



Kansas Register

Kris W. Kobach, Secretary of State

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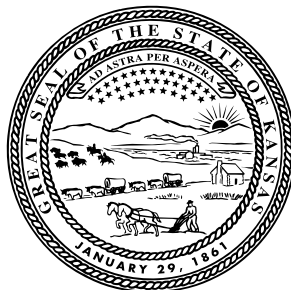
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State of Kansas

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 SFY 2015, new claims filed on or after July 1, 2014, and before July 1, 2015, the maximum weekly benefit amount will be \$474 and the minimum weekly benefit amount will be \$118.

Lana Gordon
Secretary of Labor

Doc. No. 042645

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. 2013 Supp. 12-1675(b)(c)(d) and K.S.A. 2013 Supp. 12-1675a(g).

Effective 6-23-14 through 6-29-14

| Term | Rate |
|-----------|-------|
| 1-89 days | 0.10% |
| 3 months | 0.02% |
| 6 months | 0.05% |
| 12 months | 0.13% |
| 18 months | 0.29% |
| 2 years | 0.49% |

Scott Miller
Director of Investments

Doc. No. 042643

State of Kansas

Department of Wildlife, Parks and Tourism

Public Notice

The Kansas Department of Wildlife, Parks and Tourism has reached an agreement for the purchase of a tract of land in Pottawatomie County, Kansas. The parcel consists of 484 acres, more or less, further described as: SE¹/₄ S12, T6S, R7E; NE¹/₄ and N¹/₂ SW¹/₄ S13, T6S, R7E; small tracts in the NE¹/₄ and SE¹/₄ S14, T6S, R7E; and the NW¹/₄ and the N¹/₂ SW¹/₄ S18, T6S, R8E in Pottawatomie County, Kansas. The total purchase price is \$768,000. This tract shall be managed as part of the Kansas Department of Wildlife, Parks and Tourism's Tuttle Creek Wildlife Area and will remain on the county tax rolls.

Robin L Jennison
Secretary of Wildlife,
Parks and Tourism

Doc. No. 042652

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 14-17. The comprehensive list of projects being amended to the STIP may be viewed online at <http://www.ksdot.org/burProgProjMgmt/stip/stip.asp>. This list includes projects for counties and cities and for projects on the state highway system.

The amendment of the STIP requires a public comment period of 14 days. To make comments on this STIP amendment contact the KDOT Bureau of Program and Project Management, 2nd Floor Tower, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754, 785-296-2252 or fax 785-296-8168.

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

The comment period regarding the STIP amendment for these projects will conclude July 9, 2014.

Mike King
Secretary of Transportation

Doc. No. 042646

State of Kansas

Fort Hays State University

Notice of Intent to Lease Land

Public notice is hereby given, pursuant to K.S.A. 75-430a(c), that Fort Hays State University seeks to lease land for the purposes of oil and natural gas exploration and production. The specifications of the contemplated lease and further information are available by contacting Todd D. Powell, Fort Hays State University, 600 Park, Sheridan Hall 312a, Hays, 67601.

Competitive bids will be received by Fort Hays State University until 4:30 p.m. July 10, 2014. No bid received after that date and hour shall be considered by Fort Hays State University. Only bids as shall be in substantial conformity with the terms and provisions of the contemplated need and the materials available to bidders from Fort Hays State University will be considered or accepted. Any lease entered into by Fort Hays State University will be awarded to the highest responsible, responsive bidder. Fort Hays State University reserves the right to reject any and all bids.

Bids should be addressed to Fort Hays State University, attention Todd D. Powell, at the address given above. The outside of the envelope containing any bid for this purpose should be plainly marked "Oil and Natural Gas Exploration and Production." The bid opening will be at 11 a.m. July 11, 2014, in the President's Conference Room, third floor, Sheridan Hall, Fort Hays State University.

Todd Powell
General Counsel

Doc. No. 042625

State of Kansas

Department of Transportation

Notice to Contractors

Electronic copies of the letting proposals and plans are available on the KDOT website at <http://www.ksdot.org/burconsmain/contracts/proposal.asp>. The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the "Bid Holders List," or to be included on the "Non-Bid Holders List" as a subcontractor/supplier. KDOT's approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid not later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject the bid. The secretary of transportation reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2007 edition of the Kansas Department of Transportation *Standard Specifications for State Road and Bridge Construction*.

KDOT will only accept electronic proposals using the Bid Express website at <http://www.bidx.com> until 1 p.m. local time July 23, 2014. KDOT will open and read these proposals at the Eisenhower State Office Building, 700 S.W. Harrison, Topeka, at 1:30 p.m. local time July 23, 2014. An audio broadcast of the bid letting is available at <http://www.ksdot.org/burconsmain/audio.asp>.

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

District One — Northeast

Atchison—3 C-0486-01 — Three intersections between U.S. 59 and U.S. 73, 0.5 mile south of Atchison, intersection improvement, 0.3 mile. (Federal Funds)

Douglas—59-23 K-7888-08 — U.S. 59 from the Franklin/Douglas county line north 10.53 miles, seeding, sodding, 10.5 miles. (State Funds)

Brown—36-7 KA-3370-01 — Culvert #500, Cedar Creek drainage on U.S. 36 0.82 mile east of the Brown/Nemaha county line, culvert. (State Funds)

Lyon—35-56 KA-3970-01 — Bridge #119 on I-35, located 3.69 miles east of I-35/K-99 junction (over Neosho River), bridge repair. (State Funds)

Johnson—10-46 KA-3971-01 — K-10: bridges #176 and #177 located 4.45 and 4.44 miles east of the Johnson/Douglas county line; bridges #178 and #179 located 5.12 miles east of the Johnson/Douglas county line; bridges #236 and #237 located 2.47 and 2.46 miles east of the K-10/K-7 junction; bridge repair. (State Funds)

Wyandotte—105 N-0592-01 — Southwest Boulevard from Iowa to State Line Road, pedestrian and bicycle paths, 1.1 miles. (Federal Funds)

Shawnee—24-89 KA-3719-01 — U.S. 24, from 0.05 mile east of Kansas Avenue east to the Shawnee/Jefferson county line, milling and overlay, 3.5 miles. (State Funds)

Jefferson—24-44 KA-3720-01 — U.S. 24, from U.S. 24/Lecompton Road junction (RS-330) east to chip seal/U.S. 59, milling and overlay, 3.0 miles. (State Funds)

District Two — North Central

Washington—9-101 KA-3972-01 — K-9, located 3.85 miles north of the Clay/Washington county line, slide repair, 0.1 mile. (State Funds)

Statewide—106 KA-3987-01 — Various locations in District 2, milling. (State Funds)

District Three — Northwest

Statewide—106 KA-3966-01 — Various locations in District Three, milling. (State Funds)

Thomas—70-97 KA-3977-01 — I-70, approach pavement to the west edge wearing surface of bridge #018 (eastbound I-70 at I-70/K-25 junction), milling and overlay. (State Funds)

District Four — Southeast

Labette—400-50 KA-3848-01 — U.S. 400, from the Montgomery/Labette county line east 8.78 miles, pavement patching, 8.8 miles. (State Funds)

Statewide—106 KA-3986-01 — Various locations in District 4, milling. (State Funds)

District Five — South Central

Sedgwick—96-87 KA-3821-01 — K-96, from the east approach of the bridge over the OKT Railroad east to 0.7 mile east of the K-96/Webb interchange, ultra thin bonded asphalt surfacing, 5.7 miles. (State Funds)

Statewide—106 KA-3979-01 — Various locations in District 6, milling. (State Funds)

Butler—8 N-0549-01 — Andover Road over Four Mile Creek, grading, bridge and surfacing, 0.7 mile. (Federal Funds)

District Six — Southwest

Hodgeman—283-42 KA-2622-01 — U.S. 283 from Highway Street to Best Street, surfacing, 0.3 mile. (State Funds)

Hodgeman—156-42 KA-3693-01 — K-156, from the K-156/RS-314 junction northeast to the Hodgeman/Pawnee county line, conventional seal, 9.0 miles. (State Funds)

Greeley—27-36 KA-3694-01 — K-27, from Tribune north to the Greeley/Wallace county line, conventional seal, 15.4 miles. (State Funds)

Statewide—106 KA-3978-01 — Various locations in District 6, milling. (State Funds)

Mike King
Secretary of Transportation

Doc. No. 042644

State of Kansas

Governmental Ethics Commission

Opinion No. 2014-04

Written June 18, 2014, to Catherine P. Logan, Prairie Village City Attorney, Lathrop & Gage LLP, Overland Park.

Synopsis: Under the facts provided, a local governmental officer may make, or participate in making a contract, with a person or business if such officer is not employed by the person or business and does not have a substantial interest in the person or business.

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

Dear Ms. Logan,

In response to your May 17, 2014, email request, this opinion is provided by the Kansas Governmental Ethics Commission (commission), concerning application of the local conflict of interest law, K.S.A. 75-4301a *et seq.* The commission's jurisdiction is limited to applicability of this law. This opinion, provided pursuant to K.S.A. 75-4303a(a), does not address whether some other statutory system, common law theory, or agency rule or regulation applies to your inquiry.

Factual Statement

We understand that you request this opinion in your capacity as attorney for the City of Prairie Village, Kansas. In support of your inquiry, the following facts are provided:

1. One or more councilmembers of the city council of the City of Prairie Village, Kansas, is a member, but not an officer or director, of Homestead Country Club.
2. Homestead Country Club is a Kansas not for profit corporation that owns and operates a private membership social club in the City of Prairie Village, Kansas.
3. The general manager of Homestead Country Club indicates in an April 9, 2014, letter to a member who is also a councilmember that:
 - a. Homestead Country Club charges its members an initiation fee and monthly dues. In exchange for those payments, members are given membership privileges (i.e. the right to use the club facilities and participate in its programs and events).
 - b. Members are not given any ownership interest in Homestead Country Club or any of its assets, and are not shareholders, equity holders or stakeholders of any kind.
4. Homestead Country Club has approached the City to discuss the possible purchase by the City of Prairie Village of real estate owned by Homestead Country Club.

Question

May the Prairie Village councilmembers who are members of Homestead Country Club participate in discussions of, and if applicable vote on, a contract between the City and Homestead Country Club for the acquisition of real estate without violating the local conflict of interest law, K.S.A. 75-4301a *et seq.*?

Analysis and Opinion

Councilmembers for the City of Prairie Village are elected to such office and are "local government officers" for Prairie Village, a Kansas "governmental subdivision" as provided in K.S.A. 75-4301a(d) and (f).

The local conflict of interest law, specifically K.S.A. 75-4306, makes it unlawful for local government officers, in such capacity, to contract with a person or business in circumstances provided in K.S.A. 75-4304(a):

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

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

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

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

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

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

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

Under the facts as provided, Prairie Village councilmembers, who happen to be members of Homestead Country Club, are not employed by and do not have a substantial interest in the club. Therefore, it is our opinion such councilmembers may participate as local government officers in the making of contracts with Homestead Country Club.

G. Daniel Harden, Chairman
By Direction of the Commission

Doc. No. 042661

(Published in the Kansas Register June 26, 2014.)

South Central Kansas Economic Development District

Request for Bids

The South Central Kansas Economic Development District (SCKEDD) is a nonprofit agency that uses federal grant money provided to it by the Kansas Housing Resources Corporation to perform weatherization on the homes of low-income households. This document is a formal request to obtain bids prior to the purchase of a new high-roof or sprinter-type cargo van.

The deadline for bids is 1:30 p.m. Monday, July 7, 2014. Bids may be faxed to 316-425-8844; mailed to SCKEDD Housing, 3737 N. Hillside, Wichita, KS 67219; or emailed to jodi@sckedd.org.

The following required equipment on the units must be at a minimum:

- Power steering
- ABS and driveline traction control
- Bucket front seats
- Cargo tie downs
- Vinyl floor covering
- Cargo area light
- Cargo partition
- Speed control
- 4-wheel ABS brakes
- Extending trailer style exterior mirrors
- AM/FM stereo
- Fuel type: regular unleaded
- One 12V DC power outlet
- Automatic transmission
- Air conditioning
- 3.6 liter V6

Please list the cargo capacity of the van if not detailed in the equipment and options list (This van has _____ cubic ft. of cargo area).

Please specify the exact equipment/options on the vehicle that is proposed and a price to include any sales tax, rebates, destination charges or other fees (Total cost of vehicle to include the above \$_____).

The SCKEDD will evaluate bids based on price and availability with preference given to minority-owned, women-owned and small businesses in the event of a tie. The SCKEDD will then sign a purchase agreement for the vehicle as soon as possible after the July 7, 2014, deadline. Financing will not be required for this purchase.

Direct all questions about this bid request to Jodi Suhler, weatherization director, at 316-262-7035 or jodi@sckedd.org.

The SCKEDD reserves the right to reject any and all bids.

Daniel Bass
SCKEDD Controllor

Doc. No. 042651

State of Kansas

Board of Education

Notice of Hearing on Proposed Administrative Regulation

The Kansas State Board of Education will conduct a public hearing at 1:30 p.m., or as soon thereafter as possible, Tuesday, September 16, in the board room of the Landon State Office Building, Suite 102, 900 S.W. Jackson, Topeka, to consider the adoption of a proposed rule and regulation of the Kansas State Board of Education on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to the secretary of the Kansas State Board of Education, Suite 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, or by email to plhill@ksde.org. All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulation during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes. The hearing shall be conducted in compliance with the public hearing procedures of the Kansas State Board of Education.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Wendy Fritz at 785-296-5363 (TDD 785-296-8172) or by email to wfritz@ksde.org. The north entrance to the Landon State Office Building is accessible. Handicapped parking is located at the south end of the Landon State Office Building, across the street from the north entrance to the building, and on Ninth Street, just around the corner from the north entrance to the building.

A copy of the proposed regulation and its economic impact statement may be obtained by contacting the office of general counsel at the address above prior to the date of the hearing or by email to ogc@ksde.org.

A summary of the proposed regulation and its economic impact follows:

K.A.R. 91-1-214. This regulation requires all applicants for renewal of a teaching license to submit a set of fingerprints. Since 2002, all applicants for a new license or renewal of an expired license have been required to submit fingerprints for background information from both the Kansas Bureau of Investigation and the Federal Bureau of Investigation. The amended regulation will require, in addition to all applicants for a new license or renewal of an expired license, all applicants to submit fingerprints to renew their license if they have not previously submitted fingerprints to the Kansas State Board of Education. Adoption of this amendment will only economically impact currently licensed teachers when they apply for renewal of a currently valid license. Those

teachers will pay a \$50 fingerprinting fee payable to the Kansas State Department of Education when they submit their fingerprints for a criminal history check. Adoption of this regulation will have minimal economic impact on school districts, if any, because it is anticipated that teachers will pay their own licensure fees.

Jana Shaver
Chairman

Doc. No. 042653

State of Kansas
Office of the Governor
Executive Directive No. 14-452
Authorizing Personnel Transactions

(Editor’s Note: The attachments referred to in this directive may be obtained by contacting the secretary of state’s office at 785-296-2034.)

By virtue of the authority vested in the Governor as the head of the Executive Branch of the State of Kansas, the following transactions are hereby authorized:

The Kansas Civil Service Basic Pay Plan that took effect on June 9, 2013, is hereby modified and the new pay matrix for the classified service is hereby adopted, effective June 8, 2014. The pay plan is modified to the extent provided for in the rules and regulations promulgated by the Secretary of Administration under the authority of K.S.A. 75-3706 or as hereafter modified by executive directives, and such modifications may be effective on the date of the rules and regulations or executive directives in accordance with K.S.A. 75-2938. The two attached pay matrices are hereby incorporated in, and made part of this executive directive. No employee may be moved to Step 17 or Step 18 unless authorized to do so by executive directive.

The request of Kraig Knowlton, Director of Personnel Services, to provide a \$250 payment to each full-time employee who has been continuously employed on a full-time basis with the State of Kansas since November 24, 2013, is hereby approved, effective November 16, 2014, in accordance with Section 109 of 2014 Senate Substitute for Substitute for House Bill No. 2231.

The request of Kraig Knowlton, Director of Personnel Services, to establish the attached, updated pay plan for unclassified physicians and medical staff in state facilities under the authority of the Department for Aging and Disability Services is hereby approved, effective June 8, 2014, in accordance with K.S.A. 75-2935c.

The request of Kraig Knowlton, Director of Personnel Services, to assign the following job classifications to the pay grades set out below and place current employees in these job classifications on the same step of the new pay grade is hereby approved, effective June 8, 2014.

| <u>Job Classification</u> | <u>Pay Grade</u> |
|-------------------------------|------------------|
| Equipment Operator Trainee | 17 |
| Equipment Operator | 18 |
| Equipment Operator Senior | 20 |
| Equipment Operator Specialist | 22 |
| Forensic Scientist IV | 35 |
| Law Enforcement Officer II | 28 |

Law Enforcement Officer III 31

The request of Kraig Knowlton, Director of Personnel Services, to provide a two-step increase to employees in the Law Enforcement Officer I job classification and to employees in the Public Service Executive II job classification with supervisory and management responsibilities over employees in the Law Enforcement Officer job classifications at the Kansas Highway Patrol is hereby approved, effective June 8, 2014.

The request of Kraig Knowlton, Director of Personnel Services, to provide a four-step increase to employees in the Forensic Scientist II, Forensic Scientist III, Special Agent - KBI, Senior Special Agent - KBI and Special Agent in Charge - KBI job classifications is hereby approved, effective June 8, 2014.

The request of Kraig Knowlton, Director of Personnel Services, to abolish the following job classification is hereby approved, effective July 6, 2014.

Job Class

- Agricultural Technician
- Agricultural Technician Senior
- Architectural Intern
- Aviation Technician
- Certified Asbestos Worker
- Dietitian I
- Economic Development Representative I
- Engineering Associate I
- Equipment Planning Technician II
- Extension Nutritional Assistant
- Geology Trainee
- Health Care Assistant
- Health Care Technician I
- Human Resource Professional IV
- IT Security Analyst I
- Land Surveyor I
- Land Surveyor II
- Mechanic’s Helper
- Microbiologist I
- Museum Exhibits Technician
- Pilot
- Power Plant Operator
- Professional Civil Engineer IV
- Public Program/Performance Technician
- Radiological Technologist II
- Right of Way Property Appraiser II
- Seasonal Worker
- Sign Shop Worker
- Veterinary Specialty Technician
- Veterinary Technician I
- Veterinary Technician II

I have conferred with the Secretary of Administration, the Director of the Budget, the Director of Personnel Services, and members of my staff, and I have determined that the requested actions are appropriate.

