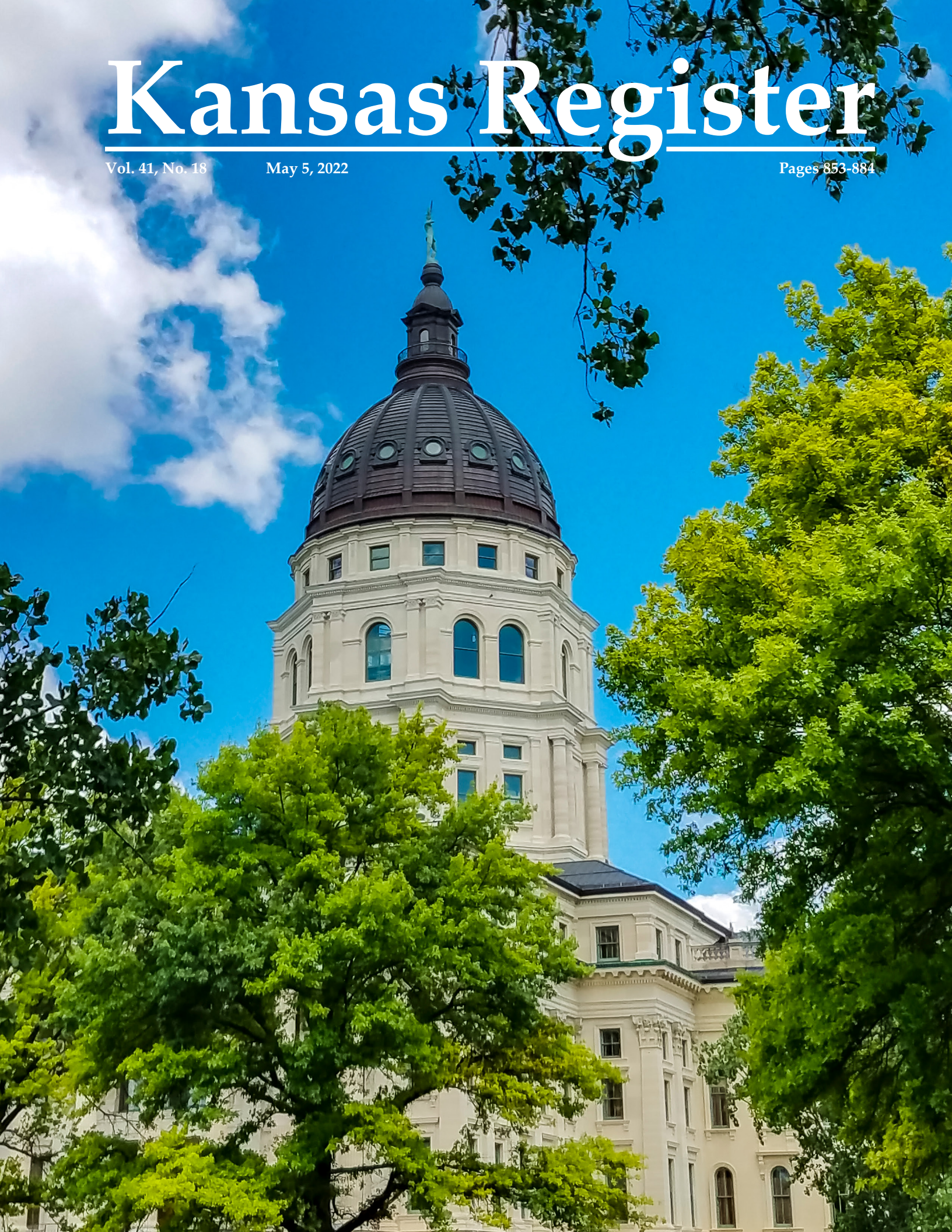


# Kansas Register

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May 5, 2022

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The Kansas Register is an official publication of the state of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly and a cumulative index is published annually by the Kansas Secretary of State.

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

**Effective 5-2-22 through 5-8-22**

Term	Rate
1-89 days	0.33%
3 months	1.03%
6 months	1.46%
12 months	2.12%
18 months	2.47%
2 years	2.64%

Scott Miller  
Director of Investments

Doc. No. 050092

State of Kansas

**Secretary of State**

**Code Mortgage Rate for May**

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of May 1-31, 2022, is 12 percent. The reference rate referred to in the definition of "code mortgage rate" set forth in K.S.A. 16a-1-301(11)(b)(i) is discontinued, has become impractical to use, and/or is otherwise not readily ascertainable from the Federal Home Loan Mortgage Corporation.

Scott Schwab  
Secretary of State

Doc. No. 050094

State of Kansas

**Wichita State University**

**Notice of Intent to Lease Real Property**

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to four acres of real property located on the Wichita State University's campus designated as the "Innovation Campus," for the private development and operation of a partnership building or buildings. The university is interested in leasing such ground to any individual, organization, or entity whose presence on campus would advance the university's applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. The university intends to lease such space for a mutually agreeable period of time up to sixty years, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with the university's educational mission and identify anticipated benefits to the university, its students, and the WSU community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, etc.), and must agree to the

essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU, design concepts, financial stability, and proposed use. Interested tenants will be required to construct adjacent and adequate surface parking that will not be included in the leased ground. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of building improvement, and benefit to the university. The university will consider serious offers and inquiries with detailed proposal terms from any financially qualified individual, group, organization. If interested, please contact Senior Vice President for Industry and Defense Programs, Dr. John Tomblin at [john.tomblin@wichita.edu](mailto:john.tomblin@wichita.edu) or Property Manager Crystal Stegeman at [crystal.stegeman@wichita.edu](mailto:crystal.stegeman@wichita.edu). This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman  
University Property Manager  
Office of the Vice President for  
Administration and Finance

Doc. No. 050070

State of Kansas

**Department of Health and Environment**

**Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal**

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Wellington Municipal Power Plant #2 has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

Wellington Municipal Power Plant #2, 317 S. Washington St., Wellington, KS 67152, owns and operates a fossil fuel power generating turbine located at 151 S. Seneca Rd., Wellington, KS 67152.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the South Central District Office, 300 W. Douglas, Suite 700, Wichita, KS 67202-2921. To obtain or review the proposed permit and supporting documentation, contact Jonathan Tennis, 785-296-1581, at the central office of the KDHE or Allison Herring, 316-337-6042, at the South Central District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

(continued)

Please direct written comments or questions regarding the proposed permit to Jonathan Tennis, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, June 6, 2022.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Jonathan Tennis, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, June 6, 2022, in order for the Secretary of Health and Environment to consider the request.

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Keith Johnson, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Janet Stanek  
Secretary

Doc. No. 050100

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57a through 63, 28-18-1 through 17, 28-18a-1 through 31 and 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued,

subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-22-110/115

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
St. Francis Feedyard, LLC 1170 Road 11 St. Francis, KS 67756	W/2 of Section 07 T04S, R40W Cheyenne County	Upper Republican River Basin

Kansas Permit No. A-URCN-C003  
Federal Permit No. KS00289486

This permit is being modified and reissued for an existing facility with maximum capacity of 10,000 head (10,000 animal units) of cattle more than 700 pounds. An area of 7.5 acres of pens will be constructed within the existing extraneous drainage area at the facility. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Noll Farms Mark Noll 1023 330th St. Hiawatha, KS 66434	SW/4 of Section 14 & SE/4 of Section 15 T01S, R16E Brown County	Missouri River Basin

Kansas Permit No. A-MOBR-S007

The proposed action is to modify and reissue an existing state permit for an existing facility with a maximum capacity of 850 head (340 animal units) of swine more than 55 pounds, 300 head (30 animal units) of swine 55 pounds or less, and 300 head (300 animal units) of cattle more than 700 pounds, for a total of 670 animal units. This represents a decrease in the permitted animal units from the previous permit. This permit is also being modified to incorporate details in the facility description about decommissioned areas of the facility and add new reporting and record keeping requirements. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Jerry Regier 5119 NE 12th Newton, KS 67114	NW/4 of Section 18 T23S, R02E Harvey County	Little Arkansas River Basin

Kansas Permit No. A-LAHV-S024

The proposed action is to reissue an existing state permit for an existing facility for 524 head (209.6 animal units) of swine more than 55 pounds and 246 head (24.6 animal units) of swine 55 pounds or less, for a total of 770 head (234.2 animal units) of swine. At time of permit issuance facility is unpopulated. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Double B & S Cattle, Co. - Yard 2 10320 Wrangler Rd. Fowler, KS 67844	SE/4 of Section 34 T29S, R26W Ford County	Cimarron River Basin

Kansas Permit No. A-CIFO-B001

The proposed action is to reissue an existing state permit for an existing facility 574 head (287 animal units) of cattle more than 700 pounds and 6 head (12 animal units) of horses, for a total of 299 animal units of cattle and horses, or 287 head (287 animal units) of cattle more than 700 pounds and 6 head (12 animal units) of horses, for a total of 299 animal units of cattle and horses, or a combination of the two with the total of cattle confined at any one time not exceeding 299 animal units. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Henry's LTD Roy Henry 822 6th Rd. Longford, KS 67458	NW/4 of Section 08 & SE/4 of Section 05 T10S, R02E Clay County	Smoky Hill River Basin

Kansas Permit No. A-SHCY-H001  
Federal Permit No. KS0017401

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 13,836 head (5,534.4 animal units) of swine weighing greater than 55 pounds and 8,596 head (859.6 animal units) of swine weighing 55 pounds or less; for a total of 22,432 head (6,394 animal units) of swine. The facility's NMP was updated to include less-limiting rate limitation changes for three fields. There are no changes to the permit or in the permitted number of animal units. Only the updated portions of the Nutrient Management Plan are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Decatur County Beef, LLC Scott Foote 2361 US-83 hwy. Oberlin, KS 67749	SE/4 & W/2 of Section 01 & N/2 of Section 12 T02S, R29W Decatur County	Upper Republican River Basin

Kansas Permit No. A-URDC-C002  
Federal Permit No. KS0115690

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 60,000 head (60,000 animal units) of beef greater than 700 pounds. The facility's NMP was updated to include the addition of nine new land application fields. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

**Public Notice No. KS-Q-22-041/043**

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
N.R. Hamm Quarry, Inc. PO Box 17 Perry, KS 66073	Kansas River via Stranger Creek	Process Wastewater

Kansas Permit No. I-KS13-PO02  
Federal Permit No. KS0118486

Legal Description: SW¼, S7, T8S, R21E, Leavenworth County, Kansas  
Facility Name: Pennington Quarry #66

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a limestone quarrying and crushing operation, with some rock washing. The wash-water generated on site and stormwater runoff is treated by a settling pond and does not discharge. Outfall 001A and 002A consist of quarry pit water and stormwater runoff. The proposed permit includes generic language to protect the waters of the State.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Jefferson County R.W.D. #13 1951 Wellman Rd. Lawrence, KS 66044	Kansas River via Mud Creek	Process Wastewater

Kansas Permit No. I-KS31-PO20  
Federal Permit No. KS0096814

Legal Description: SE¼, S8, T12S, R20E, Douglas County, Kansas  
Facility Name: Jefferson County RWD #13 Lime Softening Water Treatment Plant  
Facility Location: 1915 E. 1600 Rd., Lawrence, KS 66044

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a lime softening water treatment plant that treats groundwater from two Kansas River alluvial wells. Wastewater from the lime softening operation is discharged to a two-cell lagoon system for treatment, which has a 0.69 surface area. Treatment sequence features a pre-chlorination unit, an aerator, a polymer feed system, a dual lime basin and filter backwash system. The proposed permit includes limits for total residual chlorine, total suspended solids, and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
St. John, City of PO Box 367 St. John, KS 67576	Rattlesnake Creek	Treated Domestic Wastewater

Kansas Permit No. M-AR77-OO01  
Federal Permit No. KS0027791

Legal Description: SW¼, SW¼, SW¼, S21, T23S, R13W, Stafford County, Kansas  
Facility Location: NW 10th Avenue and NE 50th Street

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a three-cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and ammonia, as well as limits for pH, E. coli, and total phosphorus. This NPDES discharging lagoon wastewater treatment facility has been reviewed for eligibility for the MDV for ammonia and has been determined to be eligible. Eligibility was determined through analysis of the facility's highest attainable condition (HAC) for ammonia and an Economic Eligibility Determination (EED) that assessed the impact of the cost of a new mechanical facility to the community's rate payers. The ammonia effluent limit was determined on 10/22/2021 by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports resulting in an ammonia limit of 2.7 mg/L for this facility. The EED was completed on 3/7/2022.

**Public Notice No. KS-PT-22-005**

The requirements of the draft permit public noticed below are pursuant to the Kansas Administrative Regulations 28-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403.

Name and Address of Applicant	Receiving Facility	Type of Discharge
Watco Companies, Inc. 315 W. 3rd St. Pittsburg, KS 66762	Neodesha Municipal Wastewater Treatment Plant	Process Wastewater

Kansas Permit No. P-VE29-OO03  
Federal Permit No. KSP000094

Facility Name: Watco Mechanical Services, LLC  
Facility Location: 701 Klayder Dr., Neodesha, KS 66757

The proposed action is to reissue an existing pretreatment permit for an existing facility. This facility repairs and rebuilds tank and hopper railcars and has a primary Standard Industrial Classification (SIC) code of 4789. Approximately 50% of the rail cards cleaned may contain petroleum products, 32% may contain food grade products and 18% may contain chemical products. Since this area does not have a roof, contaminated storm-water runoff is also considered process wastewater. Process wastes can be neutralized and treated using a DAF system, if necessary, before being discharged to the city sanitary sewer. The proposed permit contains pretreatment limitations for pH, non-polar material, fluoranthene, and phenanthrene.

(continued)

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment (KDHE) if they wish to have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before June 4, 2022 will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-22-110/115, KS-Q-22-041/043, KS-PT-22-005) and name of the applicant/permittee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues 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). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

Comments or objections for agricultural related draft documents, permit applications, registrations or actions should be submitted to the attention of Paige Drury, Livestock Waste Management Section at the KDHE, Bureau of Environmental Field Services (BEFS), 1000 SW Jackson, Suite 430, Topeka, KS 66612. Comments or objections for all other proposed permits or actions should be sent to Michael Beezhold at the KDHE, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Mirina Landry at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at [kdhe.feedlots@ks.gov](mailto:kdhe.feedlots@ks.gov). For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Christopher Zwiener, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-3056 or email at [Christopher.Zwiener@ks.gov](mailto:Christopher.Zwiener@ks.gov). 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 at <http://www.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek  
Secretary

Doc. No. 050097

## State of Kansas

### Department of Health and Environment

#### Notice of Proposed Permit Renewal Action

The Kansas Department of Health and Environment (KDHE) received a Resource Conservation and Recovery Act (RCRA) permit renewal application for hazardous waste storage from Univar Solutions USA, Inc. (Univar

Solutions), the owner and operator of the facility located at 5420 Speaker R.d, Kansas City, Kansas. KDHE is providing notice of their intent to renew the Univar Solutions RCRA permit, EPA identification number KSD057889313.

The permit will allow Univar Solutions to: receive and store hazardous waste in approved containers generated from on-site and off-site generators and operate one permitted hazardous waste storage pad with total storage capacity of 9,240 gallons (168 55-gallon containers) of containerized liquid and solid hazardous waste. The waste materials managed at the facility will include ignitable, corrosive, reactive, toxic, and listed liquid or solid hazardous wastes.

The draft permit is being considered for issuance under authority of the Kansas Statutes Annotated (K.S.A.) 65-3430 *et seq.* and Kansas Administrative Regulations (K.A.R.) 28-31-4 through 28-31-279a. Documents that support the draft permit conditions and all data submitted by the applicant are part of the administrative record.

