



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of September 29-October 8. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. The 2009 interim committee memberships and committee agendas can be found at <http://skyways.lib.ks.us/ksleg/KLRD/Committees.htm>.

Date	Room	Time	Committee	Agenda
Sept. 29	143-N	9:00 a.m.	Special Committee on Transportation	Review of current bills; review of findings of the 2008 Special Committee and the Governor's T-LINK Task Force; and review of funding and financing mechanisms.
Sept. 29 Sept. 30	783 Docking	10:00 a.m. 9:00 a.m.	Joint Committee on Energy and Environmental Policy	Water-energy nexus.
Oct. 1	143-N	10:00 a.m. 9:00 a.m.	Kansas DUI Commission ← Note time change.	KCJIS; DUI courts; 24/7 Program; HOPE Program; and open forum.
Oct. 2	143-N	9:00 a.m.		
Oct. 2	535-N	9:00 a.m.	2010 Commission	Presentation by Dr. Alexa Posny on "Race to the Top" funding.
Oct. 5 Oct. 6	535-N 535-N	TBA TBA	Joint Committee on Administrative Rules and Regulations	Agenda not available.
Oct. 7 Oct. 8	545-N 545-N	9:00 a.m. 9:00 a.m.	Special Committee on Kansas Technology Enterprise Corporation	Agenda not available.
Oct. 8	143-N	9:30 a.m.	Special Committee on Utilities	Next generation 9-1-1 emergency response system.

Jeffrey M. Russell
Director of Legislative
Administrative Services

Doc. No. 037552

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State of Kansas

Department of Agriculture
Division of Water ResourcesNotice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Monday, November 30, in the fourth floor training room of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider amendments to an existing rule and regulation.

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 Agriculture, 109 S.W. 9th, 4th Floor, Topeka, 66612, or by e-mail at leslie.garner@kda.ks.gov. Comments also may be made through the department's Web site, <http://www.ksda.gov>, under the proposed regulation.

All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give 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 regulation is proposed for adoption on a permanent basis. A summary of the proposed regulation and the economic impact follows:

K.A.R. 5-7-4. Water rights conservation program. The proposed amendment discontinues new enrollments in the Water Rights Conservation Program (WRCP) effective January 1, 2010, and specifies that existing contracts terminate upon expiration of their specified term.

Economic Impact: Discontinuation of WRCP will have no direct fiscal impact on the department. It is estimated that approximately \$15,000 to \$23,000 per year will be saved by eliminating the program. WRCP provided due and sufficient cause for nonuse of water rights. Other due and sufficient causes are specified in K.A.R. 5-7-1, so it is anticipated that discontinuation of WRCP should not present any financial impact to regulated entities.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Leslie Garner at (785) 296-4623 or fax (785) 368-6668. Handicapped parking is located at the southwest corner of 9th and Kansas Ave., and the north entrance to the building is accessible to individuals with disabilities.

Copies of the regulation and the economic impact statements may be obtained by contacting Leslie Garner at the contact information above or by accessing the department's Web site at <http://www.ksda.gov>.

David W. Barfield, Chief Engineer
Division of Water Resources

Doc. No. 037536

State of Kansas

Kansas State Treasurer

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Monday, November 23, in Room 201, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider amendments to K.A.R. 3-4-4, governing the Kansas Investments Developing Scholars Matching Grant Program.

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 rules and regulations. All interested parties may submit written comments prior to the hearing to Scott Gates, Chief Counsel and Learning Quest Director, Kansas State Treasurer's Office, Room 201, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1235, or by e-mail to Scott@Treasurer.state.ks.us. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Scott Gates at (785) 296-5317 or TTY (800) 766-3777, or scott@treasurer.state.ks.us. Handicapped parking is located at the north entrance to the building, and the north entrance is accessible.

Summary of the Proposed Regulations:

The State Treasurer's Office has previously published notice to amend K.A.R. 3-4-1, 3-4-2, 3-4-4, 3-4-5 and 3-4-7 to allow each beneficiary to receive a \$600 matching grant instead of the current rule that gives one \$600 match to each account owner. The office plans to adopt those changes along with this additional amendment to K.A.R. 3-4-4 that was suggested during the public comment period. This change would prevent a beneficiary from receiving a matching grant in any calendar year in which the account owner or beneficiary makes a withdrawal from the account. The current procedure is to calculate the matching grant by adding all contributions for the year and subtracting any withdrawals. This ensures that the program rewards more long-term savings rather than simply churning deposits and withdrawals within the same calendar year. This proposed change is a simpler way to administer the same objective.

Copies of the proposed regulations and the associated economic impact statement may be obtained by contacting the State Treasurer's Office at the contact information above or on the Web at www.kansasstatetreasurer.com/kids.

Dennis McKinney
Kansas State Treasurer

Doc. No. 037557

State of Kansas

Department of Transportation

Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale at public auction at site at 11 a.m. Tuesday, October 27, the following parcel located at 8716 N. Medora Road, Hutchinson, Kansas:

Tract 3195 — 55

Parcel consists of a 0.84 acre tract of land in the SW Quarter of Section 11-22s-5w along with the residence. Residence is 1,935 sq. ft. brick-sided home, no basement, with 3 BR, 2 full baths, living room, dining room, kitchen and family room. A smaller utility room contains furnace, water heater, and washer and dryer hookups. A masonry fireplace is in the living room. There is no attached garage.

A complete legal description is available on request.

An inspection of property will take place at 10 a.m. on the day of sale.

The appraised value is \$96,000, and the minimum acceptable bid is \$64,000. These values have been adjusted for proximity to the cul-de-sac, construction of a new enhanced septic system, replacement and installation of new AC unit, restoration of electrical service, replacement of water well pump, and repair of front door. Land and residence will be sold in the present "as is" condition without warranties or guarantees of any kind.

Terms of Sale:

A cashier's check for \$6,400, representing 10 percent of the minimum acceptable bid, is due at the time of the sale. The balance of the purchase price must be paid by cashier's check before 4 p.m. November 30, 2009. The successful bidder will receive a bill of sale on the day of the sale and a quit claim deed after the balance is paid. If the balance of the purchase price is not paid before 4 p.m. November 30, 2009, the 10 percent down payment will be forfeited to the seller. For additional terms and information, contact the Bureau of Right-of-Way at (877) 461-6817.

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

Sold Subject to the Following:

The tract will be sold subject to the easement for the right of ingress and egress, reconstruction and maintenance of all existing utilities and appurtenances thereto, as well as the following restrictive covenant: Grantees, for their heirs and assigns, do hereby covenant and agree, said covenant to run with the land, that the land conveyed herein shall not be used for billboards, signboards or other outdoor advertising purposes.

The prospective buyer is encouraged to research the chain of title of the tract.

The Kansas Department of Transportation makes no representations concerning the condition, value or suitability of use for this property or the improvements, attachments, fixtures, apparatuses and appliances thereof, if any. The property and said improvements, etc., will be sold in the present "as is" condition, without warranties or guarantees of any kind.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

Deb Miller
Secretary of Transportation

Doc. No. 037545

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the project listed below. Seven signed copies of the response can be mailed to David Nagy, P.E., Assistant to the Bureau Chief of Design/Contracts Engineer, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754. Interest responses shall be limited to four pages and must be received by noon October 7 for the consulting engineering firm to be considered.

Firms not prequalified with KDOT must submit seven copies of KDOT Form 1050 to become prequalified. The form is available at www.ksdot.org/divengdes/prequal.

From the firms expressing interest, the Consultant Selection Committee will select a list of the most highly qualified (not less than three and not more than five) and invite them to attend an individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand and will be expected to discuss, in some detail, their approach to this project and the personnel to be assigned to the project. Firms not selected to be short-listed will be notified by letter.

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

On-Call Statewide Landscape Architectural Services

The Kansas Department of Transportation is seeking qualified consulting engineering firms for landscape architecture projects on an as-needed basis according to guidelines provided by KDOT's Bureau of Design. Projects will consist of highways, safety rest areas, tourist information centers (TIC), scenic byway projects and salvage yard screening, and provide consultation and review of landscape projects designed by other professional firms. Two to four firms will be selected.

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

1. Size and professional qualifications;
2. experience of staff;
3. location of firm with respect to proposed project;
4. work load of firm; and
5. firm's performance record.

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

- Valid, reliable and current costs must be available within the system to support cost and pricing data;
- capability to provide a means of measuring the reasonableness of incurred costs;
- capability to identify and accumulate allowable costs by contract or project records that will reconcile with the general ledger; and
- ability to provide supporting documentation of actual expenditures for each billing, based on costs.

Deb Miller
Secretary of Transportation

Doc. No. 037542

State of Kansas
Department of Transportation
Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the project listed below. Seven signed copies of the response can be mailed to David Nagy, P.E., Assistant to the Bureau Chief of Design/Contracts Engineer, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754. Interest responses shall be limited to four pages and must be received by noon October 7 for the consulting engineering firm to be considered.

Firms not prequalified with KDOT must submit seven copies of KDOT Form 1050 to become prequalified. The form is available at www.ksdot.org/divengdes/prequal.

From the firms expressing interest, the Consultant Selection Committee will select a list of the most highly qualified (not less than three and not more than five) and invite them to attend an individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand and will be expected to discuss, in some detail, their approach to this project and the personnel to be assigned to the project. Firms not selected to be short-listed will be notified by letter.

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

On-Call Statewide Bridge Design Services

The Kansas Department of Transportation is seeking qualified consulting engineering firms for bridge design projects on an as-needed basis according to guidelines provided by KDOT's Bureau of Design. Two to four firms will be selected that will be required to provide following bridge design services:

1. Expansion device replacement
2. Backwall repairs
3. Bridge rail rehabilitation
4. Bridge redecking
5. Hydraulic studies
6. Culvert replacement
7. Other structural repairs as required

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

1. Size and professional qualifications;
2. experience of staff;
3. location of firm with respect to proposed project;
4. work load of firm; and
5. firm's performance record.

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

- Valid, reliable and current costs must be available within the system to support cost and pricing data;
- capability to provide a means of measuring the reasonableness of incurred costs;
- capability to identify and accumulate allowable costs by contract or project records that will reconcile with the general ledger; and
- ability to provide supporting documentation of actual expenditures for each billing, based on costs.

Deb Miller
Secretary of Transportation

Doc. No. 037543

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 2010-2013 by adding the following projects:

Project X-2772-01, Flashing Light Straight Post Traffic Signals with Gates, Union Pacific Railroad Crossing and 400 Avenue southwest of Herington, Dickinson County

Project X-2773-01, Flashing Light Straight Post Traffic Signals with Gates, Union Pacific Railroad Crossing and 160th Street north edge of Elbing, Butler County

The amendment of the STIP requires a public comment period of 30 days. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Bureau of Program and Project Management, 2nd Floor Tower, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754, (785) 296-3526, fax (785) 368-6664.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Bureau of Transportation Information, (785) 296-3585 (Voice/Hearing Impaired-711).

The comment period regarding the STIP amendment will conclude October 26.

Deb Miller
Secretary of Transportation

Doc. No. 037554

State of Kansas

Kansas Sentencing Commission

Notice of Meetings

Meetings of the Kansas Sentencing Commission's (KSC) Probation, Postrelease and Parole Subcommittee are scheduled as follows:

- **October 5, 10 to 11 a.m.**—This meeting will be held via teleconference. For more details, contact Brenda Harmon at (785) 296-0923.
- **October 13, 9 to 11 a.m.**—Sentencing Commission's conference room, Suite 501, Jayhawk Tower, 700 S.W. Jackson, Topeka.

Any individual with a disability may request accommodation to attend a KSC meeting. Requests for accommodation should be made at least five working days in advance of the meeting by contacting Brenda Harmon at (785) 296-0923.

Helen Pedigo
Executive Director

Doc. No. 037553

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Eisenhower State Office Building, fourth floor west wing, 700 S.W. Harrison, Topeka, until 1 p.m. October 21, 2009, and then publicly opened.

District One — Northeast

Atchison—3 C-4539-01 — County road 4 miles north and 4.4 miles east of Shannon, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

Doniphan—22 U-2237-01 — Old U.S. 36 just west of Elm Street in Highland, 0.2 mile, grading and culvert. (Federal Funds)

Johnson—46 U-2233-01 — Kill Creek Road from 83rd Street to K-10 in De Soto, 1.3 miles, surfacing. (Federal Funds)

Leavenworth—52 U-2239-01 — Fourth Street at K-7 and K-92 in Leavenworth, grading and surfacing. (Federal Funds)

Leavenworth—52 U-2240-01 — Fifth Avenue and Doniphan Street in Leavenworth, grading and surfacing. (Federal Funds)

Leavenworth—52 U-2241-01 — 10th Street and Wellington Street in Leavenworth, grading and surfacing. (Federal Funds)

Lyon—35-56 KA-1607-01 — I-35 bridge 2.6 miles east of K-99, bridge repair. (State Funds)

Osage—70 U-2264-01 — U.S. 56 from the south city limits to Santa Fe Avenue west on K-31 in Burlingame, 1 mile, surfacing. (Federal Funds)

Pottawatomie—75 C-4553-01 — County road 2 miles north of Manhattan over Big Blue River, 0.1 mile, surface and bridge. (Federal Funds)

District Two — Northcentral

District—106 X-2744-01 — Kyle Railroad in Republic, Cloud and Osborne counties, signing. (State Funds)

District—106 X-2745-01 — KandO Railroad in Osborne, Lincoln, Mitchell, Saline counties, signing. (State Funds)

Lincoln—53 C-4568-01 — County road 3.5 miles north of K-18 north of Beverly, 0.2 mile, grading. (Federal Funds)

Morris—64 C-4570-01 — County bridge over Rock Creek, 0.3 mile north of Dunlap, 0.2 mile, bridge. (Federal Funds)

Ottawa—72 U-2262-01 — Mill Rock Street intersection from K-106 to the north city limits of Minneapolis, 0.7 mile, surfacing. (Federal Funds)

Washington—101 C-4387-01 — County road 0.5 mile west and 4.5 miles south of Greenleaf, 0.2 mile, grading and bridge. (Federal Funds)

Washington—101 C-4573-01 — County Route 1100 through Hanover, 1.7 miles, grading and surfacing. (Federal Funds)

District Three — Northwest

Decatur-Sheridan—106 KA-1725-01 — K- 223 from the Sheridan-Decatur county line north to the junction of K-383; K-223 from K-23 junction north to the Sheridan-Decatur county line; K-23 from the junction of U.S. 24/K-23 north to the junction of U.S. 83/K-383, 21.4 miles, seal. (State Funds)

Ellis—26 C-4228-01 — County road 5.6 miles south and 0.8 mile west of Walker, 0.2 mile, grading and bridge. (Federal Funds)

Gove-Logan—70-106 KA-1824-01 — I-70 from the Logan-Gove county line east 19.3 miles; I-70 from the Thomas-Logan county line east 0.8 mile to the Logan-Gove county line, 20.1 miles, milling and overlay. (State Funds)

Norton—9-69 KA-1427-01 — K-9 from the Norton-Decatur county line east to the west junction of K-9 and U.S. 283, 16.2 miles, seal. (State Funds)

Osborne—71 C-4371-01 — County road 0.5 mile south and 4 miles east of Alton, 0.2 mile, grading and bridge. (Federal Funds)

Phillips—74 C-4279-01 — County road 15 miles north and 10 miles east of Phillipsburg, 0.2 mile, grading and bridge. (Federal Funds)

Logan—83-55 KA-1736-01 — U.S. 83 from the Logan-Scott county line north to the east junction of U.S. 40, 29.1 miles, seal. (State Funds)

Russell—84 U-2243-01 — U.S. 281 from east 9th to the Union Pacific Railroad in Russell, 0.1 mile, surfacing. (Federal Funds)

Thomas—70-97 KA-1800-01 — I-70 Exit 54 interchange at Colby, 0.2 mile, milling and overlay. (State Funds)

Thomas—97 KA-1730-01 — U.S. 24 from the Colby east city limits east to the junction of U.S. 24 and U.S. 83; U.S. 83 from the junction of U.S. 24/U.S. 83 north to the Sheridan-Thomas county line, 20 miles, overlay. (State Funds)

Thomas—83-97 M-1976-01 — U.S. 83, 2.5 miles north of the junction of U.S. 24/U.S.83, stockpile bituminous material. (State Funds)

Wallace—100 U-2244-01 — K-27 from North Front Street to Third Street in Sharon Springs, 0.2 mile, surfacing. (Federal Funds)

Wallace—40-100 KA-1735-01 — U.S. 40 from the east city limits of Sharon Springs east to the Wallace-Logan county line, 15.4 miles, seal. (State Funds)

District Four — Southeast

Coffey—75-16 KA-0474-01 — U.S. 75 from Potomac Street north to south of Neosho Street in Burlington, 0.3 mile, grading and surfacing. (State Funds)

Miami—61 C-4481-01 — John Brown Highway and Pressonville Road intersection, 4 miles west of Osawatomie, 0.4 mile, grading and surfacing. (Federal Funds)

District Five — Southcentral

Barber—4 C-4552-01 — County Road 1381, 2 miles east of Hazelton, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

Comanche—17 C-4218-01 — County road 1 mile west of Coldwater, 0.2 mile, grading and bridge. (Federal Funds)

Kingman—48 C-4556-01 — County Route 1704 from U.S. 54 south 2.1 miles, surfacing. (Federal Funds)

Reno—78 C-4559-01 — Fourth Avenue from K-14 east to K-96, 0.2 miles, surfacing. (Federal Funds)

Sedgwick—87 C-4581-01 — Rock Road from Oak Knoll 0.5 mile north of 63rd Street south 4.5 miles, milling and overlay. (Federal Funds)

Sedgwick—87 K-9123-06 — I-135, I-235 and U.S. 54 in Wichita, Intelligent Transportation System. (State Funds)

District Six — Southwest

Grant-Stevens—106 KA-1782-01 — K-25 from the Stevens-Grant county line north to the south city limits of Ulysses; U.S. 56 from the east junction of K-25 east 5.1 miles; K-25 from the east junction of U.S. 56 north to the Stevens-Grant county line, 31.5 miles, milling and overlay. (State Funds)

Greeley—96-36 KA-1482-01 — Junction of K-96/K-27 at Tribune east to the Greeley/Wichita county line, 10.2 miles, overlay. (State Funds)

Lane—23-51 KA-1486-01 — K-23 from the Finney-Lane county line north to the Lane-Gove county line, 30.1 miles, overlay. (State Funds)

Lane—96-51 KA-1786-01 — West of the junction of K-96/K-23 in Dighton east to the Lane-Ness county line, 12.3 miles, overlay. (State Funds)

Lane—96-51 M-1974-01 — KDOT mixing strip 1 mile west of Dighton on K-96, stockpile bituminous material. (State Funds)

Morton—56-65 KA-1787-01 — U.S. 56 from the Oklahoma-Kansas state line east 14 miles, overlay. (State Funds)

Morton—65 U-2267-01 — North Street from Baca Avenue east to Border Avenue, 0.2 mile, milling and overlay. (Federal Funds)

Seward-Haskell—83-106 KA-1775-01 — U.S. 83 from the Seward-Haskell county line north 12.2 miles; U.S. 83 from the south junction of U.S. 160 north to the Seward-Haskell county line, 20.2 miles, milling and overlay. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment and experience.

Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid.

This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

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

Deb Miller
Secretary of Transportation

Doc. No. 037556

(Published in the Kansas Register September 24, 2009.)

City of Wichita, Kansas

Notice to Bidders

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, October 23, for the following project:

(KDOT Project No. 87N-0500-01/472-84847/)
(OCA Code 991303)
Paving

Concrete Pavement Reconstruction on Hillside,
9th Street to 12th Street

Requests for the bid documents and plans should be directed to City Blue Print at (316) 265-6224 or Marty Strayer at (316) 268-4488. Other questions should be directed to the respective design engineer, (316) 268-4501.

All bids received will thereafter be publicly opened, read aloud, and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the city manager and according to plans and specifications on file in the office of the city engineer. Bidders are required to enclose a bid bond in the amount of 5 percent with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.

The successful bidder may contact Kim Pelton at (316) 268-4499 for extra sets of plans and specifications.

Marty Strayer
Administrative Aide
City of Wichita—Engineering

Doc. No. 037546

State of Kansas

**Office of Judicial Administration
Supreme Court Docket**

(Note: Dates and times of arguments are subject to change.)

