.

**On-Call Geotechnical Engineering,
Materials Laboratory Testing Services,
and Geotechnical Specialist**

The consultants selected are to provide Geotechnical Engineering Services (Category 311), and/or Materials Laboratory Testing Services (Category 312) and/or Geotechnical Specialist Services (Category 333) and will be performing geotechnical investigations that will identify and locate, both horizontally and vertically, significant soil and rock types and groundwater conditions present, and establish the characteristics of the subsurface materials visually, by sampling, and by laboratory and in-situ

testing. Materials Laboratory Testing Services consist of testing a variety of materials according to KDOT, AASHTO and ASTM standards.

These materials may include the following: aggregates, bituminous materials, cement, concrete, concrete admixtures, curing materials, geosynthetics, fly ash, lime, metals, paints, reflective materials, soils, sealants, wood, water and any other materials required to construct and maintain the Kansas roadway system. Geotechnical Specialty Services consist of conducting specialty surveys and services concerning geophysical or nondestructive testing and pavement condition inventory. The service requirements will include geophysical surveys (seismic, resistivity, sonic, magnetic), ground penetrating radar surveys, thermography surveys and automated pavement condition surveys and providing analysis and comprehensive report on results of surveys.

The Consultant Shortlist Committee will select seven to 10 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 several firms 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 firms:

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

The firms' 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. 040648

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 231 - Traffic Control Analysis and Design, for the 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 "2012 TEAP - Firm Name," and must be received by noon July 5 for the consulting engineering firm to be considered.

Traffic Engineering Assistance Program

The Bureau of Local Projects has a Traffic Engineering Assistance Program (TEAP). This program enables KDOT to utilize Federal 402 Safety funds in order to assist local political subdivisions in solving traffic engineering operational and safety improvements when they do not have the traffic engineering expertise available.

The consultants selected are to provide traffic engineering services during federal fiscal years 2013, 2014 and 2015 for one of two areas of the state. Area One comprises KDOT Districts One, Two and Three. Area Two comprises KDOT Districts Four, Five and Six. Each area will receive a maximum of \$75,000 per year. The development of detailed plans, designs, specifications or estimates will not be approved under this program.

The following is a list of possible areas where the consultant may be called upon to do work. Work will not be limited to these categories and will depend upon the nature of a project and its impact on traffic safety.

Traffic Accident Analysis	Alignment Problems
Traffic Counts	Sight Distance difficulties
Speed Surveys	Railroad Crossings
Minor Traffic Generation Studies	CBD Circulation Studies
Limited Transit Analysis	Pavement Marking Analysis
Parking Problems	High Accident Analysis
Capacity Analysis	School Signing and Markings
Lighting and Visibility Analysis	Signal Needs Study
Traffic Signal Progression and Delay Problems	Major Street Operational Analysis
Intersection Related Safety Problems	CBD Operation, Parking, or Capacity Analysis

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 shortlisted 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 firms:

1. Size and professional qualifications.
2. Experience of staff.
3. Location of firm with respect to projects.
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. 040631

State of Kansas

Department of Transportation

Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale at public auction at 4 p.m. Tuesday, July 24, the following parcel:

Tract 3219-5

1.92 acres, SE quadrant K-61 and Cherokee Road

Just west of the city of Inman, between old Highway 61 and newly constructed Highway 61, stand-alone site for short-term development of a single-family residence or small commercial business. Located in the NE/4 Section 17-T21S-R4W.

A complete legal description is available on request.

The sale will be conducted on the premises. An inspection of property will take place at 3 p.m. on the day of the sale. The minimum acceptable bid is \$5,185.

Terms of Sale:

Payment of \$518, representing 10 percent of the minimum acceptable bid, is due at the time of the sale. The balance of the purchase price must be paid on or before 3 p.m. August 24, 2012. The successful bidder will receive a bill of sale on the day of the sale and a quit claim deed after the balance is paid. If the balance of the purchase price is not paid on or before 3 p.m. August 24, 2012, the 10 percent down payment will be forfeited to the seller. For additional terms and information, contact the Bureau of Right of Way at 1-877-461-6817.

The seller reserves the right to reject any and all bids and is not responsible for accidents.

Mike King
Secretary of Transportation

Doc. No. 040654

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Eisenhower State Office Building, fourth floor west wing, 700 S.W. Harrison, Topeka, until 1 p.m. July 18, and then publicly opened:

District One – Northeast

District—106 KA-2848-01 – Mudjacking in 11 District One counties. (State Funds)

Leavenworth—73-52 KA-2842-01 – U.S. 73 from 320 feet south of the north junction of K-92 northwest to 0.4 mile north of the north city limits of Leavenworth, 2.8 miles, asphalt surfacing. (State Funds)

Lyon—50-56 KA-2768-01 – U.S. 50-I-35 roundabouts and connector road in Emporia, intersection improvement, 0.3 mile. (State Funds)

Lyon—35-56 KA-2847-01 – I-35 from the east end of the bridge over U.S. 50 north and east to the Lyon-Coffey county line, overlay, 10.3 miles. (State Funds)

Pottawatomie—24-75 KA-2226-01 – U.S. 24, 1.4 miles east of Riley County line (Big Blue River), bridge repair. (State Funds)

Wyandotte—69-105 KA-1180-05 – 18th Street Expressway over the Kansas River and Burlington Northern Santa Fe Railroad, 2 miles north of I-35, bridge repair. (State Funds)

Wyandotte—435-105 – KA-2136-01 – Upgrade high mast poles at I-435 and K-32, lighting. (Federal Funds)

Wyandotte—69-105 KA-2809-01 – U.S. 169 bridges 0.17 and 0.18 mile northwest of Southwest Boulevard, bridge repair. (State Funds)

District Two – North Central

District—106 KA-2855-01 – Milling in eight District Two counties, 30.8 miles. (State Funds)

Geary—31 KA-2734-02 – Henry Drive from the north I-70 ramp terminal north to Fort Riley, concrete pavement. (State Funds)

Marion—15-57 KA-2792-01 – K-15, 1.6 miles north of the east junction of U.S. 56, overlay. (State Funds)

Morris—4-64 KA-2794-01 – K-4, 10.3 miles northeast of K-149, bridge overlay. (State Funds)

Saline—70-85 KA-2801 – I-70, 0.4 mile east of K-143, bridge overlay. (State Funds)

District Three – Northwest

Decatur—20 C-4515-01 – County road 1 mile north and 7.1 miles west of Dresden, grading and bridge, 0.2 mile. (Federal Funds)

District—12 KA-2849-01 – Milling in 11 District Three counties, 188 miles. (State Funds)

Trego—98 C-4542-01 – County road 3 miles north and 6.9 miles east of Trego Center, grading and bridge, 0.2 mile. (Federal Funds)

District Four – Southeast

District—106 KA-2850-01 – Milling in Neosho, Chataqua, Allen and Cherokee counties, 27.7 miles. (State Funds)

Franklin—68-30 KA-2854-01 – K-68 from 0.7 miles east of the junction of I-35 east to 0.1 mile east of Nevada Terrace near Ottawa, overlay, 1.3 miles. (State Funds)

Greenwood—99-37 KA-2778-01 – K-99, 1.6 miles south of the Lyon County line, bridge repair. (State Funds)

Greenwood—400-37 KA-2856-01 – U.S. 400 from the Greenwood-Butler county line east 9.3 miles, asphalt surfacing. (State Funds)

Labette—400-50 KA-2790-01 – U.S. 400, 3.8 miles east of the Montgomery County line, bridge overlay. (State Funds)

Miami—169-61 KA-2844-01 – U.S. 169, 1.2 miles south of the south junction of K-7 northeast to 4 miles south of the K-68 junction, asphalt surfacing, 10.8 miles. (State Funds)

District Five – South Central

District—106 KA-2851-01 – Milling in seven District Five counties, 143.9 miles. (State Funds)

Reno-McPherson—61-106 KA-1501-01 – K-61 from north of 17th Street in Hutchinson northeast to the junction of I-135 east of McPherson, Intelligent Transportation System, 24.9 miles. (Federal Funds)

Sedgwick—235-87 KA-2040-01 – I-235 and 13th Street connection on the west side of Wichita, grading, bridge and surfacing, 1 mile. (State Funds)

Sedgwick—135-87 KA-2802-01 – I-135 and Hydraulic Avenue in Wichita, bridge repair. (State Funds)

Sedgwick—135-87 KA-2803-01 – I-135 bridge 0.7 mile north of 37th Street, bridge repair. (State Funds)

Sedgwick—135-87 KA-2824-01 – Various locations on I-135, I-235, U.S. 54, K-96 and K-15, pavement marking, 34.2 miles. (Federal Funds)

District Six – Southwest

District—106 KA-2853-01 – Milling in eight District Six counties, 112.2 miles. (State Funds)

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

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

Mike King
Secretary of Transportation

Doc. No. 040637

State of Kansas

Department of Labor

Notice of Maximum and Minimum Weekly Unemployment Benefit Amounts

Each year, in accordance with K.S.A. 44-704 of the Kansas Employment Security Law, the maximum and minimum weekly benefit amounts payable to unemployment insurance claimants are recalculated. For state fiscal year 2013, new claims filed on or after July 1, 2012 and before July 1, 2013, the maximum weekly benefit amount will be \$456 and the minimum weekly benefit amount will be \$114.