State hazardous waste laws require that the public be given at least 45 days to review the administrative record for the draft permit prior to KDHE taking a final action. The purpose of having a public comment period is to ensure that interested parties have an opportunity to evaluate the conditions specified in the draft permit and to provide their input into the permit decision-making process. A copy of the administrative record which includes the draft permit, the fact sheet, the permit application, and all information pertaining to this permit action is available for public review May 5, 2022 through June 19, 2022, Monday through Friday, during normal business hours at the following locations:

Kansas Department of Health and Environment  
Hazardous Waste Permits Section  
1000 SW Jackson, Suite 320  
Topeka, KS 66612  
Contact: Kerri Kennedy  
785-296-6898

Kansas City Kansas Public Library  
W. Wyandotte Branch  
1737 N. 82nd St.  
Kansas City, KS 66112  
Contact: Linda Wolford  
913-295-8250 ext. 5030

Administrative records can also be accessed on the KDHE website at <https://www.kdhe.ks.gov/621/Hazardous-Waste-Public-Notices>.

Anyone wishing to comment on the draft permit should submit written comments postmarked no later than June 20, 2022 to the KDHE contact at the above listed address.

A public hearing has not been scheduled; however, any interested person may request a public hearing in writing which states the nature of the issues proposed to be raised in a public hearing. If written requests are received which indicate a significant degree of public interest in the draft permit, a public hearing will be scheduled, and advanced notice of hearing will be given to the public. After consideration of all comments received, the

Secretary of KDHE will make a final decision to issue or deny the permit. Notice of the Secretary’s decision will be given to the applicant, all persons who submitted written comments, those who commented at the public hearing, and those who requested notice of the final permit decision. If none of the comments received during the public comment period result in revision(s) to the draft permit, the permit will become effective immediately upon its issuance. If comments received during the public comment period result in revision(s), the permit will become effective 30 days after service of notice of the final decision to allow for public review of the revisions in accordance with 40 CFR 124.15 and K.A.R. 28-31-124(c)(8). Any appeal of the final permit decision must be filed within 15 days after service of notice in accordance with K.S.A 65-3440 and K.S.A. 77-601 *et seq.*

Janet Stanek  
Secretary

Doc. No. 050098

**State of Kansas  
Board of Regents Universities**

**Notice to Bidders**

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

**Emporia State University** – Bid postings: <https://www.emporia.edu/about-emporia-state-university/business-office/purchasing>. Additional contact information: phone: 620-341-5137, email: [purchaseorders@emporia.edu](mailto:purchaseorders@emporia.edu). Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Circle, Emporia, KS 66801.

**Fort Hays State University** – Electronic bid postings: <http://www.fhsu.edu/purchasing/bids>. Additional contact information: phone: 785- 628-4251, fax: 785-628-4046, email: [purchasing@fhsu.edu](mailto:purchasing@fhsu.edu). Mailing address: Fort Hays State University Purchasing Office, 601 Park St., Sheridan Hall 318, Hays, KS 67601.

**Kansas State University** – Bid postings: <https://dfs.ksucloud.net/rfq>. All bids must be submitted via Kansas State University’s Vendor Bid Submission Secure File Upload portal, <https://www.k-state.edu/finsvcs/purchasing/bidsubmission.html>. Additional contact information: phone: 785-532-6214, fax: 785-532-5577, email: [kspurch@k-state.edu](mailto:kspurch@k-state.edu). Mailing address: Division of Financial Services/Purchasing, 2323 Anderson Ave., Kansas State University, Manhattan, KS 66506.

**Pittsburg State University** – Bid postings: <https://www.pittstate.edu/office/purchasing>. Additional contact information: phone: 620-235-4169, email: [sburke@pittstate.edu](mailto:sburke@pittstate.edu). Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762.

**University of Kansas** – Electronic bid postings: <http://www.procurement.ku.edu>. Due to Covid-19, the University of Kansas will not be accepting paper bids until further notice. Additional contact information: phone: 785-864-5800, email: [purchasing@ku.edu](mailto:purchasing@ku.edu).

**University of Kansas Medical Center** – Electronic bid postings: <http://www.kumc.edu/finance/purchasing/bid-opportunities.html>. Additional contact information: phone: 913-588-1117, email: [hunkemoore@kumc.edu](mailto:hunkemoore@kumc.edu). Mailing address: University of Kansas Medical Center, Purchasing Department, Mail Stop 2034, 3901 Rainbow Blvd., Kansas City, KS 66160.

**Wichita State University** – Bid postings: <http://www.wichita.edu/purchasing>. Additional contact information: phone: 316-978-3080, fax: 316-978-3738, email: [purchasing.office@wichita.edu](mailto:purchasing.office@wichita.edu). Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 38, Wichita, KS 67260-0038.

Kathy Herrman  
Chair of Regents Purchasing Group  
Purchasing Director  
Fort Hays State University

Doc. No. 049784

**State of Kansas  
Department of Administration  
Office of Procurement and Contracts**

**Notice to Bidders**

Sealed bids for items listed will be received by the Office of Procurement and Contracts until 2:00 p.m. on the date indicated. For more information, call 785-296-2376.

All bids are to be submitted via email only to [procurement@ks.gov](mailto:procurement@ks.gov). For more information, please visit [https://supplier.sok.ks.gov/psc/sokfspdsc/SUPPLIER/ERP/c/SCP\\_PUBLIC\\_MENU\\_FL.SCP\\_PUB\\_BID\\_CMP\\_FL.GBL](https://supplier.sok.ks.gov/psc/sokfspdsc/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL).

05/19/2022	EVT0008586	Aggregate – Milford Wildlife Area
05/19/2022	EVT0008588	Aggregate – Perry Wildlife Area
05/20/2022	EVT0008583	Janitorial Services – El Dorado, KS
05/20/2022	EVT0008585	Recoating of Facility Showers – El Dorado Correctional Facility
05/20/2022	EVT0008587	HVAC Building Controls Systems – El Dorado Correctional Facility
05/26/2022	EVT0008584	Waiver Waitlist Study Services
05/31/2022	EVT0008568	Law Enforcement Mental Health Application
06/07/2022	EVT0008571	Family Functional Therapy Northeast
06/07/2022	EVT0008572	Family Functional Therapy West Central
06/07/2022	EVT0008574	PWS Tech Assistance
06/08/2022	EVT0008575	Public Water Supply Operator Training and Technical Assistance

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

(continued)

[https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP\\_PUBLIC\\_MENU\\_FL.SCP\\_PUB\\_BID\\_CMP\\_FL.GBL](https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL)

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

<https://admin.ks.gov/offices/procurement-contracts/bidding--contracts/additional-bid-opportunities>

05/19/2022	A-014485	KHP; Administration Building – Salina Auditorium Reroof
05/26/2022	A-014282	KSHS; Kansas Museum of History – Plaza and Drainage Improvements

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

Richard Beattie, Director  
Office of Procurement and Contracts

Doc. No. 050104

(Published in the Kansas Register May 5, 2022.)

## North Central Regional Planning Commission

### Notice to Bidders

Request for bids to upgrade a crisis negotiation team mobile unit will be accepted by the North Central Regional Planning Commission (NCRPC) until 10:00 a.m. (CDT) Thursday, May 19, 2022, at 109 N. Mill St., Beloit, KS 67420, at which time they will be publicly opened and read aloud at the same address. Copies of the Request for Bid and project specifications can be accessed by going to <http://procurement.ncrpc.org/HS/projects.html> or by contacting the NCRPC at 785-738-2218 or [hlscoordinator@ncrpc.org](mailto:hlscoordinator@ncrpc.org). This action is being taken on behalf of the Northeast Kansas Regional Homeland Security Council. Estimated project value exceeds \$25,000.

Lisa Peters  
Homeland Security Coordinator  
Assistant Executive Director

Doc. No. 050093

(Published in the Kansas Register May 5, 2022.)

## City of Overland Park, Kansas

### Notice to Bidders

Bids for Switzer Road, 159th Street to 167th Street (Overland Park Project No. TH-1836, KDOT Project No. 46 N-0712-01) will be received by the City of Overland Park, Kansas, online through QuestCDN until 2:00 p.m. (CDT) June 7, 2022. At that time all bids will be publicly opened and read aloud in the City Council Chamber, City Hall. Any bid received after the designated closing time will not be accepted.

In order to be considered a qualified bidder, the online bid must be completed and submitted, all addenda acknowledged, all KDOT certifications uploaded to the site, and a copy of the bid bond or Surety2000 authorization code uploaded to the site.

The prime contractor selected to perform the work, shall be on KDOT's latest qualification list for class of work. Contractors desiring the contract documents for use in preparing bids may obtain a set of such documents from QuestCDN. Bid documents can be downloaded electronically for a non-refundable fee of \$20 by providing QuestCDN Project Number 8166370 on the Project Search Page at <https://www.questcdn.com>. You can contact QuestCDN at 1-952-233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance with membership registration, downloading, electronic bidding, and working with digital documents. For questions regarding the bid documents or for project information, please call Tony Rome at 913-895-6001.

No oral, facsimile, or telephonic bids or alterations will be considered.

The following required KDOT certifications must be signed and submitted through QuestCDN at the time bids are submitted. The City of Overland Park will reject bids that fail to contain these certifications.

- Certification for e-Bid
- Certification – Noncollusion and History of Debarment
- Declaration – Limitations on Use of Federal Funds for Lobbying
- Required Contract Provision – DBE Contract Goal
- Certification–Contractual Services with a Current Legislator or a Current Legislator's Firm
- Tax Clearance Certificate

Each bidder shall submit with its bid a PDF copy of the original bid bond in an amount of not less than five percent (5%) of the total bid, or the bidder may choose to provide a bid bond authorization code provided to them by Surety2000, which the bidder shall keep in effect until the city gives written notice that it may be released. If the bidder provides a PDF copy of a bid bond, the original must be provided to the city after the bid opening and by the end of business of the second business day after the bid opening. The bid security shall be retained by the City of Overland Park until a contract for the project has been executed. Bid bonds will be returned or written notice of release will be given to the unsuccessful bidders, with the exception of the second qualifying bidder, at such time as their bids are rejected. In the event the successful bidder is unable to execute the contract, for whatever reason, the city may exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn through the QuestCDN site, prior to the time and date for bid opening; provided, however, that no bidder may withdraw its bid for a period of thirty (30) days from the date set for the opening thereof. All bidders agree that rejection shall create no liability on the part of the city because of such rejection. It is understood by all bidders that an unsuccessful bidder has no cause of action against the city for bid preparation costs. The filing of any bid in response to this invitation shall constitute an agreement of the bidder to these conditions.



A pre-bid conference will be held at 2:00 p.m. Wednesday, May 25, 2022, in the Myron Scafe Building, Multi-Purpose Room, 8500 Antioch Rd., Overland Park, Kansas.

Jennifer Gilbert  
Contract Specialist  
Public Works Department

Doc. No. 050105

(Published in the Kansas Register May 5, 2022.)

## City of Overland Park, Kansas

### Request for Qualifications

The City of Overland Park, Kansas (sometimes referred to herein as "City") is seeking a qualified firm to provide construction material testing services for the project listed below.

**Switzer Road, 159th Street to 167th Street (TH-1836)**  
**KDOT Project No. 46 N-0712-01**  
**Federal Aid Project No. STP-N071(201)**  
**Johnson County Cars No. 320001361**  
**QuestCDN Project Number: 8192164**

The Request for Qualifications (RFQ) packet includes the general testing requirements and approximate quantities of the various procedures anticipated to be required for this project. Selection for these services will be based on qualifications, experience, and availability. Please provide this information for your firm for consideration.

Proposals must be received at <https://www.questcdn.com> on or before 4:00 p.m. (CDT) June 7, 2022. Any proposal received after the designated closing time will not be accepted.

The City reserves the right to reject any and all proposals, to waive technical defects, and to select the proposal(s) deemed most advantageous to the City.

The RFQ package is available at <https://www.questcdn.com> and is free to download. Those interested in being considered for providing these services can electronically upload a proposal, in PDF format, for a non-refundable fee of \$10. To access this project, enter the project number listed above on the Requests Search Page.

For assistance with QuestCDN membership registration, downloading, electronic bidding, and working with digital documents, please contact QuestCDN at 1-952-233-1632 or [info@questcdn.com](mailto:info@questcdn.com). For questions regarding the RFQ package or for project information, please contact Brent Gerard at [brent.gerard@opkansas.org](mailto:brent.gerard@opkansas.org).

Jennifer Gilbert  
Contract Specialist  
Public Works Department

Doc. No. 050106

## State of Kansas

### Department of Transportation

#### Request for Qualifications

The Kansas Department of Transportation (KDOT) will release a Request for Qualifications (RFQ) Thursday, April 28, 2022, for the US-54/US-400 – Sedgwick and But-

ler County progressive design-build project. The RFQ will be available at <https://eastkellogg.ksdotike.org>.

Prospective design-build teams must submit their Statement of Qualifications (SOQs) by 2:00 p.m. (CDT) Monday, July 11, 2022. The SOQ presents, in general terms, the design-build teams' qualifications for the project. KDOT will evaluate the SOQs and announce the shortlisted teams by Thursday, July 28, 2022.

KDOT will use a two-step process to select a design-build team. This RFQ to solicit SOQs is the first step KDOT will use to evaluate which teams are most qualified to successfully deliver the project. KDOT will shortlist up to four teams based on the SOQs. The second step, a Request for Proposals (RFP), is anticipated to be released by KDOT to the shortlisted teams Friday, July 29, 2022. It is anticipated that shortlisted teams will submit proposals Tuesday, September 20, 2022 for KDOT's evaluation and that KDOT will select a winning team Monday, October 10, 2022.

The US-54/US-400 – Sedgwick and Butler County project has received approval to move forward as Kansas' first progressive design-build project. The project will follow the existing alignment of US-54/US-400 from the intersection of K-96 to just east of the North 159th St. E. intersection and expand the existing facility to become a controlled-access freeway facility with additional travel lanes, front-age roads, and a reconfigured K-96 interchange.

If you are interested in submitting a Statement of Qualifications, please examine the RFQ posted April 28, 2022 on the project website at <https://eastkellogg.ksdotike.org>. The project website also contains additional information about the project and the progressive design build delivery method.

If you have problems accessing the RFQ, please contact [eastkellogg@ksdotike.org](mailto:eastkellogg@ksdotike.org).

Julie Lorenz  
Secretary

Doc. No. 050089

## State of Kansas

### Department of Transportation

#### Notice of Public Auction

The Secretary of Transportation of the State of Kansas will offer for sale at public auction the following parcel:

**Tract 3586-30**  
**15.71 acres +/-, Miami Co.**  
**11131 W. K-68 Hwy., Louisburg, KS**  
**Project: 68-61 KA-2373-03**

A tract of land in the North Half of Section 35, Township 16 South, Range 24 East, approximately 1 mile west of Louisburg, Kansas. Complete legal description available on request.

Sale will be conducted on site location at 11131 W. K-68 Hwy., Louisburg Kansas, at 11:00 a.m. Wednesday, May 25, 2022. Inspection of property will take place at any time. Minimum acceptable bid is \$96,500.

#### Terms of Sale

Payment of \$10,000 is due at the time of the sale. The balance of the purchase price must be paid on or before 12:00

(continued)

p.m. Friday, June 24, 2022. Successful bidder will receive a Bill of Sale on the day of the sale and a Quit Claim Deed after balance is paid. If the balance of the purchase price is not paid on or before 12:00 p.m. Friday, June 24, 2022, the down payment will be forfeited to the seller.