Monday, October 26, 2009

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
101,472 S. Moss, Petitioner, v. Hon. Joseph D. Johnson, Respondent, and State of Kansas	Marc A. Schultz Stephen N. Six, Attorney General Steve Phillips, Assistant Attorney General Chadwick J. Taylor, Shawnee County District Attorney	Original
100,402 State of Kansas, Appellee v. Jose Juan Huerta-Alvarez, Appellant	Stephen N. Six, Attorney General Boyd K. Isherwood, Asst. District Attorney Heather Cessna, Kansas Appellate Defender	Sedgwick
100,510 State of Kansas, Appellee v. Joe N. Mondragon, Appellant	Stephen N. Six, Attorney General Lesley A. Isherwood, Asst. District Attorney Roger L. Falk	Sedgwick
100,359 State of Kansas, Appellee v. Merardo Garza, Jr., Appellant	Stephen N. Six, Attorney General Lesley A. Isherwood, Asst. District Attorney Michelle Davis, Kansas Appellate Defender	Sedgwick

Tuesday, October 27, 2009

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
99,291 Karen Chism, Appellant v. Protective Life Insurance Co., and Quality Motors of Independence, Inc. Appellees.	W.J. Fitzpatrick Rhonda K. Mason James P. Rankin W. James Foland John M. Brigg	Montgomery Petition for Review
101,137 William Alvin Redd, Appellee v. Kansas Truck Center and Universal Underwriters Ins. Co., Appellants	Roger A. Riedmiller James L. (Jay) Mowbray	Work Comp.
98,160 State of Kansas, Appellee v. William Willard Sheldon, Appellant	Stephen N. Six, Attorney General James R. Spring, Deputy County Attorney Jennifer Passiglia	Cowley Petition for Review
99,217 State of Kansas, Appellee v. Stephen James McGinnis, Appellant	Stephen N. Six, Attorney General Gerald R. Kuckelman, Deputy County Attorney Ryan Eddinger, Kansas Appellate Defender	Atchison Petition for Review

Wednesday, October 28, 2009

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
98,956 In the Matter of the Appeal of the Mental Health Association of the Heartland for Exemption from Ad Valorem Taxation in Leavenworth County, Kansas	Keyta D. Kelly Matthew P. Clune	Tax Appeal Petition for Review
99,961 State of Kansas, Appellee v. Charles Lloyd Hollingsworth III, Appellant	Stephen N. Six, Attorney General Chadwick J. Taylor, District Attorney Nancy Ogle	Shawnee

101,136
 State of Kansas, Appellant
 v.
 Paul R. Finch, Appellee

Stephen N. Six, Attorney General
 Mark A. Simpson, Asst. District Attorney
 Janine A. Cox, Kansas Appellate Defender

Douglas

99,687
 In the Matter of the Application to Adopt
 J.M.D. and K.N.D.

Martin W. Bauer
 Elizabeth Lea Henry

Sedgwick
 Petition for Review

Thursday, October 29, 2009

9:00 a.m.

Case No. / Case Name

Attorneys

Jurisdiction

98,823
 State of Kansas, Appellee
 v.
 David N. Pressley, Appellant

Stephen N. Six, Attorney General
 Lesley A. Isherwood, Asst. District Attorney
 Randall L. Hodgkinson, Kansas Appellate Defender

Sedgwick
 Petition for Review

100,807
 State of Kansas, Appellee
 v.
 Carlos J. Jackson, Appellant

Stephen N. Six, Attorney General
 Mark A. Simpson, Asst. District Attorney
 Christina M. Waugh, Kansas Appellate Defender

Douglas

100,313
 State of Kansas, Appellee
 v.
 Chad Patrick McMullen, Appellant

Stephen N. Six, Attorney General
 Chadwick J. Taylor, District Attorney
 Michael E. Francis

Shawnee

99,818
 Amy C. Miller, Appellant
 v.
 Carolyn N. Johnson, M.D., Appellee

William J. Skepnek
 Ned Miltenberg
 Bruce Keplinger

Douglas

Friday, October 30, 2009

9:00 a.m.

Case No. / Case Name

Attorneys

Jurisdiction

98,342
 Davenport Pastures, Appellant
 v.
 Morris County Commissioners, Appellee

Greer S. Lang
 Charles R. Rayl
 William A. Kassebaum

Morris
 Petition for Review

102,006
 Dorothy L. Biery, et al., and
 Jerramy and Erin Pankratz, et al., Plaintiffs
 v.
 The United States, Defendant

Thomas V. Murray
 Mark Fernlund
 Jackie A. Rapstine
 Kristine Sears Tardiff
 Ellen J. Durkee

Certified Question

99,156/99,508
 State of Kansas, Appellant
 v.
 Deanna Gilley, Appellee; Mary Arnett, Appellee

Stephen N. Six, Attorney General
 Thomas R. Stanton, Deputy District Attorney
 Janine A. Cox, Kansas Appellate Defender

Reno
 Petition for Review

**Summary Disposition of Sentencing Appeals—No Oral Argument
 Pursuant to Supreme Court Rule 7.041 a**

101,328 State v. Joe Eugene Bell
101,376 State v. Breck A. Lund
101,420 State v. James Jonathan Kinsey
101,498 State v. Anthony Hayes
101,609/
101,610 State v. Mikel A. Edwards
101,695 State v. Dustin J. Spooner

101,707 State v. Steven Scott Schibbelhut
101,727 State v. Matthew Allen Stockton
101,788 State v. Matthew A. Chapman
101,807 State v. Aaron Ray Murphy
101,820 State v. Vernon Lee Howard III
101,896 State v. Jeremy L. Kincy
101,962 State v. Jeremiah Partridge

Carol G. Green
 Clerk of the Appellate Courts

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. 2008 Supp. 12-1675(b)(c)(d) and K.S.A. 2008 Supp. 12-1675a(g).

Effective 9-21-09 through 9-27-09

Term	Rate
1-89 days	0.16%
3 months	0.07%
6 months	0.18%
1 year	0.39%
18 months	0.74%
2 years	1.02%

Elizabeth B.A. Miller
Director of Investments

Doc. No. 037533

State of Kansas

**Department of Revenue
Division of Motor Vehicles**

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

Premier Financial LLC, dba Highline Motor Sports, has filed an application for location change. Premier Financial LLC, dba Highline Motor Sports, currently conducts business as Premier Financial LLC, dba Highline Motor Sports, at 400 S. West St., Wichita, Kansas. Premier Financial LLC, dba Highline Motor Sports, seeks to relocate its location and line-make vehicles to 8955 W. Monroe, Suite 300, Wichita, Kansas 67209.

Pursuant to K.S.A. 8-2430(a)(5), any existing new motor vehicle dealer with standing may protest the proposed relocation of the new-line make vehicles by Premier Financial LLC, dba Highline Motor Sports. K.S.A. 8-2430 (c) provides standing to any existing new motor vehicle dealer who has a franchise agreement for the same line-make vehicle as that which is to be sold or offered for sale by Premier Financial LLC, dba Highline Motor Sports, at 8955 W. Monroe, Suite 300, Wichita, Kansas, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 8-2430(e), includes the location where the Premier Financial LLC, dba Highline Motor Sports, dealership will be relocated.

Pursuant to K.S.A. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the Director of Vehicles within 30 days of this notice. Such petitions or complaints must be directed to the Kansas Department of Revenue, Director of Vehicles, 1st Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

Michael J. McLin, Bureau Manager
Titles and Registration/
Dealer Licensing Bureau

Doc. No. 037537

State of Kansas

**Department of Health
and Environment**

Notice of Hearing

A public hearing to discuss the Draft FY 2010 Priority System and Project Priority List and the Draft FY 2010 Intended Use Plan for the Kansas Water Pollution Control Revolving Loan Fund will be conducted at 10 a.m. Friday, October 30, in the Azure Room, fourth floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka.

The Kansas Department of Health and Environment, Bureau of Water, has proposed these draft documents for the state fiscal year 2010. The draft documents are available on the KDHE Web site at <http://www.kdheks.gov/muni/index.htm>. Comments on the Priority List and the Intended Use Plan are welcome and requested. Any questions should be directed by e-mail to rgeisler@kdhe.state.ks.us or by regular mail to Rodney R. Geisler, P.E., Chief, Municipal Programs Section, Bureau of Water, KDHE, Suite 420, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612-1367.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 037549

State of Kansas

**Department of Revenue
Division of Motor Vehicles**

**Notice of Intent to Establish a New Line-Make for
an Existing New Motor Vehicle Dealer**

Notice has been received from Express Tire & Auto LLC, that it is adding the Schwinn Motor Scooter line-make to its location at 806 E. 12th, Emporia, Kansas.

Pursuant to K.S.A. 8-2430(a)(5), any existing new motor vehicle dealer may protest the proposed addition of the new line-make at Express Tire & Auto LLC, if that existing new motor vehicle dealer has a franchise agreement for the same line-make vehicles as that which is to be sold or offered for sale by Express Tire & Auto LLC, at 806 E. 12th, Emporia, Kansas, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 8-2430(e), includes the location where the new Schwinn dealership will be located.

Pursuant to K.S.A. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the Director of Vehicles within 30 days of this notice. Such petitions or complaints must be directed to the Kansas Department of Revenue, Director of Vehicles, 1st Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

Michael J. McLin, Bureau Manager
Titles and Registration/
Dealer Licensing Bureau

Doc. No. 037538

State of Kansas

Department of Health
and EnvironmentNotice of Hearing on Proposed
Administrative Regulations

The Kansas Department of Health and Environment, Bureau of Public Health Informatics, will conduct a public hearing at 10 a.m. Wednesday, December 9, in the Pioneer Room (Room 110), Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the adoption of proposed vital statistics regulations K.A.R. 28-17-6 and 28-17-12 concerning vital records fees.

A summary of the proposed regulations and estimated economic impact follows:

Summary of Regulations:

28-17-6. Specifies fees for copies, abstracts, and searches of birth, death, stillbirth, marriage and divorce records.

28-17-12. Specifies the filing fee for a delayed certificate of birth.

Economic Impact:

Cost to the agency: There is no additional cost to the agency. Any costs will be absorbed in the current budget.

Cost to the public: K.A.R. 28-17-6. Individuals requiring a birth, death, marriage or divorce certificate will be affected by this fee increase. Current fees for birth, marriage and divorce certificates are \$12 for the first copy and \$7 for the second copy. Fees for death certificates are \$13 for the first copy and \$8 for the second copy. Kansans purchase approximately 380,000 certificates per year.

K.A.R. 28-17-12. Individuals seeking to file a delayed certificate of birth will experience an increase in the payment for filing.

Costs to other governmental agencies or units: Other agencies may be affected by fee increases unless a Memorandum of Understanding is in place.

The time period between publication of this notice and the scheduled hearing serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed regulations. At any time during the public comment period, any interested parties may submit written comments to Elizabeth W. Saadi, Ph.D., Interim Director, BPHI and Acting State Registrar, Kansas Department of Health and Environment, 1000 S.W. Jackson, Suite 110, Topeka, 66612. Written comments also may be submitted by e-mail to lsaadi@kdheks.gov or by fax to (785) 296-8869. All interested parties intending to provide oral comments on the proposed regulations will be given a reasonable opportunity to present their views during the hearing. In order to give each individual or entity an opportunity to present their view, it may be necessary for the hearing officer to request that each presenter limit any of their presentation to an appropriate timeframe.

Complete copies of the proposed regulations and the corresponding economic impact statement may be obtained on the Bureau of Public Health Informatics Web site at www.kdheks.gov/ches/ or by contacting Elizabeth W. Saadi at the contact information above or by calling (785) 296-1415.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations 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 Elizabeth W. Saadi.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 037539

State of Kansas

Department of Health
and EnvironmentNotice of Hearing on Proposed
Administrative Regulations

The Kansas Department of Health and Environment, Division of Environment, Bureau of Air, will conduct a public hearing at 3 p.m. Thursday, December 3, at the Wyandotte County Health Department, 619 Ann Ave., third floor auditorium, Kansas City, Kansas. Two sets of proposed new air quality administrative regulations will be considered: **K.A.R. 28-19-712 through K.A.R. 28-19-712d**, regarding idle reduction of heavy-duty diesel vehicles; and **K.A.R. 28-19-713 through K.A.R. 28-19-713d**, regarding the reduction of nitrogen oxides (NOx) emissions. Both sets of regulations are being proposed in order to reduce air pollution emissions for ozone precursors from mobile and stationary sources in the Kansas portion of the Kansas City Maintenance Area (KCMA) for ozone. Both sets of proposed regulations apply only to Wyandotte and Johnson counties.

The new regulations are in response to a violation of the eight-hour ozone standard in Kansas City that occurred August 9, 2007. The 2007 Kansas City Eight-Hour Ozone Maintenance Plan contains contingency measures that are triggered upon a violation of the eight-hour ozone standard. These contingency measures include a heavy-duty diesel truck idle reduction regulation and a nitrogen oxides reduction regulation for Johnson and Wyandotte counties.

The proposed idle reduction regulations impose no new capital or annual costs to KDHE or other regulatory agencies. The owners and operators of regulated diesel vehicles will save money by conserving fuel that would otherwise be wasted during idling, as well as reduce truck maintenance costs due to the prevention of engine wear caused by idling. However, the proposed regulations require the owner of a load or unload location to limit engine idle time. As such, the owner of the load or unload location may need to provide electrical hookups for truck drivers, or an area for truck drivers to remain while their truck is waiting to load or unload, especially if a truck is not equipped with idle reduction technology. Costs for onboard idle reduction technologies vary, with the greatest expense incurred by installing an auxiliary power unit (APU). The cost of an APU is less than \$10,000.

The proposed nitrogen oxides reduction regulations impose no new capital or annual costs to KDHE or other

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regulatory agencies. However, two power generating facilities and one flat glass manufacturing facility will need to add controls to meet the emission limitations specified in the regulations.

Both power-generating facilities are owned by the Kansas City Board of Public Utilities (BPU). The first impacted BPU facility is Nearman Creek Power Station, located in northeastern Wyandotte County. The necessary control technology has an estimated cost effectiveness of \$750 per ton of NOx reduced. The second impacted BPU facility is Quindaro Power Station, located in northeastern Wyandotte County. The necessary control technology has an estimated cost effectiveness of \$868 per ton of NOx reduced. After the proposed regulations are implemented, the combined NOx emissions from these two BPU sources will be reduced by an estimated 2,948 tons per year.

The flat glass manufacturing facility is AGC Flat Glass North America, located near Spring Hill in southern Johnson County. Different control technologies at varying costs are available to AGC Flat Glass, with the decision of which emission controls to purchase at the discretion of AGC. The control technologies have a range of estimated cost effectiveness between \$1,014 and \$2,754 per ton of NOx reduced. After the proposed regulations are implemented, NOx emissions will be reduced between an estimated 292 and 487 tons per year, depending on the control technology implemented.

Upon adoption of the proposed new regulations, KDHE will submit a revised State Implementation Plan to the Environmental Protection Agency for approval.

The time period between the publication of this notice and the scheduled hearing constitutes a 60-day public comment period for the purpose of receiving written public comments on the proposed regulatory action. All interested parties may submit written comments prior to 5 p.m. on the day of the hearing to Keith Weber, Kansas Department of Health and Environment, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612, by fax to (785) 296-1545, or by e-mail to kweber@kdheks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulatory action during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to require each participant to limit any oral presentation to five minutes.

Copies of the proposed regulations, complete economic impact statement and complete environmental benefit statement may be obtained by contacting Keith Weber at the contact information above or by calling (785) 291-3278. Copies also may be viewed at the following locations:

- Department of Air Quality, Unified Government of Wyandotte County - Kansas City, Kansas Health Department, 619 Ann Ave, Kansas City, Kansas
- Johnson County Environmental Department, 11811 S. Sunset, Suite 2700, Olathe
- KDHE Northeast District Office, 800 W. 24th St., Lawrence
- Curtis State Office Building, 1000 S.W. Jackson, Suite 310, Topeka

The material also is available on the Bureau of Air's Web site at http://www.kdheks.gov/bar/public_notice.html. Questions pertaining to these proposed regulations should be directed to Keith Weber.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and the economic impact and environmental benefit statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Keith Weber at (785) 291-3278 or TTY (800) 766-3777.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 037540

State of Kansas

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment, Division of Health, Bureau of Environmental Health, will conduct a public hearing at 10 a.m. Thursday, December 3, in Room 530 of the Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the adoption of proposed new regulations K.A.R. 28-72-1a, 28-72-1c, 28-72-1d, 28-72-1e, 28-72-1g, 28-72-1h, 28-72-1i, 28-72-1k, 28-72-1l, 28-72-1m, 28-72-1n, 28-72-1o, 28-72-1p, 28-72-1r, 28-72-1s, 28-72-1t, 28-72-1v, 28-72-1x, 28-72-6a, 28-72-7a and 28-72-10a; amendments to regulations 28-72-2, 28-72-3, 28-72-4, 28-72-4a, 28-72-4c, 28-72-5, 28-72-6, 28-72-7, 28-72-8, 28-72-9, 28-72-10, 28-72-11, 28-72-12, 28-72-13, 28-72-14, 28-72-15, 28-72-16, 28-72-17, 28-72-18, 28-72-18a, 28-72-18b, 28-72-18c, 28-72-18d, 28-72-18e, 28-72-19, 28-72-20, 28-72-21, 28-72-22, 28-72-51, 28-72-52 and 28-72-53; and the revocation of K.A.R. 28-72-1 and 28-72-4b, relating to childhood lead poisoning prevention. The adoptions, amendments and revocations being proposed by KDHE will allow for the continued protection of public health and defend Kansas families against environmental poisoning from lead-based paint hazards.

A summary of the proposed regulations and the estimated economic impact follows:

Summary of Regulations:

K.A.R. 28-72-1a through 28-72-1x. Definitions. These proposed new regulations allow for the alphabetical listing of defined terms in the regulations that may be easily and quickly located by the user.

K.A.R. 28-72-2. General requirements for accreditation, licensure, and certification adoption by reference. This proposed regulation includes changes that allow for out-of-state lead occupation certificate holders to apply for certification in Kansas based upon successful application as defined. This regulation also allows for the adoption by reference of 40 CFR 745.80 through 745.90 allowing KDHE to administer the U.S. Environmental Protection Agency (EPA) Renovation, Repair and Paint-

ing rule with excepted provisions that conflict with current state regulation.

K.A.R. 28-72-3. Fees. Changes to the fee structure reduce the amount that training providers must pay during accreditation and reaccreditation, establish a zero dollar fee for local health departments that are certified by KDHE to perform elevated blood lead (EBL) environmental investigations, eliminate fees for reciprocity, establish fees for renovator certification and recertification at fifty dollars (\$50.00) and twenty five dollars (\$25.00) respectively, and establish the fees for licensing and license renewal of renovation firms at two hundred (\$200.00) and one hundred (\$100.00) dollars respectively. All the fees within this matrix are less than those charged by the EPA for similar activities as required by K.S.A 65-1, 202(c).

K.A.R. 28-72-4. Training provider accreditation. Proposed changes include the addition of lead-safe work practices training as an accredited course and specify the requirement of proof for a nonprofit fee exemption. Additionally, changes allow fees to KDHE to be paid electronically by the applicant and clarify that the proper method of requesting a hearing is with the office of administrative hearings. The role of the training manager is clarified, as is the role of principal and guest instructors. The education and experience requirements for members of the training staff are clarified.

K.A.R. 28-72-4a. Curriculum requirements. This proposed change specifies that trainers must include a regulatory review of K.A.R. 28-72-2 and K.A.R. 28-72-51 through 28-72-54, which detail contractor work practices and disclosure requirements when dealing with lead-based paint in target housing during all training classes.

K.A.R. 28-72-4c. Training provider accreditation refresher training. Changes in this regulation are similar to those in K.A.R. 28-72-4.

K.A.R. 28-72-5. Requirements for certification of lead inspectors. The changes in this regulation remove the "mailing" requirement for application, add providing proof of EPA equivalent training, expand the methods of payment of fees, remove reciprocity application procedures, remove the submission of a passport photo requirement, amend the requirement for passing scores on subject matter examinations, streamline the regulatory language to not restate statutory language and clarify that a hearing is requested with the office of administrative hearings.

K.A.R. 28-72-6. Requirements for certification of risk assessors. The changes in this regulation are identical to the changes in K.A.R. 28-72-5 but applied to the different certification classification.

K.A.R. 28-72-6a. Requirements for certification of elevated blood lead level investigator. This proposed new regulation creates the classification of EBL investigator and defines the requirements and process for certification.

K.A.R. 28-72-7. Requirements for certification of lead abatement workers. The changes in this regulation are identical to the changes in K.A.R. 28-72-5 but applied to the different certification classification.