Karin Brownlee Secretary of Labor

Doc. No. 040644

State of Kansas

Board of Technical Professions

Notice of Meetings

The Kansas State Board of Technical Professions will conduct its Complaint Committee meeting at 2 p.m. Thursday, July 12, and the full board will meet at 10 a.m. Friday, July 13, in Suite 507 of the Landon State Office Building, 900 S.W. Jackson, Topeka. All meetings are open to the public. For more information, call (785) 296-3053.

Jean Boline Executive Director

Doc. No. 040643

(Published in the Kansas Register June 28, 2012.)

State of Kansas

Legislature

Interim Committee Schedule

The Legislative Research Department gives notice that the following legislative committees plan to meet during the period of June 28-July 10, based on current information and subject to change. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY 711, or email LegServ@las.ks.gov.

Date	Room	Time	Committee	Agenda
July 10	144-S	TBA	Legislative Post Audit	Agenda not available.

Jeffrey M. Russell Director of Legislative Administrative Services

Doc. No. 040649

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 6-25-12 through 7-1-12

Term	Rate
1-89 days	0.17%
3 months	0.08%
6 months	0.14%
1 year	0.24%
18 months	0.29%
2 years	0.31%

Scott Miller Director of Investments

Doc. No. 040641

City of Augusta, Kansas

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

Notice is hereby given that the city of Augusta, Kansas (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$455,000. 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 and the passage of an ordinance and 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 June 18, 2012.

Erica L. Jones City Clerk

Doc. No. 040647

(Published in the Kansas Register June 28, 2012.)

City of McPherson, Kansas

Notice of Intent to Seek Private Placement General Obligation Bonds, Series 135 of 2012

Notice is hereby given that the city of McPherson, Kansas (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$345,000. 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 and the passage of an ordinance and 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 June 18, 2012.

Tamra K. Seely City Clerk

Doc. No. 040646

(Published in the Kansas Register June 28, 2012.)

**Summary Notice of Sale
City of Wichita, Kansas**

\$12,210,000* General Obligation Bonds, Series 805

\$2,325,000* General Obligation Bonds, Series 810

**\$1,610,000* General Obligation Bonds, Series 961
(Taxable Under Federal Law)**

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

Bids

Subject to the Official Notice of Sale dated June 12, 2012, bids will be received by the director of finance on behalf of the city of Wichita, Kansas, at the office of the Department of Finance, 12th Floor, City Hall, 455 N. Main, Wichita, KS 67202-1697, by electronic bids via PARITY electronic bid submission system, until 10 a.m. Tuesday, July 10, 2012, for the purchase of the city's \$12,210,000* principal amount of General Obligation Bonds, Series 805 (the Series 805 Bonds); \$2,325,000* principal amount of General Obligation Bonds, Series 810 (the Series 810 Bonds); and \$1,610,000* principal amount of General Obligation Bonds, Series 961 (Taxable Under Federal Law) (the Series 961 Bonds), (the Series 805 Bonds, the Series 810 Bonds and the Series 961 Bonds are referred to collectively as the bonds or each as a series of bonds). All bids shall be publicly read and tabulated on said date and at said time and place. The bids will be considered and each series of bonds will be awarded by the City Council in the Council Chamber at City Hall at its earliest convenience following the bid opening.

No oral or auction bid for the bonds shall be considered, and no bid of less than the entire principal amount of each series of bonds, plus accrued interest to the date of delivery, will be considered.

Bids must be submitted electronically through PARITY. Each bidder shall be solely responsible for making the necessary arrangements to access PARITY for the purpose of submitting its electronic bid in a timely manner and in compliance with the Notice of Sale. To the extent any instructions or directions set forth in PARITY conflict with the Notice of Sale, the terms of the Notice of Sale shall control. The city shall not be responsible for any failure, misdirection or error in the transmission of a bid through PARITY. For further information about the electronic bidding services of PARITY, potential bidders may contact Ipreo, 1359 Broadway, 2nd Floor, New York, NY 10018, (212) 849-5021. Bidders may be required to be qualified in a manner established by the city before submitting a bid.

Bond Details

The bonds will be in book-entry-only form. The bonds will be issued in the denomination of \$5,000 or any integral multiple thereof, will be dated August 1, 2012 (the dated date), will become due in the years as follows:

Maturity Schedule – Series 805 Bonds

Maturing December 1	Principal Amount*
2013	\$1,040,000

2014	1,070,000
2015	1,105,000
2016	1,135,000
2017	1,170,000
2018	1,205,000
2019	1,240,000
2020	1,280,000
2021	1,315,000
2022	1,355,000
2023	55,000
2024	60,000
2025	60,000
2026	60,000
2027	60,000

Maturity Schedule – Series 810 Bonds

Maturing December 1	Principal Amount*
2013	\$120,000
2014	120,000
2015	125,000
2016	125,000
2017	130,000
2018	135,000
2019	135,000
2020	145,000
2021	150,000
2022	150,000
2023	155,000
2024	160,000
2025	170,000
2026	175,000
2027	180,000
2028	30,000
2029	30,000
2030	30,000
2031	30,000
2032	30,000

**Maturity Schedule – Series 961 Bonds
(Taxable Under Federal Law)**

Maturing December 1	Principal Amount*
2013	\$120,000
2014	125,000
2015	130,000
2016	135,000
2017	140,000
2018	145,000
2019	150,000
2020	155,000
2021	165,000
2022	170,000
2023	175,000

The bonds will bear interest from the dated date at rates to be determined when the bonds are sold as provided in the Notice of Sale. Interest on the bonds will be payable semiannually on June 1 and December 1 in each year, beginning June 1, 2013.

(continued)

Principal Amounts Subject to Change

The city reserves the right to decrease the total principal amount of each series of bonds and the principal amount of any maturity in order to properly size a bond issue including adjustments based on net bond proceeds received by the city as a result of any premium bid. Adjustments, if required, will be made proportionately to each maturity as permitted by the authorized denominations of such series of bonds. The successful bidder may not withdraw its bid or change the interest rates bid as a result of any changes made to the principal amount of a series of bonds as described. If there is an adjustment in the final aggregate principal amount of a series of bonds or the schedule of principal payments as described above, any premium bid on such series of bonds will be proportionately adjusted. At the request of the city, each successful bidder agrees to resize the applicable bond issue, adjust the premium and provide a revised maturity schedule to the city promptly after receipt of notification of such a request by the city.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

The bidder for each series of bonds shall provide the city with a cashier's or certified check drawn on a bank located in the United States, a financial surety bond in a form that complies with the requirements set forth in the Notice of Sale or the wire transfer of same-day funds in accordance with the requirements set forth in the Notice of Sale in an amount equal to 2 percent of the principal amount of the applicable series of bonds for which the bid is submitted.

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder(s) on or about August 9, 2012, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations is \$3,533,597,333. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds and certain general obligation temporary notes being sold simultaneously with the bonds, is \$820,474,500.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the city's Department of Finance, City Hall, 12th Floor, 455 N. Main, Wichita, KS 67202-1679 (Catherine Gilley, Debt Coordinator), (316) 268-4143; or from bond counsel, Kutak Rock LLP, 1010 Grand Blvd., Suite 500, Kansas City, MO 64106-2220, (816) 960-0090, Attention: Dorothea Riley.

Dated June 12, 2012.

City of Wichita, Kansas
By: Karen Sublett, City Clerk
City Hall, 13th Floor
455 N. Main
Wichita, KS 67202-1679
(316) 268-4529

***Subject to change.**

Doc. No. 040650

(Published in the Kansas Register June 28, 2012.)

**Summary Notice of Sale
City of Spring Hill, Kansas
\$4,885,000***

**General Obligation Improvement Bonds
Series 2012B**

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

Bids

Subject to the Notice of Bond Sale dated June 26, 2012, bids will be received on behalf of the finance director of the city of Spring Hill, Kansas, at the offices of Springsted Incorporated, 380 Jackson St., Suite 300, St. Paul, MN 55101-2887; by telephone at (651) 223-3000 or via facsimile at (651) 223-3046; or, in the case of electronic proposals, via PARITY electronic bid submission system, until 11 a.m. C.D.S.T. July 12, 2012, for the purchase of \$4,885,000* principal amount of General Obligation Improvement Bonds, Series 2012B. No bid of less than the entire par value of the bonds, except a discount of not greater than 1.2 percent of the par value of the bonds, plus accrued interest to the date of delivery, will be considered. Bidders may be required to be qualified in a manner established by the city before submitting a bid.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 31, 2012 (the dated date), and will become due on September 1 in the years as follows:

Year	Principal Amount*
2013	\$230,000
2014	240,000
2015	245,000
2016	245,000
2017	250,000
2018	255,000
2019	255,000
2020	260,000
2021	270,000
2022	275,000
2023	210,000
2024	215,000
2025	220,000
2026	225,000
2027	230,000
2028	235,000
2029	245,000

2030	250,000
2031	260,000
2032	270,000

The bonds will bear interest from the dated date at rates to be determined when the bonds are sold as provided in the Notice of Sale, which interest will be payable semi-annually on March 1 and September 1 in each year, beginning March 1, 2013. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the Notice of Sale.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States, a financial surety bond or a wire transfer of same-day funds in accordance with the requirements set forth in the Notice of Sale in an amount equal to 2 percent of the principal amount of bonds.