Dated June 5, 2014.

Sam Brownback
Governor

Doc. No. 042649

State of Kansas

Office of the Governor

Executive Directive No. 14-453

Authorizing Expenditure of Federal Funds

By virtue of the authority vested in the Governor as the head of the Executive Branch of the State of Kansas, the following transactions are hereby authorized:

Pursuant to the authority of the Secretary of the Department of Wildlife, Parks and Tourism to receive and expend federal funds, and pursuant to the authority granted the Governor by Chapter 136, Section 288 of *The 2013 Session Laws of Kansas*, approval is hereby granted to the Kansas Department of Wildlife, Parks and Tourism for expenditure in FY 2014 of monies in the federal fund "Homeland Security Program."

I have conferred with the Director of the Budget and members of my staff, and I have determined that the guidelines set forth in KSA 75-3711 and 75-3711c have been applied and that none of the foregoing actions exceeds the limitations contained therein.

Dated June 12, 2014.

Sam Brownback
Governor

Doc. No. 042650

State of Kansas

Criminal Justice Coordinating Council

Notice of Available Grant Funding

The Kansas Criminal Justice Coordinating Council (KCJCC) establishes the guidelines for the federal Edward Byrne Memorial Justice Assistance Grant (JAG). The JAG program is authorized by federal law 42 U.S.C. 3251(a). The KCJCC and the federal JAG program guidelines establish eligibility criteria that must be met by all organizations that receive JAG funds. Grant funds may be awarded to units of state and local government; Native American Tribes; and nonprofit, community and faith-based organizations. The primary use of JAG is to support the following purpose areas: (1) law enforcement programs, (2) prosecution and court programs, (3) prevention and education programs, (4) corrections and community corrections programs, (5) drug treatment and enforcement programs, (6) planning, evaluation and technology improvement programs, and (7) crime victim and witness programs. Grant funds must be requested within one or more of the seven purpose areas. Grant funds are available for the funding period of October 1, 2014, through September 30, 2015. This grant is competitive and there is a yearly application process with no guarantee of continued funding.

In distributing grant funds, priority will be given to applications that clearly support the objectives of the 2015-2018 Kansas Statewide Strategic Plan and to local government applicants who are not eligible to apply directly to the Federal Bureau of Justice Assistance for JAG funding. A copy of the Strategic Plan, as well as a copy of the JAG solicitation, may be downloaded at https://governor.ks.gov/serving-kansans/grants-program/grant_

opportunities/edward-j-byrne-memorial-justice-assistance-grant. The solicitation is also available on the governor's grant portal at <https://www.kansas.gov/grants/index.do>.

All grant applications must be submitted via the governor's grant portal by 11:59 p.m. July 31, 2014 (to quickly locate the grant in the grant portal, use "JAG" for the keyword in your search). For more information contact the Governor's Grants Program at 785-291-3205.

Adrienne Foster, Administrator
Governor's Grants Program

Doc. No. 042662

State of Kansas

Department of Administration
Office of Facilities and
Procurement Management

Notice of Requested Architectural Services

Notice is hereby given of the commencement of the selection process for architectural services for the renovation of the Kansas State University Student Union. Renovation will involve over 122,000 sq. ft., with interior space repurposed and modified. All levels will be affected to some degree, and renovation of the south facade and access along the south of the building will be included. The building is intended to remain occupied and in operation as much as possible during the course of the renovation. The project construction budget is \$19,000,000.

For more information contact David McMullen at 785-532-1724 or dcmrktk@ksu.edu. An architectural/engineering program is available at <http://www.da.ks.gov/fp/ArchEngPrograms.htm>.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation and an abbreviated project name in the title of the PDF document. Proposals should be less than 5MB and follow the current State Building Advisory Commission guidelines found in Part B — Chapter 2 of the Building Design and Construction Manual at <http://www.admin.ks.gov/offices/ofpm/dcc/bdcm>. Proposals should be sent on a CD, DVD or flash drive along with a transmittal to Randy Riveland, Office of Facilities and Procurement Management, Suite 700, 800 S.W. Jackson, Topeka, 66612-1216. Proposals sent via email will no longer be accepted and paper copies of the proposals are no longer required. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions call 785-296-0749. The PDF proposal submittals shall be delivered to the attention of Randy Riveland before 2 p.m. July 11, 2014.

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

Doc. No. 042647

**State of Kansas
Board of Regents Universities**

Notice to Bidders

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

Emporia State University – Bid postings: www.emporia.edu/busaff/. Additional contact info: phone: 620-341-5145, fax: 620-341-5073, email: tshepher@emporia.edu. Mailing address: Emporia State University, Controller's Office/Purchasing, Campus Box 4021, 1200 Commercial, Emporia, KS 66801.

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

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

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

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

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

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

Tess Shepherd
Chair of Regents Purchasing Group
Procurement Officer II
Emporia State University

Doc. No. 041700

**State of Kansas
Department of Health
and Environment**

Notice of Hearing on Federal Block Grant

The Kansas Department of Health and Environment will conduct a public hearing at 11 a.m. Friday, June 27, in the California Trails Room, second floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to solicit comments from interested persons on revisions to the state plan for the Preventive Health and Health Services Block Grant. For more information contact Brandon Skidmore, deputy director, Bureau of Health Promotion, at 785-368-8264 or bskidmore@kdheks.gov.

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

Doc. No. 042659

**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:

- 07/09/2014 EVT0003224 Pintail Marsh Improvements—
Jamestown Wildlife Area
- 07/10/2014 EVT0003228 Lead Paint Abatement—Cell
Door Lock Cabinets
- 07/10/2014 EVT0003231 Ice and Snow Removal
Chemicals
- 07/15/2014 EVT0003232 Liquid Magnesium Chloride
De-Icer/Anti-Icer

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

[http://admin.ks.gov/offices/procurement-and-contracts/
bid-solicitations](http://admin.ks.gov/offices/procurement-and-contracts/bid-solicitations)

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

[http://admin.ks.gov/offices/procurement-and-contracts/
additional-files-for-bid-solicitations](http://admin.ks.gov/offices/procurement-and-contracts/additional-files-for-bid-solicitations)

- 07/16/2014 A-012291 Troop F Headquarters – Kechi –
Kansas Highway Patrol, Topeka

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

Tracy T. Diel, Director
Procurement and Contracts

Doc. No. 042663

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-14-172/174

Pending Permits for Confined Feeding Facilities

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Leland & Janice Werth, NE/4 of Section 18, T13S, R21W, Trego County, Smoky Hill River Basin.

Kansas Permit No. A-SHTR-B003

This permit is being reissued for an existing facility with a maximum capacity of 800 head (400 animal units) of cattle 700 pounds or less. There is no change in the permitted animal units.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Perry Owens, W/2 of Section 33, T10S, R03W, Ottawa County, Solomon River Basin.

1444 Mulberry Road, Minneapolis, KS 67467

Kansas Permit No. A-SOOT-C001 Federal Permit No. KS0037346

This permit is being reissued for an existing facility with a maximum capacity of 8,000 head (8,000 animal units) of cattle more than 700 pounds. There is no change in the permitted animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Lisa Tokach, NE/4 of Section 08, T18S, R07W, Rice County, Little Arkansas River Basin.

320 N.E. 14th St. Abilene, KS 67410

Kansas Permit No. A-LARC-S006

This permit is being reissued for an existing facility for 1,910 head (764 animal units) of swine weighing more than 55 pounds and 1,780 head (178 animal units) of swine weighing 55 pounds or less, for a total maximum capacity of 942 animal units. There is no change in the permitted animal units.

Public Notice No. KS-AG-R-14-016

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

Table with 3 columns: Name and Address of Registrant, Legal Description, County. Row 1: Paul Kemp, NE/4 of Section 13, T34S, R20E, Labette.

Public Notice No. KS-Q-14-099/103

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

Table with 3 columns: Name and Address of Applicant, Receiving Stream, Type of Discharge. Row 1: Homer Morgan, Arkansas River via Residential Lake via Roadway Ditch, Noncontact Cooling Water.

Kansas Permit No. I-AR29-C001 Federal Permit No. KS0088927

Legal Description: NW¼, S36, T28S, R1E, Sedgwick County, KS

Facility Name: Beach House Heat Pumps

The proposed action is to reissue an existing permit for the discharge of noncontact, additive-free cooling water. The proposed permit contains generic water-quality language to protect waters of the state.

Table with 3 columns: Name and Address of Applicant, Receiving Stream, Type of Discharge. Row 1: General Finance, Middle Pipe Creek via Unnamed Tributary, Pit Dewatering & Stormwater Runoff.

Box 369, 1716 Quail Road, Concordia, KS 66901

Kansas Permit No. I-SO44-PO02 Federal Permit No. KS0002674

Legal Description: (C-53) NW¼, S5, T8S, R2W, (C-54) SW¼, S32, T7S, R2W, (C-184) NW¼, SE¼, S6, T8S, R2W, Cloud County, KS

Facility Name: Cloud Ceramics – Clay Pits #C-53, C-54, C-184

The proposed action consists of reissuing an existing permit for discharge of wastewater during mining operations. This facility is engaged in a clay mining operation, which is used to manufacture brick. Outfalls 001A1, 003A1, 005A1 and 006A1 consist of pit water, spring water and stormwater runoff, which is treated by several settling ponds, silt traps and grass filter strips before discharge. The proposed permit contains limits for total suspended solids and also contains generic water-quality language to protect waters of the state.

Table with 3 columns: Name and Address of Applicant, Receiving Stream, Type of Discharge. Row 1: N.R. Hamm Quarry Inc., Terrapin Lake via Swenson Creek via Unnamed Tributary, Pit Dewatering & Stormwater Runoff.

Perry, KS 66073

Kansas Permit No. I-SH04-PO05 Federal Permit No. KS0093955

Legal Description: NW¼, S13, T13S, R3E, Dickinson County, KS

Facility Name: Kelly Quarry #95

The proposed action consists of reissuing an existing permit for discharge of wastewater during quarry operations. This is a limestone quarrying and crushing operation with some washing. Washwater is treated by a settling pond prior to discharge from Outfall 001A1. This facility rarely discharges. The proposed permit contains limits for total suspended solids, monitoring for sulfates and also contains generic water-quality language to protect waters of the state.

Table with 3 columns: Name and Address of Applicant, Receiving Stream, Type of Discharge. Row 1: Miami County Highway Department, Elm Branch via Unnamed Tributary, Pit Dewatering & Stormwater Runoff.

23765 W. 327th St. Paola, KS 66071

Kansas Permit No. I-MC10-PO02 Federal Permit No. KS0100650

Legal Description: SW¼, NW¼, SE¼, S27, T18S, R23E, Miami County, KS

Facility Name: Block Quarry

The proposed action consists of issuing a new permit for discharge of wastewater during quarry operations. This is a limestone quarrying and crushing operation with no washing. Outfall 001 consists of stormwater runoff and pit water only. The proposed permit contains generic water-quality language to protect waters of the state.

| Name and Address of Applicant | Receiving Stream | Type of Discharge |
|---|------------------|-----------------------------|
| Osage City, City of P.O. Box 250 Osage City, KS 66523 | Salt Creek | Treated Domestic Wastewater |

Kansas Permit No. M-MC29-0001 Federal Permit No. KS0022675

Legal Description: NE¼, SW¼ & NW¼, SE¼, S36, T16S, R14E, Osage County, KS

The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring for ammonia, total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen and pH. Contained in the permit is a schedule of compliance requiring the permittee to complete upgrades to existing facility, as needed, to consistently meet permits limits.

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 26 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-14-172/174, KS-AG-R-14-016, KS-Q-14-099/103) 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. 042656

(Published in the Kansas Register June 26, 2014.)

City of Grainfield, Kansas

Notice of Intent to Seek Private Placement
General Obligation Bonds, Series 2014

Notice is hereby given that the city of Grainfield, 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 \$200,424. 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 19, 2014.

Carol Weber
City Clerk

Doc. No. 042657

State of Kansas
Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, July 10, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the KDFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

Project No. 000902 – Maximum Principal Amount: \$147,500. Owner/Operator: Levi M. and Veronica A. Winkler. Description: Acquisition of 80 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Levi M. and Veronica A. Winkler and is located at the East Half of the Southeast Quarter of Section 15, Harrison Township, Nemaha County, Kansas, approximately 2 miles north of Goff on Q Road.

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

All individuals who appear at the hearing will be given an opportunity to express their views concerning the pro-

(continued)

posal to issue the bond to finance the project, and all written comments previously filed with the KDFA at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the KDFA.

Tim Shallenburger
President

Doc. No. 042660

(Published in the Kansas Register June 26, 2014.)

**Summary Notice of Bond Sale
City of Salina, Kansas
\$7,810,000***

**General Obligation Internal Improvement Bonds
Series 2014-A**

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

Bids

Subject to the Notice of Sale dated June 9, 2014, written and electronic bids will be received on behalf of the clerk of the city of Salina, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 1 p.m. central time July 14, 2014, for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 30, 2014, and will become due on October 1 in the years as follows:

| October 1 | Principal Amount* |
|-----------|-------------------|
| 2015 | \$555,000 |
| 2016 | 605,000 |
| 2017 | 625,000 |
| 2018 | 650,000 |
| 2019 | 670,000 |
| 2020 | 305,000 |
| 2021 | 310,000 |
| 2022 | 310,000 |
| 2023 | 325,000 |
| 2024 | 335,000 |
| 2025 | 340,000 |
| 2026 | 350,000 |
| 2027 | 360,000 |
| 2028 | 370,000 |
| 2029 | 390,000 |
| 2030 | 245,000 |
| 2031 | 250,000 |
| 2032 | 260,000 |
| 2033 | 270,000 |
| 2034 | 285,000 |

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 2015.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States, a qualified financial surety bond or a wire transfer in Federal Reserve funds immediately available for use by the issuer in the amount of \$156,200.

Delivery

The issuer will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about July 30, 2014, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2013 is \$453,989,887. The total general obligation indebtedness of the issuer as of the delivery date, including the bonds being sold, is \$52,801,000.

Approval of Bonds

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

Additional Information

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

Written and Facsimile Bid and Good Faith

Deposit Delivery Address:

Rod Franz, Finance Director
300 W. Ash
Salina, KS 67402
785-309-5735
Fax: 785-309-5738
rod.franz@salina.org

Financial Advisor:

George K. Baum & Company
4801 Main St., Suite 500
Kansas City, MO 64112
Attn: David Arteberry
816-474-1100
Fax: 816-283-5326
arteberry@gkbaum.com

Dated June 9, 2014.

City of Salina, Kansas

***Preliminary; subject to change.**

Doc. No. 042658

(Published in the Kansas Register June 26, 2014.)

City of Bel Aire, Kansas**Notice of Intent to Seek Private Placement
General Obligation Bonds, Series 2014A**

Notice is hereby given that the city of Bel Aire, 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 \$1,100,000. 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 17, 2014.

Jamie Hayes
City Clerk

Doc. No. 042664

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 website at www.sos.ks.gov. The following appointments were recently filed with the secretary of state:

Kansas African American Affairs Commission

Chiquita C. Coggs, 3003 N. 34th St., Kansas City, KS 66104. Term expires June 30, 2016. Reappointed by the speaker of the House.

Kansas Dental Board

James Kilmartin, 5815 Charlotte St., Shawnee, 66216. Term expires April 30, 2018. Succeeds James Showalter.

Donna Thomas, 5944 Overhill Road, Mission Hills, 66208. Term expires April 30, 2018. Reappointed.

Board of Emergency Medical Services

Wendy Gronau, 401 E. Yauger St., Lincoln, 67455. Term expires May 31, 2018. Succeeds James R. Behan.

Sen. Mitch Holmes, 211 S.E. 20th Ave., St. John, 67576. Appointed by the president of the Senate.

Deborah Kaufman, P.O. Box 465, Hoxie, 67740. Term expires May 31, 2018. Reappointed.

John Ralston, 1404 N. Purdue Ave., Liberal, 67901. Term expires May 31, 2018. Reappointed.

State Board of Healing Arts

Dr. Kimberly Templeton, 4501 W. 125th Terrace, Leawood, 66209. Term expires June 30, 2017. Reappointed.

Kansas Rehabilitation Council

David Fredericks, 18747 W. 165th St., Olathe, 66062. Term expires Oct. 31, 2016. Succeeds Kerry Lustick.

State Employees Health Care Commission

Heather Young, 3607 S.E. Massachusetts Ave., Topeka, 66605. Serves at the pleasure of the governor. Succeeds Nancy Ruoff.

Supreme Court Nominating Commission

Linda Weis, 215 Pine Drive, Manhattan, 66502. Term expires June 30, 2014. Succeeds Don Dahl, deceased.

University of Kansas Hospital Authority

David Dillon, 1044 Rookwood Drive, Cincinnati, OH 45208. Term expires March 15, 2017. Succeeds Robert Regnier.

Kris W. Kobach
Secretary of State

Doc. No. 042655

State of Kansas**Department for Aging and Disability Services
Department of Health and Environment
Division of Health Care Finance****Notice of Final Nursing Facility Medicaid
Rates for State Fiscal Year 2015;****Methodology for Calculating Proposed Rates, and
Rate Justifications; Response to Written Comments;
Notice of Intent to Amend the Medicaid State Plan**

Under the Medicaid program, 42 U.S.C. 1396 et seq., the state of Kansas pays nursing facilities, nursing facilities for mental health, and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The secretary of the Kansas Department for Aging and Disability Services administers the nursing facility program, which includes hospital long-term care units, and the nursing facility for mental health program. The secretary acts on behalf of the Kansas Department of Health and Environment, Division of Health Care Finance (DHCF), the single state Medicaid agency.

As required by 42 U.S.C. 1396a(a)(13), as amended by Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the secretary of the Kansas Department for Aging and Disability Services (KDADS) is publishing the Medicaid per diem rates for Medicaid-certified nursing facilities for state fiscal year 2015, the methodology underlying the establishment of the nursing facility rates, and the justifications for those rates. KDADS and DHCF also are providing notice of the state's intent to submit amendments to the Medicaid State Plan to the U.S. Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) on or before September 30, 2014.