K.A.R. 28-72-7a. Requirements for certification in lead-safe work practices. This proposed new regulation

creates the classification of certified renovator and defines the requirements and process for certification. This classification is new and will allow KDHE to track and verify training and compliance with work practice standards established through the adoption of 40 CFR 745.80 through 745.90.

K.A.R. 28-72-8. Requirements for certification of lead abatement supervisors.

K.A.R. 28-72-9. Requirements for certification of project designers.

Both regulations have proposed changes that mirror those made to K.A.R. 28-72-5.

K.A.R. 28-72-10. Requirements for licensing lead activity firms. The changes in this regulation remove the "mailing" requirement for applications, clarify the requirement of proof of good standing from the Secretary of State, clarify the proof required to claim nonprofit status, remove language restating statutory language and clarify that a hearing is requested with the office of administrative hearings.

K.A.R. 28-72-10a. Requirements for licensing renovation firms. This proposed new regulation establishes the licensing process, requirements and responsibilities for firms seeking to perform renovation, repair or painting work on target housing in Kansas.

K.A.R. 28-72-11. Requirements for renewal of lead occupation certificates.

K.A.R. 28-72-12. Requirements for renewal of lead occupation certificates after expiration.

The proposed changes in both of these regulations mirror the changes in K.A.R.28-72-5 but also add new certification classifications (renovator and EBL investigator).

K.A.R. 28-72-13. Work practice standards — general. The proposed changes in this regulation clarify and update to current referenced federally published guidance documents.

K.A.R. 28-72-14. Work practice standards — inspection. The minor amendments to this regulation clarify who may perform this function and how it must be accomplished.

K.A.R. 28-72-15. Work practice standards — lead hazard screen. The amendments to this regulation clarify who may perform this function and how it must be accomplished, and eliminate the use of composite dust samplings.

K.A.R. 28-72-16: Work practice standards — risk assessment. Minor amendments to this regulation eliminate the use of composite dust samplings and correct grammatical errors.

K.A.R. 28-72-17. Work practice standards — EBL investigation risk assessments. The amendments to this regulation define specific processes that must be followed when completing an environmental investigation at the residence of a lead poisoned child. It also defines what processes must be followed in a rental property when lead hazards are determined to have been the primary factor in the lead poisoning of a child.

K.A.R. 28-72-18. Work practice standards — lead abatement. Amendments to this regulation remove the mailing requirement for notices, expand the methodology for submitting payments, establish the requirement to provide KDHE a copy of a postabatement clearance re-

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port, reduce the time for notification and payment of fees relative to an emergency abatement project from five days to two days, define the area around electrical outlets to be within 12 inches, prohibit the use of heat guns for removing lead-based paint during abatement, prohibit the use of hydro blasting as an abatement technique and correct grammatical errors.

K.A.R. 28-72-18a. Work practice standards — lead abatement replacement. Minor amendments to this regulation provide clearer meaning as to who may be inside a regulated abatement work area and define the use of polyethylene sheeting.

K.A.R. 28-72-18b. Work practice standards — lead abatement enclosure. Minor amendments to this regulation provide clearer meaning as to who may be inside a regulated abatement work area, define use of polyethylene sheeting, define the process for permanently marking a surface that is coated with lead-based coatings prior to enclosure and correct grammatical errors.

K.A.R. 28-72-18c. Work practice standards — lead abatement encapsulation. Amendments to this regulation provide clearer definition of the encapsulation process, define who may be inside a regulated abatement work area, define the use of polyethylene sheeting and correct grammatical errors.

K.A.R. 28-72-18d. Work practice standards — lead abatement removal. Amendments to this regulation provide clearer definition of the soil abatement process, align the state lead threshold for lead in soils to match the requirement in K.A.R. 28-72-18e(f)2, define permanently covered soils and who may be inside a regulated abatement work area, define the use of polyethylene sheeting, increase the wind speed threshold from 10 mph to 15 mph and correct grammatical errors.

K.A.R. 28-72-18e: Work practice standards — postabatement clearance procedures. Amendments to this regulation provide the inclusion of clearance procedures if required following lead hazard control, clarify that horizontal surfaces are walking surfaces, include KDHE as a recipient for postabatement clearance reports and correct grammatical errors.

K.A.R. 28-72-19. Work practice standards — collection of lab samples. Amendments to this regulation clarify who may perform this activity and correct grammatical errors.

K.A.R. 28-72-20. Work practice standards — composite dust sampling. This amendment prohibits the use of composite dust samples.

K.A.R. 28-72-21. Work practice standards — quarterly reporting. Amendments to this regulation define the quarterly reporting responsibilities of lead activity firms to KDHE.

K.A.R. 28-72-22. Enforcement. These amendments align the regulatory language with statutory authority.

K.A.R. 28-72-51: Definitions. The amendments in this regulation clarify meaning and eliminate restated definitions that are defined in statute or adopted by reference.

K.A.R. 28-72-52: Applicability. The amendments in this regulation change the De minimus level for work practice compliance on non-federally funded housing renovation from two square feet to six square feet and clarify language.

K.A.R. 28-72-53: Information distribution requirements. Amendments to this regulation clarify the type of property covered by the regulation and require commercial establishments that offer paint or paint removal supplies to post a lead poisoning prevention poster extolling

the public health risks associated with improperly working with lead-based paints and provide consumers free information for their protection.

Economic Impact:

Cost to the agency: There is no additional cost to the agency. Any costs associated with program administration are funded through federal grants and program fees.

Cost to individuals, licensees and certificate holders: The ultimate cost for the regulatory changes will be borne by the consumers who hire professional services of contractors, renovators or painters. It is anticipated that renovation firm license fees will be passed on pro rata to consumers as a cost of doing business. Individuals becoming certified will be subject to a \$50 fee for initial certification and will be required to renew bi-annually at a rate of \$25. Individuals also will be subject to professional education requirements and will pay for the training in the private market. The current average cost for the training is \$125. It is estimated that the costs to individual consumers attributed to complying with the regulations as proposed for the protection of public health would average \$350 per job.

Costs to other governmental agencies or units: There is no known additional cost.

The time period between the publication of this notice and the scheduled hearing constitutes a 60-day public comment period for the purpose of receiving written public comments on the proposed regulatory action. All interested parties may submit written comments prior to 5 p.m. on the day of the hearing to Thomas Langer, Kansas Department of Health and Environment, Bureau of Environmental Health, 1000 S.W. Jackson, Suite 330, Topeka, 66612, by fax to (785) 296-5594, or by e-mail to lead@kdheks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulatory action during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to require each participant to limit any oral presentation to three minutes.

Copies of the proposed regulations and the corresponding economic impact statement may be obtained by contacting Jason Meinholdt, Bureau of Environmental Health, at (785) 296-1274 or jmeinholdt@kdheks.gov, or may be obtained at the KDHE Web site at www.kshealthyhomes.org/. Questions pertaining to the proposed regulations should be directed to Thomas Langer at (785) 296-5605 or lead@kdheks.gov.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and the 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 Thomas Langer.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 037541

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 15, 28-18a-1 through 32, 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-09-240/244
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
KSU Artificial Breeding Services Unit Russ Gottlob 232 Weber Hall Manhattan, KS 66506	NW/4 of Section 31, T09S, R08E, Riley County	Big Blue River Basin

Kansas Permit No. A-BBRL-B004

This is a new permit for the construction of holding pens and a vegetative infiltration basin. The capacity will be for up to 24 head of cattle weighing more than 700 pounds each.

Name and Address of Applicant	Legal Description	Receiving Water
Rock Well Dairy Daniel Borntrreger 2114 215th St. Fort Scott, KS 66701	SE/4 of Section 12, T24S, R24E, Bourbon County	Marais des Cygnes River Basin

Kansas Permit No. A-MCBB-L007

This is a new permit for a new facility for 80 head (8 animal units) of goats, 2 head (2.8 animal units) of mature dairy cattle, 5 head (2 animal units) of swine weighing more than 55 pounds and 10 head (20 animal units) of horses. The facility will consist of one building and approximately 40 acres of pasture. The building will be divided into a livestock holding area, a milk parlor and a goat milk storage room.

Name and Address of Applicant	Legal Description	Receiving Water
Michael T. Wilson 419 1000 Ave. Carlton, KS 67448	NE/4 of Section 21 & SW/4 of Section 15, T15S, R01E, Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-S017

This permit is being reissued for an existing facility with a maximum capacity of 882 head (352.8 animal units) of swine more than 55 pounds, 450 head (45 animal units) of swine 55 pounds or less, 560 head (560 animal units) of beef cattle more than 700 pounds and 50

head (25 animal units) of beef cattle less than 700 pounds, for a total of 982.8 animal units. There is no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Walker Feedlot, Inc. Harvey Walker 612 Lark Road Hope, KS 67451	S/2 of Section 33, T15S, R03E, Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-B020

This permit is being reissued for an existing facility with a maximum capacity of 950 head (950 animal units) of beef cattle more than 700 pounds. There is no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Liberal Feeders, LP David M. Johnson Route 2, Box 150 Liberal, KS 67901	All of Section 05, T35S, R32W, Seward County	Cimarron River Basin

Kansas Permit No. A-CISW-C001

Federal Permit No. KS0040657

This is a reissuance of a permit for an existing facility for 53,000 head (53,000 animal units) of cattle weighing greater than 700 pounds.

Public Notice No. KS-Q-09-152/160

Name and Address of Applicant	Receiving Stream	Type of Discharge
Abilene, City of P.O. Box 519 Abilene, KS 67410	Smoky Hill River via Mud Creek via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-SH01-PO04

Federal Permit No. KS0091936

Legal Description: SW¹/₄, SE¹/₄, NE¹/₄, S17, T13S, R2E, Dickinson County

Facility Description: The proposed action is to reissue an existing permit for discharge of wastewater from an existing public water treatment plant. The wastewater treatment facility consists of a two-cell lagoon system receiving concentrate from a reverse osmosis unit for nitrate removal. The proposed permit contains limits for total residual chlorine, chloride and pH, as well as monitoring for nitrate and sulfates. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Bayer Construction Company, Inc. P.O. Box 889 Manhattan, KS 66505	Smoky Hill River	Stormwater Runoff and Pit Dewatering

Kansas Permit No. I-SH04-PO02

Federal Permit No. KS0001813

Legal Description: S25, T12S, R4E, Geary County

Facility Name: Kansas Falls - North Quarry

Facility Description: The proposed action consists of reissuing an existing permit for discharge of wastewater during quarrying operations. This is a limestone quarrying and crushing operation with no washing. Outfalls 001A1 and 002A1 consist of dewatering and stormwater runoff. The proposed permit requires monitoring of sulfates and total suspended solids. Contained in the permit is a schedule of compliance requiring the permittee to develop and implement a stormwater pollution prevention plan within one year of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Bayer Construction Company, Inc. P.O. Box 889 Manhattan, KS 66505	Smoky Hill River via Unnamed Tributary	Stormwater Runoff and Pit Dewatering

Kansas Permit No. I-SH04-PO07

Federal Permit No. KS0097756

(continued)

Legal Description: NE¼, S36, T12S, R4E, Dickinson County

Facility Name: Kansas Falls - South Quarry

Facility Description: The proposed action consists of reissuing an existing permit for discharge of wastewater during quarrying operations. This is a limestone quarrying and crushing operation with no washing. Outfalls 001, 002, 003 and 004 consist of pit dewatering and stormwater runoff. The proposed permit requires monitoring of sulfates. Contained in the permit is a schedule of compliance requiring the permittee to develop and implement a stormwater pollution prevention plan within one year of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Bayer Construction Company, Inc. P.O. Box 889 Manhattan, KS 66505	Smoky Hill River via Unnamed Tributary	Stormwater Runoff and Pit Dewatering
Kansas Permit No. I-SH45-PO02		Federal Permit No. KS0098116

Legal Description: SW¼, S 5, T13S, R5E, Geary County

Facility Name: Kansas Falls Quarry - Poland Property Pit

Facility Description: The proposed action consists of reissuing an existing permit for discharge of wastewater during quarrying operations. This is a limestone quarrying and crushing operation with no washing. Outfall 001 consists of pit dewatering and stormwater runoff. The proposed permit requires monitoring for sulfates and total suspended solids. Contained in the permit is a schedule of compliance requiring the permittee to develop and implement a stormwater pollution prevention plan within one year of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Buildex Inc. P.O. Box 77 Ottawa, KS 66067	Smoky Hill River via West Dry Creek	Stormwater Runoff Pit Dewatering
Kansas Permit No. I-SH25-PO01		Federal Permit No. KS0095524

Legal Description: SW¼, S6, T17S, R4W and SE¼, S1, T17S, R5W, McPherson County

Facility Name: Shale Quarry and Kiln - Marquette Plant

Facility Description: The proposed action consists of reissuing an existing permit for discharge of wastewater during mining operations. The facility mines shale from a strip pit. The shale is then heated and expanded using rotary kilns to produce a light weight aggregate in the on-site production plant. The aggregate is used to manufacture concrete blocks. Outfall 001 consists of strip pit dewatering from the North Pond. Outfalls 002 and 003 consists of stormwater runoff from the strip pit and from the processing plant areas. Contained in the permit is a schedule of compliance requiring the permittee to develop and implement a stormwater pollution prevention plan within one year of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Chanute, City of P.O. Box 907 Chanute, KS 66720	Neosho River	Process Wastewater
Kansas Permit No. I-NE11-PO07		Federal Permit No. KS0098621

Facility Description: NW¼, NE¼, S28, T27S, R18E, Neosho County

Facility Description: The proposed action consists of issuance of a new Kansas/NPDES Water Pollution Control permit for discharge of wastewater from an existing public water supply treatment plant. This permit is for the discharge of treated wastewater from the lagoon system. Wastewater from the underdrains on the presedimentation basins, lime softening clarifier basins, the secondary settling basins and miscellaneous drains is directed to the parallel operated lagoon system that discharges to the Neosho River. Filter backwash water is recycled to the front of the plant. Domestic wastewater is

directed to the city sewer system. The proposed permit contains limits for total suspended solids and pH as well as monitoring for total residual chlorine, total recoverable copper and zinc, and pH. Contained in the permit is a schedule of compliance requiring the permittee to obtain the services of a laboratory or become KDHE-field certified to field-test for total residual chlorine and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
N.R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Doyle Creek via Deep Creek via Riley Creek	Pit Dewatering & Stormwater Runoff
Kansas Permit No. I-KS67-PO04		Federal Permit No. KS0087394

Legal Description: W½, S21, T9S, R12E, Pottawatomie County

Facility Name: Dedonder Quarry #73

Facility Description: 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 no washing. Outfalls 001 and 002 consist of pit dewatering and stormwater runoff. The proposed permit requires monitoring of total suspended solids. Contained in the permit is a schedule of compliance requiring the permittee to develop and implement a stormwater pollution prevention plan within one year of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Ogden, City of P.O. Box C Ogden, KS 66517	Kansas River via Dry Branch Creek	Treated Domestic Wastewater
Kansas Permit No. M-KS51-OO02		Federal Permit No. KS0099635

Legal Description: S½, SE¼, S12, T11S, R6E, Riley County

Facility Description: The proposed action consists of issuance of a new discharging permit for the existing Kansas/NPDES Water Pollution Control nondischarging permit for an upgrade and expansion of the current three-cell lagoon system. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring of ammonia, chlorides, sulfates, total phosphorus and pH. Contained in the permit is a schedule of compliance requiring the permittee to complete construction of an effluent discharge structure and related piping. The proposed permit will allow a measurable increase in certain pollutant parameters above existing water quality, but not above concentrations necessary to maintain existing and designated uses and to protect designated critical habitat for threatened and endangered species. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Rantoul, City of P.O. Box 79 Rantoul, KS 66079	Marais des Cygnes River	Treated Domestic Wastewater
Kansas Permit No. M-MC40-OO01		Federal Permit No. KS0048119

Legal Description: NE¼, SE¼, SW¼, S21, T17S, R21E, Franklin County

Facility Description: The proposed action consists of reissuance of the existing Kansas/NPDES Water Pollution Control permit for an upgrade and expansion from two cells to three cells for the current lagoon facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring of ammonia, pH and water levels of the final cell. The proposed permit will allow a measurable increase in certain pollutant parameters above existing water quality, but not above concentrations necessary to maintain existing and designated uses and to protect designated critical habitat for threatened and endangered species. The permits requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Public Notice No. KS-NQ-09-017/018

Name and Address of Applicant	Legal Location	Type of Discharge
Paradise, City of P.O. Box 14 Paradise, KS 67658	SW¼, SW¼, NE¼ S7, T11S, R14W Russell County, KS	Nonoverflowing

Kansas Permit No. M-SA12-NO01 Federal Tracking No. KSJ000334

Facility Description: The proposed action is to reissue an existing wastewater permit for an existing nonoverflowing wastewater retention system. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with this permit. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

Name and Address of Applicant	Legal Location	Type of Discharge
Veterans of Foreign Wars - Post 5901 P.O. Box 683 Ottawa, KS 66067	SW¼, NW¼, S24, T16S, R19E, Franklin County	Nonoverflowing

Kansas Permit No. C-MC31-NO03 Federal Tracking No. KSJ000221

Facility Description: The proposed action is to reissue an existing wastewater permit for an existing nonoverflowing wastewater retention system. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with this permit. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

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.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 037550

**State of Kansas
Kansas Housing Resources Corporation**

Notice of Hearing

The Kansas Housing Resources Corporation will conduct a public hearing from 10:30 a.m. to noon Monday, October 12, in the KHRC offices, main conference room, 611 S. Kansas Ave., Suite 300, Topeka, to provide an opportunity for citizens to review and comment upon the preliminary draft of the 2010 Action Plan of the 2009 – 2013 Kansas Consolidated Plan. The Consolidated Plan is the state’s policy framework for federal community development and housing programs.

The proposed 2010 Action Plan will be available for public examination beginning October 1 on the Web at www.kshousingcorp.org. Limited hard copies will be available at the public hearing site and upon request. The public comment period ends October 30.

Estimated resources available in 2010 will include approximately \$17,215,000 from the Community Development Block Grant (CDBG), \$8,551,000 from the HOME Investment Partnerships (HOME), \$896,000 from the Emergency Shelter Grant (ESG), and \$357,000 from the Housing Opportunities for Persons with AIDS (HOPWA) programs.

Individuals in need of a sign language interpreter, an assistive listening device, large print or Braille material, or other accommodation to attend this hearing are asked to notify KHRC, 611 S. Kansas Ave., Suite 300, Topeka, 66603-3803, (785) 296-5865, or via the Kansas Relay Service at (800) 766-3777, at least one week prior to the hearing.

Gary Allsup
Executive Director

Doc. No. 037559

Public Notice No. KS-PT-09-004

Name and Address of Applicant	Receiving Facility	Type of Discharge
Kice Industries, Inc. 5500 Mill Heights Wichita, KS 67219	Park City MWWTP	Process Wastewater

Kansas Permit No. P-LA19-OO02 Federal Tracking No. KSP000101

Facility Description: The proposed action is to issue a new pretreatment permit for this facility. This facility manufactures pneumatic conveyor and filter systems for the grain milling industry. Steel parts are cut, welded and phosphated in a paint booth and then painted. Outfall 001 discharges to a floor drain near the production office from a 500-gallon storage tank containing spent phosphating wastes. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of effluent flow. The permit limits are pursuant to state and federal pretreatment requirements.

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

All comments regarding the draft documents or application notices received on or before October 24 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-09-240/244, KS-Q-09-152/160, KS-NQ-09-17/018, KS-PT-09-004) and name of the applicant/permittee when preparing comments.

State of Kansas

Kansas State University

Notice to Bidders

Kansas State University encourages interested vendors to visit the Kansas State University Controller's Office/Purchasing Web site at <http://www.ksu.edu/purchasing/rfq> for a complete listing of all transactions for which Kansas State University Purchasing, or one of the consortia commonly utilized by K-State, is seeking competitive bids. Paper postings of Kansas State University Purchasing's bid transactions may be viewed at the Purchasing Office, 21 Anderson Hall, Manhattan, or persons may contact Purchasing at (785) 532-6214, by fax at (785) 532-5577, or by e-mail at cbishop@ksu.edu to request a copy of a current bid.

Carla Bishop
Director of Purchasing

Doc. No. 037535

State of Kansas

University of Kansas

Notice to Bidders

The University of Kansas encourages interested vendors to visit the University of Kansas Purchasing Services Web site at <http://www.purchasing.ku.edu/> for a complete listing of all transactions for which KU Purchasing Services, or one of the consortia commonly utilized by KU, is seeking competitive bids. Paper postings of KU Purchasing Services bid transactions may be viewed at the Purchasing Services office located at 1246 W. Campus Road, Room 7, Lawrence, 66045, or persons may contact Purchasing Services at (785) 864-3790, by fax at (785) 864-3454, or by e-mail at purchasing@ku.edu to request a copy of a current bid.