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about July 31, 2012, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2011 is \$61,167,217. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$31,970,385.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from Melanie Landis, the city's finance director, at (913) 592-3664; from the financial advisor, Springsted Incorporated of St. Paul, Minnesota, at (651)223-3000; or from bond counsel, Kutak Rock LLP, 1010 Grand Blvd., Suite 500, Kansas City, MO 64106-2220, (816) 960-0090, Attention: Dorothea Riley.

Dated June 27, 2012.

City of Spring Hill, Kansas
 By: Melanie Landis, Finance Director
 Spring Hill City Hall
 401 N. Madison
 Spring Hill, KS 66083

*Subject to change.

Doc. No. 040652

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-12-185/190
 Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Abeldt Farm Joe and Josh Abeldt 1360 200 Ave. Hope, KS 67451	NE/4 of Section 31, T16S, R03E, Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-B023

This permit is being reissued to an existing facility with a total combined maximum capacity of 950 animal units made up of either cattle, weighing less than 700 pounds, and/or sheep. The animal unit capacity has not changed since the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Lee and Joyce Bracken 9811 Edwards Road Fredonia, KS 66736	NW/4 of Section 21, T29S, R14E, Wilson County	Verdigris River Basin

Kansas Permit No. A-VEWL-S019

This is a permit modification and reissuance for an existing swine facility with the proposed maximum capacity of 1,320 head (528 animal units) of swine weighing greater than 55 pounds and 900 head (90 animal units) of swine weighing 55 pounds or less, for a total of 618 animal units of swine. This represents an increase in the permitted animal units from the previous permit. Proposed modifications to the facility include the removal of the two 300-head nursery buildings. The facility also has converted the old gestation building into a finisher building and no longer utilizes the farrowing building.

Name and Address of Applicant	Legal Description	Receiving Water
Lowry Ranch Calvin Lowry 1369 W. Highway 36 Prairie View, KS 67664	SW/4 of Section 33, T02S, R20W, Phillips County	Solomon River Basin

Kansas Permit No. A-SOPL-B011

(continued)

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

Name and Address of Applicant	Legal Description	Receiving Water
Solomon Valley Swine Steven & Chris Cox 504 W. 1500 Road Long Island, KS 67647	SW/4 of Section 10, T07S, R13W, Osborne County	Solomon River Basin

Kansas Permit No. A-SOOB-S001

This permit is being reissued for an existing facility with a maximum capacity of 1,920 head (768 animal units) of swine more than 55 pounds and 2,200 head (220 animal units) of swine 55 pounds or less, for a total of 4,120 head (988 animal units) of swine. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Sperflage Dairy 1672 Q Road Seneca, KS 66538	NW/4 of Section 14, T03S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-M022

The permit is being reissued to an existing facility with a maximum capacity of 210 head (294 animal units) of mature dairy cattle, 50 head (50 animal units) of cattle weighing more than 700 pounds, 64 head (32 animal units) of cattle weighing less than 700 pounds, 142 head (56.8 animal units) of swine weighing more than 55 pounds and 120 head (12 animal units) of swine weighing 55 pounds or less, for a total of 444.8 animal units. The animal unit capacity has not changed since the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
3MK Pork, LLC 2069 Prairie Road Washington, KS 66968	SW/4 of Section 17, T02S, R03E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-H002 Federal Permit No. KS0089681

This permit is being reissued for an existing facility with a maximum capacity of 8,000 head (3,200 animal units) of swine more than 55 pounds. There is no change in the permitted capacity.

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 July 28 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-12-185/190) 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. 040645

**State of Kansas
Pittsburg State University
Request for Construction Manager at Risk Services
and Notice of Public Hearing**

Notice is hereby given of the commencement of negotiations for construction manager at risk services for the renovation of a student housing complex located on the south side of the Pittsburg State University campus in Pittsburg. The renovation will include Dellinger, Nation and Mitchell Halls and will include bathroom renovations, student dorm room renovations, corridor upgrades, and HVAC upgrades for Dellinger and Mitchell Halls. The construction budget is estimated at \$8,000,000. An Architectural Program has been developed and design is in progress. The intention is to have a construction manager at risk in place prior to the completion of Design Development phase of drawings and specifications. Work will be done while occupied by students and while keeping the only student dining hall operational that is surrounded by the student housing complex. The construction manager at risk will provide pre-construction and construction services including, but not limited to, the following: scheduling, detailed cost estimating, phasing, staging, constructability reviews, material recommendations, construction, project closeout, etc.

Notice also is given of a public hearing to be held at 3:30 p.m. Thursday, July 19, in 101 Whitesitt Hall on the Pittsburg State University campus, to provide opportunity for comment.

For more information concerning the scope of services and/or to request a copy of the Request for Qualifications and Architectural Program, contact Paul Stewart at (620) 235-4130.

To be considered, provide 10 bound hard copies and a CD with a PDF of the proposal packet consisting of a one-page letter of interest, State of Kansas FPDC Forms (050 through 054) and any additional photographs or information relevant to the advertised services. Submittals should be concise and limited to a maximum of 40 pages.

Submittals should be received on or before noon July 19 by Paul Stewart, Director of Facilities Planning, Pittsburg State University, 1701 S. Broadway, 105 Whitesitt Hall, Pittsburg, 66762.

Paul Stewart
Director of Facilities Planning

Doc. No. 040651

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

Attorney General

Opinion 2012-13

Re: Procedure, Civil—Costs—Docket Fees; Authorized Only by Legislative Enactment; Additional Costs; Taxation of Costs; Items Allowable as Costs; Municipalities Exempt from Depositing Court Costs; Exceptions.

Procedure, Civil—Asset Seizure and Forfeiture—Seizure of Property; Commencement of Forfeiture Proceedings; May 15, 2012.

Synopsis: The court may not require payment of a docket fee by law enforcement agencies to file an asset forfeiture case pursuant to the Kansas Standard Asset Seizure and Forfeiture Act. However, once the case has been filed, the court has statutory authority to exercise its discretion in taxing costs against the parties for maintaining an action. The docket fee is allowable as court costs. Once the court determines to award court costs, the amount of the docket fee shall be assessed as costs. We conclude the 2011 legislative amendments to K.S.A. 60-4107(b)(3) and 60-4109(b) do not change this conclusion. Cited herein: K.S.A. 2011 Supp. 60-2001; 60-2003; 60-2005; K.S.A. 60-4101; K.S.A. 2011 Supp. 60-4104; 60-4107; 60-4109; 60-4112; 60-4113; K.S.A. 60-4114; and 60-4115. AA, LM

Opinion 2012-14

Re: State Boards, Commissions and Authorities—State Lottery—Conflicts of Interests; Restrictions on State and Local Officials and Affiliated Persons; May 16, 2012.

Synopsis: A Kansas Lottery employee may join a casino player's club, but may not allow a third party to gamble using the Lottery employee's player's club card. Kansas Lottery employees may not obtain free, discounted or non-discounted food or beverages from a casino's employee dining room. A Kansas Lottery employee may not receive the same discount offered to casino employees for food and beverages purchased at outlets open to the public. Cited herein: K.S.A. 2011 Supp. 21-5102; K.S.A. 46-215; 46-254; K.S.A. 2011 Supp. 74-8701; 74-8710; 74-8716; 74-8719; 74-8733; 74-8757; 74-8760; 74-8762; K.S.A. 75-704. SF

Opinion 2012-15

Re: Counties and County Officers—Hospitals and Related Facilities—Hospital Board; Procedure to Elect or Appoint Members; Term; Vacancies; Compensation and Expenses of Board Members; Powers and Duties of the Board; May 24, 2012.

Synopsis: The offices of county commissioner and county hospital trustee are incompatible. Therefore, the same person may not serve concurrently as both county commissioner and county hospital trustee. Cited herein: K.S.A. 19-205; 19-2609; 19-4605; 19-4607; 19-4609; K.S.A. 2011 Supp. 19-4610; K.S.A. 77-109; Kan. Const. Art. 2 § 18. SF

Opinion 2012-16

Re: Waters and Watercourses—Appropriation of Water for Beneficial Uses—Kansas Water Appropriation Act;

(continued)

Unlawful Acts; Penalties; Water Well Contractor; Duties.

Waters and Watercourses—Groundwater Exploration and Protection—Licensure of Water Well Contractors; Log of Drilling, Boring or Digging; Duty to Obtain Permit; May 24, 2012.

Synopsis: A water well contractor is not obligated under the Kansas Water Appropriation Act or the Kansas Groundwater Exploration and Protection Act to apply for and obtain a permit to appropriate water or operate a public water supply system prior to commencing water well construction or reconstruction. Cited herein: K.S.A. 82a-701; 82a-702; 82a-705; 82a-727; 82a-728; 82a-729; 82a-730; 82a-1201; 82a-1202; 82a-1203; 82a-1205; K.S.A. 2011 Supp. 82a-1206; K.S.A. 82a-1207; 82a-1213; K.S.A. 2011 Supp. 82a-1214; 82a-1216; K.A.R. 28-15-16; 28-30-2; 28-30-3; 28-30-4; 28-30-5; 28-30-6; 28-30-7; 28-30-8; 28-30-10. RDS

Derek Schmidt
Attorney General

Doc. No. 040642

State of Kansas

Social and Rehabilitation Services

Department on Aging

Department of Health and Environment—

Division of Health Care Finance

Notice of Final Nursing Facility Medicaid Rates for State Fiscal Year 2013;

Methodology for Calculating Final Rates, and Rate Justifications; Response to Written Comments; Notice of Intent to Amend the Medicaid State Plan

Under the Medicaid program, 42 U.S.C. 1396 et seq., the state of Kansas pays nursing facilities, nursing facilities for mental health, and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The Secretary of Aging administers the nursing facility program, which includes hospital long-term care units, and the Secretary of Social and Rehabilitation Services administers the nursing facility for mental health program. Both secretaries act on behalf of the Kansas Department of Health and Environment, Division of Health Care Finance (DHCF), the single state Medicaid agency. As a result of the reorganization of the Kansas Department on Aging and the Kansas Department of Social and Rehabilitation Services (Executive Reorganization Order No. 41), the nursing facilities program and the nursing facilities for mental health program will all be administered under the Kansas Department of Aging and Disability Services after July 1, 2012.