For additional terms and information contact the Bureau of Right of Way at 1-877-461-6817. Seller reserves the right to reject any and all bids. Not responsible for accidents.

**Sold Subject to the Following**

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 (KDOT) 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.

KDOT 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.

Julie Lorenz  
Secretary

Doc. No. 050110

**State of Kansas**

**Department of Transportation**

**Notice to Consulting Firms**

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm or team of firms to perform professional services for the project(s) described in Table 1 below. Interested consultants must email a proposal to [KDOT.DesignContracts@ks.gov](mailto:KDOT.DesignContracts@ks.gov) by 12:00 p.m. (CDT) May 25, 2022, to be considered for selection.

**Consultant Prequalification**

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in all the following categories:

- 171 Environmental Documentation
- 211 Highway Design–Major Facility
- 221 Non-Standard Span Bridge Design
- 231 Traffic Control Analysis and Design
- 301 Land Surveying
- 302 Engineering Surveying
- 311 Geotechnical Engineering Services
- 321 Bridge Structural Analysis
- 336 Right of Way Services
- 401 Landscape Seeding and Erosion Control

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must

also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules and regulations.

**Table 1: Background and Scope of Project**

Project Number	Background and Scope of Project
KA-6472-01	The existing bridge had an emergency repair done under project 33-30 KA-6176-01 and has been determined to need replacement.

**Table 2: Project Summary**

Project Number	Route and Scope	Length (mi)	Project Termini
KA-6472-01	33-30 Roadway and Bridge Reconstruction	1.17	MP 5.24 to MP 6.41 (tie to south end of 33-30 KA-3951-01)
Project Number	Structure BR#, Structure Scope, Structure Size and Type		
KA-6472-01	Replace existing BR#0030-B0063 Main Unit- 1 RBGC- 4 Wide: Spans: 1 at 58', 2 at 73', 1 at 58'		

**Anticipated Consultant Scope**

KDOT anticipates the following may be included in the consultant’s scope in this phase: Preliminary Design Services up to and including Field Check Plans; Pick up Survey Services; Right of Way Services.

Additional phases which may be added later (at the Secretary’s discretion) may include Geotechnical Services Proposed Right of Way; Pavement Design Services; Environmental Documentation Preparation (Permitting); Final Design Services; Public Involvement Services; Break in Access Study; Traffic Engineering; Letting and Construction Phase Services; and 3D Electronic Deliverables Preparation.

Current expectations for consultant scope are detailed below. The scope included herein may not be all-inclusive. A scoping meeting will take place after consultant selection is made.

**Project Management**

- Develop and communicate Project Management Plan and Quality Assurance Plan
- Perform Quality Control Checks according to Quality Assurance Plan
- Provide electronic plan files compliant with KDOT Graphic Standards Manual, including CAD conformance checks and ControlCAD indexed DGN files with ProjectWise attributes
- Provide bi-annual construction cost estimates and at major project milestones

**Environmental**

- Subsequent phases may include:
  - Data gathering
  - Completing environmental data collecting and analysis

- Submitting findings
- Final permitting

**Road Design**

- Visit the project site location
- Develop plans to Materials and Research
- Develop plans to Utilities
- Building of the existing right of way
- Develop Preliminary Plans to Field Check
- Perform roadway geometric design, drainage design, and roadside safety analysis
- Coordination with the local government and KDOT Office
- Public Meetings

**Survey and Right of Way**

- Subsequent phases may include:
  - Visit the project site location
    - Establish and determine impacts to right of way and utilities.
    - Provide a full survey including structures in the existing right of way. The deliverables shall incorporate the full project including the roadway and bridge surveys and will be provided in the Kansas Regional Coordinate System.
    - Establish and determine impacts to right of way and utilities.
    - Based upon consultant’s field survey data and historical KDOT project information, consultant shall establish and compile into a Right of Way strip map the positions and locations of the existing highway right of way and property lines for the ownership adjacent thereto. Consultant shall perform these activities using coordinate geometry and Bentley Open Site Designer.

**Bridge Design**

- Preliminary Bridge Design will be handled by KDOT, consultant will need to coordinate with KDOT Bridge Design for plan preparation
  - Subsequent phases may include:
  - Potential services after field check

**Traffic Engineering**

- Preliminary traffic engineering
- Subsequent phases may include:
  - Develop permanent signing and pavement marking plans
  - Develop Traffic Control Plans

**Anticipated Schedule and Key Dates**

1. Proposals are due by or before 12:00 p.m. (CDT) May 25, 2022
2. The program fiscal year for this project is FY 2025 (July 2024–June 2025).
3. Other important dates:
  - a. PLNMR: October 18, 2022
  - b. FDCHK: April 24, 2023
  - c. PLROW: June 6, 2023
  - d. PLCOM: November 7, 2024

**Instructions for Proposal**

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.

2. The consultant’s proposal must not exceed 4 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5” x 11”). Any page larger than standard letter size will be count as two or more pages depending on size.
3. A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to [KDOT.DesignContracts@ks.gov](mailto:KDOT.DesignContracts@ks.gov) by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:
  - a. “KA-6472-01–Rd.Br.Recon K-33 in Franklin Co\_ FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing.
6. The outline in Table 3 below describes the expected proposal organization and content sections.
7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

**Table 3: Proposal Content**

Section	Description of Intent
Cover Letter	1 page
Project Approach	Demonstrate a unique approach to accomplish the design efficiently and to a high standard. Include cost-effective and optimized solutions to address the anticipated improvements in the design. Include unique qualifications or experience related to the project approach.
Approach to Schedule	Describe the approach to accomplish the scope of services within the schedule requirements. Include anticipated key milestone dates and availability of staff.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.
Familiarity with KDOT and Project Area	Describe team’s familiarity with KDOT’s design process and standards. Describe familiarity with the project area and any identified special site conditions.

**Table 4: Evaluation Factors**

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	20%
Project approach	30%

(continued)

Evaluation Factor	Weight
Approach and commitment to meet advertised schedule	20%
Past performance history for similar projects/services for KDOT	20%
Understanding of the project area	5%
Availability to respond to the work	5%

**Contract Terms and Conditions**

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)

**Questions**

All questions regarding this request for proposals shall be emailed to [KDOT.DesignContracts@ks.gov](mailto:KDOT.DesignContracts@ks.gov).

Questions can be submitted until May 13, 2022; answers will be provided to all prequalified consultants on May 18, 2022.

Marcia Turner, P.E., Contracts Manager  
Division of Engineering and Design

Doc. No. 050109

**State of Kansas**

**Department of Transportation**

**Notice to Consulting Firms**

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm or team of firms to perform professional services for the project(s) described in Table 1 below. Interested consultants must email a proposal to [KDOT.DesignContracts@ks.gov](mailto:KDOT.DesignContracts@ks.gov) by 12:00 p.m. (CDT) May 25, 2022, to be considered for selection.

**Consultant Prequalification**

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in all the following categories:

- 161 Corridor/Project Feasibility Studies
- 171 Environmental Documentation
- 201 Location and Design Concept Studies/Corridor Studies
- 211 Highway Design–Major Facility
- 222 Standard Span Bridge Design
- 231 Traffic Control Analysis and Design
- 301 Land Surveying
- 302 Engineering Surveying
- 311 Geotechnical Engineering Services
- 325 Hydraulic and Hydrologic Studies
- 331 Aerial Photogrammetry
- 336 Right of Way Services
- 401 Landscape Seeding and Erosion Control

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification

form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

**Table 1: Background and Scope of Project**

Project Number	Background and Scope of Project
KA-6550-01	Roadway and bridge rehabilitation/reconstruction improvements on K-33 in Franklin and Douglas Counties.

**Table 2: Project Summary**

Project Number	Route and Scope	Length (mi)	Project Termini
KA-6550-01	33-106 Roadway Rehab/ Reconstruction	3.425	MP 7 to MP 10.4

Project Number	Structure BR#, Structure Scope, Structure Size and Type
KA-6550-01	Rehabilitation and/or reconstruction of the following structures: 0030-B0065 RFB 2 at 14’; 0023-B0104 RFB 2 at 10’; and two “500 Series” structures: 0023-501 and 0023-503.

**Anticipated Consultant Scope**

KDOT anticipates the following will be included in the consultant’s scope in this initial phase: Planning Study Services (Including: NEPA EA/EIS); and Discovery Phase Services.

The selected consultant will need to gather and evaluate preliminary information. The NEPA boundary will be established, and Public Involvement will be conducted during the Discovery Phase.

Based funding needs identified and developed during the Discovery Phase, the consultant selected for this request for proposals may or may not be selected to continue providing service up through the Preliminary and/or Final Design phases. Additional scope which may be added during later phases (at the Secretary’s discretion) may include Surveying; Right of Way; Preliminary Design Services; Final Design Services; Pavement Design Services; Public Involvement Services; Geotechnical Engineering; Environmental Documentation Preparation (Permitting); Letting and Construction Phase Services; and 3D Electronic Deliverables Preparation.

Current expectations for consultant scope are detailed below. The scope included herein may not be all-inclusive. A scoping meeting will take place after consultant selection is made.

**Project Management**

- Develop and communicate Project Management Plan and Quality Assurance Plan
- Perform quality control checks according to Quality Assurance Plan
- Provide electronic plan files compliant with KDOT Graphic Standards Manual, including CAD conformance checks and ControlCAD indexed DGN files with ProjectWise attributes

- Provide bi-annual construction cost estimates and at major project milestones

**Environmental**

- High-level data gathering
- Identify potential issues
- Subsequent phases may include:
  - Completing environmental data collecting and analysis
  - Submitting findings
  - Final permitting

**Geotechnical**

- Subsequent phases may include:
  - Soil investigations
  - Pavement field investigation and design
  - Surfacing recommendations

**Road Design**

- Discovery Phase including NEPA (EA/EIS)
- Visit the project site location
- Subsequent phases may include:
  - Develop plans to Materials and Research
  - Building of the existing right of way
  - Develop Preliminary Plans to Field Check
  - Perform roadway geometric design, drainage design, and roadside safety analysis
  - Final Design

**Survey and Right of Way**

- LIDAR for preliminary location surveys
- Visit the project site location
- Subsequent phases may include:
  - Provide a full survey including structures in the existing right of way. The deliverables shall incorporate the full project including the roadway and bridge surveys and will be provided in the Kansas Regional Coordinate System.
  - Establish and determine impacts to right of way and utilities.
  - Based upon consultant’s field survey data and historical KDOT project information, consultant shall establish and compile into a Right of Way strip map the positions and locations of the existing highway right of way and property lines for the ownership adjacent thereto. Consultant shall perform these activities using coordinate geometry and Bentley Open Site Designer.
  - Aerial Photogrammetry.

**Bridge Design**

- Discovery Phase
- Subsequent phases may include:
  - Develop Preliminary Plans to Field Check
  - Perform hydraulic analysis and determine type, size, and location of proposed replacement structures
  - Final Design

**Traffic Engineering**

- Discovery Phase
- Subsequent phases may include:
  - Develop permanent signing and pavement marking plans
  - Develop Traffic Control Plans

**Anticipated Schedule and Key Dates**

1. Proposals are due by or before 12:00 p.m. (CDT) May 25, 2022
2. The program fiscal year for this project is FY 2026 (July 2025–June 2026)
3. Other important dates during Discovery Phase:
  - a. Bstdy: November 1, 2022
  - b. Draftrept: May 4, 2023
  - c. Estdy: May 19, 2023

**Instructions for Proposal**

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant’s proposal must not exceed 4 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5” x 11”). Any page larger than standard letter size will be count as two or more pages depending on size.
3. A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to [KDOT.DesignContracts@ks.gov](mailto:KDOT.DesignContracts@ks.gov) by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:
  - a. “KA-6550-01–Rd.Br. Rehab.Recon K-33 Mult Cos\_FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing.
6. The outline in Table 3 below describes the expected proposal organization and content sections.
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**Table 3: Proposal Content**

Section	Description of Intent
Cover Letter	1 page
Project Approach	Demonstrate a unique approach to accomplish the design efficiently and to a high standard. Include cost-effective and optimized solutions to address the anticipated improvements in the design. Include unique qualifications or experience related to the project approach.
Approach to Schedule	Describe the approach to accomplish the scope of services within the schedule requirements. Include anticipated key milestone dates and availability of staff.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.

(continued)

Section	Description of Intent
Past Performance	Describe team's past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.
Familiarity with KDOT and Project Area	Describe team's familiarity with KDOT's design process and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	30%
Project approach	30%
Approach and commitment to meet advertised schedule	10%
Past performance history for similar projects/services for KDOT	20%
Understanding of the project area	5%
Availability to respond to the work	5%

### Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 ("Tax Clearance Certificate")
- Special Attachment No. 10 ("Policy Regarding Sexual Harassment")

### Questions

All questions regarding this request for proposals shall be emailed to [KDOT.DesignContracts@ks.gov](mailto:KDOT.DesignContracts@ks.gov).

Questions can be submitted until May 13, 2022; answers will be provided to all prequalified consultants on May 18, 2022.

Marcia Turner, P.E., Contracts Manager  
Division of Engineering and Design

Doc. No. 050108

### State of Kansas

#### Office of the Governor

#### Executive Order No. 22-04

#### Governor's Reward for Information Regarding the Murder of Doris E. Branson

**WHEREAS**, the Franklin County Sheriff's Office, the Franklin County Attorney, and the Kansas Bureau of Investigation ("KBI") are investigating the murder of Doris E. Branson on March 20, 1992, in her home in rural Franklin County, several miles north of Ottawa, Kansas; and

**WHEREAS**, the Franklin County Sheriff's Office and the KBI conducted an exhaustive investigation, including over 200 formal interviews, polygraph examinations, and forensic testing; and

**WHEREAS**, the Franklin County Sheriff's Office, the Franklin County Attorney, and the KBI believe that a

Governor's Reward would result in new leads or the expansion of information from known and unknown associates of two suspects identified as result of the Franklin County Sheriff's Office's and KBI's exhaustive investigation;

**NOW, THEREFORE**, pursuant to the authority vested in me as Governor of the State of Kansas by K.S.A. 75-113, I do hereby offer a reward of Five Thousand Dollars (\$5,000.00) for information leading to the apprehension and conviction of any person responsible for Doris E. Branson's murder.

This document shall be filed with the Secretary of State as Executive Order No. 22-04 and shall become effective immediately.

Dated April 26, 2022.

Laura Kelly  
Governor

Doc. No. 050096

### State of Kansas

#### Legislative Administrative Services

#### Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced April 25–27 during the 2022 session of the Kansas Legislature. Full text of bills, bill tracking, and other information may be accessed at <http://www.kslegislature.org/li/>.

#### House Resolutions

**HR 6027**, A RESOLUTION congratulating and commending the 2021-2022 University of Kansas men's basketball team for an outstanding season and for winning the NCAA Division I Men's Basketball Championship, Representatives Ryckman, Finch, Hawkins, Sawyer, Alcalá, Amyx, Anderson, Amberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, Carpenter, Clark, Clayton, Clifford, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finney, Francis, French, Garber, Gartner, Haswood, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoye, Huebert, Humphries, Jacobs, Johnson, Johnson, Kelly, Kessler, Kuether, Landwehr, Lee, Long, Lynn, Mason, Meyer, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, Patton, Penn, Poetter Parshall, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, Ruiz, Samsel, Sanders, Schmidt, Schreiber, Seiwert, Smith, Smith, Smith, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, Williams, Winn, Wolfe Moore, Woodard and Xu.

**HR 6028**, A RESOLUTION designating May 11, 2022, as School Nurse Day to celebrate and acknowledge school nurses and their efforts of meeting the needs of today's students by improving the delivery of healthcare in our schools, by Representatives Sawyer, Amyx, Ballard, Carlin, Clayton, Curtis, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Neighbor, Osman, Poskin, Probst, Ruiz, S., Schmidt, Stogsdill, Weigel, Woodard and Xu.