**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:

(continued)

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

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

The text of the portions of the Medicaid State Plan identified above in section IA.1, but not the documents, authorities and the materials incorporated therein by reference, is reprinted in this notice. The Medicaid State Plan provision set out in this notice appears in the version which the state currently intends to submit to CMS on or before September 30, 2014. The Medicaid State Plan amendment that the state ultimately submits to CMS may differ from the version contained in this notice.

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

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

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

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

1) Cost Reports

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

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

Calendar Year End Cost Reports:

All providers that have operated a facility for 12 or more months on December 31 shall file a calendar year

cost report. The requirements for filing the calendar year cost report are found in K.A.R. 129-10-17.

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

Projected Cost Reports:

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

2) Rate Determination

Rates for Existing Nursing Facilities

Medicaid rates for Kansas NFs are determined using a prospective, facility-specific rate-setting system. The rate is determined from the base cost data submitted by the provider. The current base cost data is the combined calendar year cost data from each available report submitted by the current provider during 2010, 2011, and 2012.

If the current provider has not submitted a calendar year report between 2010 and 2012, the cost data submitted by the previous provider for that same period will be used as the base cost data. Once the provider completes their first 24 months in the program, their first calendar year cost report will become the provider's base cost data.

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

The allowable historic per diem cost is determined by dividing the allowable resident related expenses in each cost center by resident days. Before determining the per diem cost, each year's cost data is adjusted from the midpoint of that year to 12/31/12. The resident days and inflation factors used in the rate determination will be explained in greater detail in the following sections.

The inflated allowable historic per diem cost for each cost center is then compared to the cost center upper payment limit. The allowable per diem rate is the lesser of the inflated allowable historic per diem cost in each cost center or the cost center upper payment limit. Each cost center has a separate upper payment limit. If each cost center 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 pay-

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

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

The payment rate for the first 24 months of operation shall be based on the base cost data of the previous owner or provider. This base cost data shall include data from each calendar year cost report that was filed by the previous provider from 2010 to 2012. If base cost data is not available the most recent calendar year data for the previous provider shall be used. Beginning with the first day of the 25th month of operation the payment rate shall be based on the historical cost data for the first calendar year submitted by the new provider.

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

Rates for Facilities Reentering the Program (Reenrollment Status)

The per diem rate for each provider reentering the Medicaid program shall be determined from a projected cost report if the provider has not actively participated in the program by the submission of any current resident service billings to the program for 24 months or more. The per diem rate for all other providers reentering the program shall be determined from the base cost data filed with the agency or the most recent cost report filed preceding calendar year 2010.

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

3) Quarterly Case Mix Index Calculation

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

The Resource Utilization Groups-III (RUG-III) Version 5.12b, 34 group, index maximizer model is used as the resident classification system to determine all case-mix indices, using data from the MDS submitted by each facility. Standard Version 5.12b case mix indices developed by the Health Care Financing Administration (now 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 assessment shall be assigned a RUG-III 34 group calculated on the resident's most current assessment available on the first day of each calendar quarter. This RUG-III group shall be translated to the appropriate CMI. From the individual resident case mix indices, three average case mix indices for each Medicaid nursing facility shall be determined four times per year based on the assessment information available on the first day of each calendar quarter.

The facility-wide average CMI is the simple average, carried to four decimal places, of all resident case mix indices. The Medicaid-average CMI is the simple average, carried to four decimal places, of all indices for residents, including those receiving hospice services, where Medicaid is known to be a per diem payer source on the first day of the calendar quarter or at any time during the preceding quarter. The private-pay/other average CMI is the simple average, carried to four decimal places, of all

(continued)

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 cut-off 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>Cut-Off 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 cut off schedule may need to be modified in the event accurate resident listings and Medicaid CMI scores cannot be obtained from the MDS database.

4) Resident Days

Facilities with 60 beds or less:

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

Facilities with more than 60 beds:

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

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

The second exception is for the first cost report filed by a new provider who assumes the rate of the previous pro-

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

5) Inflation Factors

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

The IHS Global Insight, CMS Nursing Home without Capital Market Basket Indices listed in the latest available quarterly publication will be used to determine the inflation tables for the payment schedules processed during the payment rate period. This may require the use of forecasted factors in the inflation table. The inflation tables will not be revised until the next payment rate period.

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

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

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

6) Upper Payment Limits

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

Owner/Related Party/Administrator/Co-Administrator Limits:

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

The compensation paid to owners and related parties shall be allocated to the appropriate cost center for the type of service performed. Each cost center has an expense line for owner/related party compensation. There

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

The Schedule C is an array of non-owner administrator and co-administrator salaries. The schedule includes the calendar year 2012 historic cost reports in the database from all active nursing facility providers. The salary information in the array is not adjusted for inflation. The per diem data is calculated using an 85% minimum occupancy level for those providers in operation for more than 12 months with more than 60 beds. The Schedule C for the owner/related party/administrator/co-administrator per diem compensation limit is the first schedule run during the rate setting.

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

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

Real and Personal Property Fee Limit

The property component of the reimbursement methodology consists of the real and personal property fee that is explained in more detail in a later section. The upper payment limit will be 105% of the median determined from a total resident day-weighted array of the property fees in effect April 1, 2014.

Cost Center Upper Payment Limits

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

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

Prior to the Schedule B arrays, the cost data on certain expense lines is adjusted from the midpoint of the cost report period to 12/31/12. This will bring the costs reported by the providers to a common point in time for comparisons. The inflation will be based on the IHS Global Insight, CMS Nursing Home without Capital Market Basket Index.

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

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

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

Direct Health Care Cost Center Limit:

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

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

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

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

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

The final step in calculating the base Direct Health Care upper payment limit is to apply the percentage factor to the median cost. For example, if the median cost is \$60 and the upper payment limit is based on 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 result is then multiplied by the Allowable Direct Health Care per diem cost. The result is referred to as the Medicaid Acuity Adjustment.

The Medicaid Acuity Adjustment is calculated quarterly to account for changes in the Medicaid CMI. To illustrate this calculation take the following situation: The facility's direct health care per diem cost is \$60.00, the Direct Health Care per diem limit is \$78.00, and these are both tied to a statewide average CMI of 1.000, and the facility's current Medicaid CMI is 0.9000. Since the per diem costs are less than the limit the Allowable Direct Health Care Cost is \$60.00, and this is matched with the statewide average CMI of 1.0000. To calculate the Medicaid Acuity Adjustment, first divide the Medicaid CMI by the statewide average CMI, then multiply the result by the Allowable Direct Health Care Cost. In this case that would result in \$54.00 ($0.9000/1.0000 \times \60.00). Because the facility's current Medicaid CMI is less than the statewide average CMI the Medicaid Acuity Adjustment moves the direct health care per diem down proportionally. In contrast, if the Medicaid CMI for the next quarter rose to 1.1000, the Medicaid Acuity Adjustment would be \$66.00 ($1.1000/1.0000 \times \60.00). Again the Medicaid Acuity Adjustment changes the Allowable Direct Health Care Per Diem Cost to match the current Medicaid CMI.

8) Real and Personal Property Fee

The property component of the reimbursement 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 HIS Global Insight, CMS Nursing Home without Capital Market Basket. The providers receive the lower of the inflated property fee for the upper payment limit.

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

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

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

9) Incentive Factors

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

Nursing Facility Quality and Efficiency Incentive Factor:

The Nursing Facility Incentive Factor is a per diem amount determined by six per diem add-ons providers can earn for various outcomes measures. Providers that maintain a case mix adjusted staffing ratio at or above the 75th percentile will earn a \$2.25 per diem add-on. Providers that fall below the 75th percentile staffing ratio but improve their staffing ratio by 10% or more will earn a

\$0.20 per diem add-on. Providers that achieve a turnover rate at or below the 75th percentile will earn a \$2.25 per diem add-on. Providers that have a turnover rate greater than the 75th percentile but that reduce their turnover rate by 10% or more will receive a per diem add-on of \$0.20. Finally, providers that have a Medicaid occupancy percentage of 60% or more will receive a \$1.00 per diem add-on. The total of all the per diem add-ons a provider qualifies for will be their incentive factor.

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

| Incentive Outcome | Incentive Points |
|--|------------------|
| CMI adjusted staffing ratio ≥ 75th percentile (4.97), or CMI adjusted staffing < 75th percentile but improved ≥ 10% | \$2.25 \$0.20 |
| Staff turnover rate ≤ 75th percentile, 42% or Staff turnover rate > 75th percentile but reduced ≥ 10% | \$2.25 \$0.20 |
| Medicaid occupancy ≥ 60% | \$1.00 |
| Total Incentive Points Available | \$5.90 |

The Culture Change/Person-Centered Care Incentive Program

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

Each incentive level has a specific pay-for-performance incentive per diem attached to it that homes can earn by meeting defined outcomes. The first two levels are intended to encourage quality improvement for homes that have not yet met the minimum competency requirements for a person-centered care home. Homes can earn both of these incentives simultaneously as they progress toward the minimum competency level.

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

| Level & Per Diem Incentive | Summary of Required Nursing Home Action | Incentive Duration |
|--|---|--|
| Level 0 The Foundation \$0.50 | Home completes the KCCI evaluation tool according to the application instructions. Home participates in all required activities noted in "The Foundation" timeline and workbook. Homes that do not complete the requirements at this level must sit out of the program for one year before they are eligible for reapplication. | Available beginning July 1 of enrollment year. Incentive granted for one full fiscal year. |
| Level 1 Pursuit of Culture Change \$0.50 | Homes should submit the KCCI evaluation tool (annually). Home submits an action plan addressing 4 PEAK 2.0 cores in Domains 1-4. The home self-reports progress on the action planned cores via phone conference with the PEAK team. The home may be selected for a random site visit. The home must participate | Available beginning July 1 of enrollment year. Incentive granted for one full fiscal year. |

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

Nursing Facility for Mental Health Quality and Efficiency Incentive Factor:

The Quality and Efficiency Incentive plan for 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 cooperatively and in coordination with Community Mental Health Centers to facilitate the return of persons to the community.

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

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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 4.02, which is 120% of the statewide NFMH median of 3.35. They will receive one point if the ratio is less than 120% of the NFMH median but greater than or equal to 3.69, 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 \$17.74, or 90% of the statewide median of \$19.71.

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 24%, the 75th percentile statewide, will earn two points as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs. Providers with direct health care staff turnover greater than 24% but equal to or below 36%, the 50th percentile statewide, will earn one point as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs.

Finally, 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 78%, 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% (4.02) of NF-MH median (3.35), or CMI adjusted staffing ratio between 110% (3.69) and 120% | 2, or 1 |
| Total occupancy \leq 90% | 1 |
| Operating expenses \leq \$17.74, 90% of NF-MH median, \$19.71 | 1 |
| Staff turnover rate \leq 75th percentile, 24% | 2, or |
| Staff turnover rate \leq 50th percentile, 36% | 1 |
| Contracted labor < 10% of total direct health care labor costs | |
| Staff retention \geq 75th percentile, 84% | 2, or |
| Staff retention \geq 50th percentile, 78% | 1 |
| Total Incentive Points Available | 8 |

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.

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

The survey and certification performance of each NF and NF-MH provider will be reviewed prior to any incentive factor payment. In order to qualify for the incentive factor a home must not have received any health care

survey deficiency of scope and severity level "H" or higher during the survey review period. Homes that 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.

| Rate Effective Date: | Review Period End Date: |
|----------------------|-------------------------|
| July 1 | March 31st |
| October 1 | June 30th |
| January 1 | September 30th |
| April 1 | December 31st |

10) Rate Effective Date

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

11) Retroactive Rate Adjustments

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

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

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

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

II. Proposed Medicaid Per Diem Rates for Kansas Nursing Facilities

A.1 Cost Center Limitations: The state proposes the following cost center limitations which are used in setting rates effective July 1, 2014.

| Cost Center | Limit Formula | Per Day Limit |
|--------------------------------|-------------------------|---------------|
| Operating | 110% of the Median Cost | \$31.86 |
| Indirect Health Care | 115% of the Median Cost | \$47.53 |
| Direct Health Care | 130% of the Median Cost | \$103.42 |
| Real and Personal Property Fee | 105% of the Median Fee | \$9.39 |

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

A.2 Quality Care Assessment Per Diem Pass-Through:

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

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

2) Per Diem Pass-Through Calculation. The quality care assessment pass-through per diem will be determined by multiplying the quarterly quality care assessment paid by each qualifying provider by four to determine an annualized assessment expense. The annualized assessment expense will be divided by the total resident days from the calendar year cost report preceding the start of the fiscal year. For example, during fiscal year 2015 (July 1, 2014 through June 30, 2015), the resident day total from the calendar year 2013 cost report will be used to determine the per diem pass-through.

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

B. Case Mix Index. These rates are based upon each nursing facility's Medicaid average CMI calculated with a cutoff date of April 1, 2014, using the July 1, 2013 Kansas Medicaid/Medikan CMI Table. In Section II.C below, each nursing facility's Medicaid average CMI is listed beside its proposed per diem rate.

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

FY15

| Prov. Num. | Facility Name | City | Daily Rate | Medicaid CMI |
|------------|---|----------------|------------|--------------|
| 19928 | Village Manor | Abilene | 158.67 | 0.9063 |
| 20875 | Alma Manor | Alma | 164.06 | 0.8568 |
| 11211 | Life Care Center of Andover | Andover | 167.59 | 1.1882 |
| 21600 | Victoria Falls SNF | Andover | 174.65 | 0.9909 |
| 19671 | Anthony Community Care Center | Anthony | 160.72 | 1.0013 |
| 18691 | Medicalodges Health Care Center Arkansas City | Arkansas City | 160.69 | 0.9504 |
| 19387 | Arkansas City Presbyterian Manor | Arkansas City | 164.51 | 0.9191 |
| 19244 | Arma Care Center | Arma | 116.46 | 1.0464 |
| 15157 | Ashland Health Center - LTCU | Ashland | 190.81 | 1.0086 |
| 10826 | Medicalodges Atchison | Atchison | 189.27 | 1.0875 |
| 15023 | Atchison Senior Village | Atchison | 167.29 | 0.9123 |
| 21222 | Dooley Center | Atchison | 166.55 | 0.6811 |
| 05720 | Attica Long Term Care | Attica | 161.99 | 0.9111 |
| 26464 | Atwood Good Samaritan Center | Atwood | 181.73 | 1.0818 |
| 15113 | Lake Point Nursing Center | Augusta | 154.78 | 0.9995 |
| 15363 | Baldwin Care Center | Baldwin | 152.17 | 1.0680 |
| 20919 | Quaker Hill Manor | Baxter Springs | 133.29 | 0.9197 |
| 05415 | Great Plains of Republic County, Inc. | Belleville | 190.08 | 0.9992 |
| 18502 | Belleville Health Care Center | Belleville | 130.14 | 0.9392 |
| 05516 | Mitchell County Hospital LTCU | Beloit | 173.66 | 0.8587 |
| 11467 | Hilltop Lodge Nursing Home | Beloit | 153.14 | 0.9959 |
| 20732 | Bonner Springs Nursing and Rehabilitation | Bonner Springs | 158.79 | 1.0779 |
| 15462 | Hill Top House | Bucklin | 169.23 | 0.9813 |
| 26565 | Buhler Sunshine Home, Inc. | Buhler | 175.79 | 0.9316 |
| 16780 | Life Care Center of Burlington | Burlington | 150.31 | 1.0660 |
| 20676 | Caney Nursing Center | Caney | 104.23 | 0.9300 |
| 21132 | Eastridge Nursing Home | Centralia | 165.58 | 0.8330 |
| 11144 | Heritage Health Care Center | Chanute | 143.03 | 1.0552 |
| 20147 | Diversicare of Chanute | Chanute | 162.34 | 1.0200 |
| 20942 | Applewood Rehabilitation | Chanute | 84.23 | 0.7874 |
| 16845 | Chapman Valley Manor | Chapman | 140.52 | 0.8413 |

