The following regulations have been adopted and published in the Kansas Register. They will become effective on the final date listed in the history section that follows each regulation. Regulations become effective 15 days after publication in the Kansas Register unless a later effective date is given in the body of the regulation.

State of Kansas
Board of Regents
Permanent Administrative Regulations

Article 25.—AO-K TO WORK PROGRAM

88-25-1. Program title. The AO-K to work program, which is also called the Kansas pathway to career, shall provide a way to earn a Kansas high school equivalency credential to each qualified student. (Authorized by and implementing K.S.A. 2019 Supp. 74-32,267; effective June 19, 2020.)

88-25-2. AO-K career pathways; industry-recognized credentials. The AO-K career pathways and industry-recognized credentials shall be the approved pathways and the five categories of credentials listed in the Kansas board of regents' document titled "AO-K career pathways: approved credentials and pathways list," dated August 30, 2019, which is hereby adopted by reference. (Authorized by and implementing K.S.A. 2019 Supp. 74-32,267; effective June 19, 2020.)

88-25-3. Career readiness certificate. The career readiness certificates shall be the following:
(a) The Kansas WorkReady! earned after July 1, 2008, at the silver, gold, or platinum level; and
(b) the ACT® WorkKeys® national career readiness certificate® earned after April 1, 2019, at the silver, gold, or platinum level. (Authorized by and implementing K.S.A. 2019 Supp. 74-32,267; effective June 19, 2020.)

88-25-4. High school equivalency requirements. In addition to the requirements specified in K.S.A. 2019 Supp. 74-32,267(c)(1)(A)-(C) and amendments thereto, each applicant shall be required to demonstrate high school equivalency in math, English language arts, and civics to earn a high school equivalency credential as specified in this regulation.
(a) High school equivalency in math shall be demonstrated by any of the following:
(1) Scoring a 145 or above on the general educational development (GED) math test;
(2) scoring an 18 or above on the ACT® math test;
(3) scoring a 596 or above on the TABE® 11&12 math test;
(4) scoring a 250 or above on the Accuplacer quantitative reasoning, algebra, and statistics test;
(5) passing college algebra with a grade of C or above from an accredited postsecondary institution;
(6) passing Kansas regents shared number (KRSN) Mat1040, contemporary and essential math, with a C or above from an accredited postsecondary institution; or
(7) scoring a 5 (level score) or above on the ACT® WorkKeys® applied math test.
(b) High school equivalency in English language arts shall be demonstrated by any of the following:
(1) Scoring a 145 or above on the GED English language arts test;
(2) scoring an 18 or above on the ACT® reading test;
(3) scoring a 576 or above on the TABE® 11&12 reading test;
(4) scoring a 255 or above on the Accuplacer reading test;
(5) passing KRSN Eng1010, English composition 101, with a grade of C or above from an accredited postsecondary institution; or
(6) scoring a 5 (level score) or above on the ACT® WorkKeys® workplace documents test.
(c) High school equivalency in civics shall be demonstrated by scoring at least 70 percent on the Kansas pathway to career civics assessment. (Authorized by and implementing K.S.A. 2019 Supp. 74-32,267; effective June 19, 2020.)

88-25-5. Fee. The fee for each application for the issuance or duplication of a Kansas high school equivalency credential shall be $25. (Authorized by and implementing K.S.A. 2019 Supp. 74-32,267; effective June 19, 2020.)

Blake Flanders
President and CEO

State of Kansas
Department of Health and Environment
Division of Health Care Finance

Permanent Administrative Regulation

Article 10.—ADULT CARE HOME PROGRAM

129-10-31. Responsibilities of, assessment of, and disbursements for the nursing facility quality care assessment program. (a) In addition to the terms defined in K.S.A. 75-7435 and amendments thereto, each of the following terms shall have the meaning specified in this subsection, unless the context requires otherwise:
(1) “High medicaid volume skilled nursing care facility” means any facility that provided more than 25,000 days of nursing facility care to medicaid recipients during the most recent calendar year cost-reporting period.
(2) “Kansas homes and services for the aging,” as used in K.S.A. 75-7435 and amendments thereto, means long-term care Kansas.
(3) “Nursing facility quality care assessment program” means the determination, imposition, assessment, collection, and management of an annual assessment imposed on each licensed bed in a skilled nursing care facility required by K.S.A. 75-7435, and amendments thereto.
(4) “Skilled nursing care facility that is part of a continuing care retirement facility” means a provider who is certified as such by the Kansas insurance department before the start of the state’s fiscal year in which the assessment process is occurring.
(5) “Small skilled nursing care facility” means any facility with fewer than 46 licensed nursing facility beds.
(b) The assessment shall be based on a state fiscal year.
Each skilled nursing facility shall pay the annual assessment as follows:

(1) The assessment amount shall be $818 annually per licensed bed for the following:
   (A) Each skilled nursing care facility that is part of a continuing care retirement facility;
   (B) Each small skilled nursing care facility; and
   (C) Each high medicaid volume skilled nursing care facility.