Barry K. Swanson
Associate Comptroller/
Director of Purchasing Services

Doc. No. 037534

State of Kansas

Governmental Ethics Commission

Opinion No. 2009-09

Written September 16, 2009, to Robert Blecha, Director, Kansas Bureau of Investigation, Topeka.

This opinion is in response to your letter dated July 7, 2009, requesting an opinion from the Kansas Governmental Ethics Commission concerning the state level conflict of interest laws, K.S.A. 46-215 *et seq.* We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement:

You are writing in your capacity as Kansas Bureau of Investigation (KBI) Director to request the Kansas Governmental Ethics Commission opine on whether second-

ary employment engaged in or proposed by several KBI employees poses a conflict of interests. You state that over the years, numerous KBI employees have received approval for secondary employment; however, the current administration recently undertook a review of all outside employment of KBI employees and is concerned that some previously approved secondary employment situations may present conflicts of interests.

Your letter also states that the outside employment described is being performed or would be performed on employees' personal time, i.e., outside normal work hours or while taking annual leave and without the use of any KBI equipment or materials.

Your office has also provided job descriptions for each of the employees seeking approval.

Question:

Your letter presents five scenarios regarding current or proposed after hours employment of KBI agents. Do any of the outside employment positions violate the state level conflict of interests laws?

Opinion:

Two statutes apply to the questions you have raised: K.S.A. 46-235, which governs restrictions on compensation of state officers and employees; and K.S.A. 46-241, which involves the use of confidential information gained in employment with the State. Each will be addressed in turn.

K.S.A. 46-235 restricts compensation of state officers and employees. K.S.A. 46-235 provides in pertinent part:

No state officer or employee shall accept compensation for performance of official duties, other than that to which such person is entitled for such performance. No person shall pay or offer to pay any state officer or employee any compensation for performance of official duties, except a state officer or employee performing official duties in making payments to state officers and employees.

Pursuant to this statute, a state employee may not receive compensation for providing services which include duties that he or she is obligated to perform as part as part of his or her official duties as a state employee.

One employee is a KBA Senior Special Agent assigned to the Special Operations Investigations Division and his outside employment is providing pipeline safety and security training. The Commission has reviewed his job description and the description of his outside employment duties and it appears his outside employment duties are not the same as his official duties as a state employee. Thus, his outside employment would not violate the state conflict of interest laws.

With regard to the other four employees, the Commission has reviewed their job descriptions and the descriptions of their outside employment and is unable to determine if the duties performed in their outside employment includes those duties which they are obligated to perform as part of their official duties as state employees. If the outside employment includes the same duties as those in the employee's official state duties then the outside employment would violate K.S.A. 46-235.

K.S.A. 46-241 provides that:

No state officer or employee shall disclose or use confidential information acquired in the course of his or her

official duties in order to further his or her own economic interest or those of any other person.

This section is self explanatory. Confidential information obtained during an employee's official duties with the State may not be used for the employee's financial gain or financial gain of another.

Opinion No. 2009-10

Written September 16, 2009, to Ms. Nancy Jackson, Executive Director, Climate & Energy Project, The Land Institute, Lawrence; and Dr. Stephanie Kelton, Director of Graduate Student Research, Center for Full Employment and Price Stability, University of Missouri, Lawrence.

This opinion is in response to your August 2009 letter, requesting an opinion from the Kansas Governmental Ethics Commission concerning the state governmental ethics laws, K.S.A. 46-215 *et seq.* We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement:

You are both writing in your capacities as newly appointed board members of the Citizen's Utility Ratepayer Board (CURB). You explain in your letter that Ms. Jackson directs the Climate & Energy Project (CEP), and Dr. Kelton is a researcher with the University of Missouri at Kansas City (UMKC). Prior to your appointments to CURB, the CEP had a pre-existing contract with a team of researchers from UMKC including Dr. Kelton. The contract funded a multi-state study that compares the costs and benefits of various energy resources historically and in the future. The study has been underway for some time and is scheduled for completion in early September.

Question:

Does Ms. Jackson's and Ms. Kelton's participation in the pre-existing contract between CEP and UMKC violate the state level conflict of interest laws now that both of them have been appointed as board members to CURB?

Opinion:

A board member of CURB is included in the definition of "state officer or employee" under K.S.A. 46-221 (*See* Opinion No. 2005-22). Thus, Ms. Jackson and Dr. Kelton are subject to the state governmental ethics laws found at K.S.A. 46-215 *et seq.*

K.S.A. 2008 Supp. 46-233 states in pertinent part:

(a) (1) No state officer or employee shall in the capacity as such officer or employee be substantially involved in the preparation of or participate in the making of a contract with any person or business by which such officer or employee is employed

. . . .

(e) . . . (2) "Substantially involved in the preparation or participate in the making of a contract" means having approved or disapproved a contract or having provided significant factual or specific information or advice or recommendations in relation to the negotiated terms of the contract.

The pre-existing contract is between CEP and UMKC, not between CURB and CEP or UMKC. Therefore, K.S.A.

46-233 does not apply to the pre-existing contract and Ms. Jackson's and Ms. Kelton's participation in such contract does not violate the state level conflict of interest laws.

Opinion No. 2009-11

Written September 16, 2009, to Scott M. Gates, General Counsel and Learning Quest Director, Office of the Kansas State Treasurer, Topeka.

This opinion is in response to your September 8, 2009 letter requesting an opinion from the Kansas Governmental Ethics Commission concerning the state level conflict of interest laws, K.S.A. 46-215 *et seq.* We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement:

You are writing in your capacity of General Counsel for the Office of the Kansas State Treasurer and Learning Quest Director. Your office has purchased advertising for the Learning Quest 529 Education Savings Program. The vendor is providing all new advertisers two season tickets to the KU football games. The tickets were not solicited by you, but offered in response to the agency's purchase of advertising. Your letter states the tickets were not offered because of your position with the State Treasurer's Office but as a gift to all new advertisers.

Question:

May the Kansas State Treasurer's office accept the season tickets and either sell the tickets or give them to an employee through a no cost drawing available to all employees of the Treasurer's Office?

Opinion:

State employees' solicitation and acceptance of gifts is governed by K.S.A. 46-237a. It states in pertinent part:

(b) No person subject to the provisions of this section shall solicit or accept any gift, economic opportunity, loan, gratuity, special discount or service provided because of such person's official position, except:

(1) A gift having an aggregate value of less than \$40 given at a ceremony or public function where the person is accepting the gift in such person's official capacity; or

. . . .

(3) anything of value received by the person on behalf of the state that inures to the benefit of the state or that becomes property of the state, or

. . . .

(e) No person subject to the provisions of this section shall solicit or accept free or special discount tickets or access to entertainment or sporting events or activities such as plays, concerts, games, golf, exclusive swimming, hunting or fishing or other recreational activities when the free or special discount tickets or access are provided because of the person's official position. The provisions of this subsection shall not apply to persons whose official position requires or obliges them to be present at such events or activities.

(continued)

Employee Drawing

It is the Commission's opinion an employee who receives the season tickets as part of a drawing open to all employees in the Treasurer's office would be accepting the season tickets in their "official position." In Opinion 1999-50, the Commission defined "official position" as "an individual's particular position with the State and does not apply generally to a person because they are a State employee." In addition, Opinion 1999-50 stated:

For guidance, the Commission notes that a gift or a discount which is provided to all State employees is not being provided to a person because of his or her "official position." On the other hand, a gift or a discount which is provided to all purchasing agents, for example, or all employees of a particular agency, will be deemed to be provided because of such persons' "official position."

This definition was reiterated in Opinion No. 2002-04 in which the Commission opined discounts to be provided only to Wichita State University employees would be provided to them because of their "official position" as they were not discounts which would be provided to all state employees.

In this case, the season tickets would only be available to the employees in the Kansas State Treasurer's office, not all state employees. As a result, the tickets are being offered to the Kansas State Treasurer's employees because of their "official position" and could only be accepted if one of the exceptions in K.S.A. 46-237a (b) applies.

In Opinion No. 2002-08 the Commission determined that state employees subject to K.S.A. 46-237a could not accept gifts, discounts, or access to entertainment and sporting events from anyone, including state agencies, unless one of the enumerated exceptions applied. The Commission also noted in the same opinion that state employees may accept such items as part of their compensation. Compensation is defined by K.S.A. 46-216 as "any money, thing of value, or economic benefit conferred on, or received by, any person in return for services rendered, or to be rendered, by such person or another." Accordingly, if something of value other than a salary is given to an employee by the agency, it is considered part of his or her total compensation package, and the statute would not be violated.

In this case, the season tickets given to an employee whose name is selected in a drawing would not meet one of the exceptions listed above and could only be accepted by such employee if the tickets were given to the employee by the Treasurer's office as part of the employee's compensation.

Sale of the Season Tickets

You have proposed accepting the season tickets pursuant to the exception provided in K.S.A. 46-237a (b)(3) and then selling the tickets with the proceeds going to the State Treasurer's office. In order for the exception to apply the season tickets would have to be accepted "on behalf of the state" and "inure to the benefit of the state" or "become property of the state." It is the Commission's opinion the tickets could not be accepted and then sold by the State Treasurer's Office with the proceeds going to the Treasurer's office.

Sabrina K. Standifer
Chairwoman

Doc. No. 037551

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for items listed will be received by the Director of Purchases until 2 p.m. on the date indicated. For more information, call (785) 296-2376:

10/14/2009	12531	KEEP System (Kansas Enterprise Electronic Preservation System)
10/27/2009	12547	Printers – Desktop
10/29/2009	12553	Mobile Data Computer

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

<http://www.da.ks.gov/purch/>

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

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

Chris Howe
Director of Purchases

Doc. No. 037558

(Published in the Kansas Register September 24, 2009.)

Summary Notice of Bond Sale
City of Topeka, Kansas
\$63,310,000*

General Obligation Bonds, Series 2009-A and
General Obligation Refunding Bonds, Series 2009-B
(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Subject to the official notice of bond sale and preliminary official statement to be dated on or about September 30, 2009, sealed, facsimile and electronic bids will be received, in the case of sealed and facsimile bids, by the city clerk of the city of Topeka, Kansas (as issuer), on behalf of the governing body of the city at City Hall, 215 S.E. 7th St., Topeka, KS 66603, and, in the case of electronic bids, by the city's financial advisor on behalf of the governing body of the city on the Columbia Capital Auction Web site, <http://www.columbiacapitalauction.com>, until 10:30 a.m. Tuesday, October 6, 2009, for the purchase of \$63,310,000* aggregate principal amount of general obligation bonds consisting of General Obligation Bonds, Series 2009-A, in the aggregate principal amount of \$3,495,000*, and General Obligation Refunding Bonds, Series 2009-B, in the aggregate principal amount of \$59,815,000* (collectively referred to as the bonds). No bid of less than 98.00 percent of the aggregate principal amount of the bonds, plus accrued interest, if any, thereon to the date of delivery will be considered, and no supplemental interest payments 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 initially be registered in the name of Cede

& Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated October 28, 2009, and will become due on August 15 in the years as follows:

Year (August 15)	2009-A Bonds Principal Amount*	2009-B Bonds Principal Amount*
2010	\$160,000	\$7,855,000
2011	140,000	6,335,000
2012	140,000	7,170,000
2013	140,000	7,130,000
2014	145,000	6,625,000
2015	145,000	3,320,000
2016	150,000	3,410,000
2017	155,000	3,500,000
2018	160,000	3,025,000
2019	165,000	2,435,000
2020	170,000	1,705,000
2021	175,000	1,430,000
2022	180,000	1,490,000
2023	185,000	1,545,000
2024	195,000	735,000
2025	200,000	260,000
2026	210,000	275,000
2027	220,000	285,000
2028	225,000	300,000
2029	235,000	315,000
2030		325,000
2031		345,000

The city reserves the right to modify the total amount of the bonds and the amount of any maturity in order to properly structure certain funds and accounts and substantially obtain annual debt service parameters determined by the city, based upon the interest rates and reoffering yields submitted by the successful bidder. The amount of the modification generally will not exceed the amount of net original issue premium or net original issue discount bid on the bonds. Upon notification of preliminary award, the successful bidder must transmit to the city within 20 minutes, by fax or e-mail, its reoffering yields on the bonds. The successful bidder will be notified by means of telephone or facsimile transmission of any modification to such principal amount not later than 2 p.m. Central Daylight Time on the sale date. If the principal amounts are modified, the city will seek to modify the maturity schedule, or make other mutually agreeable changes, in a way that will neither increase nor reduce the successful bidder's spread as a percentage of the principal amount of the bonds issued after taking into account such adjustments. The successful bidder may not withdraw its bid or change the interest rates bid as a result of any changes made to the principal amount of the bonds or principal of any maturity as described herein. The 2010 through 2029 maturities will each have two CUSIP numbers assigned reflecting the two different series designations related to the bonds.

The bonds will be subject to mandatory and optional redemption prior to maturity as provided in the official notice of bond sale.

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 February 15 and August 15 in each year, beginning February 15, 2010.

Pre-Bid Revisions

The city reserves the right to issue a supplemental notice of sale not later than 48 hours prior to the sale date via the electronic bidding Web site (<http://www.columbiacapitalauction.com>) (supplemental notice). If issued, the supplemental notice may modify (i) the maturity amounts of the bonds and/or (ii) such other terms of this notice as the city determines. Any such modifications will supersede the maturities and such other terms as set forth herein.

Paying Agent and Bond Registrar

The Kansas State Treasurer, Topeka, Kansas, is designated as the paying agent and bond registrar for the bonds.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$1,266,200 (representing 2 percent of the principal amount of the bonds).

Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered to the facilities of the Depository Trust Company, New York, New York, without cost to the successful bidder on or about October 28, 2009.

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the city for the year 2009 is \$1,017,780,971. The total general obligation bonded indebtedness of the city, following the concurrent issuance of the bonds and the city's Temporary Notes, Series 2009-B, in the principal amount of \$25,660,000 – less (i) the Series 2008-A Notes in the principal amount of \$16,350,000, (ii) the Series 2009-A Notes in the principal amount of \$820,000, and (iii) all of the city's outstanding Series 2001-A Bonds, Series 2003-A Bonds, Series 2003-B Bonds, Series 2003-C Bonds, Series 2004-B Bonds and Series 2004-C Bonds in the aggregate principal amount of \$57,045,000, all of which will be retired on November 1, 2009 – is \$201,060,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds, will be furnished and paid for by the city and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from Jim Langford, Director of Budget and Financial Services, (785) 368-3970, fax (785) 368-3975; or from the city's financial advisor, Columbia Capital Man-

(continued)

agement, LLC, 6330 Lamar Ave., Suite 200, Overland Park, KS 66202, (913) 248-8500, fax (913) 248-8900.

Dated September 17, 2009.

City of Topeka, Kansas
Brenda Younger, City Clerk
City Hall
215 S.E. 7th St.
Topeka, KS 66603
(785) 368-3940

*Subject to change.

Doc. No. 037555

State of Kansas
Behavioral Sciences Regulatory Board
Permanent Administrative
Regulations

Article 1.—CERTIFICATION OF PSYCHOLOGISTS

102-1-13 Fees. (a) Each applicant for licensure as a psychologist shall pay the appropriate fee as specified in this subsection:

- (1) Application for a license, \$225;
- (2) original license, \$50;
- (3) renewal, \$200;
- (4) duplicate license, \$20;
- (5) temporary license, \$150;
- (6) temporary license renewal fee, \$150;
- (7) specialty endorsement, \$130;
- (8) temporary, 15-day permit for an out-of-state professional, \$200; or
- (9) temporary, 15-day permit for an out-of-state professional extension, \$200.

(b) Each applicant for a license renewal after its expiration date shall pay an additional fee of \$200, as well as the renewal fee of \$200.

(c) Fees paid to the board shall not be refundable. (Authorized by K.S.A. 2008 Supp. 74-5316, K.S.A. 2008 Supp. 74-5316a, K.S.A. 74-5319, K.S.A. 74-5349, and K.S.A. 2008 Supp. 74-7507; implementing K.S.A. 74-5310, as amended by 2009 HB 2162, sec. 2, K.S.A. 74-5310a, K.S.A. 2008 Supp. 74-5316, K.S.A. 2008 Supp. 74-5316a, K.S.A. 74-5319, K.S.A. 74-5320, and K.S.A. 74-5349; effective May 1, 1984; amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1987; amended, T-102-5-1-90, May 1, 1990; amended June 11, 1990; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended Aug. 23, 1993; amended Aug. 4, 1995; amended Oct. 24, 1997; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007; amended Nov. 30, 2007; amended, T-102-6-26-09, June 26, 2009; amended Oct. 9, 2009.)

Phyllis Gilmore
Executive Director

Doc. No. 037548

State of Kansas

Department of Health
and Environment

Permanent Administrative
Regulations

Article 4.—MATERNAL AND CHILD HEALTH

28-4-1200. Definitions. For the purposes of K.A.R. 28-4-1200 through K.A.R. 28-4-1218, the following definitions shall apply: (a) "Administrator" means a person employed by a PRTF who is responsible for the overall administration of the PRTF.

(b) "Applicant" means a person who has applied for a license but who has not yet been granted a license to operate a PRTF. This term shall include an applicant who has been granted a temporary permit to operate a PRTF.

(c) "Basement" means each area in a building with a floor level more than 30 inches below ground level on all sides.

(d) "Department" means the Kansas department of health and environment.

(e) "Direct care staff" means the staff members employed by the PRTF to supervise the residents.

(f) "Exception" means a waiver of compliance with a specific PRTF regulation or any portion of a specific PRTF regulation that is granted by the secretary to an applicant or a licensee.

(g) "Individual plan of care" means a written, goal-oriented treatment plan and therapeutic activities designed to move the resident to a level of functioning consistent with living in a community setting.

(h) "Licensee" means a person who has been granted a license to operate a PRTF.

(i) "Program" means the comprehensive and coordinated activities and services providing for the care and treatment of residents.

(j) "Program director" means the staff person responsible for the oversight and implementation of the program.

(k) "Psychiatric residential treatment facility" and "PRTF" mean a residential facility for which the applicant or licensee meets the requirements of K.A.R. 28-4-1201.

(l) "Resident" means an individual who is at least six years of age but not yet 22 years of age and who is accepted for care and treatment in a PRTF.

(m) "Resident record" means any electronic or written document concerning a resident admitted to a PRTF that is created or obtained by an employee of the PRTF.

(n) "Restraint" means the application of physical force or any mechanical devices or the administration of any drugs for the purpose of restricting the free movement of a resident's body.

(o) "Seclusion" means the involuntary confinement of a resident in a separate or locked room or an area from which the resident is physically prevented from leaving.

(p) "Secretary" means the secretary of the Kansas department of health and environment.

(q) "Treatment" means comprehensive, individualized, goal-directed, therapeutic services provided to residents. (Authorized by K.S.A. 65-508 and 65-510; implementing K.S.A. 65-503 and 65-508; effective Oct. 9, 2009.)

28-4-1201. License requirements. (a) Each applicant and each licensee shall meet all of the following requirements in order to obtain and maintain a license to operate a PRTF:

(1) The state and federal participation requirements for medicaid reimbursement;

(2) receipt of accreditation of the PRTF by one of the following accrediting organizations:

(A) Council on accreditation of rehabilitation facilities (CARF);

(B) council on accreditation of child and family agencies (COA);

(C) the joint commission or the joint commission on accreditation of healthcare organizations (JCAHO); or

(D) an accrediting body approved by the Kansas health policy authority (KHPA), the Kansas department of social and rehabilitation services (SRS), and the Kansas juvenile justice authority (JJA); and

(3) receipt of approval of the PRTF by the Kansas department of social and rehabilitation services as meeting the state requirements.

(b) Each applicant and each licensee, if a corporation, shall be in good standing with the Kansas secretary of state.

(c) Each applicant and each licensee shall maintain documentation of compliance with all applicable building codes, fire safety requirements, and zoning codes. (Authorized by K.S.A. 65-508; implementing K.S.A. 65-504 and 65-508; effective Oct. 9, 2009.)