As required by 42 U.S.C. 1396a(a)(13), as amended by Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the Secretary of the Kansas Department on Aging (KDOA) and the Secretary of the Kansas Department of Social and Rehabilitation Services (SRS) are publishing the final Medicaid per diem rates for Medicaid-certified nursing facilities for state fiscal year 2013, the methodology underlying the establishment of the final nursing facility rates, and the

justifications for those final rates. SRS and KDOA are also providing notice of the state's intent to submit proposed amendments to the Medicaid State Plan to the U.S. Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) on or before September 30, 2012.

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

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

A. The following portions of the Kansas Medicaid State Plan are maintained by KHPA:

1. Attachment 4.19D, Part I, Subpart C, Exhibit C-1, inclusive.

The text of the portions of the Medicaid State Plan identified above in section IA.1, but not the documents, authorities and the materials incorporated therein by reference, is reprinted in this notice. The Medicaid State Plan provision set out in this notice appears in the version which the state currently intends to submit to CMS on or before September 30, 2012. The proposed Medicaid State Plan amendment that the state ultimately submits to CMS may differ from the version contained in this notice.

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

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

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

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

1) Cost Reports

The Nursing Facility Financial and Statistical Report (MS2004) is the uniform cost report. It is included in Kansas Administrative Regulation (K.A.R.) 129-10-17. It or-

ganizes the commonly incurred business expenses of providers into three reimbursable cost centers (operating, indirect health care, and direct health care). Ownership costs (i.e., mortgage interest, depreciation, lease, and amortization of leasehold improvements) are reported but reimbursed through the real and personal property fee. There is a non-reimbursable/non-resident related cost center so that total operating expenses can be reconciled to the providers' accounting records.

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

Calendar Year End Cost Reports:

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

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

Projected Cost Reports:

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

2) Rate Determination

Rates for Existing Nursing Facilities

Medicaid rates for Kansas NFs are determined using a prospective, facility-specific rate-setting system. The rate is determined from the base cost data submitted by the provider. The current base cost data is the combined calendar year cost data from each available report submitted by the current provider during 2008, 2009, and 2010.

If the current provider has not submitted a calendar year report between 2008 and 2010, the cost data submitted by the previous provider for that same period will be used as the base cost data. Once the provider completes their first 24 months in the program, their first calendar year cost report will become the provider's base cost data.

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

The allowable historic per diem cost is determined by dividing the allowable resident related expenses in each cost center by resident days. Before determining the per diem cost, each year's cost data is adjusted from the midpoint of that year to 12/31/11. The resident days and in-

flation factors used in the rate determination will be explained in greater detail in the following sections.

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

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

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

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

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

The cost information from the projected cost report and the first historic cost report covering the projected cost report period shall be adjusted to 12/31/11. This adjustment will be based on the IHS Global Insight, National Skilled Nursing Facility Market Basket Without Capital Index (IHS Index). The IHS indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to 12/31/11. The provider shall remain in new enrollment status until the base data is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in new enrollment status.

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

The payment rate for the first 24 months of operation shall be based on the base cost data of the previous owner or provider. This base cost data shall include data from each calendar year cost report that was filed by the pre-

(continued)

vious provider from 2008 to 2010. If base cost data is not available the most recent calendar year data for the previous provider shall be used. Beginning with the first day of the 25th month of operation the payment rate shall be based on the historical cost data for the first calendar year submitted by the new provider.

All data used to set rates for facilities recognized as a change-of-provider shall be adjusted to 12/31/11. This adjustment will be based on the IHS Index. The IHS indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to 12/31/11. The provider shall remain in change-of-provider status until the base data is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in change of provider status.

Rates for Facilities Reentering the Program (Reenrollment Status)

The per diem rate for each provider reentering the Medicaid program shall be determined from a projected cost report if the provider has not actively participated in the program by the submission of any current resident service billings to the program for 24 months or more. The per diem rate for all other providers reentering the program shall be determined from the base cost data filed with the agency or the most recent cost report filed preceding calendar year 2008.

All cost data used to set rates for facilities reentering the program shall be adjusted to 12/31/11. This adjustment will be based on the IHS Index. The IHS indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to 12/31/11. The provider shall remain in reenrollment status until the base data is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in reenrollment status.

3) Quarterly Case Mix Index Calculation

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

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

Each resident in the facility on the first day of each calendar quarter with a completed and submitted assess-

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

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

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

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

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

4) Resident Days

Facilities with 60 beds or less:

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

Facilities with more than 60 beds:

For facilities with more than 60 beds, the allowable historic per diem costs for the Direct Health Care cost center and for food and utilities in the Indirect Health Care cost center are determined by dividing the allowable resident related expenses by the actual resident days during the cost report period(s) used to establish the base cost data. The allowable historic per diem cost for the Operating and Indirect Health Care Cost Centers less food and util-

ities is subject to an 85% minimum occupancy rule. For these providers, the greater of the actual resident days for the cost report period(s) used to establish the base cost data or the 85% minimum occupancy based on the number of licensed bed days during the cost report period(s) used to establish the base cost data is used as the total resident days in the rate calculation for the Operating cost center and the Indirect Health Care cost center less food and utilities. All licensed beds are required to be certified to participate in the Medicaid program.

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

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

5) Inflation Factors

Inflation will be applied to the allowable reported costs from the calendar year cost report(s) used to determine the base cost data from the midpoint of each cost report period to 12/31/11. The inflation will be based on the IHS index.

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

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

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

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

6) Upper Payment Limits

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

Owner/Related Party/Administrator/Co-Administrator

Limits:

Since salaries and other compensation of owners are not subject to the usual market constraints, specific limits

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

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

The Schedule C is an array of non-owner administrator and co-administrator salaries. The schedule includes the calendar year 2010 historic cost reports in the database from all active nursing facility providers. The salary information in the array is not adjusted for inflation. The per diem data is calculated using an 85% minimum occupancy level for those providers in operation for more than 12 months with more than 60 beds. The Schedule C for the owner/related party/administrator/co-administrator per diem compensation limit is the first schedule run during the rate setting.

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

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

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Real and Personal Property Fee Limit

The property component of the reimbursement methodology consists of the real and personal property fee that is explained in more detail in a later section. The upper payment limit will be 105% of the median determined from a total resident day-weighted array of the property fees in effect April 1, 2011.

Cost Center Upper Payment Limits

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

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

Prior to the Schedule B arrays, the cost data on certain expense lines is adjusted from the midpoint of the cost report period to 12/31/11. This will bring the costs reported by the providers to a common point in time for comparisons. The inflation will be based on the IHS Index.

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

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

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

Direct Health Care Cost Center Limit:

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

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

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

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

The second step is to determine per diem costs and array them to determine the median. The per diem cost is determined by dividing the total of each provider’s base direct health care costs by the total days provided during the base cost data period. The median is located using a day-weighted methodology. That is, the median cost is the per diem cost for the facility in the array at which point the cumulative total of all resident days first equals or exceeds half the number of the total resident days for all providers. The facility with the median resident day in the array sets the median inflated direct health care cost. For example, if there are 8 million resident days, the facility in the array with the 4 millionth day would set the median.

The final step in calculating the base Direct Health Care upper payment limit is to apply the percentage factor to the median cost. For example, if the median cost is \$60 and the upper payment limit is based on 120% of the median, then the upper payment limit for the statewide average CMI would be \$78 ($D=130\% \times \60).

7) Quarterly Case Mix Rate Adjustment

The allowance for the Direct Health Care cost component will be based on the average Medicaid CMI in the facility. The first step in calculating the allowance is to determine the Allowable Direct Health Care Per Diem Cost. This is the lesser of the facility’s per diem cost from the base cost data period or the Direct Health Care upper payment limit. Because the direct health care costs were previously adjusted for the statewide average CMI, the Allowable Direct Health Care Per Diem Cost corresponds to the statewide average CMI.

The next step is to determine the Medicaid acuity adjusted allowable Direct Health Care cost. The Medicaid CMI is divided by the statewide average CMI for the cost data period. This answer is then multiplied by the Allowable Direct Health Care per diem cost. The result is referred to as the Medicaid Acuity Adjustment.