#### Senate Bills

**SB 578**, AN ACT reconciling conflicting amendments to certain statutes; amending K.S.A. 75-5391, as amended by section 13 of 2022 Senate Bill No. 343, and K.S.A. 2021 Supp. 21-5801, as amended by section 1 of 2022 Senate Bill No. 483, 21-6604, as amended by section 3 of 2022 House Bill No. 2361, and 79-32,117 and repealing the existing sections; also repealing K.S.A. 75-5391, as amended by section 10 of 2022 Senate

Bill No. 62, and K.S.A. 2021 Supp. 21-5801, as amended by section 1 of 2022 Senate Bill No. 408, 21-6604, as amended by section 17 of 2022 House Bill No. 2377, 21-6604, as amended by section 2 of 2022 House Bill No. 2608, 75-5664a, 79-3221p and 79-32,117q, by Committee on Ways and Means.

**Senate Resolutions**

**SR 1733**, A RESOLUTION congratulating and commending the University of Kansas men’s basketball team on their 2022 NCAA Division I national championship, by Senators Masterson, Sykes, Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Ware, Warren and Wilborn.

Doc. No. 050107

(Published in the Kansas Register May 5, 2022.)

**Unified School District No. 263,  
Sedgwick County, Kansas (Mulvane)**

**Notice of Intent to Seek Private Placement General  
Obligation Capital Outlay Bonds, Series 2022**

Notice is hereby given that Unified School District No. 263, Sedgwick County, Kansas (Mulvane) (the “Issuer”) proposes to seek a private placement of the above-referenced bonds (the “Bonds”). The maximum aggregate principal amount of the Bonds shall not exceed \$1,000,000. The proposed sale of the Bonds is in all respects subject to approval of a bond purchase agreement between the Issuer and the purchaser of the Bonds and the adoption of a resolution by the governing body authorizing the issuance of the Bonds and the execution of various documents necessary to deliver the Bonds.

Dated February 14, 2022.

Sonya J. Schifferdecker  
Clerk

Doc. No. 050101

(Published in the Kansas Register May 5, 2022.)

**Unified School District No. 332,  
Kingman County, Kansas  
(Cunningham-West Kingman County)**

**Summary Notice of Bond Sale  
\$13,245,000  
General Obligation School Building Bonds,  
Series 2022**

**(General Obligation Bonds Payable  
from Unlimited Ad Valorem Taxes)**

**Bids**

Subject to the Notice of Bond Sale dated April 11, 2022 (the “Notice”), facsimile, email, and electronic bids will be received on behalf of the Clerk of Unified School District No. 332, Kingman County, Kansas (Cunningham-West Kingman County) (the “Issuer”) in the case of email or facsimile bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 11:00 a.m. (CDT) May 25, 2022, for the purchase of the above-referenced bonds (the “Bonds”). No bid of

less than 100% of the principal amount of the Bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated July 1, 2022, and will become due on August 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2023	\$265,000	2036	\$530,000
2024	270,000	2037	560,000
2025	290,000	2038	585,000
2026	305,000	2039	615,000
2027	325,000	2040	645,000
2028	345,000	2041	680,000
2029	365,000	2042	710,000
2030	385,000	2043	745,000
2031	410,000	2044	780,000
2032	430,000	2045	815,000
2033	455,000	2046	855,000
2034	480,000	2047	895,000
2035	505,000		

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on February 1 and August 1 in each year, beginning on February 1, 2023.

**Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

Treasurer of the State of Kansas, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied (in the manner set forth in the Notice) by a good faith deposit in the form of a cashier’s or certified check drawn on a bank located in the United States of America or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of \$264,900.

**Delivery**

The Issuer will pay for preparation of the Bonds and will deliver the same properly prepared, executed, and registered without cost to the successful bidder on or about July 1, 2022, to DTC for the account of the successful bidder.

**Assessed Valuation and Indebtedness**

The Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations for the year 2021 is \$73,993,360. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$13,245,000.

**Approval of Bonds**

The Bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, Bond Counsel to the Issuer, whose approving legal opinion as to the va-

(continued)

lidity of the Bonds will be furnished and paid for by the Issuer, printed on the Bonds, and delivered to the successful bidder as and when the Bonds are delivered.

Additional Information

Additional information regarding the Bonds may be obtained from the undersigned or from the Financial Advisor at the addresses set forth below:

Issuer

Office of the Board of Education
Attn: Stacy Webster, Clerk
104 W. 4th
PO Box 67
Cunningham, KS 67035
620-298-3271
Fax: 620-298-2562
stacy.webster@usd332.com

Financial Advisor – Facsimile and Email Bid Delivery Address

Stifel, Nicolaus & Company, Incorporated
Attn: Stephen E. Shogren
301 N. Main, Suite 800
Wichita, KS 67202
316-264-9351
Fax: 316-337-8492
shogrenb@stifel.com

Dated April 11, 2022.

Stacy Webster
Clerk

\* Subject to change, see the Notice
Doc. No. 050099

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be held at 9:00 a.m. Tuesday, May 24, 2022, in the conference room of Kansas Development Finance Authority (the "Authority"), 534 S. Kansas Ave., Suite 800, Topeka, Kansas, on the proposed issuance by the Authority in one or more series of revenue bonds (the "Bonds") in a principal amount not to exceed \$10,000,000. The Bonds will be issued pursuant to K.S.A. 74-8901 et seq. (the "Act") to finance the acquisition and rehabilitation of an approximately 118-unit qualified residential rental project under Section 142 of the Internal Revenue Code comprised of approximately 104 scattered-site buildings located at or about:

- 1335 Arapahoe Ave. 813, 815 Faith Dr. 901 Pontiac Ave.
1417 Arapahoe Ave. 821, 823 Faith Dr. 1532 Pueblo Ave.
1430 Arapahoe Ave. 829, 831 Faith Dr. 1538 Pueblo Ave.
1501 Arapahoe Ave. 835, 837 Faith Dr. 1713 Redwood Dr.
1511 Arapahoe Ave. 1323 Franklin St. 757 Seneca Ave.
1519 Beverly Dr. 1326 Franklin St. 759 Seneca Ave.
1525 Beverly Dr. 1329 Franklin St. 764 Seneca Ave.
857 Birch Dr. 1423 Haven Ave. 810 Seneca Ave.
906 Birch Dr. 1443 Haven Ave. 817 Seneca Ave.
739 Cherokee Dr. 408,410 Hazel Ct. 870 Seneca Ave.

- 743 Cherokee Dr. 414, 416, 418, 881 Seneca Ave.
420 Hazel Ct.
749 Cherokee Dr. 1422 Kiowa Ave. 901 Seneca Ave.
841 Cherokee Dr. 1436 Kiowa Ave. 145 S. Columbia Ave.
845 Cherokee Dr. 1442 Kiowa Ave. 326 S. Connecticut Ave.
861 Cherokee Dr. 416 Missouri Ave. 212 S. Penn Ave.
871 Cherokee Dr. 433 Missouri Ave. 668 Steahlin Ave.
875 Cherokee Dr. 829 Navaho Ave. 672 Steahlin Ave.
1318 Cheyenne Ave. 874 Navaho Ave. 2007, 2009 Tulane Ave.
1329 Cheyenne Ave. 742 Osage Ave. 2015, 2017 Tulane Ave.
1422 Cheyenne Ave. 750 Osage Ave. 2023, 2025 Tulane Ave.
1442 Cheyenne Ave. 763 Osage Ave. 2027 Tulane Ave.\*
1500 Cheyenne Ave. 811 Osage Ave. 2002 Tulane Ct.
1515 Cheyenne Ave. 831 Osage Ave. 2006 Tulane Ct.
768 Choctaw Ave. 931 Osage Ave. 2010 Tulane Ct.
800 Choctaw Ave. 1309 Osage Ct.\* 2014 Tulane Ct.
820 Choctaw Ave. 1317 Osage Ct. 2018 Tulane Ct.
828 Choctaw Ave. 1323 Osage Ct. 2022 Tulane Ct.
861 Choctaw Ave. 1329 Osage Ct. 2026 Tulane Ct.
821 Commanche Ave. 1335 Osage Ct. 2030 Tulane Ct.
1024 E. Gypsum Ave. 1341 Osage Ct. 2034 Tulane Ct.
412 E. Walnut St. 1347 Osage Ct. 1021 Vassar Dr.
420 E. Walnut St. 1351 Osage Ct. 625 Viemont Ave.
749, 751, 753 Faith Dr. 630 Park Place 631 Viemont Ave.
755, 757, 759 Faith Dr. 1316 Ponca Ave. 663 Viemont Ave.
805, 807 Faith Dr. 1329 Ponca Ave.

\* Denotes lots or buildings that will be used for purposes other than a dwelling unit.

in the City of Salina, Kansas, to be collectively known as Salina RAD Homes (the "Project"), the principal user of which will be Salina RAD Homes, LP, a Kansas limited partnership (the "Borrower").

The Bonds will be limited obligations of the Authority, payable solely from revenues pledged by the Borrower, and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, nor will the Bonds constitute an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged, but the Bonds will be payable solely and only from revenues pledged by the Borrower in amounts sufficient to pay the principal of, interest and redemption premium, if any, on the Bonds.

Interested individuals may participate in the public hearing in person or via conference call. Please call 415-655-0001 and use access code 145 880 8929 followed by # to join the conference.

At the time and place fixed for the hearing, all individuals who appear will be given an opportunity to express their views for or against the proposal to issue the Bonds, and all written comments previously filed with the Authority at its above referenced offices will be considered. Additional information regarding the project may be obtained by contacting the Authority at the address of its offices shown above.

Rebecca E. Floyd
President

Doc. No. 050095



## State of Kansas

## Department of Agriculture

## Permanent Administrative Regulation

## Article 7.—MILK AND DAIRY PRODUCTS

**4-7-804. Schedule of fees for nonregulatory laboratory work.** (a) Each person who requests the Kansas department of agriculture laboratory to perform any of the following analyses shall pay the department \$15.00 for each analysis:

(1) An analysis to determine the presence of coliforms or *E. coli* in water used for dairy production or dairy processing;

(2) an analysis to determine the percentage of added water in raw milk;

(3) an analysis to determine the percentage of butterfat in raw milk, retail milk, or milk products; and

(4) an analysis to determine the amount of extraneous material in raw milk.

(b) Each person who requests any of the following analyses by the department shall pay the department \$30.00 for each analysis:

(1) An analysis to determine the total bacteria count in raw milk, pasteurized milk, or milk products, using the standard plate count method;

(2) an analysis to determine the total coliform plate count in pasteurized milk or milk products;

(3) an analysis to determine the total bacteria count in water used for dairy production or dairy processing; and

(4) an analysis to determine the total bacteria and coliform plate count in food-grade packaging materials used for dairy foods.

(c) Each person who requests any of the following analyses by the department shall pay the department \$50.00 for each analysis:

(1) An analysis to determine the presence of beta-lactam antibiotic drug residues in raw milk, pasteurized milk, or milk products;

(2) an analysis to determine the percentage of protein in raw milk;

(3) an analysis to determine the manual count of somatic cells in raw milk; and

(4) an analysis to determine the presence of tetracycline antibiotic drug residue or sulfonamide antibiotic drug residue in raw milk.

(d) Each person who requests any of the following analyses by the department shall pay the department \$80.00 for each analysis:

(1) An analysis to determine the electronic count of somatic cells in raw milk;

(2) an analysis to determine the proportion of alkaline phosphatase in pasteurized milk; and

(3) an analysis to determine the quantification of aflatoxin in raw milk.

(e) Each person who requests the department to perform an analysis to determine the quantification of vitamins A and D<sub>3</sub> in pasteurized milk shall pay the department \$130.00 for each analysis.

(f) The performance of any analysis for nonregulatory purposes may be refused by the secretary. (Authorized

by and implementing K.S.A. 65-777; effective Dec. 20, 2002; amended May 20, 2022.)

Mike Beam  
Secretary

Doc. No. 050102

## State of Kansas

## Department of Health and Environment

## Permanent Administrative Regulations

## Article 51.—HOME HEALTH AGENCY LICENSURE

**28-51-100. Definitions.** In addition to the terms defined in K.S.A. 65-5101 and amendments thereto, each of the following terms, as used in this article of the department's regulations, shall have the meaning specified in this regulation:

(a) "Administrator" means an individual who is appointed by the governing body and is directly responsible for the management and day-to-day operations of a home health agency.

(b)(1) "Admission note" means a dated document after the initial assessment of a client or patient that is used to develop the plan of care for the client or patient and that specifies the following:

(A) The relevant diagnoses;

(B) the client's or patient's health history;

(C) environmental, safety, and social factors of the client's or patient's home;

(D) the client's or patient's nutritional requirements, medications, and treatments;

(E) the client's or patient's functional status and abilities; and

(F) the client's or patient's physical and mental levels of functioning.

(2)(A) For home health services, the admission note shall be completed by a registered nurse or physical therapist.

(B) For supportive care services, the admission note shall be completed by a manager.

(3) For HCBS through the home- and community-based services (HCBS) waiver program, the admission note shall be completed by a registered nurse or physical therapist.

(c) "After-hours" means the times, including weekends, holidays, and evenings, when the parent office is closed or no staff members are present.

(d) "Alternate administrator" means an individual appointed by the governing body or administrator who is responsible for the management and day-to-day operations of the home health agency in the absence of the administrator.

(e) "Attendant care services" has the meaning specified in K.S.A. 65-6201, and amendments thereto.

(f) "Attendant care worker" means an employee of a home health agency who provides attendant care services.

(g) "Bylaws" and "operating agreement" mean a set of rules governing a home health agency's operation that is adopted by a licensee. Bylaws or operating agreements establish the structure of the governing body and

(continued)

the home health agency and specify how business at the home health agency shall be conducted.

(h) "Change of ownership" means the sale or transfer of a home health agency, including any sale or transfer of 50 percent or more of the stock of a corporation.

(i) "Client" means an individual receiving only supportive care services from a home health agency.

(j) "Client record" means documentation including all of the following, for each client:

- (1) An admission note;
- (2) the plan of care;
- (3) any progress notes;
- (4) any record of communication concerning the client's status;

(5) any supportive care services provided to the client; and

(6) the discharge summary report.

(k) "Clinical manager" and "director of nursing" mean the individual responsible for the nursing services provided by a home health agency that provides home health services. If the administrator or alternate administrator is not a physician or registered nurse, the licensee shall employ, as the clinical manager or director of nursing, a registered nurse licensed in Kansas who has at least two years of nursing experience.

(l) "Clinical nurse specialist" means an individual licensed by the state board of nursing as an advanced practice registered nurse in the role of clinical nurse specialist.

(m) "Clinical record" means documentation including all the following, for each patient:

- (1) An admission note;
- (2) the plan of care;
- (3) any progress notes;
- (4) any record of communication concerning the patient's status or treatment; and
- (5) the discharge summary report.

(n) "Department" means department of health and environment.

(o) "Dietitian" means an individual who is licensed by KDADS. A nutritionist shall not be utilized in place of a dietitian.

(p)(1) "Direct supervision" means supervision that includes the following:

(A) Periodically providing supervision of each staff member while the staff member is providing home health services, HCBS, or supportive care services and obtaining feedback from clients or patients regarding the home health services, HCBS, or supportive care services provided by the staff member; and

(B) directly overseeing activities as they occur and providing constant direction, feedback, guidance, and assistance.

(2) Each individual providing direct supervision shall be on-call and shall be accessible for one-on-one consultation, training and instruction, and assistance, as needed.