28-4-1202. Application procedures. (a) Each person, in order to obtain a license, shall submit a complete application on forms provided by the department. The application shall be submitted at least 90 calendar days before the planned opening date of the PRTF and shall include the following:

(1) A description of the program and services to be offered, including the following:

(A) A statement of the PRTF's purpose and goals; and

(B) the number, ages, and gender of residents for whom the PRTF is designed;

(2) the anticipated opening date;

(3) a request for the background checks for staff members and volunteers specified in K.A.R. 28-4-1205;

(4) documentation of compliance with the license requirements in K.A.R. 28-4-1201; and

(5) the license fee specified in K.A.R. 28-4-92.

(b) Each applicant shall notify the school district where the PRTF is to be located of the following:

(1) The planned opening date and the number, age range, gender, and anticipated special education needs of the residents to be served;

(2) a statement indicating whether the residents will attend public school or will receive educational services on-site at the PRTF; and

(3) documentation that the notification was received by the school district at least 90 days before the planned opening date.

The 90-day notification to the local school district may be waived by the secretary upon receipt of a written agreement by the local school district.

(c) Each applicant shall submit to the department floor plans for each building that will be used as a PRTF. Each floor plan shall state whether or not any building will rely on locked entrances and exits or on delayed-exit mechanisms to secure the PRTF. Each applicant wanting to use delayed-exit mechanisms or to use hardware to lock or otherwise secure the exits shall obtain and shall submit to the department prior written approval from the Kansas state fire marshal, the Kansas department of social and rehabilitation services, the Kansas juvenile justice authority, and the Kansas health policy authority.

(d) Each applicant shall provide the department with a copy of the approval of the Kansas state fire marshal's office for the floor plan and the use of any delayed-exit mechanism or hardware to lock or otherwise secure the exits before a license is issued.

(e) The granting of a license to any applicant may be refused by the secretary if the applicant is not in compliance with the requirements of the following:

(1) K.S.A. 65-504 through 65-508 and amendments thereto;

(2) K.S.A. 65-512 and 65-513 and amendments thereto;

(3) K.S.A. 65-516 and amendments thereto;

(4) K.S.A. 65-531 and amendments thereto; and

(5) all regulations governing psychiatric residential treatment facilities. (Authorized by K.S.A. 65-508; implementing K.S.A. 65-501, 65-504, 65-505, and 65-508 and K.S.A. 2008 Supp. 65-516; effective Oct. 9, 2009.)

28-4-1203. Capacity; posting requirements; validity of temporary permit or license; new application required; advertising; closure. (a) Capacity. The maximum number, the age range, and the gender of residents authorized by the temporary permit or license shall not be exceeded.

(b) Posting requirements. The current temporary permit or the current license shall be posted conspicuously within the PRTF.

(c) Validity of temporary permit or license. Each temporary permit or license shall be valid only for the applicant or licensee and for the address specified on the temporary permit or the license. When an initial or amended license becomes effective, all temporary permits or licenses previously granted to the applicant or licensee at the same address shall become void.

(d) New application required. A new application and the fee specified in K.A.R. 28-4-92 shall be submitted for each change of ownership or location at least 90 calendar days before the planned change.

(e) Advertising. The advertising for each PRTF shall conform to the statement of services as given on the application. A claim for specialized services shall not be made unless the PRTF is staffed and equipped to offer those services.

(f) Closure. Any applicant may withdraw the application for a license. Any licensee may submit, at any time, a request to close the PRTF operated by the licensee. If an application is withdrawn or a PRTF is closed, the current

(continued)

temporary permit or license granted to the applicant or licensee for that PRTF shall become void. (Authorized by K.S.A. 65-508; implementing K.S.A. 65-504, 65-505, and 65-508; effective Oct. 9, 2009.)

28-4-1204. Licensure; renewal; notifications; exceptions; amendments. (a) No person shall operate a PRTF unless issued a temporary permit or a license by the secretary.

(b) No earlier than 90 days before the renewal date but no later than the renewal date, each licensee who wishes to renew the license shall complete and submit an application for renewal on forms provided by the department, including the requests for background checks specified in K.A.R. 28-4-1205, and shall submit the fee specified in K.A.R. 28-4-92.

(c) Failure to submit the renewal application and fee as required by subsection (b) shall result in an assessment of a late renewal fee pursuant to K.S.A. 65-505, and amendments thereto, and may result in closure of the PRTF.

(d) Each licensee shall notify the department within 24 hours of any change in approval or accreditation required in K.A.R. 28-4-1201.

(e) Any applicant or licensee may request an exception from the secretary.

(1) Any request for an exception may be granted if the secretary determines that the exception is in the best interest of one or more residents or the family of a resident and the exception does not violate statutory requirements.

(2) Written notice from the secretary stating the nature of each exception and its duration shall be kept on file at the PRTF and shall be readily accessible to the department, SRS, and JJA.

(f) Each licensee shall obtain the secretary's written approval before making any change in any of the following:

(1) The use or proposed use of the buildings;
(2) any changes to the physical structure of any building, including the following:

(A) An addition or alteration as specified in K.A.R. 28-4-1215;

(B) any change in the use of locked entrances or exits; and

(C) any change in any delayed-exit mechanisms;
(3) the addition or removal of a locking system for any room used for seclusion, as specified in K.A.R. 28-4-1212; or

(4) the program, provided through either of the following:

(A) Direct services; or
(B) agreements with specified community resources.

(g) Any licensee may submit a written request for an amended license.

(1) Each licensee who intends to change the terms of the license, including the maximum number, the age range, or the gender of residents to be served, shall submit a request for an amendment on a form provided by the department and a nonrefundable amendment fee of \$35. An amendment fee shall not be required if the request to change the terms of the license is made at the time of the renewal.

(2) Each request for a change in the maximum number, the age range, or the gender of residents to be served shall include written documentation of the notification to the school district where the PRTF is located, as specified in K.A.R. 28-4-1202.

(3) The licensee shall make no change to the terms of the license, including the maximum number of residents, the age range of residents to be served, the gender of residents, and the type of license, until an amendment is granted, in writing, by the secretary. (Authorized by K.S.A. 65-508; implementing K.S.A. 65-504, 65-505, and 65-508 and K.S.A. 2008 Supp. 65-516; effective Oct. 9, 2009.)

28-4-1205. Background checks. (a) With each initial application or renewal application, each applicant or licensee shall submit a request to conduct a background check by the Kansas bureau of investigation and a background check by the Kansas department of social and rehabilitation services in order to comply with the provisions of K.S.A. 65-516, and amendments thereto. Each request shall be submitted on a form provided by the department. The request shall list the required information for each individual 10 years of age and older who will be residing, working, or regularly volunteering in the PRTF.

(b) Each licensee shall submit a request to the department to conduct a background check by the Kansas bureau of investigation and a background check by the Kansas department of social and rehabilitation services before each new individual begins residing, working, or regularly volunteering in the PRTF.

(c) A copy of each request for a background check shall be kept on file at the PRTF.

(d) Residents admitted into a PRTF for care and treatment shall not be considered to be residing in the PRTF for the purposes of background checks. (Authorized by K.S.A. 65-508; implementing K.S.A. 2008 Supp. 65-516; effective Oct. 9, 2009.)

28-4-1206. Administration. (a) Each PRTF shall be governed by one of the following entities:

(1) A public agency, which shall employ an administrator for the PRTF; or

(2) a private entity with a governing board that is legally responsible for the operation, policies, finances, and general management of the PRTF. The private entity shall employ an administrator for the PRTF. The administrator shall not be a voting member of the governing board.

(b) Each licensee shall develop and implement written policies and procedures for the operation of the PRTF that shall include detailed descriptions of the roles and the responsibilities for staff and volunteers. The staff practices shall conform to the written policies and procedures and to all regulations governing PRTFs.

(c) A licensee or a staff member of a PRTF shall not accept permanent legal guardianship of any individual before the individual is admitted to the PRTF or while the individual is in treatment at the PRTF.

(d) A copy of the regulations governing PRTFs shall be kept on the premises at all times and shall be made available to all staff members.

(e) Each licensee shall make available to the department all reports and findings of on-site surveys, periodic performance reviews, monitoring visits, and accreditation reports by the PRTF's accrediting body.

(f) Each licensee shall have sufficient finances to ensure the provision of program activities and services to each resident. Each licensee shall provide the financial resources necessary to maintain compliance with these regulations.

(g) Each resident's personal money shall be kept separate from the PRTF's funds. Each licensee shall maintain financial records of each resident's personal money. (Authorized by and implementing K.S.A. 65-508; effective Oct. 9, 2009.)

28-4-1207. Staff requirements. (a) Each individual working or volunteering in a PRTF shall be qualified by temperament, emotional maturity, judgment, and understanding of residents necessary to maintain the health, comfort, safety, and welfare of individuals placed in psychiatric residential treatment facilities.

(b) Each food service staff member shall demonstrate compliance with all of the following requirements through ongoing job performance:

- (1) Knowledge of the nutritional needs of residents;
- (2) understanding of quantity food preparation and service;
- (3) sanitary food handling and storage methods;
- (4) willingness to consider individual, cultural, and religious food preferences of the residents; and
- (5) willingness to work with the program director in planning learning experiences for residents about nutrition. (Authorized by and implementing K.S.A. 65-508; effective Oct. 9, 2009.)

28-4-1208. Records. Each licensee shall develop and implement written policies and procedures that address PRTF recordkeeping requirements, including resident records, personnel records, and general records. (a) Resident records. Each licensee shall maintain an individual record for each resident, which shall include the following information:

- (1) A health record that meets the requirements in K.A.R. 28-4-1211;
- (2) a copy of each written report of any incidents involving the resident and specified in K.A.R. 28-4-1209 and K.A.R. 28-4-1214;
- (3) documentation of each use of seclusion for the resident; and
- (4) a financial record of the resident's personal money as specified in K.A.R. 28-4-1206.

(b) Personnel records. Each licensee shall maintain an individual personnel record for each staff member, which shall include the following information:

- (1) A health record that meets the requirements in K.A.R. 28-4-1211, including a record of the results of any health examinations and tuberculin tests;
- (2) the staff member's current job responsibilities;
- (3) documentation that the staff member has read, understands, and agrees to all of the following:

(A) The statutes and regulations regarding the mandatory reporting of suspected child abuse, neglect, and exploitation;

(B) all regulations governing PRTFs; and

(C) the PRTF's policies and procedures applicable to the job responsibilities of the staff member; and

(4) a copy of a valid driver's license of a type appropriate for the vehicle being used, for any staff member who transports any resident.

(c) Volunteer records. Each licensee shall maintain an individual record for each volunteer of the PRTF, which shall include the following information:

(1) A health record that meets the requirements in K.A.R. 28-4-1211, including a record of the results of any health examinations and tuberculin tests, for each volunteer in contact with residents; and

(2) a copy of a valid driver's license of a type appropriate for the vehicle being used, for any volunteer who transports any resident.

(d) General records. Each licensee shall ensure that general records are completed and maintained, which shall include the following:

(1) Documentation of the requests submitted to the department for the purpose of background checks for each staff member and volunteer in order to comply with the provisions of K.S.A. 65-516, and amendments thereto;

(2) documentation of notification to the school district;

(3) documentation of each approval granted by the secretary for any change, exception, or amendment as specified in K.A.R. 28-4-1204 and K.A.R. 28-4-1215;

(4) the policies and procedures of the PRTF;

(5) all reports and findings of on-site visits, periodic performance reviews, monitoring visits to determine compliance with PRTF regulations and standards, and any accreditation reports by the PRTF's accrediting body;

(6) all written reports of the following:

(A) All incidents or events specified in K.A.R. 28-4-1209 and K.A.R. 28-4-1214; and

(B) the use of restraint or seclusion;

(7) all documentation specified in K.A.R. 28-4-1218 for transporting residents;

(8) all documentation specified in K.A.R. 28-4-1212 for the locking systems for the door of each room used for seclusion, including documentation of the state fire marshal's approval;

(9) all documentation specified in K.A.R. 28-4-1214 for emergency plans, fire and tornado drills, and written policies and procedures on the security and control of the residents;

(10) all documentation specified in K.A.R. 28-4-1214 for the inspection and the maintenance of security devices, including locking mechanisms and any delayed-exit mechanisms on doors;

(11) documentation of approval of any private water or sewage systems as specified in K.A.R. 28-4-1215; and

(12) documentation of vehicle and liability insurance for each vehicle used by the PRTF to transport residents as specified in K.A.R. 28-4-1218. (Authorized by K.S.A. 65-508; implementing K.S.A. 65-507 and 65-508 and K.S.A. 2008 Supp. 65-516; effective Oct. 9, 2009.)

28-4-1209. Notification and reporting requirements. (a) Each licensee shall ensure that the following notifications are submitted verbally or in writing upon

(continued)

discovery of the incident or event, but no later than 24 hours after the discovery:

(1) Each instance of suspected abuse or neglect of a resident shall be reported to the Kansas department of social and rehabilitation services or to law enforcement.

(2) Each incident resulting in the death of any resident shall be reported to the following:

- (A) Law enforcement;
- (B) the department;
- (C) the parent or guardian of the resident;
- (D) the resident's placing agent;
- (E) the state medicaid agency;
- (F) the Kansas department of social and rehabilitation services; and
- (G) the state-designated protection and advocacy entity.

(3) Each incident resulting in the death of a staff member while on duty at the PRTF shall be reported to the department and to any other entities according to the policies of the PRTF.

(4) Each incident resulting in a serious injury to any resident, including burns, lacerations, bone fractures, substantial hematomas, and injuries to internal organs, shall be reported to the following:

- (A) The department;
- (B) the county health department in which the PRTF is located;
- (C) the parent or legal guardian of any resident involved in the incident;
- (D) the placing agent of any resident involved in the incident;
- (E) the state medicaid agency;
- (F) the Kansas department of social and rehabilitation services; and
- (G) the state-designated protection and advocacy entity.

(5) Each incident of suspected sexual assault involving a resident as a victim or as a perpetrator shall be reported to the following:

- (A) Law enforcement;
- (B) the Kansas department of social and rehabilitation services;
- (C) the parent or legal guardian of the resident;
- (D) the resident's placing agent; and
- (E) the department.

(6) Each suicide attempt by a resident shall be reported to the following:

- (A) The department;
- (B) the resident's placing agent;
- (C) the parent or guardian of the resident;
- (D) the state medicaid agency;
- (E) the Kansas department of social and rehabilitation services; and
- (F) the state-designated protection and advocacy entity.

(7) Each natural disaster shall be reported to the department.

(8) Each instance of work stoppage shall be reported to the department.

(9) Each incident that involves a riot or the taking of hostages shall be reported to the department.

(10) Each fire shall be reported to the department and to the state fire marshal.

(11) Each incident that involves any suspected illegal act committed by a resident while in the PRTF or by a staff member while on duty at the PRTF shall be reported to law enforcement in accordance with the policies of the PRTF.

(12) If any resident, staff member, or volunteer of the PRTF contracts a reportable infectious or contagious disease specified in K.A.R. 28-1-2, the licensee shall ensure that a report is submitted to the local county health department within 24 hours, excluding weekends and holidays.

(b) Each licensee shall complete a written report within five calendar days of the discovery of any incident or event identified in subsection (a). (Authorized by and implementing K.S.A. 65-508; effective Oct. 9, 2009.)

28-4-1210. Admission requirements. (a) No individual less than six years of age shall be admitted to a PRTF. No individual 21 years of age or older shall be admitted to a PRTF as a new resident, but any current resident may continue to receive treatment until that resident reaches 22 years of age.

(b) Each individual who shows evidence of being physically ill, injured, or under the influence of alcohol or drugs shall be assessed in accordance with the PRTF's policies and procedures to determine the appropriateness of admission and any need for immediate medical care. (Authorized by and implementing K.S.A. 65-508 and 65-510; effective Oct. 9, 2009.)

28-4-1211. Health care. (a) Policies for resident health care. Each licensee, in consultation with a physician, shall develop written policies that include provisions for the following:

(1) A health checklist and review for each resident upon admission, including the following:

- (A) Current physical, including oral, health status;
- (B) any allergies, including medication, food, and plant;
- (C) any current pain, including cause, onset, duration, and location;
- (D) preexisting medical conditions;
- (E) current mood and affect;
- (F) any current suicidal thoughts and history of suicide attempts;
- (G) any infectious or contagious diseases;
- (H) documentation of current immunizations or documentation of an exemption for medical or religious reasons as specified in K.A.R. 28-1-20;
- (I) any drug or alcohol use;
- (J) any current medications;
- (K) any physical disabilities;
- (L) menstrual history, if applicable;
- (M) any sexually transmitted disease; and
- (N) any history of pregnancy;

(2) follow-up health care, including a health assessment and referrals for any concerns identified in the health checklist and review;

(3) if medically indicated, chronic care, convalescent care, and preventive care;

(4) care for minor illness, including the use and administration of prescription and nonprescription drugs;

(5) care for residents under the influence of alcohol or other drugs;

(6) consultation regarding each individual resident, if indicated;

(7) infection control measures and universal precautions to prevent the spread of blood-borne infectious diseases, including medically indicated isolation; and

(8) maternity care as required by K.A.R. 28-4-279.

(b) Physical health of residents at admission and throughout placement. Each licensee shall maintain a health record for each resident to document the provision of health services, including dental services.

(1) Each licensee shall ensure that a health checklist is completed for each resident at the time of admission by the individual who admits the resident. The health checklist shall serve as a guide to determine if a resident is in need of medical or dental care and to determine if the resident is using any prescribed medications.

(2) Each licensee shall ensure that the PRTF's physician, a physician's assistant operating under a written protocol as authorized by a responsible physician, or an advanced registered nurse practitioner (ARNP) operating under a written protocol as authorized by a responsible physician and operating under the ARNP's scope of practice is contacted for any resident who is taking a prescribed medication at the time of admission, to assess the need for continuation of the medication.

(3) Each change of prescription or directions for administering a prescription medication shall be ordered by the authorized medical practitioner with documentation placed in the resident's record. Prescription medications shall be administered only to the designated resident as ordered by the authorized medical practitioner.

(4) Each licensee shall ensure that a physician, a physician's assistant operating under a written protocol as authorized by the responsible physician, or an ARNP operating under a written protocol as authorized by a responsible physician and operating within the ARNP's scope of practice is contacted for any resident who has acute symptoms of illness or who has a chronic illness.

(5) Within 72 hours of admission, a physician, a physician's assistant operating under a written protocol as authorized by a responsible physician, or a nurse approved to conduct screening and health assessments shall review the health checklist. Based upon health indicators derived from the checklist or in the absence of documentation of a screening within the past 24 months, the reviewing physician, physician's assistant, or nurse shall determine whether or not a full screening and health assessment are necessary. If a full screening and health assessment are necessary, the following requirements shall be met:

(A) The screening and health assessment shall be conducted by a licensed physician, a physician's assistant operating under a written protocol as authorized by a responsible physician, or a nurse approved to conduct these examinations.

(B) The screening and health assessment shall be completed within 10 days of admission.

(6) Each licensee shall ensure that each resident receives a screening for symptoms of tuberculosis. A Mantoux test, a tuberculin blood assay test, or a chest X-ray shall be required if any of the following occurs:

(A) The resident has a health history or shows symptoms compatible with tuberculosis.

(B) The location of the PRTF is in an area identified by the local health department or the secretary as a high-risk area for tuberculosis exposure.

(C) Significant exposure to an active case of tuberculosis occurs, or symptoms compatible with tuberculosis develop.

(D) If there is a positive reaction to the diagnostic procedures, proof of proper treatment or prophylaxis shall be required. Documentation of the test, X-ray, or treatment results shall be kept on file in the resident's health record, and the county health department shall be informed of the results.

(7) Each licensee shall ensure that written policies and procedures prohibit the use of tobacco in any form by any resident while in care.

(c) Oral health of residents. Each licensee shall ensure that the following requirements are met:

(1) Dental care shall be available for all residents.

(2) Each resident who has not had a dental examination within the year before admission to the PRTF shall have a dental examination no later than 60 days after admission.

(3) Each resident shall receive emergency dental care as needed.

(4) Each licensee shall develop and implement a plan for oral health education and staff supervision of residents in the practice of good oral hygiene.

(d) Health record. Each licensee shall maintain a health record for each resident to document the provision of health services required in subsections (a), (b), and (c).

(e) Personal health and hygiene of residents.

(1) Each resident shall have access to drinking water, a lavatory, and a toilet.

(2) Each licensee shall ensure that each resident is given the opportunity to bathe upon admission and daily.

(3) Each licensee shall furnish each resident with toothpaste and a toothbrush.

(4) Each licensee shall ensure that each resident is given the opportunity to brush the resident's teeth after each meal.

(5) Each licensee shall make opportunities available to the residents for daily shaving and regular haircuts.