The Medicaid Acuity Adjustment is calculated quarterly to account for changes in the Medicaid CMI. To illustrate this calculation take the following situation: The facility’s direct health care per diem cost is \$60.00, the Direct Health Care per diem limit is \$78.00, and these are both tied to a statewide average CMI of 1.000, and the facility’s current Medicaid CMI is 0.9000. Since the per diem costs are less than the limit the Allowable Direct Health Care Cost is \$60.00, and this is matched with the statewide average CMI of 1.0000. To calculate the Medicaid Acuity Adjustment, first divide the Medicaid CMI

by the statewide average CMI, then multiply the answer by the Allowable Direct Health Care Cost. In this case that would result in \$54.00 (0.9000/1.0000 × \$60.00). Because the facility’s current Medicaid CMI is less than the statewide average CMI the Medicaid Acuity Adjustment moves the direct health care per diem down proportionally. In contrast, if the Medicaid CMI for the next quarter rose to 1.1000, the Medicaid Acuity Adjustment would be \$66.00 (1.1000/1.0000 × \$60.00). Again the Medicaid Acuity Adjustment changes the Allowable Direct Health Care Per Diem Cost to match the current Medicaid CMI.

8) Real and Personal Property Fee

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

The property fees in effect on June 1, 2008 were inflated with 12 months of inflation effective July 1, 2008. The inflation factor was from the IHS index. The providers receive the lower of the inflated property fee or the upper payment limit.

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

Providers entering the Kansas Medical Assistance program for the first time, who are operating in a building for which a fee has not previously been established, shall have a property fee calculated from the ownership costs reported on the cost report. This fee shall include appropriate components for rent or lease expense, interest expense on real estate mortgage, amortization of leasehold improvements, and depreciation on buildings and equipment. The process for calculating the property fee for providers entering the Kansas Medical Assistance program for the first time is explained in greater detail in K.A.R. 30-10-25.

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

9) Incentive Factors

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

Nursing Facility Quality and Efficiency Incentive Factor:

The Nursing Facility Incentive Factor is a per diem amount determined by six per diem add-ons providers can earn for various outcomes measures. Providers that maintain a case mix adjusted staffing ratio at or above the 75th percentile will earn a \$2.25 per diem add-on. Providers that fall below the 75th percentile staffing ratio but improve their staffing ratio by 10% or more will earn a \$0.20 per diem add-on. Providers that achieve a turnover rate at or below the 75th percentile will earn a \$2.25 per diem add-on. Providers that have a turnover rate greater than the 75th percentile but that reduce their turnover rate by 10% or more will receive a per diem add-on of \$0.20. Finally, providers that have a Medicaid occupancy percentage of 60% or more will receive a \$1.00 per diem add-on. The total of all the per diem add-ons a provider qualifies for will be their incentive factor.

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

Incentive Outcome	Incentive Points
CMI adjusted staffing ratio ≥ 75th percentile (4.81), or CMI adjusted staffing < 75th percentile but improved ≥ 10%	\$2.25 \$0.20
Staff turnover rate ≤ 75th percentile, 41% or Staff turnover rate > 75th percentile but reduced ≥ 10%	\$2.25 \$0.20
Medicaid occupancy ≥ 60%	\$1.00
Total Incentive Points Available	\$5.90

The Culture Change/Person-Centered Care Incentive Program

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

Each incentive level has a specific pay-for-performance incentive per diem attached to it that homes can earn by meeting defined outcomes. The first two levels are intended to encourage quality improvement for homes that have not yet met the minimum competency requirements for a person-centered care home. Homes can earn both of these incentives simultaneously as they progress toward the minimum competency level. The third level recognizes those homes that have attained a minimum level of core competency in person-centered care. The fourth and fifth levels are reserved for those homes that have demonstrated sustained person-centered care for multiple years and have gone on to mentor other homes in their pursuit of person-centered care. The table below provides a brief overview of each of the levels.

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PEAK Nursing Home Incentive Program

Level	Title	Required Nursing Home Action	State Action	Per Diem Incentive	Incentive Duration
1	Pursuit of Culture Change	Completes a person-centered care assessment (KCCI leadership version). Based on evaluation of this information the home then develops and submits an action plan explaining what changes they will implement during the next state fiscal year. The plan must include a time line, a budget, and staff education initiatives. All materials must be submitted in accordance with the PEAK 2.0 application packet.	Reviews assessment documentation and action plan to ensure that PEAK 2.0 application requirements have been met. Implements incentive for the next fiscal year.	\$0.50	Available beginning July 1, 2012. Subsequent fiscal year following approved action plan.
2	Culture Change Achievement	Submits culture change action plan report to KDOA documenting successful implementation of at least 75% of the core competencies approved. A home can apply for recognition for achievement and pursuit of culture change in the same year.	Reviews culture change action plan report and verifies that it documents at least 75% of the approved core competencies have been met. Conducts site visit to verify that action plan objectives have been met.	\$1.00	Available beginning July 1, 2013. Subsequent fiscal year following confirmed successful action plan report.
3	Person-Centered Care Home	Completes a person-centered care assessment (KCCI leadership version). Based on evaluation of this information the home then develops and submits a narrative demonstrating that the home has achieved minimum competency in the core areas of PEAK defined person-centered care. Once a home attains this level they are no longer eligible for recognition through levels one and two.	Reviews application to ensure it meets designated criteria. Conducts site visits to confirm application.	\$2.00	Available beginning July 1, 2012. Subsequent fiscal year following confirmed minimum competency.
4	Sustained Person-Centered Care	Earns person-centered care home award two consecutive years or biennially following initial recognition as sustained person-centered care home. For state fiscal year 2013 only, previous PEAK award wins will be included. Homes that meet the person-centered care home criteria that have also won a PEAK award once in the previous four years or twice in the first 10 years of PEAK would qualify.	Reviews application to ensure it meets designated criteria. Conducts site visits to confirm application. Reviews prior records to ensure home meets sustained criteria.	\$3.00	Available beginning July 1, 2012. Two subsequent fiscal years following confirmation. Renewable biennially.
5	Person-Centered Care Mentor	Earns sustained person-centered care achievement award, and successfully mentors another home to earn culture change achievement or Person-Centered Care Home Award. Submits documentation of mentoring activity. For the first year only previous PEAK winners would be allowed to submit evidence of their own mentoring activities and document how that has led to culture change in other homes.	Verifies sustained person-centered care achievement award. Reviews mentoring documentation and verifies mentoring activities with mentoree.	\$4.00	Available beginning July 1, 2012. Two subsequent fiscal years following confirmation. Renewable biennially.

Nursing Facility for Mental Health Quality and Efficiency Incentive Factor:

The Quality and Efficiency Incentive plan for Nursing Facilities for Mental Health (NFMH) will be established separately from NF. NFMH serve people who often do not need the NF level of care on a long term basis. There is a desire to provide incentive for NFMH to work co-

operatively and in coordination with Community Mental Health Centers to facilitate the return of persons to the community.

The Quality and Efficiency Incentive Factor is a per diem add-on ranging from zero to three dollars. It is designed to encourage quality care, efficiency and cooperation with discharge planning. The incentive factor is de-

terminated by five outcome measures: case-mix adjusted nurse staffing ratio; operating expense; staff turnover rate; staff retention rate; and occupancy rate. Each provider is awarded points based on their outcomes measures and the total points for each provider determine the per diem incentive factor included in the provider's rate calculation.

Providers may earn up to two incentive points for their case mix adjusted nurse staffing ratio. They will receive two points if their case-mix adjusted staffing ratio equals or exceeds 3.50, which is 120% of the statewide NFMH median of 2.92. They will receive one point if the ratio is less than 120% of the NFMH median but greater than or equal to 3.21, which is 110% of the statewide NFMH median. Providers with staffing ratios below 110% of the NFMH median will receive no points for this incentive measure.

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

NFMH providers may earn one point for low operating expense outcomes measures. They will earn a point if their per diem operating expenses are below \$19.49, or 90% of the statewide median of \$21.66.

NFMH providers may earn up to two points for their turnover rate outcome measure. Providers with direct health care staff turnover equal to or below 29%, the 75th percentile statewide, will earn two points as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs. Providers with direct health care staff turnover greater than 29% but equal to or below 33%, the 50th percentile statewide, will earn one point as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs.

Finally, NFMH providers may earn up to two points for their retention rate outcome measure. Providers with staff retention rates at or above 84%, the 75th percentile statewide will earn two points. Providers with staff retention rates at or above 77%, the 50th percentile statewide will earn one point.

The table below summarizes the incentive factor outcomes and points:

Quality/Efficiency Outcome	Incentive Points
CMI adjusted staffing ratio \geq 120% (3.66) of NF-MH median (3.05), or CMI adjusted staffing ratio between 110% (3.36) and 120%	2, or 1
Total occupancy \leq 90%	1
Operating expenses < \$19.14, 90% of NF-MH median, \$21.27	1
Staff turnover rate \leq 75th percentile, 24%	2, or 1
Staff turnover rate \leq 50th percentile, 34%	
Contracted labor < 10% of total direct health care labor costs	2, or 1
Staff retention \geq 75th percentile, 81%	
Staff retention \geq 50th percentile, 79%	8
Total Incentive Points Available	

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

<u>Total Incentive Points:</u>	<u>Incentive Factor Per Diem:</u>
Tier 1: 6-8 points	\$7.50

Tier 2: 5 points	\$5.00
Tier 3: 4 points	\$2.50
Tier 4: 0-3 points	\$0.00

The survey and certification performance of each NF and NF-MH provider will be reviewed prior to any incentive factor payment. In order to qualify for the incentive factor a home must not have received any health care survey deficiency of scope and severity level "H" or higher during the survey review period. Homes that receive "G" level deficiencies, but no "H" level or higher deficiencies, and that correct the "G" level deficiencies within 30 days of the survey, will receive 50% of the calculated incentive factor. Homes that receive no deficiencies higher than scope and severity level "F" will receive 100% of the calculated incentive factor. The survey and certification review period will be the 15-month period ending one quarter prior to the rate effective date. The following table lists the rate effective dates and corresponding review period end dates.