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|-------|---|------------------|--------|--------|
| 16351 | Cheney Golden Age Home Inc. | Cheney | 165.00 | 1.0761 |
| 21009 | Cherryvale Care Center | Cherryvale | 125.12 | 0.9177 |
| 19019 | Chetopa Manor | Chetopa | 136.09 | 1.0800 |
| 18308 | The Shepherd's Center | Cimarron | 149.15 | 0.9623 |
| 11107 | Medicalodges Clay Center | Clay Center | 180.95 | 1.0205 |
| 15168 | Clay Center Presbyterian Manor | Clay Center | 207.79 | 1.2778 |
| 16418 | Clearwater Nursing and Rehabilitation | Clearwater | 165.89 | 1.0451 |
| 20266 | Community Care, Inc. | Clifton | 139.26 | 0.9960 |
| 17813 | Park Villa Nursing Home | Clyde | 147.85 | 0.9571 |
| 05764 | Coffeyville Regional Medical Center | Coffeyville | 219.06 | 1.2800 |
| 11514 | Windsor Place | Coffeyville | 161.46 | 1.0609 |
| 15991 | Medicalodges Coffeyville | Coffeyville | 189.28 | 1.0400 |
| 19917 | Windsor Place at Iola, LLC | Coffeyville | 165.59 | 1.0577 |
| 19119 | Deseret Nursing & Rehab at Colby | Colby | 127.91 | 0.9748 |
| 19648 | Prairie Senior Living Complex | Colby | 183.77 | 0.9941 |
| 25251 | Pioneer Lodge | Coldwater | 145.75 | 0.8723 |
| 18410 | Medicalodges Columbus | Columbus | 167.82 | 0.9894 |
| 15226 | Mt Joseph Senior Village, LLC | Concordia | 142.57 | 0.9839 |
| 21187 | Sunset Home, Inc. | Concordia | 160.51 | 0.9889 |
| 27217 | Spring View Manor | Conway Springs | 134.47 | 0.9007 |
| 19872 | Golden Living Center-Chase Co. | Cottonwood Falls | 151.80 | 1.0850 |
| 20136 | Diversicare of Council Grove | Council Grove | 143.81 | 0.9556 |
| 18162 | Hilltop Manor | Cunningham | 133.87 | 0.9956 |
| 10748 | Westview of Derby | Derby | 138.05 | 1.0946 |
| 21560 | Derby Health and Rehabilitation | Derby | 191.65 | 1.1295 |
| 20492 | Hillside Village | De Soto | 165.61 | 1.0006 |
| 05347 | Lane County Hospital - LTCU | Dighton | 179.22 | 0.8967 |
| 11378 | Trinity Manor | Dodge City | 176.09 | 1.1352 |
| 17385 | Dodge City Good Samaritan Center | Dodge City | 151.24 | 0.9157 |
| 21143 | Manor of the Plains | Dodge City | 169.41 | 0.9509 |
| 20838 | Medicalodges Douglass | Douglass | 159.15 | 0.9100 |
| 10995 | Golden Living Center-Downs | Downs | 137.50 | 0.9581 |
| 19153 | Country Care Home | Easton | 141.94 | 0.9382 |
| 20614 | Golden Living Center-Parkway | Edwardsville | 156.16 | 1.0539 |
| 20625 | Golden Living Center-Kaw River | Edwardsville | 192.19 | 1.1662 |
| 20636 | Golden Living Center-Edwardsville | Edwardsville | 139.41 | 0.7686 |
| 10782 | Lakepoint Nursing Center-El Dorado | El Dorado | 146.21 | 1.0412 |
| 19907 | Golden Living Center-El Dorado | El Dorado | 165.98 | 1.1824 |
| 05696 | Morton County Hospital | Elkhart | 151.70 | 0.9965 |
| 19635 | Woodhaven Care Center | Ellinwood | 152.81 | 0.9937 |
| 25485 | Ellis Good Samaritan Center | Ellis | 159.84 | 0.9932 |
| 15416 | Good Sam Society-Ellsworth Village | Ellsworth | 149.85 | 0.9284 |
| 11232 | Emporia Presbyterian Manor | Emporia | 186.88 | 1.0743 |
| 11367 | Holiday Resort | Emporia | 145.33 | 0.9903 |
| 20175 | Flint Hills Care Center, Inc. | Emporia | 128.85 | 0.9538 |
| 17791 | Enterprise Estates Nursing Center, Inc. | Enterprise | 137.42 | 0.9532 |
| 20715 | Golden Living Center-Eskridge | Eskridge | 122.15 | 0.8009 |
| 17781 | Medicalodges Eudora | Eudora | 147.60 | 0.9287 |
| 18927 | Eureka Nursing Center | Eureka | 152.18 | 1.0427 |
| 21570 | Kansas Soldiers' Home | Fort Dodge | 181.23 | 1.0589 |
| 15045 | Medicalodges Fort Scott | Fort Scott | 172.00 | 1.0447 |
| 20446 | Fort Scott Manor | Fort Scott | 137.95 | 0.9913 |
| 17857 | Fowler Residential Care | Fowler | 177.68 | 0.8900 |
| 27555 | Frankfort Community Care Home, Inc. | Frankfort | 149.60 | 0.9483 |
| 20581 | Golden Living Center-Fredonia | Fredonia | 156.27 | 1.1104 |
| 15305 | Medicalodges Frontenac | Frontenac | 139.60 | 1.0153 |
| 17915 | Emerald Pointe Health & Rehab Centre | Galena | 105.01 | 0.8652 |
| 20930 | Galena Nursing & Rehab Center | Galena | 142.43 | 1.0718 |
| 11345 | Garden Valley Retirement Village | Garden City | 149.52 | 0.9886 |
| 15430 | Homestead Health & Rehab | Garden City | 175.99 | 1.0267 |
| 05712 | Meadowbrook Rehab Hosp., LTCU | Gardner | 196.37 | 1.0500 |
| 19579 | Medicalodges Gardner | Gardner | 147.47 | 0.9133 |

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| 05808 | Anderson County Hospital | Garnett | 177.11 | 0.8300 | 27566 | Sandstone Heights Nursing Home | Little River | 183.23 | 0.9500 |
| 21053 | Golden Heights Living Center | Garnett | 153.30 | 0.9335 | | | | | |
| 15315 | The Heritage | Girard | 135.81 | 0.9512 | 17328 | Logan Manor Community Health Service | Logan | 187.78 | 1.1454 |
| 15214 | The Nicol Home, Inc. | Glasco | 160.28 | 0.9138 | | | | | |
| 11197 | Medicalodges Goddard | Goddard | 176.22 | 1.0008 | 20096 | Louisburg Care Center | Louisburg | 149.28 | 1.0853 |
| 05595 | Bethesda Home | Goessel | 180.46 | 1.0208 | 17497 | Good Samaritan Society-Lyons | Lyons | 156.30 | 0.9095 |
| 17295 | Goodland Sherman Co. Good Samaritan | Goodland | 169.77 | 0.9976 | 10894 | Meadowlark Hills Retirement Community | Manhattan | 185.64 | 0.9525 |
| 10714 | Cherry Village Benevolence | Great Bend | 151.47 | 0.9480 | 11491 | Stoneybrook Retirement Community | Manhattan | 193.08 | 1.1662 |
| 16837 | Great Bend Health & Rehab Center | Great Bend | 150.45 | 1.1186 | 21530 | Via Christi Village Manhattan, Inc. | Manhattan | 160.18 | 1.0129 |
| 11029 | Halstead Health and Rehab Center | Halstead | 156.74 | 0.9784 | 05156 | St. Luke Living Center | Marion | 155.15 | 0.8987 |
| 20121 | Haviland Care Center | Haviland | 79.18 | 0.7527 | 18037 | Riverview Estates, Inc. | Marquette | 148.25 | 0.9164 |
| 17486 | Good Samaritan Society-Hays | Hays | 156.27 | 0.9725 | 21162 | Cambridge Place | Marysville | 147.38 | 0.9806 |
| 21640 | Via Christi Village-Hays | Hays | 162.71 | 0.9032 | 20854 | McPherson Care Center | McPherson | 119.48 | 1.1638 |
| 11080 | Diversicare of Haysville | Haysville | 164.13 | 1.0193 | 25935 | The Cedars, Inc. | McPherson | 169.48 | 0.9159 |
| 15348 | Medicalodges Herington | Herington | 140.61 | 0.8709 | 25982 | Meade District Hospital, LTCU | Meade | 209.91 | 1.0627 |
| 16902 | Schowalter Villa | Hesston | 188.25 | 0.9017 | | | | | |
| 21032 | Maple Heights of Hiawatha | Hiawatha | 137.95 | 0.9632 | 10805 | Trinity Nursing & Rehab Center | Merriam | 160.40 | 1.1000 |
| 19334 | Highland Healthcare and Rehab Center | Highland | 128.63 | 0.9982 | 05191 | Great Plains of Ottawa County, Inc. | Minneapolis | 151.47 | 0.8700 |
| 25531 | Dawson Place, Inc. | Hill City | 155.91 | 0.9936 | 17734 | Good Samaritan Society-Minneapolis | Minneapolis | 153.67 | 0.9821 |
| 05426 | Salem Home | Hillsboro | 156.49 | 0.8883 | 18274 | Minneola District Hospital-LTCU | Minneola | 197.12 | 1.0576 |
| 17690 | Parkside Homes, Inc. | Hillsboro | 167.67 | 0.9919 | 15528 | Bethel Home, Inc. | Montezuma | 166.11 | 0.8537 |
| 17835 | Medicalodges Jackson County | Holton | 155.60 | 0.8944 | 20085 | Moran Manor | Moran | 142.80 | 1.1956 |
| 10602 | Tri County Manor Living Center, Inc. | Horton | 123.15 | 0.9587 | 15901 | Pine Village | Moundridge | 163.79 | 0.9682 |
| 15394 | Howard Twilight Manor | Howard | 148.72 | 1.0188 | 18140 | Moundridge Manor, Inc. | Moundridge | 169.90 | 0.8923 |
| 05281 | Sheridan County Hospital | Hoxie | 185.29 | 0.9940 | 17565 | Mt. Hope Nursing Center | Mt. Hope | 150.33 | 1.0020 |
| 11018 | Pioneer Manor | Hugoton | 182.03 | 0.8504 | 18230 | Villa Maria, Inc. | Mulvane | 158.36 | 0.9672 |
| 11077 | Golden Plains Rehabilitation Center | Hutchinson | 171.75 | 1.0939 | 20605 | Golden Living Center-Neodesha | Neodesha | 149.76 | 1.1671 |
| 17148 | Good Sam Society-Hutchinson Village | Hutchinson | 169.99 | 0.9489 | 05630 | Ness County Hospital Dist.#2 | Ness City | 180.44 | 0.9200 |
| 19595 | Hutchinson Care Center | Hutchinson | 127.48 | 1.0598 | 10062 | Asbury Park | Newton | 182.97 | 1.0226 |
| 21154 | Wesley Towers | Hutchinson | 190.39 | 0.9793 | 15574 | Kansas Christian Home | Newton | 170.06 | 1.0133 |
| 21176 | Ray E. Dillon Living Center | Hutchinson | 186.17 | 0.9659 | 15585 | Newton Presbyterian Manor | Newton | 185.60 | 1.0286 |
| 11448 | Medicalodges of Independence | Independence | 132.70 | 1.0164 | 10051 | Bethel Care Center | North Newton | 169.37 | 0.8765 |
| 19300 | Montgomery Place Nursing Center, LLC | Independence | 140.37 | 1.0167 | 16103 | Andbe Home, Inc. | Norton | 154.49 | 0.9047 |
| 25913 | Pleasant View Home | Inman | 159.35 | 0.8416 | 15619 | Village Villa | Nortonville | 137.46 | 1.0329 |
| 15002 | Iola Nursing Center | Iola | 120.35 | 0.9128 | 19683 | Logan County Manor | Oakley | 180.94 | 0.9179 |
| 05066 | Hodgeman Co. Health Center-LTCU | Jetmore | 196.17 | 1.0644 | 05562 | Decatur County Hospital | Oberlin | 160.14 | 0.8208 |
| 05674 | Stanton County Hospital-LTCU | Johnson | 172.39 | 0.8375 | 25395 | Good Samaritan Society-Decatur Co. | Oberlin | 154.49 | 0.9070 |
| 10480 | Valley View Senior Life | Junction City | 164.86 | 0.9817 | 10668 | Villa St. Francis | Olathe | 183.03 | 1.0191 |
| 10591 | Medicalodges Post Acute Care Center | Kansas City | 173.60 | 1.0728 | 10920 | Pinnacle Ridge Nursing and Rehabilitation | Olathe | 172.60 | 1.0891 |
| 11030 | Kansas City Presbyterian Manor | Kansas City | 185.88 | 0.9448 | 11245 | Royal Terrace Nursing & Rehab. Center | Olathe | 173.63 | 0.9860 |
| 16654 | Medicalodges Kansas City | Kansas City | 161.92 | 0.9900 | 15653 | Good Samaritan Society-Olathe | Olathe | 179.42 | 0.9980 |
| 20377 | Lifecare Center of Kansas City | Kansas City | 155.28 | 1.0213 | 21109 | Evergreen Community of Johnson County | Olathe | 195.76 | 1.0223 |
| 21660 | Providence Place | Kansas City | 200.40 | 1.0310 | 21460 | Aberdeen Village, Inc. | Olathe | 188.77 | 0.9527 |
| 20244 | Deseret Nursing & Rehab at Kensington | Kensington | 115.64 | 1.0229 | 21710 | Nottingham Health & Rehab | Olathe | 193.16 | 1.0175 |
| 21121 | The Wheatlands | Kingman | 147.36 | 0.9129 | 26422 | Deseret Nursing & Rehab at Onaga | Onaga | 122.03 | 1.1889 |
| 18432 | Medicalodges Kinsley | Kinsley | 184.17 | 0.9306 | 18206 | Peterson Health Care, Inc. | Osage City | 131.79 | 0.9564 |
| 20806 | Kiowa Hospital District Manor | Kiowa | 171.59 | 0.8886 | 27578 | Osage Nursing & Rehab Center | Osage City | 156.94 | 1.1841 |
| 05246 | Rush Co. Memorial Hospital | La Crosse | 156.26 | 1.0022 | | | | | |
| 18757 | Locust Grove Village | La Crosse | 158.00 | 0.8924 | 10973 | Life Care Center of Osawatomie | Osawatomie | 163.93 | 1.1258 |
| 20232 | High Plains Retirement Village | Lakin | 193.36 | 0.9881 | | | | | |
| 20197 | Golden Living Center-Lansing | Lansing | 164.26 | 1.0746 | 17521 | Parkview Care Center | Osborne | 139.60 | 0.8796 |
| 21680 | Twin Oaks Health & Rehab | Lansing | 194.17 | 0.9892 | 20301 | Hickory Pointe Care & Rehab Center | Oskaloosa | 153.49 | 1.0055 |
| 20451 | Diversicare of Larned | Larned | 136.72 | 1.0383 | | | | | |
| 11175 | Lawrence Presbyterian Manor | Lawrence | 174.47 | 0.9383 | 18402 | Deseret Nursing & Rehab at Oswego | Oswego | 131.83 | 1.0536 |
| 11391 | Brandon Woods at Alvamar | Lawrence | 185.75 | 0.9630 | 20467 | Ottawa Retirement Village | Ottawa | 145.99 | 1.0826 |
| 21450 | Pioneer Ridge Retirement Community | Lawrence | 181.57 | 1.0461 | 11121 | Brookside Manor | Overbrook | 134.15 | 0.8926 |
| 11096 | Medicalodges Leavenworth | Leavenworth | 172.67 | 0.9423 | 11300 | Garden Terrace at Overland Park | Overland Park | 158.58 | 1.0131 |
| 11355 | Delmar Gardens of Lenexa | Lenexa | 138.22 | 0.9079 | 11335 | Indian Meadows Healthcare Center | Overland Park | 193.70 | 1.4830 |
| 21470 | Lakeview Village | Lenexa | 189.83 | 0.9861 | 11412 | Manorcare Health Services of Overland Park | Overland Park | 172.82 | 1.0265 |
| 21690 | The Covenant Place of Lenexa | Lenexa | 248.60 | 0.9575 | 11423 | Villa Saint Joseph | Overland Park | 196.12 | 0.9822 |
| 16261 | Leonardville Nursing Home | Leonardville | 148.49 | 1.0529 | 11478 | Delmar Gardens of Overland Park | Overland Park | 170.73 | 0.9579 |
| 05786 | Wichita County Health Center | Leoti | 171.77 | 0.8340 | 21200 | Overland Park Nursing & Rehab | Overland Park | 176.32 | 1.0778 |
| 17508 | Liberal Good Samaritan Center | Liberal | 151.52 | 0.9915 | 21252 | Indian Creek Healthcare Center | Overland Park | 172.69 | 1.1360 |
| 21510 | Wheatridge Park Care Center | Liberal | 158.55 | 0.8532 | 21430 | Village Shalom, Inc. | Overland Park | 198.90 | 1.0270 |
| 17577 | Lincoln Park Manor, Inc. | Lincoln | 152.04 | 0.9450 | | | | | |
| 15890 | Bethany Home Association | Lindsborg | 187.25 | 0.9554 | | | | | |
| 17352 | Linn Community Nursing Home | Linn | 137.24 | 0.8563 | | | | | |