(2) The assessment amount for each skilled nursing care facility other than those identified in paragraphs (c)(1)(A) through (C) shall be $4,908 annually per licensed bed.

(3) The assessment amount shall be paid according to the method of payment designated by the secretary of the Kansas department of health and environment. Any skilled nursing care facility may be allowed by the secretary of the Kansas department of health and environment to have an extension to complete the payment of the assessment, but no such extension shall exceed 90 days. (Authorized by and implementing K.S.A. 75-7435; effective Feb. 18, 2011; amended Dec. 27, 2013; amended June 26, 2020.)

Lee A. Norman, M.D.
Secretary

State of Kansas
Real Estate Commission
Permanent Administrative Regulations

Article 1.—EXAMINATION AND REGISTRATION

86-1-10. Approved courses of instructions; procedure. (a) Definitions. Each of the following terms, as defined in this subsection, shall apply to K.A.R. 86-1-10 through K.A.R. 86-1-12 and K.A.R. 86-1-17:

(1) “Commission” means Kansas real estate commission.

(2) “Coordinator” means an individual who serves as the primary contact for a school and is responsible for complying with the requirements in this regulation.

(3) “Course” means instruction designed to fulfill the education requirements of K.S.A. 58-3046a, and amendments thereto.

(4) “Distance education course” means a course for which the school provides instructional materials by mail or electronic transmission to students who are physically separated from the instructor for all or a portion of the course.

(5) “In-person education course” means a course provided to students who are not physically separated from the instructor.

(6) “Monitoring” means review of approved courses by commission staff to ensure that the attendance, presentation platform, instruction time, outline, and materials provided by schools meet the requirements of the commission.

(7) “School” means an entity eligible under K.S.A. 58-3046a(g), and amendments thereto, to offer courses approved by the commission.

(b) Request for course approval. Each school seeking commission approval of a course shall submit the following information to the commission at least 45 days before the first scheduled class session:

(1) A completed course approval application obtained from the commission;

(2) A copy of all course materials, including textbooks, student workbooks, and examinations with answers;

(3) The total number of sessions, sections, or modules;

(4) The duration of each session, section, or module;

(5) The total number of requested hours for the course;

(6) The course objectives and a detailed course outline; and

(7) The course approval fee prescribed by K.A.R. 86-1-5.

(c) Additional course approval requirements for distance education courses.

(1) In addition to meeting the requirements of subsection (b), each school requesting approval of a distance education course shall submit the following information:

(A) The means to access the distance education course as it will be offered to students;

(B) Evidence of sufficient information technology support to enable students to complete the distance education course;

(C) Documentation on how the distance education course will require active participation by each student and substantial interaction between the students and the instructor, other students, or a computer program; and

(D) Evidence that the system used for testing students will scramble questions and items for any quizzes or examinations to ensure a random presentation.

(2) Each distance education course certified by the association of real estate license law officials shall be presumed to meet the requirements in paragraph (c)(1).

(3) Each school offering a distance education course approved by the commission under K.S.A. 58-3046a(e) or K.S.A. 58-3046a(f), and amendments thereto, shall require each student to answer at least 10 quiz or examination questions per credit hour.

(4) Each school offering a distance education course approved by the commission under K.S.A. 58-3046a(a), K.S.A. 58-3046a(b), K.S.A. 58-3046a(c) or K.S.A. 58-3046a(d), and amendments thereto, shall require each student to answer at least 50 quiz or examination questions.

(5) Each school shall issue a certificate of completion of each distance education course approved by the commission to meet any requirement of K.S.A. 58-3046a, and amendments thereto, to each student who has answered at least 90 percent of the quiz or examination questions correctly during the distance education course.

(d) Instructors. Each school coordinator shall be responsible for ensuring that the school’s instructors have the specialized preparation, training, and experience in the subject matter to be taught to ensure competent instruction.

(e) Changes to an approved course.

(1) Except as provided in paragraph (e)(2), each school shall submit a new application for course approval under subsection (b) if there is any change to the course content, outline, objectives, or presentation platform for an approved course.

(2) A school shall not be required to submit a new ap-
plication for course approval under subsection (b) if any of the following changes:
(A) The coordinator;
(B) the location of the school; or
(C) the course title.
(3) Each school shall submit notification to the commission of each change described in paragraph (e)(2) at least 15 days before the change is scheduled to occur.
(4) Each school shall submit notification to the commission at least 15 days before the discontinuation of any course or the intent to close the school.
(f) Registration of approved courses; application for renewal.
(1) The registration of courses approved by the commission shall expire on January 31 of each year. Each application to renew the approval of a course shall be submitted on a form provided by the commission.
(2) Each application to renew approval of a course received after the expiration date shall require the submission of a new application for approval pursuant to subsection (b).