<u>Rate Effective Date:</u>	<u>Review Period End Date:</u>
July 1	March 31st
October 1	June 30th
January 1	September 30th
April 1	December 31st

10) Rate Effective Date

Rate effective dates are determined in accordance with K.A.R. 30-10-19. The rate may be revised for an add-on reimbursement factor (i.e., rebased property fee), desk review adjustment or field audit adjustment.

11) Retroactive Rate Adjustments

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

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

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

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

II. Final Medicaid Per Diem Rates for Kansas Nursing Facilities

A. Cost Center Limitations: The state proposes the following cost center limitations which are used in setting rates effective July 1, 2012.

Cost Center	Limit Formula	Per Day Limit
Operating	110% of the Median Cost	\$31.45
Indirect Health Care	115% of the Median Cost	\$45.89
Direct Health Care	130% of the Median Cost	\$99.24
Real and Personal Property Fee	105% of the Median Fee	\$9.11

These amounts were determined according to the "Reimbursement Limitations" section. The Direct Healthcare Limit is calculated based on a CMI of 1.0124, which is the statewide average.

B. Case Mix Index. These proposed rates are based upon each nursing facility's Medicaid average CMI cal-

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culated with a cutoff date of April 1, 2012, using the July 1, 2012 Kansas Medicaid/Medicaid CMI Table. In Section II.C below, each nursing facility's Medicaid average CMI is listed beside its proposed per diem rate.

C. Proposed Nursing Facility Per Diem Rates and CMI.

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

Facility Name	City	Daily Rate	Medicaid CMI	Facility Name	City	Daily Rate	Medicaid CMI
Village Manor	Abilene	148.27	0.8579	Lakepoint Nursing Center-El Dorado	El Dorado	135.71	1.0839
Alma Manor	Alma	159.69	0.8553	Morton County Hospital	Elkhart	144.79	0.9874
Victoria Falls SNF	Andover	184.75	1.1250	Woodhaven Care Center	Ellinwood	139.76	1.0897
Life Care Center of Andover	Andover	150.69	1.1361	Ellis Good Samaritan Center	Ellis	164.41	1.0655
Anthony Community Care Center	Anthony	139.10	0.9730	Good Sam Society-Ellsworth Village	Ellsworth	153.28	1.0461
Arkansas City Presbyterian Manor	Arkansas City	162.82	0.9960	Flint Hills Care Center, Inc.	Emporia	114.25	0.9649
Medicalodges Health Care Center	Arkansas City	159.91	1.0358	Holiday Resort	Emporia	134.81	1.0381
Arma Care Center	Arma	132.89	1.1138	Emporia Presbyterian Manor	Emporia	190.26	1.1265
Ashland Health Center - LTCU	Ashland	167.36	0.8929	Enterprise Estates Nursing Center, Inc.	Enterprise	129.07	0.9705
Dooley Center	Atchison	161.47	0.7503	Golden Living Center-Eskridge	Eskridge	108.13	0.7685
Atchison Senior Village	Atchison	157.89	0.9073	Medicalodges of Eudora	Eudora	146.85	1.0204
Medicalodges Atchison	Atchison	161.34	1.0056	Eureka Nursing Center	Eureka	136.12	1.0238
Attica Long Term Care	Attica	163.58	1.0263	Kansas Soldiers' Home	Fort Dodge	159.33	0.9332
Atwood Good Samaritan Center	Atwood	165.13	0.9915	Fort Scott Manor	Fort Scott	127.54	0.9846
Lake Point Nursing Center	Augusta	141.11	1.0723	Medicalodges Fort Scott	Fort Scott	156.87	0.9893
Baldwin Care Center	Baldwin City	136.35	1.0550	Fowler Residential Care	Fowler	156.59	0.8283
Quaker Hill Manor	Baxter Springs	122.19	1.0547	Frankfort Community Care Home, Inc.	Frankfort	140.74	1.0100
Great Plains of Republic County, Inc.	Belleville	185.56	1.0200	Golden Living Center-Fredonia	Fredonia	143.44	1.1656
Belleville Health Care Center	Belleville	133.93	1.1276	Sunset Manor, Inc	Frontenac	123.58	0.9664
Mitchell County Hospital LTCU	Beloit	178.85	0.9336	Emerald Pointe Health & Rehab Centre	Galena	119.45	0.8650
Hilltop Lodge Nursing Home	Beloit	151.75	1.0046	Galena Nursing & Rehab Center	Galena	133.73	1.0600
Bonner Springs Nursing and Rehabilitation	Bonner Springs	143.38	1.0226	Garden Valley Retirement Village	Garden City	155.78	0.9758
Hill Top House	Bucklin	152.76	0.9183	Homestead Health & Rehab	Garden City	161.30	0.9909
Buhler Sunshine Home, Inc.	Buhler	162.80	0.9017	Medicalodges Gardner	Gardner	152.02	0.9773
Life Care Center of Burlington	Burlington	146.69	1.1890	Meadowbrook Rehab Hosp., LTCU	Gardner	196.96	1.1214
Caney Nursing Center	Caney	102.47	0.8833	Anderson County Hospital	Garnett	172.07	0.8944
Eastridge Nursing Home	Centralia	165.23	0.8700	Golden Heights Living Center	Garnett	159.34	1.1129
Applewood Rehabilitation	Chanute	82.25	0.7682	The Heritage	Girard	124.30	1.1105
Chanute Health Care Center	Chanute	148.63	1.0234	The Nicol Home, Inc.	Glasco	127.45	0.7920
Heritage Health Care Center	Chanute	130.20	1.0579	Medicalodges Goddard	Goddard	175.43	1.0924
Chapman Valley Manor	Chapman	135.06	0.9567	Bethesda Home	Goessel	169.79	0.8986
Cheney Golden Age Home Inc.	Cheney	151.30	1.0466	Goodland Sherman Co. Good Samaritan	Goodland	154.65	0.9800
Cherryvale Care Center	Cherryvale	133.95	1.0963	Cherry Village Benevolence	Great Bend	134.33	0.8756
Chetopa Manor	Chetopa	117.14	0.8780	Great Bend Health & Rehab Center	Great Bend	139.01	1.0087
The Shepherd's Center	Cimarron	147.04	1.0177	Halstead Health and Rehab Center	Halstead	150.05	1.0380
Medicalodges Clay Center	Clay Center	164.85	0.9141	Haviland Care Center	Haviland	97.96	0.8304
Clay Center Presbyterian Manor	Clay Center	182.00	0.9858	St. John's Hays	Hays	152.80	1.0124
Clearwater Nursing and Rehabilitation	Clearwater	165.76	1.0300	St. Johns Victoria	Hays	140.80	0.8567
Community Care, Inc.	Clifton	118.70	0.8800	St. John's of Hays	Hays	147.02	0.9325
Park Villa Nursing Home	Clyde	135.54	0.9646	Good Samaritan Society-Hays	Hays	140.85	0.9859
Coffeyville Regional Medical Center	Coffeyville	183.75	1.0079	Haysville Healthcare Center	Haysville	149.50	0.9506
Windsor Place at Iola, LLC	Coffeyville	150.95	1.0388	Medicalodges Herington	Herington	140.49	1.0163
Windsor Place	Coffeyville	150.51	1.0644	Schowalter Villa	Hesston	183.14	0.9591
Medicalodges Coffeyville	Coffeyville	175.30	1.1038	Maple Heights of Hiawatha	Hiawatha	123.38	0.9084
Prairie Senior Living Complex	Colby	174.97	0.9660	Highland Care Center	Highland	140.45	1.1115
Deseret Nursing & Rehab at Colby	Colby	160.03	1.1296	Dawson Place, Inc.	Hill City	156.11	0.9394
Pioneer Lodge	Coldwater	142.54	0.8686	Salem Home	Hillsboro	164.39	0.9732
Medicalodges Columbus	Columbus	163.25	1.0036	Parkside Homes, Inc.	Hillsboro	154.93	1.0263
Mt. Joseph Senior Village, LLC	Concordia	128.37	0.9516	Medicalodges Jackson County	Holton	145.26	0.9709
Sunset Home, Inc.	Concordia	152.65	1.0620	Tri County Manor Living Center, Inc.	Horton	113.32	0.9950
Spring View Manor	Conway Springs	114.29	0.8160	Howard Twilight Manor	Howard	142.16	0.9694
Golden Living Center-Chase Co.	Cottonwood Falls	141.78	1.1686	Sheridan County Hospital	Hoxie	165.38	1.0070
Council Grove Healthcare Center	Council Grove	137.96	1.0442	Pioneer Manor	Hugoton	178.62	0.8904
Hilltop Manor	Cunningham	121.61	0.9697	Golden Plains Rehabilitation Center	Hutchinson	131.29	0.9298
Derby Health and Rehabilitation	Derby	180.09	1.0459	Wesley Towers	Hutchinson	187.50	0.9915
Westview of Derby	Derby	168.17	1.2790	Ray E. Dillon Living Center	Hutchinson	181.11	0.9917
Hillside Village	De Soto	141.23	0.9380	Good Sam Society-Hutchinson Village	Hutchinson	166.35	1.0092
Lane County Hospital - LTCU	Dighton	169.52	0.9440	Hutchinson Care Center	Hutchinson	137.91	1.0953
Trinity Manor	Dodge City	146.04	0.9503	Montgomery Place Nursing Center, LLC	Independence	146.37	1.0107
Dodge City Good Samaritan Center	Dodge City	147.99	0.9997	Regal Estate	Independence	130.19	1.0987
Manor of the Plains	Dodge City	163.48	1.0085	Pleasant View Home	Inman	150.24	0.8480
Medicalodges Douglass	Douglass	163.80	0.9592	Iola Nursing Center	Iola	144.42	1.0374
Golden Living Center-Downs	Downs	134.53	0.9878	Hodgeman Co Health Center-LTCU	Jetmore	170.13	0.9145
Country Care Home	Easton	143.36	0.9773	Stanton County Hospital- LTCU	Johnson	172.78	0.8788
Golden Living Center-Edwardsville	Edwardsville	134.02	0.8526	Valley View Senior Life	Junction City	154.84	0.9828
Golden Living Center-Parkway	Edwardsville	144.76	1.0154	Kansas City Presbyterian Manor	Kansas City	182.38	1.0074
Golden Living Center-Kaw River	Edwardsville	168.71	1.1331	Medicalodges Kansas City	Kansas City	169.05	1.0681
Golden Living Center-El Dorado	El Dorado	133.43	1.0581	Lifecare Center of Kansas City	Kansas City	153.20	1.0829
				Medicalodges Post Acute Care Center	Kansas City	174.28	1.1565
				Deseret Nursing & Rehab at Kensington	Kensington	126.88	1.1229
				The Wheatlands	Kingman	142.18	0.9984
				Medicalodges Kinsley	Kinsley	176.93	0.8989
				Kiowa Hospital District Manor	Kiowa	160.68	0.8791
				Rush Co. Memorial Hospital	La Crosse	161.19	1.0000
				Rush County Nursing Home	Lacrosse	146.52	0.8871
				High Plains Retirement Village	Lakin	194.35	1.1200
				Golden Living Center-Lansing	Lansing	150.92	1.1312
				Larned Healthcare Center	Larned	138.78	0.9784
				Pioneer Ridge Retirement Community	Lawrence	156.64	0.9123
				Brandon Woods at Alvarado	Lawrence	175.55	0.9396
				Lawrence Presbyterian Manor	Lawrence	176.46	1.0108
				Medicalodges Leavenworth	Leavenworth	155.41	0.9335
				Delmar Gardens of Lenexa	Lenexa	141.37	0.9556
				Lakeview Village	Lenexa	188.74	1.0397
				Leonardville Nursing Home	Leonardville	123.94	0.9125