(q) "Discharge summary report" means a concise written statement that meets one of the following conditions:

(1) For home health services and HCBS, the discharge summary report is signed by a qualified health professional and reflects the patient's treatment and response in accordance with the patient's plan of care and the final

disposition of the patient at the time of discharge from the home health agency.

(2) For supportive care services, the discharge summary report is signed by a manager and reflects the treatment and response of the client in accordance with the client's plan of care and the final disposition of the client at the time of discharge.

(r) "Governing body" means the individual or individuals who comprise the legal administrative structure of a home health agency and direct how business shall be conducted.

(s) "HCBS" has the meaning specified in K.A.R. 129-6-34.

(t) "Home health aide trainee" means an individual who meets either of the following conditions:

(1) The individual has completed a 90-hour nurse aide course as specified in K.A.R. 28-39-165.

(2) The individual's training has been endorsed as specified in K.A.R. 28-51-115.

(u) "In-operation," when used to describe the status of a home health agency, means that the home health agency has provided home health services, HCBS, or supportive care services to at least five patients or clients in the past 12-month period and to at least one patient or client in the latest three-month period.

(v) "Inspection" means either an investigation in response to a complaint or an on-site survey of a home health agency by the department.

(w) "KDADS" means Kansas department for aging and disability services.

(x) "Licensed nursing experience" means employment as a registered nurse or licensed practical nurse.

(y) "Licensed practical nurse" means an individual who is licensed by the state board of nursing as a licensed practical nurse.

(z) "Licensee" means a person who has been issued a license by the department to operate a home health agency.

(aa) "Manager" means an individual who is employed by a home health agency that provides supportive care services and who meets the following requirements:

(1) Provides supervision and is available to supportive care workers for consultation at all times that supportive care services are provided; and

(2) has at least one year of experience providing home health services, HCBS, or supportive care services.

(bb) "Medication administration" means the provision of assistance to a patient in the ingestion, application, or inhalation of a medication according to the directions of either of the following:

(1) The attending physician, nurse practitioner, or clinical nurse specialist; or

(2) an individual who is licensed by the state board of healing arts as a physician's assistant and is authorized to provide assistance to a patient without direction or supervision in the scope of the individual's license.

(cc) "Nurse practitioner" means an individual licensed by the state board of nursing as an advanced practice registered nurse in the role of nurse practitioner.

(dd) "Occupational therapist" means an individual who is licensed by the state board of healing arts as an occupational therapist.

(ee) "Occupational therapy assistant" means an individual who is licensed by the state board of healing arts as an occupational therapy assistant.

(ff) "Office hours" means the times of the day and days of the week that a parent office is open and staffed to serve the public.

(gg) "On-call" means being available for consultation to the staff whenever home health services, HCBS, or supportive care services are provided.

(hh) "Parent office" means the main location or site from which a home health agency operates. Each parent office shall have a local street address with a local telephone number and shall be continuously staffed during posted and advertised office hours. The office hours shall be conspicuously posted for public view. No post office box shall be used as the location of a parent office.

(ii) "Patient" means an individual receiving home health services or HCBS from a home health agency.

(jj) "Person" means an individual, association, partnership, corporation, government, government subdivision, or other entity.

(kk) "Personal care" means attendant care services, as defined in K.S.A. 65-6201 and amendments thereto, provided to an individual to enable the individual to reside in that individual's home.

(ll) "Physical therapist" means an individual who is licensed by the state board of healing arts as a physical therapist.

(mm) "Physical therapist assistant" means an individual who is certified by the state board of healing arts as a physical therapist assistant.

(nn) "Physician" means an individual licensed to practice medicine and surgery by the state board of healing arts or by an adjoining state under the interstate medical licensure compact (IMLC).

(oo) "Physician assistant" means an individual licensed by the state board of healing arts as a physician assistant.

(pp) "Plan of care" means a written document developed and used by a home health agency specifying the needs of each prospective client or patient to assist the licensee in determining which home health services, supportive care services, or HCBS will be provided to the prospective client or patient.

(1) For home health services, a registered nurse or physical therapist shall develop each plan of care based on the patient's diagnosis and the assessment of the patient's immediate and long-range needs and resources. The plan of care shall be established in consultation with other qualified health professionals, as needed. If the plan of care includes home health services that, according to professional practice acts, require a physician's authorization, the plan of care shall be signed by a physician and shall be renewed every 60 days.

(2) For supportive care services, the plan of care shall be developed by a manager and shall be based on each client's status and the assessment of the client's immediate and long-range needs and resources.

(3) For HCBS, the plan of care shall be developed as specified by the HCBS waiver program requirements. The licensee shall reassess each patient's plan of care at least every 60 days to determine whether the HCBS are still adequate.

(qq) "Plan of correction" means a written document developed by a licensee and submitted to the department to address noncompliance found during an inspection.

(rr)(1) "Progress note" means a dated, written notation documenting a visit provided by a staff member of the home health agency that summarizes the facts about a client's or patient's treatment, response, and functional status during that visit. Each progress note shall include the following:

(A) The name of the individual who provided the treatment;

(B) the date and time when the treatment was provided;

(C) the treatment that was received by the client or patient;

(D) the client's or patient's response; and

(E) the date when the next visit will occur and the treatment that will be provided.

(2) Each progress note shall be clear and specific and shall indicate the client's or patient's functional status and abilities compared to other visits. The client or patient shall sign the progress note to confirm receipt of the treatment.

(ss) "Qualified health professional" means a physician, a registered nurse, a physical therapist, an occupational therapist, a respiratory therapist, a speech therapist, a dietitian, or a social worker.

(tt) "Registered nurse" means an individual who is licensed by the state board of nursing as a registered professional nurse or an individual who has a multistate license as a registered nurse as specified in K.S.A. 65-1166, and amendments thereto. A registered nurse shall be responsible for the direction, oversight, and management of the nursing staff, including licensed practical nurses and home health aides.

(uu) "Respiratory therapist" means an individual who is licensed by the state board of healing arts as a respiratory therapist.

(vv) "Service area" means a geographic region within a 200-mile radius of a home health agency's parent office in which the home health agency is allowed to provide home health services, HCBS, or supportive care services to clients or patients.

(ww) "Set up" means to arrange medication for later medication administration according to instructions from a pharmacy, the individual prescribing the medication, or a licensed nurse.

(xx) "Significant health event" means any occurrence that affects the ability of an employee to perform the employee's job duties.

(yy) "Simulated laboratory" means an enclosed area that is in a school, adult care home, or other facility and that is similar to a home setting for training purposes. In a simulated laboratory, home health aide trainees practice and demonstrate basic home health aide skills while an instructor observes and evaluates the home health aide trainees.

(zz)(1) "Skilled care services" means a type of home health services. This term shall include the following:

(A) Wound care;

(B) the use of medical supplies, including drugs and biologicals prescribed by a physician;

(continued)

(C) in-home transfusions; and  
 (D) home health services provided by any qualified health professional.

(2) This term shall not include the delivery of either durable medical equipment or medical supplies.

(aaa) "Social worker" means an individual who is licensed by the behavioral sciences regulatory board as a social worker.

(bbb) "Speech therapist" means an individual who is licensed by KDADS as a speech-language pathologist.

(ccc) "Supervision" means the authoritative procedural guidance that is given to a staff member.

(ddd) "Telehealth" means the use of information and communication technology while a patient is at one site and a qualified health professional is at another site so that clinical parameters and other clinical data can be sent to qualified health professionals overseeing the health care provided to the patient. This term is also known as "telemedicine," "telemonitoring," or "remote monitoring."

(eee) "Total unique patient and client count" means the number of separately identifiable patients and clients that a home health agency served in a licensure year. Each home health agency that did not operate in the previous year shall estimate the number of separately identifiable patients and clients that will be served in the one-year period following the date the application for a license is submitted. The total unique patient and client count shall not duplicate any patient or client who was provided home health services, HCBS, or supportive care services on separate occasions. (Authorized by and implementing K.S.A. 65-5109; effective, T-86-23, July 1, 1985; amended May 1, 1987; amended Feb. 28, 1994; amended Dec. 29, 2003; amended Oct. 27, 2006; amended May 20, 2022.)

**28-51-101. Licensing procedure.** (a) Initial license application and fees.

(1) Each person applying for an initial home health agency license shall submit the following to the department:

(A) A completed application on forms provided by the department;

(B) one of the following nonrefundable fees based on the total unique patient and client count:

(i) \$500.00 for each person that indicates on the application that the person intends to provide home health services or HCBS with a total unique patient and client count of less than 100;

(ii) \$750.00 for each person that indicates on the application that the person intends to provide home health services or HCBS with a total unique patient and client count of 100 or more;

(iii) \$250.00 for each person that indicates on the application that the person intends to provide only supportive care services with a total unique patient and client count of less than 100; or

(iv) \$500.00 for each person that indicates on the application that the person intends to provide only supportive care services with a total unique patient and client count of 100 or more; and

(C) a copy of the policies and procedures applicable to the home health agency as required by K.A.R. 28-51-103, 28-51-104, 28-51-117, and 28-51-118.

(2) No person shall provide home health services, HCBS, or supportive care services before the person is issued a license.

(b) Annual license renewal application and fees. Each licensee renewing a license shall file the following at least 30 days before the expiration of the license:

(1) A completed renewal application on forms provided by the department; and

(2) one of the following fees based on the total unique patient and client count:

(A) \$350.00 for each licensee that submits a renewal application for a license to provide home health services or HCBS and that indicates on the renewal application that the licensee had a total unique patient and client count of less than 100;

(B) \$600.00 for each licensee that submits a renewal application for a license to provide home health services or HCBS and that indicates on the renewal application that the licensee had a total unique patient and client count of 100 or more;

(C) \$100.00 for each licensee that submits a renewal application for a license to provide only supportive care services and that indicates on the renewal application that the licensee had a total unique patient and client count of less than 100; or

(D) \$350.00 for each licensee that submits a renewal application for a license to provide only supportive care services and that indicates on the renewal application that the licensee had a total unique patient and client count of 100 or more.

(c) License issuance or renewal. A license shall be issued or renewed if the following requirements are met:

(1) The applicant shall be in substantial compliance with this article of the department's regulations.

(2) The applicant shall submit an acceptable plan of correction for any deficiencies cited during an inspection.

(d) Terms of license.

(1) Each license shall remain in effect for one year unless suspended or revoked by the department.

(2) Each home health agency shall offer only the home health services, HCBS, or supportive care services specified on the home health agency's initial application or renewal application.

(e) Change of administrator or alternate administrator. Each licensee shall notify the department, in writing, within five days following the effective date of a change of administrator or alternate administrator. The notification shall include the name, address, and qualifications of the new administrator or alternate administrator.

(f) Notifications. Each licensee shall notify the department before establishing a new location of the parent office and before changing the home health agency's telephone number.

(g) Change of address or name. Each licensee shall notify the department, in writing, within five days following the change of address or name of the home health agency. The home health agency shall forward the previously issued license to the department with a request for an amended license reflecting the new address or new name.

(h) Change of ownership. Each licensee involved in a change of ownership shall comply with the provisions of

K.S.A. 65-5104, and amendments thereto. Each new owner of a home health agency shall file an application for a license with the department upon the effective date of the sale, transfer, or change in corporate status. Any new owner may request a temporary operating permit to allow continued operations of the home health agency for a limited period while the owner is applying for a license.

(i) Inspections. The administrator or alternate administrator shall provide all clinical records or client records and all administrative records, including all complaints, meeting minutes, quality assurance, and annual program review documents, to the department surveyor within 30 minutes of a request from the surveyor. The time for producing the documents may be extended at the secretary's discretion. The licensee shall provide accurate and truthful information to the department during inspections.

(j) Staffing. If home health services are provided during after-hours, each licensee shall establish a policy for staff coverage during after-hours, holidays, and weekends, including a schedule for staff that are on-call.

(k) Closure.

(1) Each licensee shall notify the department in writing at least 30 days before the permanent closure of the home health agency. The notice shall include the reason for the closure, the date the home health agency is closing, the location of active and inactive patient or client records, and the name and address of the custodian of the records.

(2) If the home health agency closes, the licensee shall make provision for the retention of clinical records or client records.

(3) If the home health agency closes with current patients or clients, the licensee shall notify each patient or client, and any guardian of the patient or client, within 30 days before the closure and develop an effective discharge or transfer plan in coordination with the needs outlined in the patient's or client's plan of care. The licensee shall transfer a copy of the client record or clinical record with the client or patient to the receiving home health agency to ensure continuity of home health services, HCBS, or supportive care services to the client or patient.

(4) The licensee shall mail the license to the department at the end of the day that home health services, HCBS, or supportive care services are discontinued.

(5) A licensee shall not operate the home health agency after the closing date provided to the department.

(l) In-operation status. Each licensee shall maintain in-operation status to be eligible for license renewal.

(m) Service area. Each licensee shall provide home health services, HCBS, or supportive care services only to patients or clients in the service area of the home health agency.

(n) Service area exceptions.

(1) Any licensee that provides home health services may request an exception to the licensee's service area restriction by applying for an exception on forms provided by the department, which shall include the following:

(A) A statement from the licensee that there is a need for a specific home health service in an area outside the licensee's service area; and

(B) a statement from the licensee that the geographic area where the specific home health service is to be pro-

vided is not served by another home health agency that provides the specific home health service.

(2) If an exception is granted, the exception shall be effective for one year. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5103, 65-5104, 65-5105, and 65-5106; effective, T-86-23, July 1, 1985; effective May 1, 1986; amended Feb. 28, 1994; amended May 20, 2022.)

**28-51-102.** (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5103; effective, T-86-23, July 1, 1985; effective May 1, 1986; amended Feb. 28, 1994; revoked May 20, 2022.)

**28-51-103. Organization and administration.** (a) Governing body. Each home health agency shall have a governing body having legal authority to operate the home health agency. The governing body shall meet the following requirements:

(1) Have bylaws or an operating agreement, which shall be renewed annually;

(2) employ a qualified administrator and alternate administrator;

(3) adopt, revise, and approve policies and procedures for the operation and administration of the home health agency as needed;

(4) provide the name and address of each officer, director, and owner of the home health agency to the department;

(5) disclose each corporate ownership interest of five percent or more to the department; and

(6) disclose past home health agency ownership or management, including the name of the home health agency, its location, and current status, to the department.

(b) Administrator.

(1) Each administrator shall have at least the following responsibilities:

(A) Organize and direct the home health agency's ongoing functions;

(B) act as a liaison between the governing body and staff;

(C) employ qualified personnel in accordance with job descriptions;

(D) provide written personnel policies and procedures and job descriptions that are made available to all employees;

(E) maintain appropriate personnel records, administrative records, and all policies and procedures of the home health agency;

(F) provide orientation for new staff, regularly scheduled in-service education programs, and opportunities for continuing education of the staff;

(G) ensure the completion, maintenance, and submission of reports and records as required by the department; and

(H) ensure that each patient or client admitted to the home health agency receives, in writing, the patients' and clients' bill of rights specified in K.A.R. 28-51-111.

(2) The administrator shall reside within the service area.

(3) For each home health agency that provides home health services or HCBS, the administrator shall meet the following requirements:

(continued)

(A) Be at least 21 years of age;  
 (B) have a baccalaureate degree; and  
 (C) meet one of the following requirements:  
 (i) Have at least one year of experience as an administrator;  
 (ii) be a physician;  
 (iii) be a registered nurse; or  
 (iv) be a qualified health professional, other than a physician or a registered nurse, currently licensed in Kansas who has at least two years of experience in direct health care delivery and at least one year of supervisory experience in health care.