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|-------|--|------------------|--------|--------|-------|--|--------------|--------|--------|
| 16553 | Riverview Manor, Inc. | Oxford | 106.66 | 0.8321 | 10917 | The Legacy on 10th Avenue | Topeka | 142.53 | 0.9500 |
| 18713 | Medicalodges Paola | Paola | 119.46 | 0.6639 | 11254 | McCrite Plaza Health Center | Topeka | 167.23 | 0.9838 |
| 20298 | North Point Skilled Nursing Center | Paola | 168.94 | 1.1429 | 11276 | Rolling Hills Health Center | Topeka | 174.71 | 1.0262 |
| 18322 | Elmhaven East | Parsons | 135.62 | 1.0357 | 11388 | Manorcare Health Services of Topeka | Topeka | 162.79 | 1.0234 |
| 18792 | Elmhaven West | Parsons | 135.23 | 0.9500 | 19346 | Westwood Manor | Topeka | 140.38 | 1.0438 |
| 18871 | Parsons Presbyterian Manor | Parsons | 167.42 | 0.9606 | 19446 | Brighton Place West | Topeka | 102.02 | 0.7000 |
| 25733 | Good Samaritan Society-Parsons | Parsons | 153.99 | 0.9535 | 19692 | Countryside Health Center | Topeka | 107.29 | 0.7538 |
| 10097 | Peabody Care Center, LLC | Peabody | 123.15 | 1.0086 | 20557 | Providence Living Center | Topeka | 97.17 | 0.7126 |
| 20753 | Westview Manor of Peabody | Peabody | 88.23 | 0.6438 | 20963 | Brighton Place North | Topeka | 96.12 | 0.7121 |
| 21045 | Phillips County Retirement Center | Phillipsburg | 136.61 | 0.9331 | 21110 | Aldersgate Village | Topeka | 183.79 | 0.9722 |
| 10433 | Medicalodges Pittsburg South | Pittsburg | 166.91 | 0.8992 | 21211 | Plaza West Care Center, Inc. | Topeka | 181.25 | 1.0458 |
| 20749 | Golden Living Center-Pittsburg | Pittsburg | 144.99 | 1.0493 | 21420 | Lexington Park Nursing and Post Acute | Topeka | 198.03 | 1.0536 |
| 21520 | Via Christi Village Pittsburg, Inc. | Pittsburg | 147.55 | 0.9352 | 21610 | Washburn Community Care Center, LLC | Topeka | 161.06 | 1.1896 |
| 26666 | Rooks County Senior Services, Inc. | Plainville | 172.24 | 1.0314 | 18772 | Greeley County Hospital, LTCU | Tribune | 171.61 | 0.8779 |
| 05775 | Pratt Regional Medical Center | Pratt | 180.78 | 1.0033 | 21590 | The Legacy at Park View | Ulysses | 184.41 | 0.9464 |
| 20029 | Deseret Health & Rehab at Pratt LLC | Pratt | 122.86 | 1.1673 | 18465 | Valley Health Care Center | Valley Falls | 132.12 | 0.6557 |
| 17464 | Prescott Country View Nursing Center | Prescott | 140.14 | 0.9944 | 05292 | Trego Co. Lemke Memorial LTCU | WaKeeney | 196.29 | 1.0815 |
| 21440 | Prairie Sunset Manor | Pretty Prairie | 166.40 | 0.8879 | 20865 | Trego Manor | WaKeeney | 163.30 | 0.9338 |
| 17587 | Protection Valley Manor | Protection | 130.11 | 0.8120 | 20704 | Golden Living Center-Wakefield | Wakefield | 163.90 | 1.0118 |
| 05044 | Gove County Medical Center | Quinter | 182.58 | 0.9344 | 26442 | Wamego Valley Vista Good Samaritan | Wamego | 157.00 | 0.8382 |
| 05617 | Grisell Memorial Hosp Dist #1-LTCU | Ransom | 163.93 | 0.9094 | 16597 | The Centennial Homestead, Inc. | Washington | 153.66 | 1.0158 |
| 15485 | Richmond Healthcare and Rehabilitation | Richmond | 157.28 | 1.0467 | 20186 | Wathena Nursing & Rehab Center | Wathena | 142.56 | 0.9250 |
| 20696 | Fountainview Nursing and Rehab Center | Rose Hill | 146.87 | 1.0138 | 20076 | Coffey County Hospital | Waverly | 177.32 | 0.8737 |
| 18445 | Rossville Healthcare & Rehab Center | Rossville | 144.73 | 0.9776 | 19863 | Golden Living Center-Wellington | Wellington | 139.57 | 0.9750 |
| 20772 | Wheatland Nursing & Rehab Center | Russell | 148.88 | 1.0310 | 20368 | Sumner County Care Center | Wellington | 134.48 | 1.1725 |
| 21480 | Russell Regional Hospital | Russell | 201.61 | 1.0529 | 20392 | Wellsville Manor | Wellsville | 141.53 | 0.9793 |
| 19782 | Sabetha Nursing Center | Sabetha | 152.46 | 1.1090 | 17767 | Westy Community Care Home | Westmoreland | 130.04 | 0.9123 |
| 26238 | Apostolic Christian Home | Sabetha | 145.34 | 0.9294 | 10578 | Wheat State Manor | Whitewater | 169.83 | 0.9768 |
| 10774 | Smokey Hill Rehabilitation Center | Salina | 130.84 | 0.9358 | 10141 | Medicalodges Wichita | Wichita | 169.97 | 1.0565 |
| 10952 | Kenwood View Health and Rehab Center | Salina | 154.08 | 1.0113 | 10613 | Meridian Rehab and Health Care Center | Wichita | 144.45 | 0.9839 |
| 11186 | Windsor Estates | Salina | 152.47 | 0.9979 | 10646 | Catholic Care Center Inc. | Wichita | 176.62 | 0.9818 |
| 11459 | Pinnacle Park Nursing and Rehabilitation | Salina | 139.08 | 0.9837 | 10670 | Kansas Masonic Home | Wichita | 185.31 | 1.1630 |
| 11480 | Salina Presbyterian Manor | Salina | 183.17 | 0.9818 | 10736 | Homestead Health Center, Inc. | Wichita | 190.71 | 0.9727 |
| 21382 | Holiday Resort of Salina | Salina | 169.77 | 0.9975 | 10853 | Deseret Healthcare and Rehab at Wichita | Wichita | 113.70 | 1.0806 |
| 05685 | Satanta Dist. Hosp. LTCU | Satanta | 186.83 | 0.9888 | 11052 | Wichita Presbyterian Manor | Wichita | 182.69 | 0.9723 |
| 16338 | Park Lane Nursing Home | Scott City | 174.79 | 0.8503 | 11266 | Sandpiper Healthcare and Rehab Center | Wichita | 144.89 | 0.9833 |
| 19545 | Pleasant Valley Manor | Sedan | 133.18 | 1.0725 | 11313 | Lakepoint Nursing and Rehabilitation | Wichita | 152.23 | 0.9242 |
| 19708 | Diversicare of Sedgwick | Sedgwick | 170.06 | 0.9647 | 11322 | Manorcare Health Services of Wichita | Wichita | 167.70 | 1.2512 |
| 16038 | Crestview Nursing & Residential Living | Seneca | 133.99 | 1.0400 | 11504 | College Hill Nursing and Rehab Center | Wichita | 139.17 | 0.8840 |
| 18253 | Life Care Center of Seneca | Seneca | 138.68 | 1.0258 | 18583 | Deseret Health & Rehab at Seville LLC | Wichita | 129.17 | 0.9370 |
| 21630 | Wallace County Community Center | Sharon Springs | 170.86 | 0.9955 | 18591 | Golden Living Center-Wichita | Wichita | 146.85 | 0.9006 |
| 15384 | Shawnee Gardens Nursing Center | Shawnee | 145.43 | 1.0874 | 21233 | The Health Care Center at Larksfield Pl. | Wichita | 177.32 | 1.0200 |
| 21190 | Sharon Lane Health Services | Shawnee | 149.21 | 1.0264 | 21360 | Life Care Center of Wichita | Wichita | 165.59 | 1.0785 |
| 05505 | Smith County Memorial Hospital LTCU | Smith Center | 163.91 | 0.8650 | 21541 | Via Christi Hope | Wichita | 149.41 | 1.0175 |
| 18153 | Deseret Nursing & Rehab at Smith Center | Smith Center | 116.89 | 1.0631 | 21550 | Family Health & Rehabilitation Center | Wichita | 171.83 | 1.0088 |
| 18138 | Menonite Friendship Manor, Inc. | South Hutchinson | 173.83 | 0.9558 | 21620 | Caritas Center | Wichita | 162.99 | 0.7910 |
| 20650 | Golden Living Center-Spring Hill | Spring Hill | 163.78 | 1.0952 | 21650 | Regent Park Rehab and Healthcare | Wichita | 188.49 | 0.9800 |
| 25204 | Good Samaritan Society-Cheyenne County | St. Francis | 182.29 | 1.0600 | 21670 | Avita Health & Rehab of Reeds Cove | Wichita | 215.84 | 1.2300 |
| 19884 | Leisure Homestead at St. John | St. John | 139.10 | 0.9175 | 21700 | Via Christi Village Ridge | Wichita | 171.58 | 0.9218 |
| 19467 | Community Hospital of Onaga, LTCU | St. Marys | 176.49 | 0.9582 | 21720 | Via Christi McLean | Wichita | 179.00 | 1.0175 |
| 21240 | Prairie Mission Retirement Village | St. Paul | 146.33 | 0.9954 | 20660 | Golden Living Center-Wilson | Wilson | 151.88 | 1.1096 |
| 17655 | Leisure Homestead at Stafford | Stafford | 135.70 | 0.9053 | 05584 | Jefferson Co. Memorial Hospital-LTCU | Winchester | 150.79 | 0.9660 |
| 26622 | Sterling Presbyterian Manor | Sterling | 177.25 | 0.8920 | 16812 | Winfield Good Samaritan Center | Winfield | 146.59 | 0.9454 |
| 20222 | Solomon Valley Manor | Stockton | 164.89 | 0.9750 | 21350 | Cumbernauld Village, Inc. | Winfield | 181.07 | 0.8993 |
| 05641 | Seasons of Life Living Center | Syracuse | 170.92 | 0.8370 | 21410 | Winfield Rest Haven II LLC | Winfield | 172.70 | 0.9370 |
| 11154 | Tonganoxie Nursing Center | Tonganoxie | 159.58 | 1.1318 | 21580 | Kansas Veterans' Home | Winfield | 159.11 | 0.8671 |
| 10310 | Brewster Health Center | Topeka | 185.06 | 0.9190 | 20335 | Deseret Health & Rehab at Yates Center | Yates Center | 124.06 | 1.1042 |
| 10343 | Topeka Presbyterian Manor Inc. | Topeka | 182.45 | 0.9508 | | | | | |

(continued)

III. Justifications for the Rates

1. The rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan and pending amendments thereto.
2. The rates are calculated according to a methodology which satisfies the requirements of K.S.A. 39-708c(x) and the DHCF regulations in K.A.R. Article 129-10 implementing that statute and applicable federal law.
3. The state's analyses project that the rates:
 - a. Would result in payment, in the aggregate of 92.75% of the Medicaid day weighted average inflated allowable nursing facility costs statewide; and
 - b. Would result in a maximum allowable rate of \$192.20, with the total average allowable cost being \$156.95.
 - c. Estimated average rate July 1, 2014 \$159.03
 - d. Average payment rate July 1, 2013 \$154.57
 - Amount of change \$4.46
 - Percent of change 2.88%
4. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase approximately \$13.36 million.
5. The state estimates that the rates will continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general population in the geographic area. The state's analyses indicate:
 - a. Service providers operating a total of 294 nursing facilities (representing 84.7% of all the licensed nursing facilities in Kansas) participate in the Medicaid program, while an additional 38 hospital-based long-term care units are also certified to participate in the Medicaid program;
 - b. There is at least one Medicaid-certified nursing facility and/or nursing facility for mental health, or Medicaid-certified hospital-based long-term care unit in 105 of the 105 counties in Kansas;
 - c. The statewide average occupancy rate for nursing facilities participating in Medicaid is 84.46%;
 - d. The statewide average Medicaid occupancy rate for participating facilities is 62.37%; and
 - e. The rates would cover 91.11% 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. 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, 2014.

Kari Bruffet
Secretary for Aging and
Disability Services

Susan Mosher, M.D.
Executive Director
Division of Health Care Finance

Doc. No. 042648

State of Kansas

Office of the State Bank Commissioner

Permanent Administrative Regulations

Article 11.—DOCUMENTATION REQUIREMENTS

17-11-18. Loans; documentation requirements. (a) Except as specified in this subsection, each bank shall maintain complete and current credit information, not older than 15 months, for each borrower for whom the total amount of the following exceeds \$100,000:

- (1) All loans made to the borrower; and
- (2) all loans attributable to the borrower pursuant to K.S.A. 9-1104, and amendments thereto.

This requirement shall not apply if all loans made or attributable to the borrower are adequately secured.

(b) Unless loan repayment is guaranteed by a governmental program or private insurance company, the following requirements shall be met:

(1) For each real estate loan in excess of \$25,000 but less than \$50,000, the bank shall complete one of the following tasks:

(A) The bank shall verify in writing that a lien search of the records of the county register of deed's office was conducted and the bank's lien position was determined. This verification of a lien search shall be on file with the bank.

(B) The bank shall obtain and maintain on file either an attorney's written title opinion or a title insurance policy.

(C) For a non-purchase-money mortgage that is not a refinancing of an existing first mortgage, the bank shall obtain an insurance policy fully insuring the bank against loss of the mortgage priority position. The bank shall maintain a copy of the policy and any other supporting information on file.

(2) For each real estate loan of \$50,000 or more, an attorney's written title opinion or a title insurance policy shall be on file with the bank.

(c) If the value of the improvements on any real estate is necessary for adequate protection of the loan, an insurance policy covering these improvements against fire and windstorm shall be on file with the bank for any loan in excess of \$25,000.

(d) A real estate mortgage or deed of trust, showing the filing information with the county register of deeds, shall be on file with the bank for each loan collateralized by real estate.

(e) For any loan collateralized by personal property, if the bank is required by law to file a financing statement to perfect a security interest, the bank shall retain a copy of the filed financing statement. In other cases, the bank shall maintain all documents related to the loan. (Authorized by K.S.A. 2013 Supp. 9-1713; implementing K.S.A. 2013 Supp. 9-1101, K.S.A. 9-1130, and K.S.A. 2013 Supp. 9-1713; effective Jan. 1, 1966; amended May 1, 1983; amended Jan. 27, 1992; amended Aug. 9, 1996; amended Jan. 18, 2002; amended May 30, 2003; amended May 3, 2013; amended July 11, 2014.)

17-11-21. Appraisals and evaluations. (a) Except for those transactions that meet the requirements of subsection (b) or (c), an accurate appraisal of all real estate

mortgaged to secure principal debt of \$25,000 or more to a bank shall be made by an appraiser who is licensed or certified by the state in which the property is located and who is independent of the transaction.

(b) Two officers or directors, or a qualified individual who is independent of the transaction, may complete an accurate evaluation of real estate mortgaged in the following types of real estate-related transactions:

(1) Real estate mortgaged to secure principal debt of \$250,000 or less;

(2) business loans of \$1 million or less secured by real estate, if the primary source of repayment is not dependent upon the sale of, or rental income from, the real estate; or

(3) renewals or refinancing of loans, in any amount, secured by real estate, if either of the following conditions is met:

(A) There is no advancement of new monies other than funds necessary to cover reasonable closing costs; or

(B) there has been no obvious and material change in market conditions or physical aspects of the property that affects the adequacy of the real estate collateral or the validity of an existing appraisal, even with the advancement of new monies.

(c) Neither an appraisal nor an evaluation shall be required for the following types of real estate-related transactions:

(1) Loans that are well supported by income or other collateral if real estate is taken as additional collateral solely in an abundance of caution;

(2) loans to acquire or invest in real estate if a security interest is not taken in real estate;

(3) liens taken on real estate to protect rights to, or control over, collateral other than real estate;

(4) real estate operating leases that are not the equivalent of a purchase or sale; or

(5) real estate-related loans that have met all appraisal requirements necessary to be sold to, or insured by, a United States government agency or a United States government-sponsored agency.

(d) Each individual who conducts an appraisal or evaluation shall view the premises, make a written statement of value, and sign and file the statement with the bank.

(e) Despite any other provisions of this regulation, an appraisal or evaluation may be required by the commissioner if it is deemed necessary to address safety and soundness concerns. (Authorized by K.S.A. 2013 Supp. 9-1713; implementing K.S.A. 2013 Supp. 9-1101 and 9-1713; effective Jan. 1, 1966; amended May 1, 1978; amended Jan. 27, 1992; amended Oct. 19, 1992; amended Jan. 25, 1993; amended Sept. 20, 1993; amended Sept. 19, 1994; amended Aug. 9, 1996; amended Jan. 18, 2002; amended July 11, 2014.)

Deryl Schuster
State Bank Commissioner

Doc. No. 042654

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 4.—INSTANT GAMES AND DRAWINGS

CHARGER CASH DRAWING

111-4-3326. Name of drawing. The Kansas lottery may conduct a drawing entitled “Charger Cash Drawing,” and will accept entries on and after the day Kansas lottery “Charger Cash” instant tickets are first offered for sale to the general public and ending on September 14, 2014, as specified in these rules. The drawing will be held at the State Fair in Hutchinson, Kansas, at a time and location designated by the executive director of the Kansas lottery. Rules applicable to this drawing are contained in K.A.R. 111-4-3326 through 111-4-3331 and K.A.R. 111-3-1, *et seq.* (Authorized by and implementing K.S.A. 2013 Supp. 74-8710; effective, T-111-4-30-14, March 12, 2014.)

111-4-3327. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) “Charger Cash Drawing” means the act of drawing prizes conducted by the Kansas lottery at the time and date described in these rules in which participants are selected to win various prizes as described in these rules.

(c) “Non-winning ticket” means any valid Kansas lottery “Charger Cash” instant game ticket not eligible to win an instant prize under the rules of the “Charger Cash” instant game.

(d) “Receptacle” or “drum” means a container in which non-winning Kansas instant game lottery tickets are placed and from which the “Charger Cash Drawing” entries are drawn. Receptacles or drums may be sealable and shall be capable of being mixed or rotated for the purpose of ensuring random distribution.

(e) “Bare arm technique” means a type of drawing where the person drawing the winning ticket from the receptacle or drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer’s bare arm and looks away from the drawing drum or receptacle while drawing.

(f) “Approximately,” when in reference to a specific time, shall mean not before said time listed, but may include a short period thereafter, as determined by the executive director or his designee, to deal with any unforeseen circumstance which might delay said event. (Authorized by and implementing K.S.A. 2013 Supp. 74-8710; effective, T-111-4-30-14, March 12, 2014.)

111-4-3328. Prize. (a) The winner drawn in the “Charger Cash Drawing” shall receive a 2014 Dodge Charger along with mandatory federal and state income withholding taxes and other applicable taxes and fees for the vehicle. The Dodge Charger prize has an approximate value of \$64,000.

(b) All prizes are subject to lottery validation, set-offs and deductions authorized by law.

(continued)

(c) The Kansas lottery may, at its sole and absolute discretion, substitute a prize of approximate equal value. (Authorized by and implementing K.S.A. 2013 Supp. 74-8710; effective, T-111-4-30-14, March 12, 2014.)

111-4-3329. Method of entry. (a) Entry into the "Charger Cash Drawing" to be conducted on September 14, 2014, shall be accomplished as follows:

(1) Obtain a valid "Charger Cash" Kansas instant lottery ticket;

(2) Determine if the ticket is a winning ticket in accordance with "Charger Cash" game rules. If the ticket is a winning ticket, it is not eligible for the "Charger Cash Drawing" and shall be redeemed in accordance with the instant game rules.

(3) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawing and the holder of the ticket may use it to enter the "Charger Cash Drawing."

(4) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner. Only one name shall appear on a non-winning ticket entered.

(5) Players may deposit entries for the "Charger Cash Drawing" beginning on and after the day Kansas lottery "Charger Cash" instant tickets are first offered for sale to the general public at any Kansas lottery event or location at which the lottery has specifically designated a receptacle for deposit of said entries until approximately 5:00 p.m. on September 9, 2014.

(6) Players may also deposit entries for the "Charger Cash Drawing" in a receptacle designated for deposit of said entries only at the Kansas lottery selling location at the Kansas state fair in Hutchinson, Kansas, beginning on September 5, 2014, through approximately 6 p.m. on September 14, 2014.

(7) Entries other than those entered at Kansas lottery events or locations as identified in these rules shall be mailed with proper postage to "Charger Cash Drawing," P. O. Box 5596, Topeka, Kansas 66605-0596. Mailed entries must be received by the morning mail pickup on Tuesday, September 9, 2014. More than one entry may be mailed in one envelope.

(8) The holder of the ticket is not required to personally attend the "Charger Cash Drawing" or be present at the time of the drawing to be determined a winner.

(b) There is no limit on the number of entries a person may make, but a person may only win one time in the drawing.

(c) Only valid non-winning "Charger Cash" tickets which are mailed to the "Charger Cash Drawing," at the above-stated address with proper postage and received by the morning mail pickup in Topeka, Kansas, on Tuesday, September 9, 2014, and non-winning "Charger Cash" tickets entered into any other receptacle designated by the lottery as provided in the rules herein shall be eligible for the drawing. All tickets so mailed or deposited shall be secured by the lottery until the drawing is conducted.