Wichita County Health Center	Leoti	145.27	0.6433	Richmond Healthcare and Rehabilitation	Richmond	148.03	1.0229
Wheatridge Park Care Center	Liberal	153.38	0.9339	Lakepoint Nursing Center-Rose Hill	Rose Hill	150.91	1.1843
Liberal Good Samaritan Center	Liberal	148.38	0.9928	Rossville Healthcare & Rehab Center	Rossville	141.38	1.0902
Lincoln Park Manor, Inc.	Lincoln	144.27	1.0223	Russell Regional Hospital	Russell	191.65	1.0456
Bethany Home Association	Lindsborg	180.03	0.9875	Wheatland Nursing & Rehab Center	Russell	139.14	1.0473
Linn Community Nursing Home	Linn	121.85	0.8763	Apostolic Christian Home	Sabetha	138.12	0.9475
Sandstone Heights	Little River	184.55	1.1150	Sabetha Nursing Center	Sabetha	149.67	1.1229
Logan Manor Community Health Service	Logan	160.73	0.8473	Windsor Estates	Salina	134.04	0.9471
Louisburg Care Center	Louisburg	158.86	1.3618	Kenwood View Nursing Center	Salina	131.31	0.9895
Good Samaritan Society-Lyons	Lyons	154.12	0.9894	Salina Presbyterian Manor	Salina	178.10	0.9955
Via Christi Village Manhattan, Inc	Manhattan	151.61	0.9950	Pinnacle Park Nursing and Rehabilitation	Salina	126.30	1.0385
Stoneybrook Retirement Community	Manhattan	168.96	1.0568	Holiday Resort of Salina	Salina	152.41	1.0843
Meadowlark Hills Retirement Community	Manhattan	193.40	1.0736	Smokey Hill Rehabilitation Center	Salina	138.37	1.0970
Jewell County Hospital	Mankato	161.98	0.8167	Satanta Dist. Hosp. LTCU	Satanta	172.08	0.9281
St. Luke Living Center	Marion	144.11	0.8625	Park Lane Nursing Home	Scott City	155.92	0.8863
Riverview Estates, Inc.	Marquette	154.03	0.9677	Pleasant Valley Manor	Sedan	116.07	0.9991
Cambridge Place	Marysville	133.17	0.9795	Sedgwick Healthcare Center	Sedgwick	161.09	0.9591
The Cedars, Inc.	McPherson	161.90	0.8922	Life Care Center of Seneca	Seneca	132.62	1.0400
McPherson Care Center	McPherson	130.47	1.1607	Crestview Manor	Seneca	117.68	1.0493
Meade District Hospital, LTCU	Meade	191.39	1.0507	Wallace County Community Center	Sharon Springs	151.38	1.0193
Trinity Nursing & Rehab Center	Merriam	160.72	1.0640	Sharon Lane Health Services	Shawnee	138.07	0.9895
Great Plains of Ottawa County, Inc.	Minneapolis	145.18	1.0079	Shawnee Gardens Nursing Center	Shawnee	142.00	1.1194
Good Samaritan Society-Minneapolis	Minneapolis	140.58	0.9793	Smith County Memorial Hospital LTCU	Smith Center	171.16	0.8864
Minneola District Hospital-LTCU	Minneola	189.07	1.0689	Deseret Nursing & Rehab at Smith Center	Smith Center	130.37	1.1450
Bethel Home, Inc.	Montezuma	150.92	0.8804	Mennonite Friendship Manor, Inc.	South Hutchinson	177.28	0.9884
Moran Manor	Moran	132.77	1.2410	Golden Living Center-Spring Hill	Spring Hill	169.07	1.2356
Moundridge Manor, Inc.	Moundridge	151.52	0.8695	St. Francis Good Samaritan Village	St. Francis	159.11	0.9476
Pine Village	Moundridge	176.03	1.0328	Leisure Homestead at St. John	St. John	144.22	0.9238
Mt. Hope Nursing Center	Mt. Hope	133.96	0.8905	Community Hospital of Onaga, LTCU	St. Marys	170.52	0.9205
Villa Maria, Inc.	Mulvane	140.24	0.9853	Prairie Mission Retirement Village	St. Paul	136.53	0.9800
Golden Living Center-Neodesha	Neodesha	134.37	1.0818	Leisure Homestead at Stafford	Stafford	130.25	0.9557
Ness County Hospital Dist. #2	Ness City	161.90	0.8794	Sterling Presbyterian Manor	Sterling	170.84	0.8677
Newton Presbyterian Manor	Newton	176.76	0.9381	Solomon Valley Manor	Stockton	157.32	0.9745
Kansas Christian Home	Newton	165.53	1.0133	Seasons of Life Living Center	Syracuse	169.62	0.8792
Asbury Park	Newton	178.89	1.0212	Tonganoxie Nursing Center	Tonganoxie	145.52	1.0242
Bethel Care Center	North Newton	160.02	0.9164	Brighton Place North	Topeka	89.32	0.6564
Andhe Home, Inc.	Norton	148.81	0.9834	Countryside Health Center	Topeka	110.78	0.6907
Village Villa	Nortonville	136.54	1.0767	Providence Living Center	Topeka	93.58	0.7022
Logan County Manor	Oakley	167.53	0.8457	IHS of Brighton Place	Topeka	104.47	0.8092
Good Samaritan Society-Decatur Co.	Oberlin	141.47	0.8545	Eventide Convalescent Center, Inc.	Topeka	117.16	0.8402
Decatur County Hospital	Oberlin	159.89	0.8700	McCrite Plaza Health Center	Topeka	148.20	0.9189
Royal Terrace Nursing & Rehab. Center	Olathe	137.94	0.9124	Topeka Presbyterian Manor Inc.	Topeka	179.01	0.9671
Good Samaritan Society-Olathe	Olathe	172.41	0.9522	Brewster Health Center	Topeka	182.30	0.9786
Aberdeen Village, Inc.	Olathe	185.15	0.9567	Lexington Park Nursing and Post Acute	Topeka	170.77	0.9828
Pinnacle Ridge Nursing and Rehabilitation	Olathe	143.34	0.9862	Rolling Hills Health Center	Topeka	170.33	1.0034
Villa St. Francis	Olathe	176.11	1.0564	Aldersgate Village	Topeka	181.35	1.0217
Evergreen Community of Johnson County	Olathe	192.16	1.0626	Plaza West Care Center, Inc.	Topeka	174.36	1.0428
Deseret Nursing & Rehab at Onaga	Onaga	131.19	1.1956	Topeka Community Healthcare Center	Topeka	152.85	1.0719
Peterson Health Care, Inc.	Osage City	130.83	1.0405	Manorcare Health Services of Topeka	Topeka	161.85	1.0764
Osage Nursing & Rehab Center	Osage City	151.93	1.1800	Washburn Community Care Center, LLC	Topeka	158.66	1.0945
Life Care Center of Osawatomie	Osawatomie	148.28	1.0783	Westwood Manor	Topeka	143.50	1.1010
Parkview Care Center	Osborne	133.80	0.9483	Greeley County Hospital, LTCU	Tribune	173.98	0.9654
Hickory Pointe Care & Rehab Center	Oskaloosa	151.01	1.0077	The Legacy at Park View	Ulysses	178.98	0.9638
Deseret Nursing & Rehab at Oswego	Oswego	117.42	1.0270	Valley Health Care Center	Valley Falls	133.53	0.7531
Ottawa Retirement Village	Ottawa	128.91	0.9547	Trego Manor	WaKeeney	147.50	0.8942
Brookside Manor	Overbrook	134.87	0.9865	Trego Co. Lemke Memorial LTCU	WaKeeney	173.46	0.8956
Village Shalom, Inc.	Overland Park	187.75	0.9831	Golden Living Center-Wakefield	Wakefield	153.13	1.0345
Delmar Gardens of Overland Park	Overland Park	171.98	1.0089	Wamego Valley Vista Good Samaritan	Wamego	163.95	1.0170
Villa Saint Joseph	Overland Park	188.53	1.0379	The Centennial Homestead, Inc.	Washington	127.22	0.9717
Garden Terrace at Overland Park	Overland Park	153.74	1.0729	Wathena Nursing & Rehab Center	Wathena	148.17	1.0889
Overland Park Nursing & Rehab	Overland Park	169.96	1.1038	Coffey County Hospital	Waverly	164.32	0.8645
Indian Creek Healthcare Center	Overland Park	171.28	1.1075	Golden Living Center-Wellington	Wellington	128.57	0.9243
Manorcare Health Services of Overland Park	Overland Park	181.76	1.1323	Sumner County Care Center	Wellington	132.55	1.1881
Indian Meadows Healthcare Center	Overland Park	199.27	1.5147	Wellsville Manor	Wellsville	131.66	1.0067
Riverview Manor, Inc.	Oxford	114.09	0.9169	Westy Community Care Home	Westmoreland	133.27	0.9976
Medicalodges Paola	Paola	114.92	0.6764	Wheat State Manor	Whitewater	158.15	0.9500
North Point Skilled Nursing Center	Paola	142.52	1.0242	Via Christi Hope	Wichita	134.41	1.0079
Elmhaven East	Parsons	115.93	0.8610	Caritas Center	Wichita	166.59	0.8333
Parsons Presbyterian Manor	Parsons	166.39	0.9852	College Hill Nursing and Rehab Center	Wichita	139.05	0.9033
Elmhaven West	Parsons	134.64	1.0263	Golden Living Center-Wichita	Wichita	142.43	0.9347
Good Samaritan Society-Parsons	Parsons	150.36	1.0605	Meridian Nursing & Rehab Center	Wichita	128.48	0.9616
Westview Manor of Peabody	Peabody	83.83	0.6749	Homestead Health Center, Inc.	Wichita	170.64	0.9796
Peabody Care Center, LLC	Peabody	161.02	1.1682	Family Health & Rehabilitation Center	Wichita	163.37	0.9908
Phillips County Retirement Center	Phillipsburg	133.74	1.0231	Sandpiper Healthcare and Rehab Center	Wichita	136.69	1.0013
Via Christi Village Pittsburg, Inc.	Pittsburg	143.35	0.9833	Kansas Masonic Home	Wichita	168.96	1.0015
Medicalodges Pittsburg South	Pittsburg	157.37	0.9968	Catholic Care Center Inc.	Wichita	173.46	1.0045
Golden Living Center-Pittsburg	Pittsburg	129.80	1.0319	Lakepoint Nursing and Rehabilitation	Wichita	149.56	1.0190
Rooks County Senior Services, Inc.	Plainville	157.48	0.9010	Medicalodges Wichita	Wichita	163.08	1.0278
Pratt Care Center, LLC	Pratt	144.40	1.1259	Life Care Center of Wichita	Wichita	152.94	1.0894
Pratt Regional Medical Center	Pratt	184.57	1.1365	Seville Care Center, LLC	Wichita	149.31	1.1197
Prescott Country View Nursing Center	Prescott	124.73	0.9936	Manorcare Health Services of Wichita	Wichita	163.70	1.1457
Prairie Sunset Manor	Pretty Prairie	143.34	0.7953	Deseret Healthcare and Rehab at Wichita	Wichita	131.73	1.1555
Protection Valley Manor	Protection	128.59	0.8770	Wichita Presbyterian Manor	Wichita	194.57	1.1650
Gove County Medical Center	Quinter	177.70	0.9500	The Health Care Center@Larksfield Pl.	Wichita	180.11	1.2100
Grisell Memorial Hosp Dist. #1-LTCU	Ransom	168.60	0.9763				