(4) For each home health agency providing only supportive care services, the administrator shall meet the following requirements:

(A) Be at least 21 years of age;  
 (B) have at least one year of experience as an employee of a home health agency or in a related health care service; and  
 (C) have one of the following:  
 (i) A baccalaureate degree;  
 (ii) an associate's degree; or  
 (iii) a certificate from a home health administrator course approved by the department.

(c) Alternate administrator. The alternate administrator shall meet all the requirements of an administrator. An alternate administrator shall be available at any time the administrator is not available and be responsible for all duties of the administrator in the administrator's absence.

(d) Personnel records. Current personnel records shall be maintained for each employee. The personnel records for each employee shall include the following:

(1) The title of the employee's position;  
 (2) a signed and dated job description that includes the qualifications for the position;  
 (3) evidence of licensure or certification if required. Each degree shall be supported by official transcripts. Licensure or certification within Kansas or authorization to practice in Kansas for any qualified health professional, certified nurse aide, home health aide, licensed practical nurse, occupational therapy assistant, or physical therapist shall be provided upon request;  
 (4) performance evaluations made within six months of employment and annually thereafter;  
 (5) documentation of reference checks for each employee before employment;  
 (6) a health record, including the following:

(A) A self-reported health history;  
 (B) a current health assessment performed by a physician, nurse practitioner, clinical nurse specialist, physician assistant, or registered nurse certifying that the employee is physically able to perform job functions as listed in the employee's job description before working with clients or patients; and

(C) a current two-step tuberculosis skin test following the U.S. centers for disease control and prevention testing guidelines for healthcare workers taken before working with clients or patients;

(7) a subsequent periodic health assessment performed by a physician, nurse practitioner, clinical nurse specialist, physician assistant, or registered nurse in accordance with home health agency policies and procedures and a

subsequent health assessment at least every two years or following a significant health event;

(8) a copy of the eligibility determination request submitted to the department for aging and disability services regarding adult and juvenile convictions and adjudications pursuant to K.S.A. 65-5117, and amendments thereto; and

(9) results of the state and national criminal history record check pursuant to K.S.A. 65-5117, and amendments thereto, and the findings of any state or national registry, as defined in regulations adopted by the secretary of the department for aging and disability services.

(e) Provisional employment. Any home health agency may hire an applicant for provisional employment on a one-time basis for 60 calendar days pending the results from the department for aging and disability services regarding adult and juvenile convictions and adjudications. Each applicant provisionally hired by a home health agency shall be supervised by an employee who has completed all training required by federal regulations, department regulations, and the home health agency's policies and procedures.

(f) Personnel under hourly or per visit contracts. There shall be a written contract between the home health agency and personnel any individuals or businesses who contract with the home health agency under hourly or per visit arrangements. The contract shall include the following provisions:

(1) A statement that patients or clients will be provided home health services, HCBS, and supportive care services by the home health agency;

(2) a description of the home health services, HCBS, and supportive care services to be provided by each individual or business;

(3) a statement that each individual or business shall conform to all applicable agency policies and procedures, including those related to qualifications;

(4) a statement that each individual or business shall be responsible for participating in the development of plans of care;

(5) a description of the manner in which home health services, HCBS, and supportive care services provided by each individual or business shall be controlled, coordinated, and evaluated by the home health agency;

(6) the procedures for submitting progress notes, scheduling patient care, and conducting periodic patient evaluations; and

(7) the procedures for determining charges and reimbursement to each individual or business.

(g) Abuse, neglect, or exploitation. Each home health agency shall meet the following requirements:

(1) Provide in-service training recognizing the signs and symptoms of abuse, neglect, or exploitation to home health agency employees and contracted personnel at the time of hire or contract and annually thereafter and document all training provided in each personnel file;

(2) develop written policies and procedures that include the reporting process for reporting abuse, neglect, and exploitation; and

(3) immediately report if there is reasonable cause to believe that a patient or client is being or has been abused, neglected, or exploited or is in need of protective services

in accordance with home health agency policies and procedures pursuant to K.S.A. 39-1431, and amendments thereto. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5104; effective, T-86-23, July 1, 1985; effective May 1, 1986; amended Feb. 28, 1994; amended May 20, 2022.)

**28-51-104. Home health services, HCBS, and supportive care services.** (a) Each home health agency shall provide home health services, HCBS, and supportive care services to a patient or client only when the home health agency reasonably expects that the patient's medical, rehabilitation, and social needs or the client's needs can be met adequately by the home health agency in the patient's or client's place of residence.

(b) Each home health agency shall be limited to the home health services, HCBS, and supportive care services specified by the home health agency's initial application or renewal application.

(c)(1) Each licensee issued a license that indicated on the licensee's initial application or renewal application that the licensee intends to provide home health services shall provide the following for each patient:

(A) An order from the patient's physician, nurse practitioner, clinical nurse specialist, or physician assistant;

(B) an assessment of the patient by a registered nurse or physical therapist if only physical therapy will be provided;

(C) a plan of care for the patient developed by the registered nurse or physical therapist based upon the patient's needs;

(D) training of appropriate staff to deliver the plan of care in accordance with the home health agency regulations in this article of the department's regulations;

(E) written policies and procedures regarding the provision of skilled care services and, if offered, separate written policies for supportive care services or HCBS;

(F) a written plan of care for each patient that is reviewed at least every 60 days by a registered nurse or physical therapist as required by the home health agency regulations in this article of the department's regulations;

(G) a clinical record for each patient that includes progress notes for the patient;

(H) a policy indicating who can administer medications;

(I) policies and procedures indicating that all personnel providing services to the same patient shall maintain communication with the registered nurse or physical therapist employed by the home health agency to ensure that all home health services support the plan of care;

(J) a registered nurse, who shall be available or on-call to the staff to serve patients during all hours that home health services are provided;

(K) a visit by a physician, a registered nurse, or a qualified health professional to each patient's home every two weeks to supervise home health services if nursing or therapy services, or both, are being provided to the patient. This visit may be made less often if only personal care is provided to a patient and documented in the clinical record. If only personal care is provided, a supervisory visit shall be made at least every 60 days; and

(L) written instructions for the home health services to be provided to each patient prepared by a qualified health professional.

(2) Each licensee issued a license that indicated on the licensee's initial application or renewal application that the licensee intends to provide HCBS shall provide the following for each patient:

(A) The plan of care;

(B) training of appropriate staff to deliver the plan of care in accordance with HCBS guidelines and home health agency regulations in this article of the department's regulations;

(C) written policies and procedures regarding the provision of HCBS and, if offered, separate written policies and procedures for supportive care services;

(D) documentation of the HCBS provided to the patient, which shall become part of the clinical record;

(E) policies and procedures indicating who can provide medication administration;

(F) policies and procedures indicating that all personnel providing HCBS to the same patient shall maintain communication to ensure that all HCBS support the plan of care;

(G) a registered nurse, who shall be available or on-call to the staff to serve patients during all hours that personal care is provided; and

(H) a physician, registered nurse, or other qualified health professional, who shall visit the patient's home every 60 days if personal care is provided.

(3) Each licensee issued a license that indicated on the licensee's initial application or renewal application that the licensee intends to provide supportive care services shall provide the following for each client:

(A) Written policies and procedures that indicate admission criteria for the client consistent with supportive care services, as defined in K.S.A. 65-5101 and amendments thereto, and the requirements of this regulation;

(B) written policies and procedures describing the appropriate scope of practice for the supportive care worker consistent with supportive care services, as defined in K.S.A. 65-5101 and amendments thereto, and the requirements of this regulation;

(C) an assessment of the client by a manager used to develop a plan of care for the client based upon the client's needs;

(D) training of managers and supportive care workers to deliver the plan of care in accordance with the home health agency regulations in this article of the department's regulations, including competency in the following:

(i) Communication skills, with special focus on communicating with clients with hearing deficits, dementia, or other special needs;

(ii) observation, reporting, and documentation of client status and documenting supportive care services provided to the client;

(iii) basic infection control procedures;

(iv) basic elements of body functioning and changes in body function and when to report changes in bodily functions to the manager;

(v) maintenance of a clean, safe, and healthy environment;

(vi) recognizing emergencies and knowledge of home health agency emergency procedures;

(continued)

(vii) recognizing physical, emotional, and developmental needs of the clients served by the home health agency;

(viii) working with clients, including respect of the client and the client's privacy and property; and

(ix) appropriate and safe techniques in personal hygiene and grooming;

(E) written policies and procedures regarding the provision of supportive care services;

(F) a plan of care for the client, which shall be reviewed by the manager at least every 60 days;

(G) progress notes for the client, which shall be kept as part of the client record;

(H) policies and procedures indicating that medications shall not be set up by supportive care workers or allow supportive care workers to provide medication administration;

(I) policies and procedures indicating that all personnel providing supportive care services to the same client shall maintain communication with the manager to ensure that all supportive care services promote the plan of care;

(J) a manager, who shall be on-call to assist staff providing supportive care services for clients; and

(K) a visit by the manager to each client every three months to provide supervision to each supportive care worker.

(d) Each licensee shall maintain the following documents, which shall be available to a department surveyor upon request:

(1) The documents maintained by each home health agency providing home health services or HCBS shall include the following:

(A) A clinical record for each patient; and

(B) personnel records for each employee that include all training received, qualifications, performance evaluations, and evidence of a background check clearance.

(2) The documents maintained by each home health agency providing supportive care services shall include the following:

(A) A client record for each client; and

(B) personnel records for each employee that include all training received, qualifications, performance evaluations, and evidence of a background check clearance.

(e) Each licensee shall maintain a copy of each policy and the policies and procedures required by this article of the department's regulations. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5104; effective, T-86-23, July 1, 1985; effective May 1, 1986; amended Feb. 28, 1994; amended May 20, 2022.)

**28-51-105. Nursing services.** (a) Each licensee of a home health agency that provides nursing services shall ensure the following:

(1) Supervision of nursing services by a registered nurse or clinical manager;

(2) an initial evaluation by a registered nurse of each patient within 48 hours of referral to determine the immediate home health services needed by the patient;

(3) the reporting to a physician, nurse practitioner, clinical nurse specialist, or physician assistant of any concerns or change in a patient's status; and

(4) the updating of each patient's plan of care by a reg-

istered nurse if there is a concern or change in the patient's status.

(b) Each licensee issued a license that indicated on the licensee's initial application or renewal application that the licensee intends to provide home health services shall provide nursing services in accordance with each patient's plan of care with nursing services ordered by a physician, nurse practitioner, clinical nurse specialist, or physician assistant.

(c) Each clinical manager shall coordinate each patient's plan of care and ensure that all other home health agency personnel who are actively involved in the patient's plan of care are kept informed of the patient's status.

(d) If drugs are being administered by a home health agency, the licensee shall have a policy consistent with K.S.A. 65-1625 et seq., and amendments thereto, regarding how the drugs will be administered, monitored, secured, and transported from the pharmacy to the patient.

(e) A person that applies for a license to provide only supportive care services shall not provide nursing services. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5104; effective, T-86-23, July 1, 1985; effective May 1, 1986; amended May 20, 2022.)

**28-51-106. Therapy services.** (a) Therapy services offered by a licensee's employees or under a contractual arrangement with the licensee shall be provided by the following:

(1) A physical therapist;

(2) a physical therapist assistant functioning under the supervision of a physical therapist;

(3) an occupational therapist;

(4) an occupational therapy assistant functioning under the supervision of an occupational therapist;

(5) a speech therapist; or

(6) a respiratory therapist.

(b) Each physical therapist, occupational therapist, speech therapist, or respiratory therapist shall perform the following:

(1) Make an evaluation visit to each patient requiring therapy services;

(2) reevaluate each patient's needs on a monthly basis; and

(3) initiate the patient's plan of care and make any necessary revisions to the plan of care.

(c) Any licensee that does not provide nursing services and provides only therapy services to a patient may utilize a physical therapist, instead of a registered nurse, to conduct the initial patient evaluation and establish and update the plan of care. If nursing services are added after the plan of care is established, a registered nurse shall conduct a patient evaluation and revise the plan of care before nursing services are provided. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5104; effective, T-86-23, July 1, 1985; effective May 1, 1986; amended May 20, 2022.)

**28-51-107. Social services.** (a) Social services offered by a licensee's employees or under a contractual arrangement with the licensee shall be provided by a social worker according to the patient's plan of care.

(b) The social worker shall participate in the development of the patient's plan of care. (Authorized by K.S.A.



65-5109; implementing K.S.A. 65-5104; effective, T-86-23, July 1, 1985; effective May 1, 1986; amended May 20, 2022.)

**28-51-109. Nutritional and dietary consultation.**

(a) Each licensee providing nutritional and dietary consultation services offered by the licensee's employees or under a contractual arrangement with the licensee shall provide nutritional and dietary consultation services according to the plan of care.

(b) Each dietitian shall evaluate the nutritional needs of each patient requiring nutritional and dietary services and shall participate in developing the plan of care for that patient. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5104; effective, T-86-23, July 1, 1985; effective May 1, 1986; amended May 20, 2022.)

**28-51-110. Clinical records and client records.** (a)

General provisions. A clinical record or client record containing pertinent past and current findings shall be maintained in accordance with accepted professional standards for each patient or client receiving home health services.

(b) Content of clinical record. Each clinical record shall contain at least the following:

- (1) The patient's plan of care;
- (2) the name of the patient's physician, nurse practitioner, clinical nurse specialist, or physician assistant;
- (3) drug, dietary, treatment, and activity physician orders;
- (4) signed and dated admission notes and clinical notes that are written the day the home health service is rendered and incorporated at least weekly;
- (5) documentation of home health services provided, date and time in and out, and a confirmation that home health services were provided;
- (6) documentation that HCBS were performed according to policies and guidelines for HCBS, if the home health agency provides HCBS;
- (7) a copy of all progress notes;
- (8) the date of each on-site visit for supervision required by K.A.R. 28-51-118; and
- (9) the discharge summary report.

(c) Content of client record. Each client record shall contain at least the following:

- (1) The plan of care;
- (2) the name of the client's physician, nurse practitioner, clinical nurse specialist, or physician assistant;
- (3) physician orders for drugs, diet, treatment, and activity;
- (4) signed and dated admission notes;
- (5) documentation of supportive care services provided, the date and time the provider of supportive care services checked in and out, and a confirmation that supportive care services were provided;
- (6) a copy of progress notes;
- (7) the date of each on-site visit for supervision required by K.A.R. 28-51-117; and
- (8) the discharge summary report.

(d) Retention. Each clinical record and each client record shall be retained in a retrievable form for at least five years after the date of the last discharge of the patient or client. If the licensee discontinues operation, provision shall be made for retention of records.

(e) Safeguard against loss or unauthorized use. Written policies and procedures shall be developed regarding the use and removal of documents from the patient record or client record and the conditions for release of information. The patient's, client's, or guardian's written consent shall be required for release of information not required by law. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5104; effective, T-86-23, July 1, 1985; effective May 1, 1986; amended Feb. 28, 1994; amended May 20, 2022.)