(d) Eligible entrants in the "Charger Cash Drawing" must be 18 years of age or older.

(e) Completing the information form on the non-winning ticket and entering the ticket into the drawing con-

stitutes authorization to publicly identify the person whose entry is drawn.

(f) The Kansas lottery shall not be responsible for any lost, destroyed, mutilated, unreadable, or altered ticket entries into the "Charger Cash Drawing." Players enter this contest at their own risk. (Authorized by and implementing K.S.A. 2013 Supp. 74-8710; effective, T-111-4-30-14, March 12, 2014.)

111-4-3330. Selection of winners. The following process shall be used for the selection of the winners in the "Charger Cash Drawing:"

(a) Kansas lottery personnel shall pick up all mail containing "Charger Cash Drawing" tickets at the United States Post Office Box 5596, in Topeka, Kansas, with the final pick up at the Topeka post office in the morning mail pickup on Tuesday, September 9, 2014. Following the morning mail pickup on Tuesday, September 9, 2014, the envelopes containing mailed entries will be transported to lottery headquarters and opened by lottery personnel. All mailed entries shall then be transported to the Kansas state fair by lottery personnel and placed in the drawing receptacle or drum designated by the lottery for the "Charger Cash Drawing" entries.

(b) Kansas lottery personnel shall pick up all "Charger Cash Drawing" entries deposited at any Kansas lottery event or location, at which the lottery specifically designated a receptacle for deposit of said entries, periodically throughout the remaining duration of the contest. The final pick up at any open receptacles, other than the receptacle(s) at the Kansas state fair, shall be immediately after the close of the Kansas lottery claims center in Topeka, Kansas, at 5:00 p.m. on September 9, 2014. All entries deposited at a designated receptacle for deposit of said entries, except those entries deposited at the Kansas state fair, shall be transported to lottery headquarters, if necessary, and opened by lottery personnel. All said entries shall then be transported to the Kansas state fair by lottery personnel and placed in the drawing receptacle or drum designated for deposit of said entries by the lottery.

(c) The drawing shall be held at a location determined by the executive director of the Kansas lottery and shall be open to the public with lottery security personnel present. The drawing shall be audio and video taped.

(d) At the drawing on September 14, 2014, lottery security personnel will be present with the person designated by the executive director to perform the drawing. Prior to the drawing, if a drum is used, the drum shall be sealed and the contents mixed by rotating the drum at least 10 times. If a receptacle other than a drum is used, the contents shall be thoroughly mixed with a shovel or by other means.

(e) The designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove one entry ticket from the receptacle or drum, which shall be marked 1. The person whose name appears on the entry drawn shall be the winner of the prize identified in K.A.R. 111-4-3328, subject to validation by the lottery as set forth in these rules.

(f) After the prize entry has been drawn on September 14, 2014, and the entry has been verified as valid, four more valid entries will be drawn, one at a time, which

entries drawn will serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, 3A, and 4A. Winners will be contacted by phone. The winner shall then have until 5:00 p.m. on the tenth day following mailing of a claim form to the winner to present the fully-executed claim form to lottery headquarters. If the tenth day following the mailing of a claim form to the winner falls on a weekend or holiday, the tenth day shall be extended to the next business day. If a prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the prize will be awarded to the next alternate ticket selected in the order drawn. An alternate winner shall have until 5:00 p.m. on the tenth day following mailing of a claim form to an alternate winner to present the fully-executed claim form to lottery headquarters. If the tenth day following the mailing of a claim form to an alternate winner falls on a weekend or holiday, the tenth day shall be extended to the next business day. If an alternate prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the prize will be awarded to the next alternate ticket selected in the order drawn. The alternate winner process shall be repeated until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

(g) The Kansas lottery security official present shall review each ticket drawn to determine the validity of the entry into the "Charger Cash Drawing" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner and the prize won. The prize winner shall be given or sent a prize claim form to be completed and returned as set forth in these rules.

(h) If any entry drawn is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until the required number of apparently eligible selections is obtained.

(i) Only non-winning "Charger Cash" instant tickets are eligible for the drawing.

(j) All "Charger Cash" tickets remaining in the drum or receptacle after the winners and alternates have been selected, and all entries not received in compliance with these rules shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 2013 Supp. 74-8710; effective, T-111-4-30-14, March 12, 2014.)

111-4-3331. Certification of drawing. (a) The "Charger Cash Drawing" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery.

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of the prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winner. (Authorized by and implementing K.S.A. 2013 Supp. 74-8710; effective, T-111-4-30-14, March 12, 2014.)

111-4-3332. "Sporting KC" instant ticket lottery game number 659. (a) The Kansas lottery may conduct an instant winner lottery game entitled "Sporting KC." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3332.

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

| Play Symbols | Captions |
|--------------|----------|
| 1 | ONE |
| 2 | TWO |
| 3 | THREE |
| 4 | FOUR |
| 5 | FIVE |
| 6 | SIX |
| 7 | SEVEN |
| 8 | EIGHT |
| 9 | NINE |
| TRY AGAIN | |

| Prize Symbols | Captions |
|--------------------|------------|
| \$2 ⁰⁰ | TWO\$ |
| \$4 ⁰⁰ | FOUR\$ |
| \$5 ⁰⁰ | FIVE\$ |
| \$10 ⁰⁰ | TEN\$ |
| \$15 ⁰⁰ | FIFTN\$ |
| \$20 ⁰⁰ | TWENTY |
| \$50 ⁰⁰ | FIFTY |
| \$100 | HUNDRED |
| \$200 | TWO-HUN |
| \$500 | FIV-HUN |
| \$10,000 | TEN-THO |
| FREE | \$2 TICKET |

(c) For this game, a play/prize symbol shall appear in 19 play spots within the play area or areas.

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

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

(f) "Sporting KC" features six games plus a bonus play area. A player will remove the scratch-off material covering the six game areas to reveal one "YOUR SCORE" number, one "THEIR SCORE" number, and a prize amount for each game. If the "YOUR SCORE" number is higher than the "THEIR SCORE" number in the same game, player wins the prize amount shown for that game. The player will remove the scratch-off material covering the bonus play area. If the player reveals any prize amount, the player wins the prize instantly.

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

(h) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 150,000 tickets, and the same odds as were contained in the initial ticket order.

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

| Prize | Expected Number of Prizes in Game | Expected Value in Game |
|--------------------|-----------------------------------|------------------------|
| \$2 Free Ticket | 84,000 | \$0 |
| \$2 or Free Ticket | 54,000 | 108,000 |

(continued)

| | | | | |
|-----------------------------|----------|----------|---------|-------------|
| \$4 or | \$4 | \$4 | 6,000 | 24,000 |
| \$2 | \$2 | \$4 | 15,000 | 60,000 |
| (\$2 x 2) | | \$4 | 15,000 | 60,000 |
| \$5 or | \$5 | \$5 | 12,000 | 60,000 |
| \$10 or | \$10 | \$10 | 3,000 | 30,000 |
| \$5 | \$5 | \$10 | 7,500 | 75,000 |
| (\$2 x 3) | \$4 | \$10 | 7,500 | 75,000 |
| \$15 or | \$15 | \$15 | 1,500 | 22,500 |
| \$10 | \$5 | \$15 | 3,600 | 54,000 |
| (\$5 x 2) | \$5 | \$15 | 3,600 | 54,000 |
| \$20 or | \$20 | \$20 | 1,800 | 36,000 |
| \$10 | \$10 | \$20 | 3,600 | 72,000 |
| (\$5 x 2) | \$10 | \$20 | 3,600 | 72,000 |
| \$50 or | \$50 | \$50 | 270 | 13,500 |
| (\$15 x 2) | \$20 | \$50 | 450 | 22,500 |
| (\$10 x 4) | \$10 | \$50 | 450 | 22,500 |
| (\$5 x 6) | \$20 | \$50 | 450 | 22,500 |
| \$100 or | \$100 | \$100 | 60 | 6,000 |
| \$50 | \$50 | \$100 | 120 | 12,000 |
| \$200 or | \$200 | \$200 | 60 | 12,000 |
| \$500 or | \$500 | \$500 | 6 | 3,000 |
| (\$200 x 2) | \$100 | \$500 | 12 | 6,000 |
| (\$100 x 4) | \$100 | \$500 | 12 | 6,000 |
| \$10,000 or | \$10,000 | \$10,000 | 6 | 60,000 |
| Subtotal | | | 223,596 | \$988,500 |
| Second-Chance Drawing Prize | | | 1 | 22,142 |
| TOTAL | | | 223,597 | \$1,010,642 |

(j) The odds of winning a prize in this game are approximately one in 4.03. (Authorized by K.S.A. 2013 Supp. 74-8710; implementing K.S.A. 2013 Supp. 74-8710, and K.S.A. 74-8720; effective, T-111-4-30-14, March 12, 2014.)

111-4-3333. "Get On A Stick" instant ticket lottery game number 660. (a) The Kansas lottery may conduct an instant winner lottery game entitled "Get On A Stick." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3333.

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

| | |
|-----------------------------|-----------------|
| Play Symbols | Captions |
| Symbol of an ice cream cone | ICECRM |
| Symbol of a hot dog | HOTDOG |
| Symbol of a clover | CLOVER |
| Symbol of a donut | DONUT |
| Symbol of a turkey leg | TURKEYLEG |
| Symbol of a balloon | BALLOON |
| Symbol of a star | WIN2X |
| Prize Symbols | Captions |
| \$1.00 | ONE\$ |
| \$2.00 | TWO\$ |
| \$4.00 | FOUR\$ |
| \$5.00 | FIVE\$ |
| \$10.00 | TEN\$ |
| \$15.00 | FIFTN\$ |
| \$20.00 | TWENTY |
| \$40.00 | FORTY\$ |
| \$50.00 | FIFTY |
| \$100 | HUNDRED |
| \$250 | TWO-FTY |
| \$500 | FIV-HUN |
| \$1,000 | ONE-THO |
| FREE | \$1 TICKET |

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

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

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

(f) "Get On A Stick" is a match three of six game with a doubler feature. A player will remove the scratch-off material to reveal six play symbols and one prize amount. If the player reveals three identical play symbols, the player wins the prize amount shown. If the player reveals two identical play symbols and a "STAR" symbol, the player wins double the prize amount shown.

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

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

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

| Prize | Expected Number of Prizes in Game | Expected Value in Game | |
|-----------------|-----------------------------------|------------------------|------------------|
| \$1 Free Ticket | Free Ticket | 90,000 | \$0 |
| \$1 | \$1 | 51,000 | 51,000 |
| \$2 | \$2 | 9,000 | 18,000 |
| \$1 (DBL) | \$2 | 27,000 | 54,000 |
| \$4 | \$4 | 6,000 | 24,000 |
| \$2 (DBL) | \$4 | 9,000 | 36,000 |
| \$5 | \$5 | 12,000 | 60,000 |
| \$10 | \$10 | 1,500 | 15,000 |
| \$5 (DBL) | \$10 | 4,800 | 48,000 |
| \$15 | \$15 | 1,500 | 22,500 |
| \$20 | \$20 | 300 | 6,000 |
| \$10 (DBL) | \$20 | 2,400 | 48,000 |
| \$40 | \$40 | 210 | 8,400 |
| \$20 (DBL) | \$40 | 900 | 36,000 |
| \$50 | \$50 | 240 | 12,000 |
| \$100 | \$100 | 30 | 3,000 |
| \$50 (DBL) | \$100 | 60 | 6,000 |
| \$250 | \$250 | 39 | 9,750 |
| \$500 | \$500 | 4 | 2,000 |
| \$250 (DBL) | \$500 | 12 | 6,000 |
| \$1,000 | \$1,000 | 9 | 9,000 |
| TOTAL | | <u>216,004</u> | <u>\$474,650</u> |

(j) The odds of winning a prize in this game are approximately one in 4.17. (Authorized by K.S.A. 2013 Supp. 74-8710; implementing K.S.A. 2013 Supp. 74-8710, and K.S.A. 74-8720; effective, T-111-4-30-14, March 12, 2014.)

Article 5.—MULTI-STATE ONLINE GAMES AND DRAWINGS

HOT HOPPER SIZZLER

111-5-212a. Name of drawing. The Kansas lottery shall conduct a drawing entitled "Hot Hopper Sizzler," and will accept entries beginning no sooner than the Kansas lottery's start of business day on March 31, 2014, and ending July 12, 2014, as specified in these rules. The drawing will be held at the 3i Show in Dodge City, Kansas, at a time and location designated by the executive director of the Kansas lottery. Rules applicable to this drawing are contained in K.A.R. 111-5-212 through 111-5-217 and

K.A.R. 111-6-1 *et seq.* (Authorized by and implementing K.S.A. 2013 Supp. 74-8710; effective, T-111-4-30-14, March 12, 2014.)

111-5-213. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the receptacle or drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm and looks away from the drawing drum or receptacle while drawing.

(c) "Hot Hopper Sizzler" drawing means the act of drawing prizes conducted by the Kansas lottery at the time and date described in these rules in which participants are selected to win a prize as described in these rules.

(d) "Entry form" means a form produced automatically by the Kansas lottery selling terminal for a qualified purchase determined by these rules which is eligible for entry into the "Hot Hopper Sizzler" drawing.

(e) "Receptacle" or "drum" means a container in which entry forms are placed and from which the "Hot Hopper Sizzler" drawing entries are drawn. Receptacles or drums may be sealable and shall be capable of being mixed or rotated for the purpose of ensuring random distribution.

(f) "Approximately," when in reference to a specific time, shall mean not before said time listed, but may include a short period thereafter, as determined by the executive director or his designee, to deal with any unforeseen circumstance which might delay said event. (Authorized by and implementing K.S.A. 2013 Supp. 74-8710; effective, T-111-4-30-14, March 12, 2014.)

111-5-214. Prize. (a) One grand prize will be given away at the "Hot Hopper Sizzler" drawing, which will be conducted on July 12, 2014. The winner of the grand prize package shall receive a Grasshopper mower with a dozer blade attachment, a chainsaw, leaf blower, lawn trimmer, and safety glasses, along with mandatory federal and state income withholding taxes and any other applicable taxes and fees. The grand prize of the "Hot Hopper Sizzler" drawing is valued at approximately \$18,800.

(b) The prize is subject to lottery validation, set-offs and deductions authorized by law.

(c) The Kansas lottery may, at its discretion, substitute a prize or prizes of approximate equal value. (Authorized by and implementing K.S.A. 2013 Supp. 74-8710; effective, T-111-4-30-14, March 12, 2014.)

111-5-215. Method of entry. (a) Entry into the "Hot Hopper Sizzler" drawing to be conducted on July 12, 2014, shall be accomplished as follows:

(1) A Kansas lottery player shall purchase a single Kansas lottery online Hot Lotto ticket with the Sizzler option included. Minimum purchase amount is \$2.

(2) Following the purchase identified in subsection (a)(1) above, an entry form to be used for the "Hot Hopper Sizzler" drawing shall be dispensed automatically

from the Kansas lottery selling terminal. The retail clerk selling the ticket shall give the entry form to the Kansas lottery player.

(3) The Kansas lottery player shall complete the required information on the entry form in a legible manner and enter the form into the "Hot Hopper Sizzler" drawing. Only one name shall appear on an entry form.

(4) Players may deposit entries for the "Hot Hopper Sizzler" drawing at any Kansas lottery event or location at which the lottery has specifically designated a receptacle for deposit of said entries until approximately 5:00 p.m. on July 8, 2014.

(5) Players may also deposit entries for the "Hot Hopper Sizzler" drawing at the 3i Show in Dodge City, Kansas, at which the lottery has specifically designated a receptacle for the deposit of said entries until approximately 4 p.m., July 12, 2014.

(6) Entries other than those entered at Kansas lottery events or locations as identified hereinabove shall be mailed with proper postage to "Hot Hopper Sizzler," P. O. Box 3561, Topeka, Kansas 66601-3561. Mailed entries must be received by morning mail pickup on Tuesday, July 8, 2014. More than one entry may be mailed in one envelope.

(7) The holder of the entry form is not required to personally attend the "Hot Hopper Sizzler" drawing or be present at the time of the drawing to be determined a winner. All eligible entries received by mail or other methods will be securely transported by lottery security personnel to a drawing location which is designated by the executive director, and shall be included in the drawing of July 12, 2014.

(b) There is no limit on the number of entries a person may make, but a person may only win one time in the drawing.

(c) Only valid entries which are mailed to the "Hot Lotto Sizzler" drawing at the above-stated address with proper postage and received by the morning mail pickup in Topeka, Kansas, on Tuesday, July 8, 2014, and entries deposited into any other receptacle designated by the lottery as provided in the rules herein shall be eligible for the drawing. All entries so mailed or deposited shall be secured by the lottery until the drawing is conducted.

(d) Eligible entrants in the "Hot Lotto Sizzler" drawing must be 18 years of age or older.

(e) Completing the information on the entry form and entering the entry form into the drawing constitutes authorization to publicly identify the person whose entry is drawn.

(f) The Kansas lottery shall not be responsible for any lost, destroyed, or altered entries into the "Hot Lotto Sizzler" drawing. (Authorized by and implementing K.S.A. 2013 Supp. 74-8710; effective, T-111-4-30-14, March 12, 2014.)

111-5-216. Selection of winners. The following process shall be used for the selection of the winner in the "Hot Lotto Sizzler" drawing:

(a) Kansas lottery personnel shall pick up all mail containing "Hot Lotto Sizzler" drawing entries at the United States Post Office Box 3561, in Topeka, Kansas, with the

(continued)

final pick up at the Topeka post office in the morning mail pickup on Tuesday, July 8, 2014. Following the morning mail pickup on Tuesday, July 8, 2014, the envelopes containing mailed entries will be transported to the lottery headquarters office in Topeka, Kansas and opened by lottery personnel. All mailed entries shall then be placed in the drawing receptacle or drum along with all entries deposited into any other receptacle designated by the lottery. All entries shall be transported to the drawing location by lottery security personnel.

(b) The drawing shall be held at a location determined and announced by the executive director of the Kansas lottery and shall be open to the public with lottery security personnel present. The drawing shall be audio and video taped.