(6) Each resident's washable clothing shall be changed and laundered at least twice a week. Each licensee shall ensure that clean underwear and socks are available to each resident on a daily basis.

(7) Each female resident shall be provided personal hygiene supplies for use during her menstrual cycle.

(8) Each licensee shall ensure that clean, individual washcloths and bath towels are issued to each resident at least twice each week.

(9) Each licensee shall allow each resident to have at least eight hours of sleep each day.

(f) Personal health of staff members and volunteers of the PRTF.

(1) Each individual shall meet the following requirements:

(A) Be free from any infectious or contagious disease requiring isolation or quarantine as specified in K.A.R. 28-1-6;

(continued)

(B) be free of any physical, mental, or emotional health conditions that would adversely affect the individual's ability to fulfill the responsibilities listed in the individual's job description and to protect the health, safety, and welfare of the residents; and

(C) be free from impaired ability due to the use of alcohol, prescription or nonprescription drugs, or other chemicals.

(2) Each individual who has contact with any resident or who is involved in food preparation or service shall have received a health assessment within one year before employment. This assessment shall be conducted by a licensed physician, a physician's assistant operating under a written protocol as authorized by a responsible physician, or a nurse authorized to conduct these assessments.

(3) The results of each health assessment shall be recorded on forms provided by the department and shall be kept on file.

(4) A health assessment record may be transferred from a previous place of employment if the assessment occurred within one year before the individual's employment at the PRTF and if the assessment was recorded on the form provided by the department.

(5) The initial health examination shall include a screening for symptoms of tuberculosis. A Mantoux test, a tuberculin blood assay test, or a chest X-ray shall be required if any of the following occurs:

(A) The individual has a health history or shows symptoms compatible with tuberculosis.

(B) The PRTF is located in an area identified by the local health department or the secretary as a high-risk area for tuberculosis exposure.

(C) Significant exposure to an active case of tuberculosis occurs, or symptoms compatible with tuberculosis develop.

(D) If there is a positive reaction to any of the diagnostic procedures, proof of proper treatment or prophylaxis shall be required. Documentation of the test, X-ray, and treatment results shall be kept on file in the individual's health record, and the county health department shall be informed of the results.

(6) If an individual experiences a significant change in physical, mental, or emotional health, including any indication of substance abuse, an assessment of the individual's current health status may be required by the licensee or the secretary. A licensed health care provider qualified to diagnose and treat the condition shall conduct the health assessment. A written report of the assessment shall be kept in the individual's personnel record and shall be submitted to the secretary on request.

(g) Tobacco products shall not be used inside the PRTF. Tobacco products shall not be used by staff members or volunteers of the PRTF in the presence of residents. (Authorized by K.S.A. 65-508; implementing K.S.A. 65-507 and 65-508; effective Oct. 9, 2009.)

28-4-1212. Health and safety requirements for the use of seclusion rooms. (a) Each licensee shall ensure that the following requirements are met for each room used for seclusion:

(1) The locking system shall be approved by the state fire marshal.

(2) No room used for seclusion shall be in a basement.
(3) Each door shall be equipped with a window mounted in a manner that allows inspection of the entire room.

(4) Each window in a room used for seclusion shall be impact resistant and shatterproof.

(5) The walls shall be completely free of objects.

(6) A mattress shall be available, if needed. If a mattress is used, the mattress shall be clean and in good repair.

(b) No more than one resident shall be placed in a room used for seclusion at the same time.

(c) Before any resident is admitted to a room used for seclusion, all items that could be used to injure oneself or others shall be removed from the resident.

(d) Each resident shall be permitted to wear clothing necessary to maintain modesty and comfort at all times. Paper clothing may be substituted if a resident uses clothing for self-harm. Sheets, towels, blankets, and similar items shall not be substituted for clothing.

(e) Each resident shall receive all meals and snacks normally served and shall be allowed time to exercise and perform necessary bodily functions.

(f) Each resident shall have ready access to drinking water and bathroom facilities upon request. (Authorized by and implementing K.S.A. 65-508; effective Oct. 9, 2009.)

28-4-1213. Library; recreation; work. (a) Library.

(1) Each licensee shall have written policies and procedures that govern the PRTF's library program, including acquisition of materials, hours of availability, and staffing.

(2) Library services shall be available to all residents.

(A) Reading and other library materials may be provided for use during non-library hours.

(B) The reading and library materials shall be age-appropriate and suitable for various levels of reading competency and shall reflect a variety of interests.

(b) Recreation.

(1) Each licensee shall ensure that indoor and outdoor recreational areas and equipment are provided where security and visual supervision can be maintained at all times. Unless restricted for health reasons or for inclement weather, all residents shall be allowed to engage in supervised indoor and outdoor recreation on a daily basis.

(2) Each licensee shall ensure that art and craft supplies, books, current magazines, games, and other indoor recreational materials are provided for leisure activities.

(c) Work.

(1) Work assignments shall not be used as a substitute for recreation.

(2) Residents shall be prohibited from performing any of the following duties:

(A) Personal services for the staff members;

(B) cleaning or maintaining areas away from the PRTF;

(C) replacing employed staff members; or

(D) any work experience classified as hazardous by the Kansas department of labor regulations governing child labor.

(d) Auxiliary staff members may supervise library, recreation, or work activities. Direct care staff shall be within

visual and auditory distance to provide immediate support, if necessary. (Authorized by and implementing K.S.A. 65-508; effective Oct. 9, 2009.)

28-4-1214. Emergency plan; drills; facility security and control of residents; storage and use of hazardous substances and unsafe items. (a) Emergency plan. Each licensee shall develop an emergency plan to provide for the safety of all residents in emergencies, including fires, tornadoes, storms, floods, and serious injuries. The licensee shall review the plan at least annually and update it as needed.

(1) The emergency plan shall contain provisions for the care of residents in emergencies.

(2) Each licensee that permits the use of seclusion shall have a policy and procedure to evacuate each resident in seclusion if an emergency occurs.

(3) All of the staff members in the PRTF shall be informed of the emergency plan, which shall be posted in a prominent location.

(b) Fire and tornado drills. The PRTF staff shall conduct at least one fire drill and one tornado drill during each shift during each quarter. Drills shall be planned to allow participation by the residents in at least one fire drill and at least one tornado drill during each quarter.

(c) Facility security and control of residents. Each licensee shall develop and implement written policies and procedures that include the use of a combination of supervision, inspection, and accountability to promote safe and orderly operations. The policies and procedures shall prohibit the use of mace, pepper spray, and other chemical agents.

(1) All written policies and procedures for facility security and the control of residents shall be available to all staff members. Each licensee shall review the policies and procedures at least annually, update them as needed, and ensure that all of the requirements are met. These policies and procedures shall include all of the following requirements:

(A) Written operational shift assignments shall state the duties and responsibilities for each assigned position in the PRTF.

(B) Supervisory staff shall maintain a permanent log and prepare shift reports that record routine and emergency situations.

(C) All security devices, including locking mechanisms on doors and any delayed-exit mechanisms on doors, shall have current written approval from the state fire marshal and shall be regularly inspected and maintained, with any corrective action completed as necessary and recorded.

(D) No resident shall have access to any ammunition or weapons, including firearms and air-powered guns. If a licensee prohibits carrying a concealed weapon on the premises of the PRTF, the licensee shall post notice pursuant to K.S.A. 75-7c11, and amendments thereto.

(E) Procedures shall be developed and implemented for the control and use of keys, tools, medical supplies, and culinary equipment.

(F) No resident or group of residents shall exercise control or authority over another resident, have access to the records of another resident, or have access to or the use of keys that control security.

(G) Procedures shall be developed and implemented for knowing the whereabouts of all residents at all times and for handling runaways and unauthorized absences.

(H) Safety and security precautions pertaining to the PRTF and any staff vehicles used to transport residents shall be developed and implemented.

(2) Each licensee shall ensure the development of policies and procedures that govern documentation of all incidents, including riots, the taking of hostages, and the use of restraint.

(A) The policies and procedures shall require submission of a written report of all incidents to the program director no later than the conclusion of that shift. A copy of the report shall be kept in the record of each resident involved in the incident.

(B) Reports of incidents shall be made to document compliance with K.A.R. 28-4-1209.

(3) A written plan shall provide for continuing operations if a work stoppage occurs. A copy of this plan shall be available to each staff member.

(d) Storage and use of hazardous substances and unsafe items.

(1) No resident shall have unsupervised access to poisons, hazardous substances, or flammable materials. These items shall be kept in locked storage when not in use.

(2) Each licensee shall develop and implement policies and procedures for the safe and sanitary storage and distribution of personal care and hygiene items. The following items shall be stored in an area that is either locked or under the control of staff:

(A) Aerosols;

(B) alcohol-based products;

(C) any products in glass containers; and

(D) razors, blades, and any other sharp items.

(3) Each licensee shall develop and implement policies and procedures for the safe storage and disposal of prescription and nonprescription medications. All prescription and nonprescription medications shall be stored in a locked cabinet located in a designated staff-accessible and supervised area. All refrigerated medications shall be stored under all food items in a locked refrigerator, in a refrigerator in a locked room, or in a locked medicine box in a refrigerator. Medications taken internally shall be kept separate from other medications. All unused medications shall be accounted for and disposed of in a safe manner, including being returned to the pharmacy, transferred with the resident, or safely discarded.

(4) Each PRTF shall have first-aid supplies, which shall be stored in a locked cabinet located in a staff-accessible and supervised area. First-aid supplies shall include the following:

(A) Assorted adhesive strip bandages;

(B) adhesive tape;

(C) a roll of gauze;

(D) scissors;

(E) a package of gauze squares;

(F) liquid soap;

(G) an elastic bandage;

(H) tweezers;

(I) rubbing alcohol; and

(continued)

(J) disposable nonporous gloves in assorted sizes. (Authorized by and implementing K.S.A. 65-508; effective Oct. 9, 2009.)

28-4-1215. Environmental standards. (a) General building requirements.

(1) Each licensee shall ensure that public water and sewage systems, where available, are used. If public water and sewage systems are not available, each licensee shall maintain approval by the appropriate health authorities for any private water and sewage systems that are used.

(2) A licensed architect shall be responsible for the plans for any newly constructed building or for any major addition or major alteration to an existing building.

(A) For a new building, preliminary plans and outline specifications, including plot plans, shall be submitted to the department for review before commencing the final working drawings and specifications. Each licensee shall submit the final working drawings, construction specifications, and plot plans to the department for review and written approval before the letting of contracts.

(B) For an addition or alteration to an existing building, each licensee shall submit a written statement defining the proposed use of the construction and detailing the plans and specifications to the department for review and written approval before commencing construction.

(3) If construction is not commenced within one year of submitting a proposal for a new building or an addition or alteration to an existing building, each licensee shall resubmit the plans and proposal to the department before proposed construction begins.

(b) Location and grounds requirements.

(1) Community resources, including health services, police protection, and fire protection from an organized fire department, shall be available.

(2) There shall be at least 100 square feet of outside activity space available for each resident allowed to utilize each outdoor area at any one time.

(3) The outside activity area shall be free of physical hazards.

(4) Sufficient space for visitor and staff parking at each PRTF shall be provided.

(c) Structural requirements and use of space. Each licensee shall ensure that the PRTF design, structure, interior and exterior environment, and furnishings promote a safe, comfortable, and therapeutic environment for the residents.

(1) Each PRTF shall be accessible to and usable by persons with disabilities.

(2) Each PRTF's structural design shall facilitate personal contact and interaction between staff members and residents.

(3) Each sleeping room shall meet the following requirements:

(A) No resident's room shall be in a basement.

(B) The minimum square footage of floor space shall be 80 square feet in each room occupied by one resident. Each room occupied by more than one resident shall have at least 60 square feet of floor space for each resident. At least one dimension of the usable floor space unencum-

bered by furnishings or fixtures shall be at least seven feet.

(C) The minimum ceiling height shall be seven feet eight inches over at least 90 percent of the room area.

(D) An even temperature of between 68 degrees Fahrenheit and 78 degrees Fahrenheit shall be maintained, with an air exchange of at least four times each hour.

(E) Sleeping rooms occupied by residents shall have a window source of natural light. Access to a drinking water source and toilet facilities shall be available 24 hours a day.

(F) Separate beds with level, flat mattresses in good condition shall be provided for each resident. All beds shall be above the floor level.

(G) Clean bedding, adequate for the season, shall be provided for each resident. Bed linen shall be changed at least once a week or more frequently when soiled.

(4) Each sleeping room, day room, and classroom utilized by residents shall have lighting of at least 20 foot-candles in all parts of the room. There shall be lighting of at least 35 foot-candles in areas used for reading, study, or other close work.

(5) Adequate space for study and recreation shall be provided.

(6) Each living unit shall contain the following:

(A) Furnishings that provide sufficient seating for the maximum number of residents expected to use the area at any one time;

(B) writing surfaces that provide sufficient space for the maximum number of residents expected to use the area at any one time; and

(C) furnishings that are consistent with the needs of the residents.

(7) Each PRTF shall have adequate central storage for household supplies, bedding, linen, and recreational equipment.

(8) If the PRTF is on the same premises as that of another licensed facility, the living unit of the PRTF shall be maintained in a separate, self-contained unit. Residents of the PRTF shall not use space shared with another licensed facility at the same time unless the plan for the use of space is approved, in writing, by the secretary and by SRS.

(9) If a PRTF has one or more day rooms, each day room shall provide space for a variety of resident activities. Day rooms shall be situated immediately adjacent to the residents' sleeping rooms, but separated from the sleeping rooms by a floor-to-ceiling wall. Each day room shall provide at least 35 square feet for each resident, exclusive of lavatories, showers, and toilets, for the maximum number of residents expected to use the day room area at any one time.

(10) Each room used for sports and other physical activities shall provide floor space equivalent to at least 100 square feet for each resident utilizing the room for those purposes at any one time.

(11) Sufficient space shall be provided for visitation between residents and nonresidents. The PRTF shall have space for the screening and search of both residents and visitors, if screening and search are included in the PRTF's policies and procedures. Private space shall be available for searches as needed. Storage space shall be

provided for the secure storage of visitors' coats, handbags, and other personal items not allowed into the visitation area.

(12) A working telephone shall be accessible to staff members in all areas of the building. Emergency numbers, including those for the fire department, the police, a hospital, a physician, the poison control center, and an ambulance, shall be posted by each phone.

(13) A service sink and a locked storage area for cleaning supplies shall be provided in a room or closet that is well ventilated and separate from kitchen and living areas.

(d) Bathroom facilities.

(1) For each eight or fewer residents of each sex, at least one toilet, one lavatory, and either a bathtub or a shower shall be provided. All toilets shall be above floor level.

(2) Each bathroom shall be ventilated to the outdoors by means of either a window or a mechanical ventilating system, with a minimum of 10 air changes each hour.

(3) Toilet and bathing accommodations and drinking water shall be in a location accessible to sleeping rooms and living and recreation rooms.

(4) Drinking water and at least one bathroom shall be accessible to the reception and admission areas.

(5) Cold water and hot water not exceeding 120 degrees Fahrenheit shall be supplied to lavatories, bathtubs, and showers.

(6) Liquid soap, toilet paper, and paper towels shall be available in all bathroom facilities.

(e) Building maintenance standards.

(1) Each building shall be clean at all times and free from vermin infestation.

(2) The walls shall be smooth, easily cleanable, and sound. Lead-free paint shall be used on all painted surfaces.

(3) The floors and walking surfaces shall be kept free of hazardous substances at all times.

(4) The floors shall not be slippery or cracked.

(5) Each rug or carpet used as a floor covering shall be slip-resistant and free from tripping hazards. A floor covering, paint, or sealant shall be required over concrete floors for all buildings used by the residents.

(6) All bare floors shall be swept and mopped daily.

(7) A schedule for cleaning each building shall be established and maintained.

(8) Washing aids, including brushes, dish mops, and other hand aids used in dishwashing activities, shall be clean and used for no other purpose.

(9) Mops and other cleaning tools shall be cleaned and dried after each use and shall be hung on racks in a well-ventilated place.

(10) Pesticides and any other poisons shall be used in accordance with the product instructions. These substances and all other poisons shall be stored in a locked area.

(11) Toilets, lavatories, sinks, and other such accommodations in the living areas shall be cleaned each day. (Authorized by and implementing K.S.A. 65-508; effective Oct. 9, 2009.)

28-4-1216. Food services. Each licensee shall ensure that food preparation, service, safety, and nutrition

meet the requirements of this regulation. For purposes of this regulation, "food" shall include beverages.

(a) Sanitary practices. Each individual engaged in food preparation and food service shall use sanitary methods of food handling, food service, and storage.

(1) Only authorized individuals shall be in the food preparation area.

(2) Each individual who has any symptoms of an illness, including fever, vomiting, or diarrhea, shall be excluded from the food preparation area and shall remain excluded from the food preparation area until the time at which the individual has been asymptomatic for at least 24 hours or provides the PRTF with written documentation from a health care provider stating that the symptoms are from a noninfectious condition.

(3) Each individual who has contracted an infectious or contagious disease specified in K.A.R. 28-1-6 shall be excluded from the food preparation area and shall remain excluded from the food preparation area for the time period required for that disease.

(4) Each individual with an open cut or abrasion on the hand or forearm or with a skin sore shall cover the sore, cut, or abrasion with a bandage before handling or serving food.

(5) The hair of each individual shall be restrained when the individual is handling food.

(6) Each individual handling or serving food shall comply with each of the following requirements for handwashing:

(A) Each individual shall wash that individual's hands and exposed portions of the individual's arms before working with food, after using the toilet, and as often as necessary to keep the individual's hands clean and to minimize the risk of contamination.

(B) Each individual shall use an individual towel, disposable paper towels, or an air dryer to dry that individual's hands.

(7) Each individual preparing or handling food shall minimize bare hand and bare arm contact with exposed food that is not in a ready-to-eat form.

(8) Except when washing fruits and vegetables, no individual handling or serving food may contact exposed, ready-to-eat food with the individual's bare hands.

(9) Each individual shall use single-use gloves, food-grade tissue paper, dispensing equipment, or utensils, including spatulas or tongs, when handling or serving exposed ready-to-eat food.

(b) Nutrition.

(1) Meals and snacks shall meet the nutritional needs of the residents in accordance with the United States department of agriculture's recommended daily allowances. A sufficient quantity of food shall be prepared for each meal to allow each resident second portions of bread and milk and either vegetables or fruit.

(2) Special diets shall be provided for residents for either of the following reasons:

(A) Medical indication; or

(B) accommodation of religious practice, as indicated by a religious consultant.

(3) Each meal shall be planned and the menu shall be posted at least one week in advance. A copy of the menu

(continued)

of each meal served for the preceding month shall be kept on file and available for inspection.

(c) Food service and preparation areas. If food is prepared on the premises, each licensee shall provide a food preparation area that is separate from the eating area, activity area, laundry area, and bathrooms and that is not used as a passageway during the hours of food preparation and cleanup.

(1) All surfaces used for food preparation and tables used for eating shall be made of smooth, nonporous material.

(2) Before and after each use, all food preparation surfaces shall be cleaned with soapy water and sanitized by use of a solution of one ounce of bleach to one gallon of water or a sanitizing solution used in accordance with the manufacturer's instructions.

(3) Before and after each use, the tables used for eating shall be cleaned by washing with soapy water.

(4) All floors shall be swept daily and mopped when spills occur.

(5) Garbage shall be disposed of in a garbage disposal or in a covered container. If a container is used, the container shall be removed at the end of each day or more often as needed to prevent overflow or to control odor.

(6) Each food preparation area shall have handwashing facilities equipped with soap and hot and cold running water and with individual towels, paper towels, or air dryers. Each sink used for handwashing shall be equipped to provide water at a temperature of at least 100 degrees Fahrenheit. The water temperature shall not exceed 120 degrees Fahrenheit.

(A) If the food preparation sink is used for handwashing, the sink shall be sanitized before using it for food preparation by use of a solution of $\frac{1}{4}$ cup of bleach to one gallon of water.

(B) Each PRTF with 25 or more residents shall be equipped with handwashing facilities that are separate from the food preparation sink.

(7) Clean linen used for food preparation or service shall be stored separately from soiled linen.

(d) Food storage and refrigeration. All food shall be stored and served in a way that protects the food from cross-contamination.

(1) Nonrefrigerated food.

(A) All food not requiring refrigeration shall be stored at least six inches above the floor in a clean, dry, well-ventilated storeroom or cabinet in an area with no overhead drain or sewer lines and no vermin infestation.

(B) Dry bulk food that has been opened shall be stored in metal, glass, or food-grade plastic containers with tightly fitting covers and shall be labeled with the contents and the date opened.