(continued)

Golden Living Center-Wilson	Wilson	145.13	1.1779
Jefferson Co. Memorial Hospital-LTCU	Winchester	166.04	1.0605
Cumbernauld Village, Inc.	Winfield	163.39	0.7888
Kansas Veterans' Home	Winfield	160.85	0.9233
Winfield Rest Haven II LLC	Winfield	163.26	0.9454
Winfield Good Samaritan Center	Winfield	150.70	1.0079
Yates Center Nursing and Rehabilitation	Yates Center	136.24	1.1047

III. Justifications for the Proposed Rates

1. The proposed rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan and pending amendments thereto.
2. The proposed rates are calculated according to a methodology which satisfies the requirements of K.S.A. 39-708c(x) and the KHPA regulations in K.A.R. Article 30-10 implementing that statute and applicable federal law.
3. The state's analyses project that the proposed rates:
 - a. Would result in payment, in the aggregate of 93.29% of the Medicaid day weighted average inflated allowable nursing facility costs statewide; and
 - b. Would result in a maximum allowable rate of \$185.69; with the total average allowable cost being \$150.47.
 - c. Estimated average rate July 1, 2012 \$150.47
 - d. Average payment rate July 1, 2011 \$149.10
 - Amount of change \$1.37
 - Percent of change 0.91%
4. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase approximately \$4 million.
5. The state estimates that the proposed rates will continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general population in the geographic area. The state's analyses indicate:
 - a. Service providers operating a total of 295 nursing facilities (representing 97% of all the licensed nursing facilities in Kansas) participate in the Medicaid program, while an additional 34 hospital-based long-term care units are also certified to participate in the Medicaid program;

- b. There is at least one Medicaid-certified nursing facility and/or nursing facility for mental health, or Medicaid-certified hospital-based long-term care unit in 105 of the 105 counties in Kansas;
 - c. The statewide average occupancy rate for nursing facilities participating in Medicaid is 84%;
 - d. The statewide average Medicaid occupancy rate for participating facilities is 56.38%; and
 - e. The proposed rates would cover 94.93% of the estimated Medicaid direct health care costs incurred by participating nursing facilities statewide.
6. Federal Medicaid regulations at 42 C.F.R. 447.272 impose an aggregate upper payment limit that states may pay for Medicaid nursing facility services. The state's analysis indicates that the proposed methodology will result in compliance with the federal regulation.

IV. The State's Response to Written Comments on the Published Proposals

The state received three comments to the Notice of Proposed Nursing Facility Medicaid Rates for State Fiscal Year 2012, Methodology for Calculating Proposed Rates, and Rate Justifications; Notice of Intent to Amend the Medicaid State Plan and Request for Comments published in the April 26, 2012 Kansas Register.

V. Notice of Intent to Amend the Medicaid State Plan

The state intends to submit proposed Medicaid State Plan amendments to CMS on or before September 30, 2012.

Shawn Sullivan
Secretary of Aging

Phyllis Gilmore
Secretary of Social and
Rehabilitation Services

Kari Bruffet, Executive Director
Kansas Health Policy Authority

Doc. No. 040638

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
5-9-3	Amended	V. 31, p. 773
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

**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

Reg. No.	Action	Register
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
 AND ENVIRONMENT**

Reg. No.	Action	Register
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
28-31-15	Revoked	V. 30, p. 417
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. 424
28-31-124d	New	V. 30, p. 424
28-31-124e	New	V. 30, p. 425
28-31-260	New	V. 30, p. 426
28-31-260a	New	V. 30, p. 426
28-31-261	New	V. 30, p. 427
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
28-56-1	through	
28-56-10	New	V. 31, p. 708-711
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 30: DEPARTMENT OF SOCIAL
 AND REHABILITATION SERVICES**

Reg. No.	Action	Register
30-46-10	Amended (T)	V. 31, p. 887

**AGENCY 40: KANSAS INSURANCE
 DEPARTMENT**

Reg. No.	Action	Register
40-1-22	Amended	V. 30, p. 722
40-1-37	Amended	V. 31, p. 887
40-1-48	Amended	V. 31, p. 887
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

(continued)

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
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
111-2-283		
through		
111-2-286	New	V. 31, p. 648
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
111-4-3172		
through		
111-4-3181	New	V. 31, p. 649-656
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
111-5-82	Amended	V. 31, p. 657
111-5-83	Amended	V. 31, p. 657
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
111-301-6	Amended	V. 31, p. 658
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
111-501-12	Amended	V. 31, p. 659
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. 31, p. 683

AGENCY 120: KANSAS HEALTH POLICY AUTHORITY (FORMERLY HEALTH CARE DATA GOVERNING BOARD)

Reg. No.	Action	Register
120-1-2	Revoked	V. 30, p. 1024

(continued)

**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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