(c) At the drawing on July 12, 2014, lottery security personnel will be present with the person designated by the executive director to perform the drawing. Prior to the drawing, if a drum is used, the drum shall be sealed and the contents mixed by rotating the drum at least 10 times. If a receptacle other than a drum is used, the contents shall be thoroughly mixed with a shovel or by other means.

(d) The designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove one entry from the receptacle or drum. The person whose name appears on the entry drawn shall be the winner of the grand prize identified in these rules.

(e) After the grand prize entry has been drawn on July 12, 2014, and the entry has been verified as valid, five more valid entries will be drawn, one at a time, which entries drawn will serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, and 5A. Winners will be contacted by phone. The winner shall then have until 5:00 p.m. on the fourteenth day following mailing of a claim form to the winner to present the fully-executed claim form to lottery headquarters. If the fourteenth day following the mailing of a claim form to the winner falls on a weekend or holiday, the fourteenth day shall be extended to the next business day. If the grand prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the grand prize will be awarded the next alternate winner, in the order drawn. The alternate winner shall have until 5:00 p.m. on the fourteenth day following mailing of a claim form to the winner to present the fully-executed claim form to lottery headquarters. If the fourteenth day following the mailing of a claim form to an alternate winner falls on a weekend or holiday, the fourteenth day shall be extended to the next business day. If an alternate winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the grand prize will be awarded the next alternate winner, in the order drawn, until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

(f) The Kansas lottery security official present shall review each entry drawn to determine the validity of the entry into the "Hot Hopper Sizzler" drawing in accordance with these regulations. If it is a valid entry and the

name is legible, the event manager and the security person present shall record the name of the winner and the prize won. The prize winner shall be given or sent a prize claim form to be completed and returned as set forth in these rules.

(g) If any entry drawn is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until the required number of apparently eligible selections is obtained.

(h) Only qualified entry forms identified in these rules are eligible for entry into this drawing.

(i) All "Hot Hopper Sizzler" drawing entries remaining in the drum or receptacle on July 12, 2014, after the winner and alternates have been selected, and all entries not received in compliance with these rules, shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 2013 Supp. 74-8710; effective, T-111-4-30-14, March 12, 2014.)

111-5-217. Certification of drawing. (a) The "Hot Hopper Sizzler" drawing shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery.

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of the prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winner. (Authorized by and implementing K.S.A. 2013 Supp. 74-8710; effective, T-111-4-30-14, March 12, 2014.)

Article 9.—PULL-TAB GAMES

111-9-204. "I Feel Ducky" pull tab ticket lottery game number 584. (a) The Kansas lottery shall conduct a pull tab lottery game entitled "I Feel Ducky." The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-204.

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

(c) Approximately 2,400,000 tickets shall be ordered initially for this pull tab game which shall be packaged in packs of 300 tickets each. The ticket numbers in each pack in this game shall start with 000 and end with 299. Additional ticket orders shall have the same prize structure, the same number of prizes per pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(d) The play symbols for this game are as follows:

- Symbol of a yellow duck
- Symbol of a feather
- Symbol of bull rushes
- Symbol of a sack of grain
- Symbol of QUACK QUACK
- Symbol of flowers

(e) For this game, three play symbols shall appear under each of four tabs on the back of each ticket. On the front of each ticket shall appear a legend of all winning combinations using the play symbols for this game along with the corresponding prize amount for each combina-

tion, as follows: three symbols of flowers equal \$1.00; three symbols of QUACK QUACK equal \$5.00; three symbols of a sack of grain equal \$10.00; three symbols of bull rushes equal \$25.00; three symbols of a feather equal \$100.00; three symbols of a yellow duck equal \$1,000.00.

(f) All tabs on the back of each ticket are to be pulled open. For each combination of three play symbols matching the legend on the front of the ticket, the player wins the prize amount corresponding to each combination as shown in (e) above. All winning combinations shall be within a single window in a horizontal line.

(g) The number and value of prizes in this game and winning combinations shall be as follows: (See corresponding play symbol values in subsection (e) above.)

| Get | Prizes | Expected Number of Prizes in Game | Expected Value in Game |
|--------------------------|---------|-----------------------------------|------------------------|
| \$1 | \$1 | 444,000 | \$444,000 |
| \$5 | \$5 | 80,000 | 400,000 |
| \$1 + \$5 | \$6 | 48,080 | 288,480 |
| \$10 | \$10 | 12,800 | 128,000 |
| \$5 + \$10 | \$15 | 3,520 | 52,800 |
| \$5 + \$5 + \$5 | \$15 | 3,200 | 48,000 |
| \$25 | \$25 | 1,600 | 40,000 |
| \$10 + \$10 + \$5 | \$25 | 1,880 | 47,000 |
| \$10 + \$25 | \$35 | 1,080 | 37,800 |
| \$10 + \$10 + \$10 + \$5 | \$35 | 1,200 | 42,000 |
| \$100 | \$100 | 720 | 72,000 |
| \$1,000 | \$1,000 | 32 | 32,000 |
| TOTAL | | <u>598,112</u> | <u>\$1,632,080</u> |

(h) Each ticket in this game may have up to four winning combinations.

(i) The overall odds of winning a prize in this game are approximately one in 4.01. (Authorized by K.S.A. 2013 Supp. 74-8710; implementing K.S.A. 2013 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-30-14, March 12, 2014.)

111-9-205. "Roll 'Em" pull tab ticket lottery game number 585. (a) The Kansas lottery shall conduct a pull tab lottery game entitled "Roll 'Em." The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-205.

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

(c) Approximately 2,400,000 tickets shall be ordered initially for this pull tab game which shall be packaged in packs of 300 tickets each. The ticket numbers in each pack in this game shall start with 000 and end with 299. Additional ticket orders shall have the same prize structure, the same number of prizes per pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(d) The play symbols for this game are as follows:

- Symbol of a dice
- Symbol of a poker chip
- Symbol of a roulette table
- Symbol of a stack of money (bills)
- Symbol of playing cards
- Symbol of a cherry

(e) For this game, three play symbols shall appear under each of four tabs on the back of each ticket. On the front of each ticket shall appear a legend of all winning combinations using the play symbols for this game along with the corresponding prize amount for each combination, as follows: three symbols of a cherry equal \$1.00; three symbols of playing cards equal \$5.00; three symbols of a stack of money (bills) equal \$10.00; three symbols of a roulette table equal \$25.00; three symbols of a poker chip equal \$100.00; three symbols of dice equal \$1,000.00.

(f) All tabs on the back of each ticket are to be pulled open. For each combination of three play symbols matching the legend on the front of the ticket, the player wins the prize amount corresponding to each combination as shown in (e) above. All winning combinations shall be within a single window in a horizontal line.

(g) The number and value of prizes in this game and winning combinations shall be as follows: (See corresponding play symbol values in subsection (e) above.)

| Get | Prizes | Expected Number of Prizes in Game | Expected Value in Game |
|--------------------------|---------|-----------------------------------|------------------------|
| \$1 | \$1 | 444,000 | \$444,000 |
| \$5 | \$5 | 80,000 | 400,000 |
| \$1 + \$5 | \$6 | 48,080 | 288,480 |
| \$10 | \$10 | 12,800 | 128,000 |
| \$5 + \$10 | \$15 | 3,520 | 52,800 |
| \$5 + \$5 + \$5 | \$15 | 3,200 | 48,000 |
| \$25 | \$25 | 1,600 | 40,000 |
| \$10 + \$10 + \$5 | \$25 | 1,880 | 47,000 |
| \$10 + \$25 | \$35 | 1,080 | 37,800 |
| \$10 + \$10 + \$10 + \$5 | \$35 | 1,200 | 42,000 |
| \$100 | \$100 | 720 | 72,000 |
| \$1,000 | \$1,000 | 32 | 32,000 |
| TOTAL | | <u>598,112</u> | <u>\$1,632,080</u> |

(h) Each ticket in this game may have up to four winning combinations.

(i) The overall odds of winning a prize in this game are approximately one in 4.01. (Authorized by K.S.A. 2013 Supp. 74-8710; implementing K.S.A. 2013 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-30-14, March 12, 2014.)

Terry Presta
Executive Director

Doc. No. 042642

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 Vol-

umes of the *Kansas Administrative Regulations* and the 2013 Supplement of the *Kansas Administrative Regulations*.

AGENCY 4: DEPARTMENT OF AGRICULTURE

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 4-16-1a | Amended | V. 32, p. 408 |
| 4-16-1c | Amended | V. 32, p. 409 |
| 4-16-7a | Amended | V. 32, p. 410 |
| 4-16-306 | New | V. 32, p. 410 |
| 4-17-1a | Revoked | V. 32, p. 411 |

| | | |
|---------------------------|---------|---------------|
| 4-17-1c | Revoked | V. 32, p. 411 |
| 4-17-300 | Revoked | V. 32, p. 411 |
| 4-17-302 through 4-17-305 | Revoked | V. 32, p. 411 |
| 4-28-2 | Amended | V. 32, p. 349 |
| 4-28-6 | Amended | V. 32, p. 499 |
| 4-28-8 | Amended | V. 32, p. 349 |
| 4-28-9 through 4-28-16 | Revoked | V. 32, p. 349 |

(continued)

4-28-33 New V. 32, p. 499
4-28-34 New V. 32, p. 500

**AGENCY 5: DEPARTMENT OF
AGRICULTURE—DIVISION OF
WATER RESOURCES**

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 5-7-1 | Amended | V. 33, p. 325 |
| 5-7-4 | Amended | V. 33, p. 325 |
| 5-7-4b | New | V. 33, p. 326 |
| 5-16-1 | Amended | V. 32, p. 566 |
| 5-16-2 | Revoked | V. 32, p. 566 |
| 5-16-3 | Amended | V. 32, p. 566 |
| 5-16-4 | Amended | V. 32, p. 567 |
| 5-16-5 | Revoked | V. 32, p. 567 |
| 5-16-6 | Amended | V. 32, p. 567 |
| 5-16-7 | Amended | V. 32, p. 567 |

**AGENCY 9: DEPARTMENT OF
AGRICULTURE—DIVISION OF
ANIMAL HEALTH**

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 9-7-4 | Amended | V. 32, p. 1170 |

**AGENCY 10: KANSAS BUREAU
OF INVESTIGATION**

| Reg. No. | Action | Register |
|----------|-------------|---------------|
| 10-10-2 | Amended | V. 32, p. 960 |
| 10-10-5 | New | V. 32, p. 960 |
| 10-10-5 | Amended (T) | V. 33, p. 627 |

**AGENCY 11: DEPARTMENT OF
AGRICULTURE—DIVISION OF
CONSERVATION**

| Reg. No. | Action | Register |
|----------|---------|-------------------|
| 11-12-1 | | |
| through | | |
| 11-12-7 | Amended | V. 32, p. 501-503 |

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

| Reg. No. | Action | Register |
|----------|---------|--------------------|
| 14-13-1 | Amended | V. 32, p. 148 |
| 14-13-2 | Amended | V. 32, p. 149 |
| 14-13-3 | Revoked | V. 32, p. 150 |
| 14-13-4 | | |
| through | | |
| 14-13-10 | Amended | V. 32, p. 150, 151 |
| 14-13-11 | Revoked | V. 32, p. 152 |
| 14-13-13 | Amended | V. 32, p. 152 |
| 14-13-15 | Amended | V. 32, p. 153 |
| 14-13-16 | New | V. 32, p. 407 |
| 14-13-17 | New | V. 32, p. 408 |
| 14-13-18 | New | V. 32, p. 408 |

AGENCY 16: ATTORNEY GENERAL

| Reg. No. | Action | Register |
|----------|-------------|---------------------|
| 16-8-1 | | |
| through | | |
| 16-8-7 | New (T) | V. 32, p. 864-866 |
| 16-8-1 | | |
| through | | |
| 16-8-7 | New | V. 32, p. 1238-1240 |
| 16-11-7 | Amended (T) | V. 32, p. 916 |
| 16-11-7 | Amended | V. 32, p. 1289 |

**AGENCY 17: OFFICE OF THE
STATE BANK COMMISSIONER**

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 17-11-18 | Amended | V. 32, p. 372 |

**AGENCY 20: CRIME VICTIMS
COMPENSATION BOARD**

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 20-1-1 | Amended | V. 32, p. 1528 |
| 20-1-2 | Revoked | V. 32, p. 1528 |
| 20-2-1 | Revoked | V. 32, p. 1528 |
| 20-2-2 | Amended | V. 32, p. 1528 |
| 20-2-3 | Amended | V. 32, p. 1529 |
| 20-2-4 | Revoked | V. 32, p. 1529 |
| 20-2-7 | Amended | V. 32, p. 1529 |
| 20-2-8 | Amended | V. 32, p. 1529 |
| 20-2-9 | Amended | V. 32, p. 1530 |

20-6-1 Revoked V. 32, p. 1530
20-15-1 Revoked V. 32, p. 1530
20-15-2 Revoked V. 32, p. 1530

AGENCY 22: STATE FIRE MARSHAL

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 22-4-2 | Revoked | V. 32, p. 1217 |
| 22-4-3 | Revoked | V. 32, p. 1217 |
| 22-4-4 | Revoked | V. 32, p. 1217 |
| 22-4-5 | New (T) | V. 32, p. 859 |
| 22-4-5 | New | V. 32, p. 1217 |
| 22-8-4 | Revoked | V. 33, p. 371 |
| 22-8-7 | Revoked | V. 33, p. 371 |
| 22-8-11 | Amended | V. 33, p. 371 |
| 22-8-12 | Amended | V. 33, p. 371 |

**AGENCY 26: DEPARTMENT FOR AGING
AND DISABILITY SERVICES**

| Reg. No. | Action | Register |
|-----------|-------------|----------------|
| 26-39-100 | Amended (T) | V. 32, p. 867 |
| 26-39-100 | Amended | V. 32, p. 1241 |
| 26-50-10 | New (T) | V. 32, p. 870 |
| 26-50-10 | New | V. 32, p. 1244 |
| 26-50-12 | New (T) | V. 32, p. 871 |
| 26-50-12 | New | V. 32, p. 1244 |
| 26-50-20 | New (T) | V. 32, p. 871 |
| 26-50-20 | New | V. 32, p. 1244 |
| 26-50-22 | New (T) | V. 32, p. 871 |
| 26-50-22 | New | V. 32, p. 1245 |
| 26-50-24 | New (T) | V. 32, p. 872 |
| 26-50-24 | New | V. 32, p. 1246 |
| 26-50-26 | New (T) | V. 32, p. 873 |
| 26-50-26 | New | V. 32, p. 1246 |
| 26-50-30 | New (T) | V. 32, p. 873 |
| 26-50-30 | New | V. 32, p. 1247 |
| 26-50-32 | New (T) | V. 32, p. 874 |
| 26-50-32 | New | V. 32, p. 1247 |
| 26-50-34 | New (T) | V. 32, p. 874 |
| 26-50-34 | New | V. 32, p. 1248 |
| 26-50-36 | New (T) | V. 32, p. 874 |
| 26-50-36 | New | V. 32, p. 1248 |
| 26-50-38 | New (T) | V. 32, p. 875 |
| 26-50-38 | New | V. 32, p. 1248 |
| 26-50-40 | New (T) | V. 32, p. 875 |
| 26-50-40 | New | V. 32, p. 1249 |

**AGENCY 28: DEPARTMENT OF HEALTH
AND ENVIRONMENT**

| Reg. No. | Action | Register |
|------------|---------|---------------------|
| 28-1-23 | New | V. 33, p. 309 |
| 28-4-550 | Amended | V. 33, p. 200 |
| 28-4-552 | Revoked | V. 33, p. 202 |
| 28-4-556 | Revoked | V. 33, p. 202 |
| 28-4-564 | Amended | V. 33, p. 202 |
| 28-4-565 | Amended | V. 33, p. 203 |
| 28-4-568 | Amended | V. 33, p. 203 |
| 28-4-569 | Amended | V. 33, p. 204 |
| 28-4-573 | Amended | V. 33, p. 204 |
| 28-4-801 | Amended | V. 32, p. 1026 |
| 28-4-814 | Amended | V. 32, p. 1027 |
| 28-4-816 | Amended | V. 32, p. 1028 |
| 28-4-820 | Amended | V. 32, p. 1029 |
| 28-4-821 | Amended | V. 32, p. 1030 |
| 28-4-1250 | | |
| through | | |
| 28-4-1269 | New (T) | V. 33, p. 8-24 |
| 28-4-1250 | | |
| through | | |
| 28-4-1269 | New | V. 33, p. 262-278 |
| 28-14-1 | Amended | V. 33, p. 518 |
| 28-14-2 | Amended | V. 33, p. 518 |
| 28-16-28g | Amended | V. 33, p. 643 |
| 28-29-109 | Amended | V. 32, p. 938 |
| 28-29-1600 | | |
| through | | |
| 28-29-1608 | New | V. 32, p. 1194-1199 |
| 28-30-2 | | |
| through | | |
| 28-30-6 | Amended | V. 32, p. 522-525 |
| 28-31-260b | New | V. 32, p. 415 |
| 28-31-268 | Amended | V. 32, p. 416 |
| 28-32-13 | Amended | V. 32, p. 208 |
| 28-35-147a | Amended | V. 32, p. 260 |

28-39-164
through
28-39-168 Revoked (T) V. 32, p. 876
28-39-169a Revoked (T) V. 32, p. 876
28-39-169b Revoked (T) V. 32, p. 876
28-39-169c Revoked (T) V. 32, p. 876