(C) Food shall not be stored with poisonous or toxic materials. If cleaning agents cannot be stored in a room separate from food storage areas, the cleaning agents shall be clearly labeled and kept in locked cabinets not used for the storage of food.

(2) Refrigerated and frozen food.

(A) All perishables and potentially hazardous foods requiring refrigeration shall be continuously maintained at 41 degrees Fahrenheit or lower in the refrigerator or 0 degrees Fahrenheit in the freezer.

(B) Each refrigerator and each freezer shall be equipped with a visible, accurate thermometer.

(C) Each refrigerator and each freezer shall be kept clean inside and out.

(D) All food stored in the refrigerator shall be covered, wrapped, or otherwise protected from contamination. Unserved, leftover perishable foods shall be dated, refrigerated immediately after service, and eaten within three days.

(E) Raw meat shall be stored in the refrigerator in a manner that prevents meat fluids from dripping on other foods.

(F) Ready-to-eat, commercially processed foods, including luncheon meats, cream cheese, and cottage cheese, shall be eaten within five days after opening the package.

(G) If medication requiring refrigeration is stored with refrigerated food, the medication shall be stored in a locked medicine box in a manner that prevents cross-contamination.

(4) Hot foods.

(A) Hot foods that are to be refrigerated shall be transferred to shallow containers in layers less than three inches deep and shall not be covered until cool.

(B) Potentially hazardous cooked foods shall be cooled in a manner to allow the food to cool within two hours from 135 degrees Fahrenheit to 70 degrees Fahrenheit or within six hours from 135 degrees Fahrenheit to 41 degrees Fahrenheit.

(e) Meals or snacks prepared on the premises.

(1) Each licensee shall ensure that all of the following requirements are met:

(A) All dairy products shall be pasteurized. Dry milk shall be used for cooking only.

(B) Meat shall be obtained from government-inspected sources.

(C) Raw fruits and vegetables shall be washed thoroughly before being eaten or used for cooking.

(D) Frozen foods shall be defrosted in the refrigerator, under cold running water, in a microwave oven using the defrost setting, or during the cooking process. Frozen foods shall not be defrosted by leaving them at room temperature or in standing water.

(E) Cold foods shall be maintained and served at temperatures of 41 degrees Fahrenheit or less.

(F) Hot foods shall be maintained and served at temperatures of at least 140 degrees Fahrenheit.

(2) Each licensee shall ensure that the following foods are not served or kept:

(A) Home-canned food;

(B) food from dented, rusted, bulging, or leaking cans; and

(C) food from cans without labels.

(f) Meals or snacks catered. If the licensee serves a meal or snack that is not prepared on the premises, the snack or meal shall be obtained from a food service establishment or a catering service licensed by the secretary of the Kansas department of agriculture. If food is transported to the premises, the licensee shall ensure that only food that has been transported promptly in clean, covered containers is served to the residents.

(g) Table service and cooking utensils.

(1) Each licensee shall ensure that all of the table service, serving utensils, and food cooking or serving equipment is stored in a clean, dry location at least six inches above the floor. None of these items shall be stored under an exposed sewer line or a dripping water line or in a bathroom.

(2) Each licensee shall provide clean table service to each resident, including dishes, cups or glasses, and forks, spoons, and knives, as appropriate for the food being served.

(A) Clean cups, glasses, and dishes designed for repeat use shall be made of smooth, durable, and nonabsorbent material and shall be free from cracks or chips.

(B) Disposable, single-use table service shall be of food grade and medium weight and shall be disposed of after each use.

(3) If nondisposable table service and cooking utensils are used, each licensee shall sanitize the table service and cooking utensils using either a manual washing method or a mechanical dishwasher.

(A) If using a manual washing method, each licensee shall meet all of the following requirements:

(i) A three-compartment sink with hot and cold running water to each compartment and a drainboard shall be used for washing, rinsing, sanitizing, and air-drying.

(ii) An appropriate chemical test kit, a thermometer, or another device shall be used for testing the sanitizing solution and the water temperature.

(B) If using a mechanical dishwasher, each licensee shall ensure that all of the following requirements are met:

(i) Each commercial dishwashing machine and each domestic-type dishwashing machine shall be installed and operated in accordance with the manufacturer's instructions and shall be maintained in good repair.

(ii) If an automatic detergent dispenser, rinsing agents dispenser, or liquid sanitizer dispenser is used, the dispenser shall be installed and maintained according to the manufacturer's instructions.

(iii) Each dishwashing machine using hot water to sanitize shall be installed and operated according to the manufacturer's specifications and shall achieve surface temperature of at least 160 degrees Fahrenheit for all items.

(iv) If a domestic-type dishwasher is used, the dishwasher shall have the capacity to complete the cleaning cycle for all items in two cycles between each meal. (Authorized by and implementing K.S.A. 65-508; effective Oct. 9, 2009.)

28-4-1217. Laundry. (a) If laundry is done at the PRTF, the laundry sinks, appliances, and countertops or tables used for laundry shall be located in an area separate from food preparation areas and shall be installed and used in a manner that safeguards the health and safety of the residents. Adequate space shall be allocated for the laundry room and the storage of laundry supplies, including locked storage for all chemical agents used in the laundry area.

(b) Adequate space shall be allocated for the storage of clean and dirty linen and clothing. Soiled linen shall be stored separately from clean linen.

(c) Blankets shall be laundered at least once each month or, if soiled, more frequently. Blankets shall be laundered or sanitized before reissue.

(d) Each mattress shall be water-repellent and washed down and sprayed with disinfectant before reissue. Mattress materials and treatments shall meet the applicable requirements of the state fire marshal's regulations. (Authorized by and implementing K.S.A. 65-508; effective Oct. 9, 2009.)

28-4-1218. Transportation. Each licensee shall establish and implement written policies and procedures for transporting residents.

(a) The transportation policies and procedures shall include all of the following information:

(1) A list of the individuals authorized to transport residents for the PRTF;

(2) a description of precautions to prevent the escape of any resident during transfer;

(3) documentation of a current and appropriate license for each PRTF driver for the type of vehicle in use; and

(4) procedures to be followed in case of accident, injury, or other incident as specified in K.A.R. 28-4-1214, including notification procedures.

(b) Each transporting vehicle owned or leased by the licensee shall have a yearly safety check. A record of the yearly safety check and all repairs or improvements made shall be kept on file at the PRTF. When residents are transported in a privately owned vehicle, the vehicle shall be in safe working condition.

(c) Each vehicle used by the PRTF to transport residents shall be covered by accident and liability insurance as required by the state of Kansas.

(d) A first-aid kit shall be kept in the transporting vehicle and shall include disposable nonporous gloves in various sizes, a cleansing agent, scissors, bandages of assorted sizes, adhesive tape, a roll of gauze, one package of gauze squares at least four inches by four inches in size, and one elastic bandage.

(e) Each vehicle used to transport residents shall be equipped with an individual seat belt for the driver and an individual seat belt or child safety seat for each passenger. The driver and each passenger shall be secured by a seat belt or a child safety seat when the vehicle is in motion.

(f) Seat belts and child safety seats shall be used appropriate to the age, weight, and height of each individual and the placement of each individual in the vehicle, in accordance with state statutes and regulations. Each child safety seat shall be installed and used according to manufacturer's instructions.

(g) Residents who are less than 13 years of age shall not be seated in the front seat of a vehicle that is equipped with a passenger air bag.

(h) Smoking in any vehicle owned or leased by the licensee shall be prohibited whether or not a resident is present in the vehicle.

(i) Residents shall be transported directly to the location designated by the licensee and shall make no unauthorized stops along the way, except in an emergency.

(continued)

(j) Handcuffs or shackles shall not be used on any resident being transported by staff members.

(k) No 15-passenger vans shall be used to transport residents. Each licensee owning or leasing a 15-passenger van purchased or leased before the effective date of this regulation shall be exempt from the requirements of this

subsection. (Authorized by and implementing K.S.A. 65-508; effective Oct. 9, 2009.)

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 037527

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 2006 Volumes and the 2008 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-64	New	V. 28, p. 1338
1-2-65	New	V. 28, p. 1338
1-7-3	Amended	V. 28, p. 1338
1-7-4	Amended	V. 28, p. 1338
1-7-6	Amended	V. 28, p. 1339
1-7-7	Amended	V. 28, p. 1339
1-7-10	Amended	V. 28, p. 1339
1-7-11	Amended	V. 28, p. 1340
1-7-12	Amended	V. 28, p. 1340
1-14-8	Amended	V. 28, p. 1341

AGENCY 3: KANSAS STATE TREASURER

Reg. No.	Action	Register
3-3-1	Amended (T)	V. 27, p. 1091
3-3-1	Amended	V. 27, p. 1517
3-3-2	New (T)	V. 27, p. 1091
3-3-2	New	V. 27, p. 1517

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-6-1	New	V. 27, p. 1741
4-6-2	New	V. 27, p. 1741
4-6-3	New	V. 27, p. 1741
4-7-900	Amended	V. 27, p. 1022
4-7-901	Revoked	V. 27, p. 1022
4-7-902	Amended	V. 27, p. 1022
4-7-903	Amended	V. 27, p. 1023
4-7-904	Amended	V. 27, p. 1023
4-13-1	Amended	V. 27, p. 186
4-13-3	Amended	V. 27, p. 187
4-13-9	Amended	V. 27, p. 188
4-13-11	Revoked	V. 27, p. 188
4-13-13	Amended	V. 27, p. 188
4-13-20	Amended	V. 27, p. 190
4-13-21	Amended	V. 27, p. 191
4-13-22	Amended	V. 27, p. 191
4-13-23	Amended	V. 27, p. 191
4-13-24	Amended	V. 27, p. 191
4-13-33	Amended	V. 27, p. 191
4-13-40	Amended	V. 27, p. 1023
4-13-41	Revoked	V. 27, p. 1023
4-13-42	Revoked	V. 27, p. 1023
4-13-60	Amended	V. 27, p. 1023
4-13-61	Revoked	V. 27, p. 1023
4-13-64	Amended	V. 27, p. 1023
4-13-65	Amended	V. 27, p. 1024
4-15-5	Amended	V. 28, p. 690
4-15-11	Amended	V. 27, p. 1024
4-15-12	Revoked	V. 27, p. 1024
4-15-13	Amended	V. 27, p. 1024
4-15-14	Amended	V. 27, p. 1024
4-16-1a	Amended	V. 27, p. 1741
4-16-1c	Amended	V. 27, p. 1742
4-16-7a	Amended	V. 27, p. 1024

4-16-300	Amended	V. 27, p. 1025
4-16-301	Revoked	V. 27, p. 1025
4-16-302	Amended	V. 27, p. 1025
4-16-303	Amended	V. 27, p. 1025
4-16-304	Amended	V. 27, p. 1025
4-16-305	Amended	V. 27, p. 1025
4-17-300	Amended	V. 27, p. 1026
4-17-301	Revoked	V. 27, p. 1026
4-17-302	Amended	V. 27, p. 1026
4-17-303	Amended	V. 27, p. 1026
4-17-304	Amended	V. 27, p. 1026
4-17-305	Amended	V. 27, p. 1027
4-20-11	Amended	V. 27, p. 1027
4-28-5	Amended	V. 27, p. 1742
4-28-8		
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4-28-16	New	V. 27, p. 191-195

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5-1-7	Amended	V. 27, p. 1553
5-2-4	New	V. 27, p. 1554
5-3-3	Amended	V. 27, p. 1554
5-3-4	Amended	V. 27, p. 1555
5-3-4a	Amended	V. 28, p. 241
5-3-5d	Amended	V. 27, p. 1555
5-3-16	Amended	V. 27, p. 1555
5-4-2	New	V. 27, p. 1556
5-5-6c	New	V. 27, p. 1556
5-5-13	Amended	V. 27, p. 1556
5-5-14	Amended	V. 27, p. 1557
5-6-2	Amended	V. 27, p. 1557
5-6-5	Amended	V. 27, p. 1557
5-9-1a		
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5-9-1d	New	V. 27, p. 1557, 1558
5-14-3	Amended	V. 28, p. 241
5-14-3a	New	V. 28, p. 242
5-14-10	Amended	V. 27, p. 1558
5-20-1	New	V. 28, p. 1317
5-20-2	New	V. 28, p. 1318
5-40-24	Amended	V. 27, p. 1438
5-45-1	Amended	V. 27, p. 1439
5-45-4	Amended	V. 27, p. 1440
5-45-19		
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5-45-23	New	V. 27, p. 1441, 1442

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7-17-1	Amended	V. 27, p. 965
7-17-4	Amended	V. 27, p. 966
7-17-11	Amended	V. 27, p. 966
7-17-19	Amended	V. 27, p. 966
7-17-21	Amended	V. 27, p. 966
7-17-22	Amended	V. 27, p. 966
7-17-24	Amended	V. 27, p. 967
7-21-1	Amended	V. 27, p. 967
7-21-2	Amended	V. 27, p. 967
7-21-3	Revoked	V. 27, p. 967
7-21-4	New	V. 27, p. 967
7-23-13	Revoked	V. 27, p. 968
7-37-2	Revoked	V. 27, p. 968
7-38-2	Revoked	V. 27, p. 968
7-41-1		
through		
7-41-7	Amended	V. 28, p. 193-195
7-41-8	Revoked	V. 28, p. 195
7-41-9	Revoked	V. 28, p. 195

7-41-10		
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7-41-17	Amended	V. 28, p. 195, 196
7-41-18		
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7-41-29	Revoked	V. 28, p. 196
7-41-30	Amended	V. 28, p. 196
7-41-31	Revoked	V. 28, p. 196
7-41-32	Amended	V. 28, p. 196
7-41-33	Amended	V. 28, p. 197
7-41-34	New	V. 28, p. 197
7-41-35	New	V. 28, p. 197
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11-6-6	New	V. 27, p. 1633, 1634
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11-12-2	Amended	V. 27, p. 1375
11-12-3	Amended	V. 27, p. 1376
11-12-4	Amended	V. 27, p. 1377
11-12-6	Amended	V. 27, p. 1377

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Reg. No.	Action	Register
14-8-6	Revoked	V. 27, p. 1214
14-8-7	Amended	V. 27, p. 1214
14-8-8	Revoked	V. 27, p. 1214
14-8-12	Revoked	V. 27, p. 1214
14-17-7	New	V. 27, p. 1214

AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER

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17-24-2	Amended	V. 28, p. 1371
17-24-3	Amended	V. 28, p. 1371
17-24-4	Amended	V. 28, p. 1371
17-24-5	New	V. 28, p. 1373
17-24-6	New	V. 28, p. 1373
17-25-1	New	V. 27, p. 356

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19-20-5	New	V. 27, p. 1021
19-27-2	Amended	V. 27, p. 1021

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22-6-3	Revoked	V. 27, p. 1834
22-6-4	Revoked	V. 27, p. 1834
22-6-5	Amended	V. 27, p. 1834
22-6-6	Revoked	V. 27, p. 1834
22-6-7	Revoked	V. 27, p. 1835
22-6-8	Revoked	V. 27, p. 1835
22-6-9	Amended	V. 27, p. 1835
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22-6-13	Revoked	V. 27, p. 1835
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22-24-3	Amended	V. 28, p. 1367

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26-39-278	Revoked	V. 28, p. 649
28-39-427	Revoked	V. 28, p. 649
26-41-101 through 26-41-106	New	V. 28, p. 649-651
26-41-200 through 26-41-207	New	V. 28, p. 652-657
26-42-101	New	V. 28, p. 657
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26-42-104	New	V. 28, p. 659
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26-42-200 through 26-42-207	New	V. 28, p. 659-664
26-44-101 through 26-44-106	New	V. 28, p. 664-667
26-43-200 through 26-43-207	New	V. 28, p. 667-671

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28-4-120	Amended	V. 27, p. 990
28-4-121	New	V. 27, p. 990
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28-4-430	Amended	V. 27, p. 991
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28-16-28g	Amended	V. 27, p. 779
28-23-16	Revoked	V. 27, p. 191
28-32-1	Revoked	V. 27, p. 247
28-32-2	Revoked	V. 27, p. 247
28-32-4	Revoked	V. 27, p. 247
28-32-5	Revoked	V. 27, p. 247
28-32-6	Revoked	V. 27, p. 247
28-32-7	Revoked	V. 27, p. 247
28-32-8 through 28-32-14	New	V. 27, p. 247-249
28-36-33 through 28-36-49	Revoked	V. 27, p. 73
28-36-70 through 28-36-89	New	V. 27, p. 73-87
28-38-18	Amended	V. 27, p. 1742
28-38-19	Amended	V. 27, p. 1743
28-38-21	Amended	V. 27, p. 1743
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28-38-23	Amended	V. 27, p. 1744
28-38-29	Amended	V. 27, p. 1745
28-39-145a	Revoked	V. 28, p. 623
28-39-146	Revoked	V. 28, p. 623
28-39-147	Revoked	V. 28, p. 623
28-39-148	Revoked	V. 28, p. 623
28-39-164 through 28-39-168	Amended	V. 28, p. 798-800
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28-39-425 through 28-39-436	Revoked	V. 28, p. 672

28-45b-1 through 28-45b-28	New	V. 28, p. 973-988
28-53-1 through 28-53-5	Amended	V. 28, p. 240, 241
28-59-5	Amended	V. 27, p. 462
28-61-11	Amended	V. 27, p. 464
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28-73-1	Amended	V. 28, p. 74

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30-5-78	Revoked	V. 27, p. 1022
30-10-15a	Revoked	V. 27, p. 1345
30-10-15b	Revoked	V. 27, p. 1345
30-10-17	Revoked	V. 27, p. 1345
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30-10-26	Revoked	V. 27, p. 1346
30-10-27	Revoked	V. 27, p. 1346
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30-10-210	Revoked	V. 27, p. 1346
30-45-20	New	V. 28, p. 966
30-46-10	Amended	V. 28, p. 966
30-46-17	Amended	V. 28, p. 967
30-63-32	New	V. 27, p. 664
30-64-24	Revoked	V. 27, p. 665

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40-3-30	Amended	V. 28, p. 112
40-3-52	New	V. 27, p. 133
40-4-35	Amended	V. 28, p. 915
40-4-36	Amended	V. 28, p. 1252
40-4-37v	New	V. 28, p. 643
40-4-41	Amended	V. 27, p. 434
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40-7-20a	Amended	V. 28, p. 604

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44-6-115a	Amended	V. 27, p. 1134
44-6-125	Amended	V. 27, p. 1135
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49-45-4	Amended	V. 27, p. 1466
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60-1-104	Amended	V. 27, p. 1603

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60-2-104	Amended	V. 27, p. 1606
60-2-105	Amended	V. 28, p. 197
60-2-106	Amended	V. 28, p. 197
60-2-107	Amended	V. 27, p. 1606
60-2-108	Amended	V. 27, p. 1607
60-3-106	Amended	V. 27, p. 1607
60-3-106a	Amended	V. 27, p. 1608
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60-3-114	New	V. 27, p. 1608
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60-9-105	Amended	V. 28, p. 197
60-9-107	Amended	V. 28, p. 198

60-11-101 through 60-11-105	Amended	V. 28, p. 1252-1254
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63-4-1	Amended	V. 27, p. 108

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66-12-1	Amended	V. 28, p. 44
66-14-1	Amended	V. 28, p. 44
66-14-2	Amended	V. 28, p. 45
66-14-3	Amended	V. 28, p. 45
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68-16-3	Amended	V. 28, p. 342
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68-18-3	New	V. 27, p. 1858
68-19-1	New	V. 28, p. 342
68-20-23	New (T)	V. 27, p. 1709
68-20-23	New	V. 28, p. 192

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-3-8	Amended (T)	V. 28, p. 923
69-11-1	Amended	V. 28, p. 298

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-9-1 through 71-9-4	New	V. 27, p. 1878
71-10-1 through 71-10-4	New	V. 27, p. 1879
71-11-1	New	V. 28, p. 1187

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-7	Amended	V. 28, p. 643
74-4-8	Amended	V. 28, p. 644
74-4-9	Amended	V. 27, p. 627

(continued)

74-4-10	Amended	V. 27, p. 627
74-5-2	Amended	V. 28, p. 645
74-5-2a	New	V. 28, p. 646
74-5-101	Amended	V. 28, p. 646
74-5-102	Amended	V. 28, p. 646
74-5-103	Amended	V. 28, p. 646
74-5-201	Amended	V. 28, p. 646
74-5-202	Amended	V. 28, p. 646
74-5-301	Amended	V. 28, p. 647
74-5-302	Amended	V. 28, p. 647
74-5-401	Amended	V. 28, p. 647
74-5-403	Amended	V. 28, p. 647
74-5-405a	Amended	V. 28, p. 647
74-5-406	Amended	V. 28, p. 647
74-7-4	Amended	V. 28, p. 648
74-11-6	Amended	V. 28, p. 648