**28-51-111. Patients' and clients' bill of rights.** (a)

Each governing body shall establish a bill of rights that shall be equally applicable to all patients and clients. The following provisions shall be included in the patients' and clients' bill of rights:

- (1) The right to choose health care professionals and the right to communicate with those health care professionals;
- (2) the right to participate in the planning of the patient's or client's plan of care and the right to appropriate instruction and education regarding the plan of care;
- (3) the right to home health services, HCBS, and supportive care services that are provided without discrimination as to race, color, creed, sex, or national origin;
- (4) the right to receive home health services, HCBS, or supportive care services only if the licensee has the ability to provide safe, professional care at the level of intensity needed;
- (5) the right to reasonable continuity of care;
- (6) the right to be advised in advance of any change in the plan of care before the change is made;
- (7) the right to confidentiality of all clinical records and client records, communications, and personal information;
- (8) the right to review all health records pertaining to the patient or client unless medically contraindicated in the clinical record or client record by the physician, nurse practitioner, clinical nurse specialist, or physician assistant;
- (9) the right to be referred to another home health agency if the patient or client is denied home health services, HCBS, or supportive care services for any reason;
- (10) the right to voice grievances and suggest changes in home health services, HCBS, and supportive care services or the staff providing the home health services, HCBS, and supportive care services, without fear of reprisal or discrimination;
- (11) the right to be fully informed of home health agency policies and charges for home health services, HCBS, and supportive care services, including eligibility for, and the extent of payment from third-party reimbursement sources, before receiving care. Each patient and client shall be informed of the extent to which payment could be required from the patient or client;
- (12) the right to be free from verbal, physical, and psychological abuse and to be treated with dignity;
- (13) the right to have the patient's or client's property treated with respect;
- (14) the right to be advised in writing of the availability of the department's toll-free complaint telephone number; and
- (15) the right to be free from the use of restraints in the home setting.

(continued)

(b) Each governing body shall establish a bill of rights that shall be applicable to all patients, in addition to the rights specified in subsection (a). The following provisions shall be included in the patients' bill of rights:

(1) The right to request information about the diagnosis, prognosis, and treatment, including alternatives to treatment and risks involved, in terms that the patient and the patient's family can readily understand in order to give informed consent;

(2) the right to refuse home health services or HCBS and the right to be informed of the possible health consequences of any refusal; and

(3) the right to be advised in advance of the home health services or HCBS that will be provided and the frequency of visits proposed to be provided. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5104; effective, T-86-23, July 1, 1985; effective May 1, 1986; amended Feb. 28, 1994; amended May 20, 2022.)

**28-51-112. Home health aide training; state test.** (a) Each individual employed or contracted by a home health agency who is not licensed or registered to provide home health services but who assists, under supervision, in the provision of home health services to patients shall meet the requirements specified in K.A.R. 28-51-113 through 28-51-115.

(b) Upon completing the requirements specified in K.A.R. 28-51-113 through 28-51-115, each home health aide shall be required to pass a state test as specified in K.A.R. 28-51-116. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5115; effective, T-86-23, July 1, 1985; effective May 1, 1986; amended Feb. 28, 1994; amended Oct. 27, 2006; amended May 20, 2022.)

**28-51-113. Home health aide qualifications.** (a) Each home health aide candidate shall be a Kansas-certified nurse aide in good standing on the public nurse aide registry and complete a 20-hour home health aide course approved by the department.

(b) Upon completing a home health aide course as specified in subsection (a), each home health aide shall be required to pass a state test as specified in K.A.R. 28-51-116.

(c) Each individual who completes the requirements specified in subsections (a) and (b) shall be certified by the department and shall be listed on the public nurse aide registry.

(d)(1) Each home health aide trainee shall be allowed to provide home health services to patients of the home health agency under the supervision of a registered nurse.

(2) Each home health aide trainee who completes an approved 20-hour course shall be certified by the department, upon completion of the requirements specified in subsections (a) and (b), within 90 days from the beginning date of the initial course in order to continue employment providing home health services. Home health aide trainee status shall be for one 90-day period only.

(3) Any Kansas-certified nurse aide who is eligible for employment and who is enrolled in a 20-hour home health aide course may work for a home health agency as a home health aide trainee. The home health agency's registered nurse shall retain in the home health aide trainee's per-

sonnel file a form approved by the department attesting that the home health aide trainee has met the minimum competencies for a home health aide trainee.

(e) Each 20-hour home health aide course shall be administered according to the following criteria:

(1) Any home health aide issued a nurse aide certificate by the department or enrolled in a 90-hour nurse aide course as specified in K.A.R. 28-39-165 may enroll in a 20-hour home health aide course after being prescreened and tested for reading comprehension at an eighth-grade level.

(2) Each 20-hour home health aide course shall be sponsored by one of the following:

(A) A home health agency;

(B) a postsecondary school under the jurisdiction of the state board of regents; or

(C) a postsecondary school accredited by the north central association of colleges and schools.

(3) A licensee shall not sponsor or provide clinical instruction for a 20-hour home health aide course if that licensee meets any of the conditions listed in 42 C.F.R. 484.36(a)(2)(i), as in effect on October 1, 2011, which is hereby adopted by reference.

(4) Each 20-hour course shall be prepared and administered in accordance with the guidelines established by the department in the "Kansas certified home health aide guidelines (20 hours)," dated September 29, 2021, and the "Kansas home health aide sponsor and instructor manual," dated July 26, 2021, which are hereby adopted by reference.

(f) No correspondence course shall be accepted as a 20-hour home health aide course.

(g) Distance-learning educational offerings and computer-based educational offerings shall meet the requirements specified in subsection (e). (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5115; effective Dec. 29, 2003; amended Oct. 27, 2006; amended May 20, 2022.)

**28-51-117. Supportive care services.** (a) Admission criteria. Each person that applies to provide supportive care services shall have a written policy that addresses admission criteria consistent with the definition of "supportive care services" in K.S.A. 65-5101, and amendments thereto, and the requirements of this regulation.

(b) Scope of practice and training. Each licensee providing supportive care services shall have written policies and procedures describing the appropriate scope of practice for a supportive care worker consistent with the following:

(1) The definition of "supportive care services" in K.S.A. 65-5101, and amendments thereto;

(2) the requirements of this regulation; and

(3) the training required for each supportive care worker to provide the necessary supportive care services to a client.

(c) Competency. Each licensee shall ensure that each supportive care worker demonstrates competency before providing supportive care services to a client without the manager being present and shall reevaluate each supportive care worker on an annual basis in the following subject areas:

(1) Communication skills with special focus on communicating with clients with a hearing deficit, dementia, or other special needs;

(2) observation, reporting, and documentation of client status and the supportive care service provided;

(3) basic infection control procedures;

(4) basic elements of body functioning and changes in body function that shall be reported to the supportive care worker's supervisor;

(5) maintenance of a clean, safe, and healthy environment;

(6) recognizing emergencies and knowledge of the home health agency's emergency procedures;

(7) respecting the client and the client's privacy and property;

(8) knowledge of the clients' bill of rights specified in K.A.R. 28-51-111;

(9) appropriate and safe techniques in personal hygiene and grooming; and

(10) appropriate use of any equipment needed for the provision of supportive care services.

(d) Ongoing training. Ongoing training shall be provided to each manager and supportive care worker annually or more often as needed to adequately provide the supportive care services needed by the clients served by the home health agency. Ongoing training shall include training on the supportive care services provided and the equipment used by the home health agency. The subject matter and date of the ongoing training provided shall be documented in each manager's and supportive care worker's file.

(e) Supervision of supportive care workers. Each licensee providing supportive care services shall supervise each supportive care worker as follows:

(1) Employ a manager who is available to a supportive care worker for questions at all times; and

(2) provide on-site supervision of each supportive care worker, at least every three months, including an assessment of client satisfaction of the supportive care services provided and the supportive care worker's adherence to the plan of care.

(f) Written assignments.

(1) Written assignments and instructions for supportive care workers shall be prepared by a manager based on the plan of care.

(2) Written assignments and instructions for supportive care workers shall include the following:

(A) The procedures to be used for meeting the client's needs;

(B) specification of when the supportive care worker is required to report to the supportive care worker's supervisor; and

(C) a requirement for the supportive care worker to document the supportive care services provided during each visit.

(3) Each manager shall review the written assignments and instructions every three months or more frequently as changes in the client's status and needs occur.

(g) Assigned duties. Each licensee shall include the following requirements in written policies and procedures for use by a supportive care worker:

(1) Assisting with medication.

(A) Any supportive care worker may assist a client with medication only if the medications have been preselected by the client, a family member, a nurse, or a pharmacist

and are stored in containers other than the prescription bottles, including medication reminder containers. Each medication reminder container shall be clearly marked with day and time of dosage. Assistance shall be limited to the following:

(i) Inquiries whether medications were taken;

(ii) verbal prompting to take medications;

(iii) handing the appropriately marked medication reminder container to the client; and

(iv) opening the appropriately marked medication reminder container for the client if the client is physically unable to open the container.

(B) Paragraph (g)(1)(A) shall apply to all prescription and nonprescription medications. Each supportive care worker shall report immediately to the manager whenever medications are taken too often, not taken often enough, or not taken at the correct time as marked in the medication reminder container. Supportive care workers and other employees of a home health agency providing supportive care services shall not participate in medication administration.

(2) Skin care. Each supportive care worker performing skin care assistance shall provide skin care assistance only if the client's skin is unbroken and the client does not have active chronic skin problems. A supportive care worker shall not apply medication. Supportive care workers and other employees of a home health agency providing supportive care services shall not provide wound care, including dressing changes and application of medications.

(3) Ambulation. Any supportive care worker may assist a client with ambulation who can balance and bear weight if a qualified health professional determines that the client is independent with an assistive device.

(4) Bathing. Any supportive care worker may assist a client with bathing. If a client has wounds requiring changes to bandages before, during, or after bathing, the client shall be in the care of a home health agency licensed to provide home health services.

(5) Dressing. Any supportive care worker may assist a client with dressing, including assistance with ordinary clothing and application of over-the-counter support stockings that can be purchased without a physician's prescription. A supportive care worker shall not assist with the application of an elastic bandage wrap or anti-embolic or pressure stockings that can be purchased only with a prescription.

(6) Exercise. Any supportive care worker may assist a client with exercise. The assistance shall not include assistance with exercise prescribed by a qualified health professional, including a physical therapist or occupational therapist, and shall be limited to assistance with normal bodily movement as tolerated by the client. Any supportive care worker may provide encouragement to the client to comply with a prescribed exercise program.

(7) Feeding. Any supportive care worker may assist a client with feeding if the client can independently chew and swallow without difficulty and maintain an upright position. Assistance by a supportive care worker shall not include syringe feedings, tube feedings, and intravenous nutrition. If a client is at a high risk for choking or

*(continued)*

aspiration, the client shall be in the care of a home health agency licensed to provide home health services.

(8) Hair care. Any supportive care worker may assist a client with the maintenance and appearance of the client's hair. Hair care may include shampooing with a shampoo that does not require a physician's prescription and drying, combing, and styling hair.

(9) Mouth care. Any supportive care worker may assist with and perform mouth care for a client, including denture care and basic oral hygiene. Mouth care for clients who are unconscious, have difficulty swallowing, or are at risk for choking and aspiration or have had recent surgical procedures to the mouth shall be performed by a home health agency licensed to provide home health services.

(10) Nail care. Any supportive care worker may assist a client with nail care, including soaking nails, pushing back cuticles without utensils, and filing nails. Nail trimming for clients shall be performed only by a supportive care worker of a home health agency that indicated in the home health agency's initial application or renewal application that it intends to provide home health services.

(11) Positioning. Any supportive care worker may assist a client with positioning if the client is able to indicate to the supportive care worker verbally, nonverbally, or through others, whenever the client's position needs to be changed. Positioning shall not be performed if skin care is required in conjunction with the positioning. Positioning may include simple alignment in a bed, wheelchair, or other furniture.

(12) Shaving. Any supportive care worker may assist a client with shaving only with an electric or a safety razor.

(13) Toileting. Any supportive care worker may perform the following:

- (A) Assisting a client to and from the bathroom;
- (B) providing assistance with bedpans, urinals, and commodes;
- (C) assisting with personal hygiene or changing clothing and pads of any kind used for the care of incontinence;
- (D) emptying urinary collection devices, including catheter bags. The insertion and removal of catheters and care of external catheters shall be considered a skilled care service and shall not be performed by a supportive care worker; and
- (E) emptying ostomy bags. A supportive care worker shall not insert suppositories or administer an enema.

(14) Transfers. Any supportive care worker may assist a client with transfers as provided by written assignments if the client has sufficient balance and strength to stand and pivot and assist with the transfer. Any supportive care worker may assist a family member with transferring the client. A supportive care worker shall not perform assistance with a transfer if the client is unable to assist with the transfer.

Adaptive and safety equipment may be used in a transfer if the client and the supportive care worker are fully trained in the use of the equipment and the client, client's family member, or guardian can direct the transfer step-by-step. Adaptive and safety equipment may include wheelchairs, tub seats, and grab bars. A gait belt may be used in a transfer as a safety device for the supportive

care worker if the supportive care worker has been properly trained in the use of a gait belt.

Any supportive care worker with training and demonstrated competency may assist a client in a transfer involving a lift device.

(15) Respiratory care. Respiratory care shall be considered a skilled care service and shall not be performed by a supportive care worker.

(16) Masks and oxygen flow. Any supportive care worker may temporarily remove and replace a cannula or mask from a client's face for the purposes of shaving or washing the client's face. Any supportive care worker may set a client's oxygen flow according to written instructions when changing tanks, if the supportive care worker has been specifically trained and has demonstrated competency for setting a client's oxygen flow. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5101; effective May 20, 2022.)

**28-51-118. HCBS.** (a) Admission criteria. Each person that applies to provide HCBS shall have written policies and procedures that address admission criteria consistent with the requirements of this regulation.

(b) Scope of practice and training. Each licensee providing HCBS shall have written policies and procedures describing the appropriate scope of practice for each HCBS worker consistent with state regulations and federal regulations and guidelines for HCBS and the training required for each HCBS worker to provide the necessary HCBS to a patient.

(c) Competency. Each licensee providing HCBS shall ensure that each HCBS worker providing personal care demonstrates competency before providing HCBS to a patient without a supervisor being present and shall re-evaluate each worker providing personal care on an annual basis in the following subject areas:

- (1) Communication skills, with special focus on communicating with patients with a hearing deficit, dementia, or other special needs;
- (2) observation, reporting, and documentation of patient status and the type of HCBS provided;
- (3) basic infection control procedures;
- (4) basic elements of body functioning and changes in body function or vital signs that shall be reported to the HCBS worker's supervisor;
- (5) maintenance of a clean, safe, and healthy environment;
- (6) recognizing emergencies and knowledge of the home health agency's emergency procedures;
- (7) respecting the patient and the patient's privacy and property;
- (8) knowledge of the patient's bill of rights specified in K.A.R. 28-51-111;
- (9) appropriate and safe techniques in personal hygiene and grooming; and
- (10) appropriate use of any equipment needed for the provision of HCBS.

(d) Ongoing training. Each home health agency shall provide ongoing training to each HCBS worker. Training requirements and annual competencies shall be consistent with the HCBS that the licensee provides and shall be appropriate to the needs of the patients served. Successful completion of the training and annual competen-

cies shall be documented in a training record for each HCBS worker.

(e) Supervision of HCBS workers. Each licensee providing HCBS shall ensure supervision of each HCBS worker as follows:

- (1) Employ a supervisor for each HCBS worker who is available for questions at all times;
- (2) provide on-site supervision of each HCBS worker at least every three months, including an assessment of client satisfaction of the HCBS provided and the HCBS worker's adherence to the plan of care; and
- (3) evaluate each HCBS worker providing HCBS by the

HCBS worker's supervisor during an on-site observation of each HCBS worker while providing HCBS at least every three months, including the following:

- (A) Tasks performed;
- (B) relationships with patients; and
- (C) the HCBS worker's adherence to the patient's plan of care. (Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5104; effective May 20, 2022.)

Janet Stanek  
Secretary

Doc. No. 050103

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended, and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2021 Supplement of the *Kansas Administrative Regulations*. Regulations can also be found at [http://www.sos.ks.gov/pubs/pubs\\_kar.aspx](http://www.sos.ks.gov/pubs/pubs_kar.aspx).