**AGENCY 30: DEPARTMENT FOR CHILDREN
AND FAMILIES**

| Reg. No. | Action | Register |
|----------|-------------|----------------------|
| 30-6-34 | Revoked (T) | V. 32, p. 1376 |
| 30-6-34 | Revoked | V. 33, p. 142 |
| 30-6-35 | Revoked (T) | V. 32, p. 1376 |
| 30-6-35 | Revoked | V. 33, p. 142 |
| 30-6-36 | Revoked (T) | V. 32, p. 1376 |
| 30-6-36 | Revoked | V. 33, p. 142 |
| 30-6-39 | Revoked (T) | V. 32, p. 1376 |
| 30-6-39 | Revoked | V. 33, p. 142 |
| 30-6-40 | Revoked (T) | V. 32, p. 1376 |
| 30-6-40 | Revoked | V. 33, p. 142 |
| 30-6-41 | Revoked (T) | V. 32, p. 1376 |
| 30-6-41 | Revoked | V. 33, p. 142 |
| 30-6-50 | | |
| through | | |
| 30-6-56 | Revoked (T) | V. 32, p. 1376 |
| 30-6-50 | | |
| through | | |
| 30-6-56 | Revoked | V. 33, p. 142, 143 |
| 30-6-60 | Revoked (T) | V. 32, p. 1376 |
| 30-6-60 | Revoked | V. 33, p. 143 |
| 30-6-63 | Revoked (T) | V. 32, p. 1377 |
| 30-6-63 | Revoked | V. 33, p. 143 |
| 30-6-65 | Revoked (T) | V. 32, p. 1377 |
| 30-6-65 | Revoked | V. 33, p. 143 |
| 30-6-70 | Revoked (T) | V. 32, p. 1377 |
| 30-6-70 | Revoked | V. 33, p. 143 |
| 30-6-78 | Revoked (T) | V. 32, p. 1377 |
| 30-6-78 | Revoked | V. 33, p. 143 |
| 30-6-80 | Revoked (T) | V. 32, p. 1377 |
| 30-6-80 | Revoked | V. 33, p. 143 |
| 30-6-81 | Revoked (T) | V. 32, p. 1377 |
| 30-6-81 | Revoked | V. 33, p. 143 |
| 30-6-82 | Revoked (T) | V. 32, p. 1377 |
| 30-6-82 | Revoked | V. 33, p. 143 |
| 30-6-85 | | |
| through | | |
| 30-6-89 | Revoked (T) | V. 32, p. 1377 |
| 30-6-85 | | |
| through | | |
| 30-6-89 | Revoked | V. 33, p. 143 |
| 30-6-91 | Revoked (T) | V. 32, p. 1377 |
| 30-6-91 | Revoked | V. 33, p. 143 |
| 30-6-94 | Revoked (T) | V. 32, p. 1377 |
| 30-6-94 | Revoked | V. 33, p. 143 |
| 30-6-95 | Revoked (T) | V. 32, p. 1377 |
| 30-6-95 | Revoked | V. 33, p. 143 |
| 30-6-103 | Revoked (T) | V. 32, p. 1377 |
| 30-6-103 | Revoked | V. 33, p. 144 |
| 30-6-106 | | |
| through | | |
| 30-6-113 | Revoked (T) | V. 32, p. 1378, 1379 |
| 30-6-106 | | |
| through | | |
| 30-6-113 | Revoked | V. 33, p. 144, 145 |
| 30-6-120 | Revoked (T) | V. 32, p. 1379 |
| 30-6-120 | Revoked | V. 33, p. 145 |
| 30-6-140 | Revoked (T) | V. 32, p. 1379 |
| 30-6-140 | Revoked | V. 33, p. 145 |
| 30-6-150 | Revoked (T) | V. 32, p. 1379 |
| 30-6-150 | Revoked | V. 33, p. 145 |
| 30-14-1 | Revoked (T) | V. 32, p. 1379 |
| 30-14-1 | Revoked | V. 33, p. 145 |
| 30-14-2 | Revoked (T) | V. 32, p. 1379 |
| 30-14-2 | Revoked | V. 33, p. 145 |
| 30-14-3 | Revoked (T) | V. 32, p. 1379 |
| 30-14-3 | Revoked | V. 33, p. 145 |
| 30-14-20 | Revoked (T) | V. 32, p. 1379 |
| 30-14-20 | Revoked | V. 33, p. 145 |
| 30-14-21 | Revoked (T) | V. 32, p. 1379 |
| 30-14-21 | Revoked | V. 33, p. 145 |
| 30-14-23 | | |
| through | | |
| 30-14-26 | Revoked (T) | V. 32, p. 1379 |
| 30-14-23 | | |
| through | | |
| 30-14-26 | Revoked | V. 33, p. 145 |

| | | |
|----------|-------------|----------------|
| 30-14-28 | | |
| through | | |
| 30-14-31 | Revoked (T) | V. 32, p. 1379 |
| 30-14-28 | | |
| through | | |
| 30-14-31 | Revoked | V. 33, p. 145 |
| 30-14-50 | Revoked (T) | V. 32, p. 1380 |
| 30-14-50 | Revoked | V. 33, p. 145 |

AGENCY 40: KANSAS INSURANCE DEPARTMENT

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 40-1-20 | Amended | V. 32, p. 183 |
| 40-1-28 | Amended | V. 33, p. 68 |
| 40-1-37 | Amended | V. 33, p. 68 |
| 40-1-48 | Amended | V. 33, p. 68 |
| 40-2-14a | Amended | V. 32, p. 183 |
| 40-3-59 | New | V. 33, p. 68 |
| 40-16-1 | New | V. 33, p. 69 |
| 40-16-2 | New | V. 33, p. 69 |

AGENCY 44: DEPARTMENT OF CORRECTIONS

| Reg. No. | Action | Register |
|-----------|---------|----------------|
| 44-12-211 | Amended | V. 33, p. 577 |
| 44-12-212 | Amended | V. 33, p. 577 |
| 44-12-601 | Amended | V. 33, p. 577 |
| 44-15-204 | New (T) | V. 32, p. 862 |
| 44-15-204 | New | V. 32, p. 1150 |

AGENCY 51: DEPARTMENT OF LABOR—DIVISION OF WORKERS COMPENSATION

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 51-9-7 | Amended | V. 32, p. 1299 |
| 51-9-15 | Revoked | V. 32, p. 836 |
| 51-9-17 | Amended | V. 32, p. 88 |

AGENCY 54: STATE LIBRARY OF KANSAS

| Reg. No. | Action | Register |
|----------|--------|---------------|
| 54-4-1 | New | V. 33, p. 225 |

AGENCY 60: BOARD OF NURSING

| Reg. No. | Action | Register |
|-----------|---------|----------------|
| 60-4-101 | Amended | V. 33, p. 580 |
| 60-8-101 | Amended | V. 33, p. 580 |
| 60-9-105 | Amended | V. 32, p. 411 |
| 60-9-106 | Amended | V. 32, p. 412 |
| 60-9-107 | Amended | V. 32, p. 413 |
| 60-11-119 | Amended | V. 33, p. 580 |
| 60-12-106 | Amended | V. 32, p. 414 |
| 60-13-101 | Amended | V. 33, p. 580 |
| 60-16-102 | Amended | V. 32, p. 1216 |

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

| Reg. No. | Action | Register |
|----------|-------------|----------------|
| 66-6-1 | Amended (T) | V. 33, p. 627 |
| 66-6-4 | Amended (T) | V. 33, p. 628 |
| 66-8-3 | Amended | V. 32, p. 1488 |
| 66-8-6 | Amended | V. 32, p. 1488 |
| 66-8-7 | Amended (T) | V. 33, p. 629 |
| 66-9-6 | Amended (T) | V. 33, p. 629 |
| 66-9-7 | Amended | V. 32, p. 1488 |
| 66-10-1 | Amended | V. 32, p. 1489 |
| 66-10-3 | Amended | V. 32, p. 1489 |
| 66-10-9 | Amended | V. 32, p. 1489 |
| 66-10-13 | Amended | V. 32, p. 1489 |
| 66-10-13 | Amended (T) | V. 33, p. 629 |
| 66-10-14 | Amended | V. 32, p. 1490 |
| 66-10-14 | Amended (T) | V. 33, p. 629 |
| 66-11-1 | Amended | V. 32, p. 1490 |
| 66-11-1a | Amended (T) | V. 33, p. 630 |
| 66-11-2 | Revoked | V. 32, p. 1490 |
| 66-11-4 | Amended (T) | V. 33, p. 630 |
| 66-12-1 | Amended (T) | V. 33, p. 630 |
| 66-14-1 | Amended | V. 32, p. 1490 |

AGENCY 68: BOARD OF PHARMACY

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 68-11-1 | Amended | V. 33, p. 493 |
| 68-11-2 | Amended | V. 33, p. 493 |
| 68-21-1 | Amended | V. 33, p. 493 |
| 68-21-2 | Amended | V. 33, p. 494 |

AGENCY 69: BOARD OF COSMETOLOGY

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

AGENCY 71: KANSAS DENTAL BOARD

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 71-3-9 | Amended | V. 32, p. 504 |
| 71-4-1 | Amended | V. 33, p. 492 |

AGENCY 74: BOARD OF ACCOUNTANCY

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

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 81-14-9 | Amended | V. 32, p. 1235 |
| 81-14-11 | New | V. 32, p. 1238 |

AGENCY 82: STATE CORPORATION COMMISSION

| Reg. No. | Action | Register |
|-----------|---------|---------------|
| 82-3-135a | Amended | V. 32, p. 940 |
| 82-3-602 | Amended | V. 32, p. 940 |
| 82-3-603 | Amended | V. 32, p. 940 |
| 82-3-604 | Amended | V. 32, p. 941 |
| 82-3-607 | Amended | V. 32, p. 942 |
| 82-3-608 | New | V. 32, p. 942 |

| | | |
|-----------|---------|---------------------|
| 82-3-1300 | | |
| through | | |
| 82-3-1307 | New | V. 32, p. 942, 943 |
| 82-3-1400 | New | V. 32, p. 1354 |
| 82-3-1401 | New | V. 32, p. 1355 |
| 82-3-1402 | New | V. 32, p. 1355 |
| 82-4-1 | Amended | V. 32, p. 1077 |
| 82-4-3a | | |
| through | | |
| 82-4-3d | Amended | V. 32, p. 1079-1099 |
| 82-4-3f | | |
| through | | |
| 82-4-3o | Amended | V. 32, p. 1100-1119 |
| 82-4-6d | Amended | V. 32, p. 1119 |
| 82-4-8a | Amended | V. 32, p. 1121 |
| 82-4-20 | Amended | V. 32, p. 1121 |
| 82-4-27 | Amended | V. 32, p. 1122 |
| 82-4-29 | Amended | V. 32, p. 1122 |
| 82-4-39 | Amended | V. 32, p. 1122 |
| 82-4-48a | Amended | V. 32, p. 1122 |

AGENCY 91: DEPARTMENT OF EDUCATION

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 91-31-32 | Amended | V. 32, p. 1527 |
| 91-42-1 | New | V. 32, p. 317 |
| 91-42-2 | New | V. 32, p. 317 |

AGENCY 92: DEPARTMENT OF REVENUE

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 92-51-21 | Amended | V. 32, p. 1325 |
| 92-56-1 | Amended | V. 33, p. 371 |

| | | |
|---------|---------|--------------------|
| 92-56-2 | Amended | V. 33, p. 372 |
| 92-56-4 | Amended | V. 33, p. 374 |
| 92-56-5 | Amended | V. 33, p. 375 |
| 92-56-6 | | |
| through | | |
| 92-56-9 | New | V. 33, p. 375, 376 |

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 93-6-2 | Amended | V. 32, p. 1454 |
| 93-6-3 | Amended | V. 32, p. 1454 |
| 93-6-6 | Amended | V. 32, p. 1455 |

AGENCY 98: KANSAS WATER OFFICE

| Reg. No. | Action | Register |
|----------|---------|----------------------|
| 98-1-1 | Amended | V. 32, p. 995 |
| 98-1-2 | Revoked | V. 32, p. 996 |
| 98-2-1 | Amended | V. 32, p. 996 |
| 98-2-2 | Amended | V. 32, p. 996 |
| 98-2-3 | | |
| through | | |
| 98-2-20 | Revoked | V. 32, p. 996 |
| 98-4-1 | | |
| through | | |
| 98-4-5 | Amended | V. 32, p. 996-998 |
| 98-4-6 | Revoked | V. 32, p. 998 |
| 98-4-7 | Revoked | V. 32, p. 998 |
| 98-4-8 | Amended | V. 32, p. 998 |
| 98-4-9 | Revoked | V. 32, p. 999 |
| 98-4-10 | Revoked | V. 32, p. 999 |
| 98-5-1 | Revoked | V. 32, p. 999 |
| 98-5-2 | | |
| through | | |
| 98-5-8 | Amended | V. 32, p. 999-1001 |
| 98-5-9 | New | V. 32, p. 1001 |
| 98-6-1 | Revoked | V. 32, p. 1002 |
| 98-6-3 | Amended | V. 32, p. 1002 |
| 98-6-4 | Amended | V. 32, p. 1003 |
| 98-7-1 | | |
| through | | |
| 98-7-4 | New | V. 32, p. 1003, 1004 |
| 98-7-6 | New | V. 32, p. 1005 |
| 98-8-1 | New | V. 32, p. 1005 |
| 98-8-2 | New | V. 32, p. 1006 |
| 98-8-3 | New | V. 32, p. 1006 |

AGENCY 99: DEPARTMENT OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 99-25-1 | Amended | V. 32, p. 960 |
| 99-25-9 | Amended | V. 32, p. 960 |
| 99-40-3 | Amended | V. 32, p. 960 |

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

| Reg. No. | Action | Register |
|----------|-------------|----------------|
| 102-7-3 | Amended (T) | V. 32, p. 916 |
| 102-7-3 | Amended | V. 32, p. 1356 |

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 109-1-1 | Amended | V. 32, p. 226 |
| 109-1-1a | Revoked | V. 32, p. 229 |
| 109-2-2 | Amended | V. 32, p. 1512 |
| 109-2-5 | Amended | V. 32, p. 612 |
| 109-2-7 | Amended | V. 33, p. 644 |
| 109-2-11 | Amended | V. 33, p. 644 |
| 109-2-13 | Amended | V. 33, p. 646 |
| 109-5-3 | Amended | V. 32, p. 230 |
| 109-5-5 | Amended | V. 32, p. 231 |
| 109-11-1 | Revoked | V. 32, p. 231 |
| 109-11-3 | Revoked | V. 32, p. 231 |
| 109-11-4 | Revoked | V. 32, p. 231 |
| 109-11-5 | Revoked | V. 32, p. 231 |
| 109-11-6 | Revoked | V. 32, p. 231 |
| 109-15-1 | Amended | V. 32, p. 231 |
| 109-15-2 | Amended | V. 33, p. 7 |
| 109-16-1 | New | V. 33, p. 8 |

(continued)

AGENCY 110: DEPARTMENT OF COMMERCE

Table with 3 columns: Reg. No., Action, Register. Rows include 110-6-1, 110-6-1a, 110-6-2 through 110-6-7, 110-6-8 through 110-6-12, 110-12-1 through 110-12-6.

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 Kansas Register. A list of regulations filed from December 1, 2009 through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 Kansas Register. A list of regulations filed from December 22, 2011 through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 Kansas Register. The following regulations were filed after December 15, 2013:

Table with 3 columns: Reg. No., Action, Register. Rows include 111-2-314, 111-4-3295 through 111-4-3306, 111-4-3310, 111-4-3311 through 111-4-3316, 111-4-3317 through 111-4-3325, 111-5-23, 111-5-25, 111-5-26, 111-5-28, 111-5-31, 111-5-200, 111-7-261, 111-9-199 through 111-9-203, 111-15-3, 111-15-5, 111-17-9, 111-17-10, 111-17-12, 111-17-13, 111-301-22, 111-301-26, 111-301-28, 111-301-29, 111-501-6, 111-501-101.

AGENCY 115: DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

Table with 3 columns: Reg. No., Action, Register. Rows include 115-2-1, 115-2-3, 115-4-4, 115-4-4a.

Table with 3 columns: Reg. No., Action, Register. Rows include 115-4-11, 115-4-15, 115-5-1, 115-5-2, 115-6-1, 115-7-10, 115-8-1, 115-8-2, 115-8-23, 115-9-8, 115-14-14, 115-16-5, 115-18-7, 115-40-1 through 115-40-6.

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Table with 3 columns: Reg. No., Action, Register. Rows include 117-7-1, 117-20-3, 117-20-4, 117-20-7.

AGENCY 128: DEPARTMENT OF COMMERCE—KANSAS ATHLETIC COMMISSION

Table with 3 columns: Reg. No., Action, Register. Rows include 128-1-1, 128-2-1, 128-2-3a, 128-2-6 through 128-2-9, 128-2-12, 128-2-13, 128-3-1, 128-4-2 through 128-4-9, 128-5-1, 128-5-2, 128-5-3, 128-6-1, 128-6-6, 128-6-7.

AGENCY 129: DEPARTMENT OF HEALTH AND ENVIRONMENT—DIVISION OF HEALTH CARE FINANCE

Table with 3 columns: Reg. No., Action, Register. Rows include 129-1-1, 129-1-1, 129-2-1, 129-2-1, 129-2-2, 129-6-30, 129-6-30, 129-6-34, 129-6-34, 129-6-35, 129-6-35, 129-6-36, 129-6-36, 129-6-36, 129-6-38, 129-6-38, 129-6-39, 129-6-39, 129-6-41, 129-6-41, 129-6-42, 129-6-42, 129-6-50, 129-6-50 through 129-6-57, 129-6-50 through 129-6-57, 129-6-60, 129-6-60, 129-6-60, 129-6-63.

Table with 3 columns: Reg. No., Action, Register. Rows include 129-6-63, 129-6-65, 129-6-65, 129-6-70, 129-6-74, 129-6-74, 129-6-74, 129-6-74, 129-6-77, 129-6-77, 129-6-80, 129-6-89, 129-6-80 through 129-6-89, 129-6-91, 129-6-91, 129-6-94, 129-6-97, 129-6-94, 129-6-97, 129-6-103, 129-6-103, 129-6-106, 129-6-113, 129-6-106 through 129-6-113, 129-6-120, 129-6-120, 129-6-140, 129-6-140, 129-6-150, 129-6-150, 129-6-151, 129-6-151, 129-6-152, 129-6-152, 129-6-153, 129-6-153, 129-10-31, 129-14-2, 129-14-2, 129-14-3, 129-14-3, 129-14-20, 129-14-20, 129-14-21, 129-14-21, 129-14-22, 129-14-22, 129-14-23, 129-14-23, 129-14-25, 129-14-25, 129-14-26, 129-14-26, 129-14-27, 129-14-27, 129-14-28, 129-14-28, 128-14-28, 129-14-30, 129-14-30 through 129-14-37, 129-14-37, 129-14-30, 129-14-30 through 129-14-37, 129-14-40, 129-14-40, 129-14-50, 129-14-50, 129-14-50, 129-14-51, 129-14-51, 129-14-52, 129-14-52.

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