AGENCY 75: OFFICE OF THE STATE BANK COMMISSIONER—CONSUMER AND MORTGAGE LENDING DIVISION

Reg. No.	Action	Register
75-6-1	Amended	V. 28, p. 1367
75-6-9	Amended	V. 28, p. 1367
75-6-31	Amended	V. 28, p. 1367
75-6-33	Revoked	V. 28, p. 1368
75-6-34	Revoked	V. 28, p. 1368
75-6-36	New	V. 28, p. 1368
75-6-37	New	V. 28, p. 1368
75-6-38	New	V. 28, p. 1368

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-3-2	Amended	V. 27, p. 1801
81-3-6	Amended	V. 28, p. 606
81-5-7	Amended	V. 27, p. 1156
81-5-14	Amended	V. 28, p. 571
81-7-2	Amended	V. 27, p. 1156
81-14-1	Amended	V. 27, p. 1157
81-14-2	Amended	V. 27, p. 1801
81-14-5	Amended	V. 28, p. 610
81-14-9	Amended	V. 27, p. 1163

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-107	Amended	V. 27, p. 1518
82-3-108	Amended	V. 27, p. 1519
82-3-111	Amended	V. 27, p. 1520
82-3-135a	Amended	V. 27, p. 1521
82-3-135b	Amended	V. 27, p. 1521
82-3-138	Amended	V. 27, p. 1521
82-3-402	Amended	V. 27, p. 1521
82-4-3a		
through		
82-4-3d	Amended	V. 28, p. 1373-1385
82-4-3e	Revoked	V. 28, p. 1386
82-4-3f		
through		
82-4-3m	Amended	V. 28, p. 1386-1397
82-4-20	Amended	V. 28, p. 1397
82-4-30a	Amended	V. 27, p. 1020
82-11-4	Amended	V. 28, p. 917
82-11-10	Amended	V. 28, p. 922
82-14-1		
through		
82-14-5	Amended	V. 28, p. 967-971
82-14-6	New	V. 28, p. 972

AGENCY 84: PUBLIC EMPLOYEE RELATIONS BOARD

Reg. No.	Action	Register
84-2-1	Amended	V. 28, p. 872

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-3-19	Amended (T)	V. 27, p. 1090
86-3-19	Amended	V. 27, p. 1517
86-3-30	New (T)	V. 27, p. 1091
86-3-30	New	V. 27, p. 1517

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-29-1	Amended (T)	V. 28, p. 1101
88-29-4	Amended (T)	V. 28, p. 1102

88-29-5	Amended (T)	V. 28, p. 1103
88-29-7	Amended (T)	V. 28, p. 1103
88-29-8	Amended (T)	V. 28, p. 1103
88-29-8a	New (T)	V. 28, p. 1103
88-29-8b	New (T)	V. 28, p. 1104
88-29-9	Amended (T)	V. 28, p. 1104
88-29-11	Amended (T)	V. 28, p. 1105
88-29-12	Amended (T)	V. 28, p. 1106
88-29-18	Amended (T)	V. 28, p. 1107
88-29-19	Amended (T)	V. 28, p. 1108

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-200	Amended	V. 28, p. 1222
91-1-201	Amended	V. 27, p. 1028
91-1-202	Amended	V. 28, p. 1223
91-1-203	Amended	V. 28, p. 1225
91-1-204	Amended	V. 28, p. 1229
91-1-205	Amended	V. 28, p. 1232
91-1-207	Amended	V. 27, p. 1037
91-1-209	Amended	V. 27, p. 1037
91-1-210	Amended	V. 27, p. 1038
91-1-216	Amended	V. 28, p. 1233
91-1-220	Amended	V. 27, p. 1038
91-1-221	Amended	V. 27, p. 1040
91-19-1	Amended	V. 27, p. 1041
91-19-6	Amended	V. 27, p. 1041
91-40-1	Amended	V. 27, p. 274
91-40-2	Amended	V. 27, p. 279
91-40-3	Amended	V. 27, p. 279
91-40-5	Amended	V. 27, p. 280
91-40-7		
through		
91-40-12	Amended	V. 27, p. 281-284
91-40-16	Amended	V. 27, p. 285
91-40-17	Amended	V. 27, p. 285
91-40-21	Amended	V. 27, p. 286
91-40-22	Amended	V. 27, p. 287
91-40-26		
through		
91-40-31	Amended	V. 27, p. 287-289
91-40-33	Amended	V. 27, p. 290
91-40-34	Amended	V. 27, p. 290
91-40-35	Amended	V. 27, p. 290
91-40-37	Revoked	V. 27, p. 291
91-40-38	Amended	V. 27, p. 291
91-40-39	Revoked	V. 27, p. 291
91-40-41	Amended	V. 27, p. 291
91-40-42	Amended	V. 27, p. 291
91-40-42a	New	V. 27, p. 292
91-40-43	Amended	V. 27, p. 293
91-40-44	Amended	V. 27, p. 293
91-40-45	Amended	V. 27, p. 293
91-40-46	Amended	V. 27, p. 294
91-40-48	Amended	V. 27, p. 294
91-40-50	Amended	V. 27, p. 294
91-40-51	Amended	V. 27, p. 295

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-114	New	V. 27, p. 865
92-12-140		
through		
92-12-145	New	V. 27, p. 866, 867
92-12-145	Amended	V. 28, p. 604
92-19-70	Revoked	V. 27, p. 868
92-26-1	Amended	V. 28, p. 170
92-26-4	Amended	V. 28, p. 170
92-28-1		
through		
92-28-4	New	V. 28, p. 113
92-52-14	New	V. 27, p. 1214
92-52-15	New	V. 27, p. 1214
92-52-16	New	V. 27, p. 1215

AGENCY 94: COURT OF TAX APPEALS

Reg. No.	Action	Register
94-2-1		
through		
94-2-5	Amended (T)	V. 27, p.1091-1093
94-2-1		
through		
94-2-5	Amended	V. 27, p.1522-1524

94-2-8		
through		
94-2-16	Amended (T)	V. 27, p. 1093-1095
94-2-8		
through		
94-2-16	Amended	V. 27, p. 1524-1526
94-2-19	Amended (T)	V. 27, p. 1095
94-2-19	Amended	V. 27, p. 1527
94-2-20	Amended (T)	V. 27, p. 1096
94-2-20	Amended	V. 27, p. 1527
94-2-21	Amended (T)	V. 27, p. 1096
94-2-21	Amended	V. 27, p. 1528
94-3-1	Amended (T)	V. 27, p. 1097
94-3-1	Amended	V. 27, p. 1529
94-3-2	Amended (T)	V. 27, p. 1098
94-3-2	Amended	V. 27, p. 1529
94-4-1	Amended (T)	V. 27, p. 1098
94-4-1	Amended	V. 27, p. 1530
94-4-2	Amended (T)	V. 27, p. 1098
94-4-2	Amended	V. 27, p. 1530

Agency 97: COMMISSION ON VETERANS' AFFAIRS

Reg. No.	Action	Register
97-1-1	Revoked	V. 28, p. 459
97-1-1a	New	V. 28, p. 459
97-1-2	Revoked	V. 28, p. 460
97-1-2a	New	V. 28, p. 460
97-1-3	Revoked	V. 28, p. 460
97-1-3a	New	V. 28, p. 460
97-1-4	Revoked	V. 28, p. 460
97-1-4a	New	V. 28, p. 460
97-1-5	Revoked	V. 28, p. 461
97-1-5a	New	V. 28, p. 461
97-1-6a	New	V. 28, p. 461
97-2-1	Revoked	V. 28, p. 462
97-2-1a	New	V. 28, p. 462
97-2-2	Revoked	V. 28, p. 462
97-2-2a	New	V. 28, p. 462
97-2-3		
through		
97-2-8	Revoked	V. 28, p. 462
97-3-1	Revoked	V. 28, p. 462
97-3-1a	New	V. 28, p. 462
97-3-2	Revoked	V. 28, p. 462
97-3-2a	New	V. 28, p. 462
97-3-3	Revoked	V. 28, p. 463
97-3-3a	New	V. 28, p. 463
97-3-4		
through		
97-3-9	Revoked	V. 28, p. 463
97-4-1a	New	V. 28, p. 463

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

Reg. No.	Action	Register
99-25-1	Amended	V. 27, p. 108
99-25-5	Amended	V. 28, p. 522
99-25-9	Amended	V. 27, p. 108
99-25-11	New	V. 27, p. 109
99-26-1	Amended	V. 28, p. 522
99-27-2	Amended	V. 27, p. 1019
99-27-3	Revoked	V. 27, p. 1019
99-27-4	Amended	V. 27, p. 1019
99-27-5	Amended	V. 27, p. 1019

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended (T)	V. 27, p. 1602
100-11-1	Amended	V. 28, p. 112
100-22-8	Revoked	V. 27, p. 357
100-22-8a	New	V. 27, p. 357
100-28a-1	Amended (T)	V. 27, p. 1602
100-28a-1	Amended	V. 28, p. 112
100-28a-10	Amended	V. 28, p. 572
100-29-7	Amended	V. 27, p. 209
100-29-16	Amended	V. 28, p. 1060
100-49-4	Amended (T)	V. 28, p. 923
100-49-4	Amended	V. 28, p. 1281
100-54-4	Amended	V. 27, p. 209
100-55-4	Amended	V. 27, p. 209
100-55-7	Amended	V. 28, p. 1061
100-55-9	Amended	V. 28, p. 572
100-69-1	Amended	V. 27, p. 1672

100-69-2	Revoked	V. 27, p. 1672
100-69-10	Amended	V. 28, p. 572
100-72-1	Amended (T)	V. 27, p. 1602
100-72-1	Amended	V. 28, p. 112
100-72-7	Amended	V. 28, p. 273
100-73-1	Amended (T)	V. 28, p. 923
100-73-1	Amended	V. 28, p. 1282
100-73-9	Amended	V. 27, p. 315

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-8a	New	V. 28, p. 114
102-1-12	Amended	V. 27, p. 407
102-1-13	Amended (T)	V. 28, p. 1101
102-2-7	Amended	V. 27, p. 1801
102-2-8	Amended	V. 28, p. 114
102-2-11a	New	V. 28, p. 116
102-2-12	Amended	V. 28, p. 116
102-3-9b	New	V. 28, p. 117
102-3-12a	Amended	V. 27, p. 1117
102-4-1a	Amended	V. 27, p. 1803
102-4-6a	Amended	V. 27, p. 1805
102-4-6b	New	V. 27, p. 1806
102-4-9b	New	V. 28, p. 117
102-4-10a	Amended	V. 27, p. 1806
102-4-12	Amended	V. 27, p. 1120
102-5-9a	New	V. 28, p. 118
102-5-12	Amended	V. 27, p. 1122
102-6-9a	New	V. 28, p. 118
102-6-12	Amended	V. 27, p. 1124

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-11-1	Amended	V. 27, p. 1838
105-11-1	Amended (T)	V. 28, p. 1079

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-4	Amended	V. 28, p. 1062

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-2-9	Amended	V. 28, p. 1030
109-3-1	Amended	V. 28, p. 1030
109-5-2	Amended	V. 28, p. 574
109-5-3	Amended	V. 28, p. 574
109-5-5	New	V. 27, p. 1548
109-5-6	New	V. 28, p. 575
109-6-3	Revoked	V. 28, p. 575
109-15-1	New	V. 28, p. 575
109-15-2	New	V. 28, p. 576

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-13a-1	New	V. 27, p. 1063
110-13a-2	New	V. 27, p. 1063
110-13a-3	New	V. 27, p. 1064
110-19-1 through 110-19-4	New	V. 27, p. 1064, 1065
110-20-1 through 110-20-4	New	V. 27, p. 1065, 1066

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 by the Kansas Lottery from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed by the Kansas Lottery from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed by the Kansas Lottery from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. The following regulations were filed after January 1, 2008:

Reg. No.	Action	Register
111-2-211	New	V. 27, p. 992
111-2-212	New	V. 27, p. 1559

111-2-213	New	V. 27, p. 1560
111-2-214 through 111-2-218	New	V. 28, p. 10, 11
111-2-216	Amended	V. 28, p. 383
111-2-217	Amended	V. 28, p. 383
111-2-219 through 111-2-223	New	V. 28, p. 46, 47
111-2-224	New	V. 28, p. 853
111-4-2614	Amended	V. 27, p. 964
111-4-2645 through 111-4-2656	New	V. 27, p. 436-442
111-4-2657 through 111-4-2662	New	V. 27, p. 992-996
111-4-2663	New	V. 27, p. 1489
111-4-2664 through 111-4-2683	New	V. 27, p. 1560-1570
111-4-2680	Amended	V. 28, p. 11
111-4-2684 through 111-4-2702	New	V. 27, p. 1634-1644
111-4-2695	Amended	V. 27, p. 1709
111-4-2703 through 111-4-2710	New	V. 27, p. 1672-1677
111-4-2711 through 111-4-2715	New	V. 27, p. 1677-1680
111-4-2716 through 111-4-2726	New	V. 27, p. 1709-1718
111-4-2727 through 111-4-2744	New	V. 27, p. 1746-1761
111-4-2745 through 111-4-2754	New	V. 28, p. 11-20
111-4-2755 through 111-4-2766	New	V. 28, p. 47-55
111-4-2767 through 111-4-2779	New	V. 28, p. 274-278
111-4-2781	New	V. 28, p. 278
111-4-2782	New	V. 28, p. 279
111-4-2783	New	V. 28, p. 281
111-4-2784	New	V. 28, p. 298
111-4-2785 through 111-4-2790	New	V. 28, p. 342-346
111-4-2791 through 111-4-2799	New	V. 28, p. 383-389
111-4-2800 through 111-4-2814	New	V. 28, p. 516-522
111-4-2815 through 111-4-2838	New	V. 28, p. 853-871
111-4-2840 through 111-4-2848	New	V. 28, p. 1031-1034
111-4-2849 through 111-4-2855	New	V. 28, p. 1109-1113
111-4-2856 through 111-4-2867	New	V. 28, p. 1188-1196
111-4-2868 through 111-4-2878	New	V. 28, p. 1342-1348
111-5-23 through 111-5-28	Amended	V. 28, p. 299-302
111-5-33	Amended	V. 28, p. 303
111-5-81	Amended	V. 27, p. 1490
111-5-83	Amended	V. 27, p. 1490
111-5-84	Amended	V. 27, p. 1491
111-5-90	Amended	V. 27, p. 1491
111-5-127	Amended	V. 27, p. 442
111-5-128	Amended	V. 27, p. 443
111-5-132	Amended	V. 27, p. 443

111-5-165 through 111-5-169	New	V. 27, p. 1491-1493
111-5-170 through 111-5-174	New	V. 28, p. 347, 348
111-7-80a	Amended	V. 28, p. 282
111-7-223 through 111-7-232	New	V. 27, p. 1493-1495
111-7-223a	New	V. 27, p. 1762
111-7-233 through 111-7-237	New	V. 28, p. 57, 58
111-7-238 through 111-7-242	New	V. 28, p. 283, 284
111-9-152	New	V. 27, p. 1762
111-9-153	New	V. 28, p. 20
111-9-154	New	V. 28, p. 21
111-9-155	New	V. 28, p. 22
111-9-156	New	V. 28, p. 390
111-9-157	New	V. 28, p. 1114
111-9-158	New	V. 28, p. 1115
111-9-159	New	V. 28, p. 1349
111-9-160	New	V. 28, p. 1349
111-14-4	New	V. 28, p. 22
111-14-5	New	V. 28, p. 23
111-14-6	New	V. 28, p. 24

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-12-15	New	V. 28, p. 797
112-13-6	New	V. 28, p. 376
112-100-1 through 112-100-7	New	V. 27, p. 1378
112-101-1 through 112-101-16	New	V. 28, p. 376-379
112-102-1 through 112-102-13	New	V. 28, p. 1161-1163
112-103-1 through 112-103-12	New	V. 28, p. 376-382
112-103-15	New	V. 28, p. 382
112-103-16	New	V. 28, p. 382
112-104-1 through 112-104-33	New	V. 27, p. 1378-1406
112-105-1 through 112-105-7	New	V. 27, p. 1406-1408
112-106-1 through 112-106-7	New	V. 27, p. 1408-1411
112-107-1	New	V. 28, p. 424
112-107-2	New	V. 28, p. 424
112-107-3	New	V. 28, p. 424
112-107-5	New	V. 28, p. 428
112-107-6	New	V. 28, p. 428
112-107-7	New	V. 28, p. 428
112-107-9	New	V. 28, p. 429
112-107-10	New	V. 28, p. 429
112-107-11	New	V. 28, p. 430
112-107-13 through 112-107-32	New	V. 28, p. 430-440
112-107-34	New	V. 28, p. 441
112-110-1 through 112-110-13	New	V. 28, p. 464-470
112-111-1 through 112-111-5	New	V. 28, 470-472
112-112-1 through 112-112-9	New	V. 27, p. 1411-1413
112-113-1	New	V. 28, p. 382
112-114-1 through 112-114-6	New	V. 28, p. 472

(continued)

112-114-8 through
 112-114-12 New V. 28, p. 472, 473
 112-114-14 New V. 28, p. 473

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 27, p. 1704
115-2-3	Amended	V. 27, p. 1264
115-2-3a	Amended	V. 27, p. 1705
115-2-5	Amended	V. 27, p. 1265
115-4-1	Amended	V. 28, p. 569
115-4-4	Amended	V. 27, p. 403
115-4-4a	Amended	V. 27, p. 403
115-4-6	Amended	V. 27, p. 109
115-4-6a	Revoked	V. 27, p. 112
115-4-13	Amended	V. 27, p. 404
115-4-14	Revoked	V. 27, p. 112
115-5-1	Amended	V. 28, p. 1250
115-5-2	Amended	V. 28, p. 1251
115-6-1	Amended	V. 28, p. 1251
115-7-1	Amended	V. 27, p. 1707
115-7-2	Amended	V. 27, p. 1708
115-7-8	Amended	V. 27, p. 405
115-7-9	Amended	V. 27, p. 406
115-8-1	Amended	V. 28, p. 571
115-8-9	Amended	V. 27, p. 1265
115-8-10	Amended	V. 27, p. 1265
115-8-13	Amended	V. 27, p. 112
115-15-1	Amended	V. 28, p. 1079
115-15-2	Amended	V. 28, p. 1080
115-18-7	Amended	V. 27, p. 406
115-18-21	New	V. 27, p. 1708

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 28, p. 373
117-2-2a	Amended	V. 28, p. 373
117-3-1	Amended	V. 28, p. 1027
117-3-2a	Amended	V. 28, p. 373
117-4-1	Amended	V. 28, p. 1028
117-4-2a	Amended	V. 28, p. 374
117-5-2	Amended	V. 28, p. 374
117-5-2a	Amended	V. 28, p. 375
117-6-1	Amended	V. 28, p. 1029
117-7-1	Amended	V. 28, p. 375
117-10-1	New	V. 28, p. 375

AGENCY 121: DEPARTMENT OF CREDIT UNIONS

Reg. No.	Action	Register
121-9-1	Amended	V. 28, p. 457
121-10-1	New	V. 27, p. 1099
121-10-2	New	V. 27, p. 1099
121-11-1	New	V. 28, p. 457
121-11-2	New	V. 28, p. 457
121-12-1	New	V. 28, p. 459

AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION

Reg. No.	Action	Register
127-2-1	New	V. 28, p. 192
127-2-2	New	V. 28, p. 192
127-2-3	New	V. 28, p. 193

AGENCY 128: DEPARTMENT OF COMMERCE—KANSAS ATHLETIC COMMISSION

Reg. No.	Action	Register
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128-1-1	New	V. 27, p. 358

128-2-1	New	V. 27, p. 360
128-2-3 through 128-2-13	New	V. 27, p. 360-362
128-2-12	New (T)	V. 27, p. 107
128-3-1	New	V. 27, p. 362
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128-6-4	New	V. 27, p. 374

AGENCY 129: KANSAS HEALTH POLICY AUTHORITY

Reg. No.	Action	Register
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129-5-78	New	V. 27, p. 1022
129-5-108	Amended	V. 27, p. 1346
129-10-15a	New	V. 27, p. 1346
129-10-15b	New	V. 27, p. 1348
129-10-17	New	V. 27, p. 1348
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129-10-210	New	V. 27, p. 1358

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