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-18-1a	Amended	V. 40, p. 1490
1-18-2	Revoked	V. 40, p. 1490

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-8-13	Amended	V. 40, p. 320
4-8-14a	Amended	V. 40, p. 320
4-8-27	Amended	V. 40, p. 320
4-8-28	Amended	V. 40, p. 320
4-8-29	Amended	V. 40, p. 320
4-8-30	Amended	V. 40, p. 320
4-8-31	Amended	V. 40, p. 320
4-8-32	Amended	V. 40, p. 320
4-8-33	Amended	V. 40, p. 320
4-8-34	Amended	V. 40, p. 321
4-8-35	Amended	V. 40, p. 321
4-8-36	Amended	V. 40, p. 321
4-8-37	Amended	V. 40, p. 321
4-8-38	Amended	V. 40, p. 321
4-8-39	Amended	V. 40, p. 321
4-8-40	Amended	V. 40, p. 321
4-8-41	Revoked	V. 40, p. 321
4-8-42	Revoked	V. 40, p. 321
4-8-43	Revoked	V. 40, p. 321
4-8-44	New	V. 40, p. 321
4-8-45	New	V. 40, p. 322
4-8-46	New	V. 40, p. 322
4-8-47	New	V. 40, p. 322
4-8-48	New	V. 40, p. 322
4-34-1	Amended	V. 40, p. 191
4-34-24	Amended (T)	V. 40, p. 1322
4-34-24	Amended	V. 40, p. 1663
4-34-25	Amended (T)	V. 40, p. 1323
4-34-25	Amended	V. 40, p. 1664

4-34-29	Amended (T)	V. 40, p. 1324
4-34-29	Amended	V. 40, p. 1665

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

Reg. No.	Action	Register
5-19-1	New	V. 40, p. 1680
5-19-2	New	V. 40, p. 1681
5-19-3	New	V. 40, p. 1681
5-19-4	New	V. 40, p. 1682
5-19-5	New	V. 40, p. 1682

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-30-1	Revoked	V. 41, p. 629
7-32-1	Revoked	V. 41, p. 629
7-32-2	Revoked	V. 41, p. 629
7-35-1	Revoked	V. 41, p. 629
7-35-2	Revoked	V. 40, p. 629
7-48-1	New	V. 40, p. 263

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

Reg. No.	Action	Register
9-2-36	New	V. 41, p. 728

**AGENCY 10: BUREAU OF INVESTIGATION**

Reg. No.	Action	Register
10-22-1	Amended	V. 41, p. 152

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

Reg. No.	Action	Register
11-9-5	Amended	V. 40, p. 427

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

Reg. No.	Action	Register
17-24-2	Amended	V. 41, p. 185

**AGENCY 21: HUMAN RIGHTS COMMISSION**

Reg. No.	Action	Register
21-40-10	Revoked	V. 40, p. 265
21-41-1	Revoked	V. 40, p. 265
21-41-2	Amended	V. 40, p. 265
21-41-3	Amended	V. 40, p. 265
21-41-4	Revoked	V. 40, p. 265
21-41-6	Amended	V. 40, p. 265
21-41-8	Amended	V. 40, p. 265
21-41-10	Amended	V. 40, p. 265
21-41-11	Revoked	V. 40, p. 265

**AGENCY 22: STATE FIRE MARSHAL**

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22-26-1	New (T)	V. 40, p. 1034
22-26-1	New	V. 40, p. 1444
22-26-2	New (T)	V. 40, p. 1035
22-26-2	New	V. 40, p. 1445
22-26-3	New (T)	V. 40, p. 1035
22-26-3	New	V. 40, p. 1445
22-26-4	New (T)	V. 40, p. 1036
22-26-5	New (T)	V. 40, p. 1037
22-26-5	New	V. 40, p. 1446
22-26-6	New (T)	V. 40, p. 1037
22-26-6	New	V. 40, p. 1446
22-26-7	New (T)	V. 40, p. 1037
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22-26-8	New (T)	V. 40, p. 1037
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22-26-9	New (T)	V. 40, p. 1038
22-26-9	New	V. 40, p. 1447
22-26-10	New (T)	V. 40, p. 1038
22-26-10	New	V. 40, p. 1447
22-26-11	New (T)	V. 40, p. 1038
22-26-11	New	V. 40, p. 1447
22-26-12	New (T)	V. 40, p. 1039
22-26-12	New	V. 40, p. 1448
22-26-13	New (T)	V. 40, p. 1039
22-26-13	New	V. 40, p. 1448
22-26-14	New (T)	V. 40, p. 1039
22-26-14	New	V. 40, p. 1448
22-26-15	New (T)	V. 40, p. 1040
22-26-16	New (T)	V. 40, p. 1040
22-26-16	New	V. 40, p. 1449

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

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28-1-41	Amended	V. 40, p. 1797
28-1-42	Amended	V. 40, p. 1797
28-1-43	Amended	V. 40, p. 1797
28-1-44	Amended	V. 40, p. 1798
28-16-28b	Amended	V. 41, p. 409
28-16-28e	Amended	V. 41, p. 412
28-16-28f	Amended	V. 41, p. 414
28-16-28g	Amended	V. 41, p. 416
28-16-28h	Amended	V. 41, p. 416
28-18-1	Amended	V. 40, p. 1547
28-18-4	Amended	V. 40, p. 1186
28-18-14	Amended	V. 40, p. 1550
28-18-16	Amended	V. 40, p. 1551
28-18-17	Amended	V. 40, p. 1551
28-18a-4	Amended	V. 40, p. 1187
28-18a-24	Amended	V. 40, p. 1552
28-35-135a	Amended	V. 41, p. 435
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28-35-135i	Amended	V. 41, p. 439
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28-35-181d	Amended	V. 41, p. 446
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28-35-181r	Amended	V. 41, p. 450
28-35-181u	New	V. 41, p. 450
28-35-181v	New	V. 41, p. 451
28-35-192e	Amended	V. 41, p. 451
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28-35-192h	Amended	V. 41, p. 451
28-35-195a	Amended	V. 41, p. 452
28-35-196a	Amended	V. 41, p. 452
28-35-227c	Amended	V. 41, p. 452
28-35-231c	Amended	V. 41, p. 452
28-35-264	Amended	V. 41, p. 452
28-35-282a	Amended	V. 41, p. 453
28-35-291	Amended	V. 41, p. 454
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28-35-500	Amended	V. 41, p. 455
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28-35-504	Amended	V. 41, p. 455
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28-65-3	Amended	V. 40, p. 318
28-65-4	Amended	V. 40, p. 319

#### AGENCY 40: INSURANCE DEPARTMENT

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40-1-28	Amended	V. 40, p. 191
40-1-52	New	V. 40, p. 191

#### AGENCY 60: BOARD OF NURSING

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60-1-102	Amended	V. 40, p. 1707
60-1-104	Amended	V. 40, p. 1708
60-2-101	Amended	V. 40, p. 1709
60-2-102	Amended	V. 40, p. 1710
60-2-103	Amended	V. 40, p. 1711
60-2-104	Amended	V. 40, p. 1712
60-2-105	Amended	V. 40, p. 1713
60-2-106	Amended	V. 40, p. 1713
60-2-107	Amended	V. 40, p. 1713
60-2-108	Amended	V. 40, p. 1714
60-3-101	Amended (T)	V. 41, p. 185
60-3-101	Amended	V. 41, p. 663
60-11-103	Amended (T)	V. 41, p. 186
60-11-103	Amended	V. 41, p. 664

#### AGENCY 61: BOARD OF BARBERING

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61-4-3	New	V. 40, p. 161

#### AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

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66-12-1	Amended	V. 40, p. 670

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69-1-4	Amended	V. 40, p. 1522

69-6-2	Amended	V. 40, p. 1522
69-15-31	Amended	V. 40, p. 1522

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82-4-30a	Amended (T)	V. 39, p. 1383
82-4-30a	Amended	V. 40, p. 160
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82-11-3	Amended	V. 40, p. 1636
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82-11-10	Amended	V. 40, p. 1645

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86-3-10	Amended	V. 40, p. 497
86-3-18	Amended	V. 40, 497
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86-3-22	Amended	V. 40, p. 498

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88-29-12	Revoked	V. 41, p. 83
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88-29-14	Revoked	V. 41, p. 83
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88-29a-7	Revoked	V. 41, p. 83
88-29a-7a	Amended	V. 41, p. 83
88-29a-8	Revoked	V. 41, p. 84
88-29a-8c	Revoked	V. 41, p. 84
88-29a-9	Revoked	V. 41, p. 84
88-29a-10	Revoked	V. 41, p. 84
88-29a-11	Revoked	V. 41, p. 84
88-29a-18	Revoked	V. 41, p. 84
88-29a-19	Revoked	V. 41, p. 84
88-29b-1	Revoked	V. 41, p. 84
88-29b-3	Amended	V. 41, p. 84
88-29b-4	Amended	V. 41, p. 84
88-29b-5	Revoked	V. 41, p. 85
88-29b-6	Revoked	V. 41, p. 85
88-29b-7	Revoked	V. 41, p. 85
88-29b-7a	Amended	V. 41, p. 85
88-29b-8	Revoked	V. 41, p. 85
88-29b-8c	Revoked	V. 41, p. 85
88-29b-9	Revoked	V. 41, p. 85
88-29b-10	Revoked	V. 41, p. 85
88-29c-1	Amended	V. 41, p. 85
88-29c-5	Amended	V. 41, p. 86
88-29c-6	Amended	V. 41, p. 87
88-29c-7	Amended	V. 41, p. 87
88-29c-8	Amended	V. 41, p. 87
88-29c-8c	Amended	V. 41, p. 88
88-29c-9	Amended	V. 41, p. 88
88-29d-1	Amended	V. 41, p. 89
88-29d-5	Amended	V. 41, p. 90
88-29d-6	Amended	V. 41, p. 91
88-29d-7	Amended	V. 41, p. 91
88-29d-8	Amended	V. 41, p. 92
88-29d-8c	Amended	V. 41, p. 92
88-29d-9	Amended	V. 41, p. 92
88-29d-10	Amended	V. 41, p. 93

#### AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-31-31	Amended	V. 40, p. 1399
91-31-32	Amended	V. 40, p. 1401
91-31-33	Amended	V. 40, p. 1401

91-31-34	Amended	V. 40, p. 1401
91-31-35	Amended	V. 40, p. 1402
91-31-36	Amended	V. 40, p. 1402
91-31-37	Amended	V. 40, p. 1403
91-31-38	Amended	V. 40, p. 1403
91-31-39	Revoked	V. 40, p. 1403
91-31-40	Amended	V. 40, p. 1403
91-31-41	Amended	V. 40, p. 1404
91-31-42	Amended	V. 40, p. 1404
91-31-43	New	V. 40, p. 1404

#### AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-19-47	Revoked	V. 40, p. 290
92-19-67	Revoked	V. 40, p. 290
92-51-34a	Amended	V. 40, p. 1225

#### AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-6-2	Amended	V. 40, p. 571
100-6-2a	New	V. 40, p. 290
100-6-7	New (T)	V. 40, p. 1321
100-6-7	New	V. 40, p. 1490
100-8-3	New	V. 40, p. 572
100-15-4	Amended	V. 40, p. 572
100-15-5	Amended	V. 40, p. 573
100-28a-5	Amended	V. 40, p. 1096
100-28a-16	Amended	V. 40, p. 1097

#### AGENCY 108: STATE EMPLOYEE HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 40, p. 1714
108-1-3	Amended	V. 40, p. 1716
108-1-4	Amended	V. 40, p. 1718

#### AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-1-1	Amended	V. 40, p. 1721
109-2-1	Amended	V. 40, p. 1723
109-3-1	Revoked	V. 40, p. 1723
109-3-3	Amended	V. 40, p. 1522
109-3-5	Amended	V. 40, p. 1524
109-5-1	Amended	V. 40, p. 1723
109-5-3	Amended	V. 40, p. 1724
109-5-6	Amended	V. 40, p. 1724
109-6-2	Amended	V. 40, p. 1724
109-6-4	New	V. 40, p. 1724
109-7-1	Amended	V. 40, p. 1725
109-10-3	Revoked	V. 40, p. 1725
109-10-6	Revoked	V. 40, p. 1725
109-10-7	Revoked	V. 40, p. 1725
109-11-1a	Amended	V. 40, p. 1725
109-11-3a	Amended	V. 40, p. 1726
109-11-4a	Amended	V. 40, p. 1726
109-11-6a	Amended	V. 40, p. 1726
109-11-7	Amended	V. 40, p. 1727
109-11-8	Amended	V. 40, p. 1727
109-11-9	Revoked	V. 40, p. 1727
109-15-1	Amended	V. 40, p. 1727
109-15-2	Amended	V. 40, p. 1728
109-15-3	New	V. 40, p. 1728
109-17-1	New	V. 40, p. 1729
109-17-2	New	V. 40, p. 1730
109-17-3	New	V. 40, p. 1730
109-17-4	New	V. 40, p. 1731

#### AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 *Kansas Register*. A list of regulations filed from 2001 through 2003 can be found in

the Vol. 22, No. 52, December 25, 2003 *Kansas Register*. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*. A list of regulations filed from 2018 through 2019, can be found in the Vol. 38, No. 52, December 26, 2019 *Kansas Register*. A list of regulations filed from 2020 through 2021, can be found in the Vol. 40, No. 52, December 30, 2021 *Kansas Register*.

Reg. No.	Action	Register
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111-4-3681	Amended	V. 41, p. 225
111-4-3695	New	V. 41, p. 225
111-4-3696	New	V. 41, p. 227
111-4-3697	New	V. 41, p. 228
111-4-3698	New	V. 41, p. 229
111-4-3690	New	V. 41, p. 230
111-4-3700	New	V. 41, p. 231
111-4-3701	New	V. 41, p. 233
111-4-3702	New	V. 41, p. 234
111-4-3703	New	V. 41, p. 362
111-4-3704	New	V. 41, p. 363
111-4-3705	New	V. 41, p. 364
111-4-3706	New	V. 41, p. 365
111-4-3707	New	V. 41, p. 366
111-4-3708	New	V. 41, p. 497
111-4-3709	New	V. 41, p. 499
111-5-248	New	V. 41, p. 502
111-9-229	New	V. 41, p. 502
111-9-230	New	V. 41, p. 503
111-19-2a	Amended	V. 41, p. 503
111-19-121	New	V. 41, p. 368
111-19-122	New	V. 41, p. 368
111-19-123	New	V. 41, p. 504

**AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS**

Reg. No.	Action	Register
115-1-1	Amended	V. 40, p. 498
115-3-1	Amended	V. 40, p. 1131

115-3-2	Amended	V. 40, p. 721
115-4-4	Amended	V. 40, p. 1132
115-4-4a	Amended	V. 40, p. 1683
115-4-6	Amended	V. 40, p. 500
115-8-1	Amended	V. 40, p. 1133
115-9-6	Amended	V. 40, p. 721
115-17-2	Amended	V. 40, p. 1683
115-18-13	Revoked	V. 40, p. 721
115-30-3	Amended	V. 40, p. 1684

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-8-3	Amended	V. 40, p. 920

**AGENCY 132: 911 COORDINATING COUNCIL**

Reg. No.	Action	Register
132-1-1	Revoked	V. 40, p. 1422
132-1-2	New	V. 40, p. 1422
132-2-1	Amended	V. 40, p. 1422
132-3-1	Amended	V. 40, p. 1422
132-4-1	Amended	V. 40, p. 1422
132-4-2	New	V. 40, p. 1423
132-4-3	New	V. 40, p. 1423
132-5-1	New	V. 40, p. 1423
132-6-1	New	V. 40, p. 1423

**Kansas Register**  
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