



Kansas Register

Kris W. Kobach, Secretary of State

Vol. 35, No. 17

April 28, 2016

Pages 371-394

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State of Kansas

Advisory Committee on Trauma

Notice of Meeting

The Advisory Committee on Trauma will meet from 10 a.m. to 3 p.m. Wednesday, May 4, 2016, at the Kansas Medical Society, 623 S.W. 10th Ave., Topeka.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 044491

(Published in the Kansas Register April 28, 2016.)

Workforce Alliance of South Central Kansas, Inc.

Request for Comments

The Workforce Alliance of South Central Kansas, Inc. is publishing the Local Workforce Innovation and Opportunity Act Plan for public comment on April 22, 2016, at workforce-ks.com. Comments should be directed to admin@workforce-ks.com and are due by noon May 23, 2016. Any questions should be directed to kgivens@workforce-ks.com or 316-771-6600.

Chad Pettera
Chief Operating Officer

Doc. No. 044481

State of Kansas

Department for Children and Families

Request for Comments

The Kansas Department for Children and Families (DCF) will accept public comments on the proposed state fiscal 2017 Social Services Block Grant. A copy of the plan, paper

or electronic, may be obtained by contacting Melanie Dixon at 785-296-6216 or Melanie.Dixon@dcf.ks.gov, or under the Quick Links, Newsroom section of the DCF website at www.dcf.ks.gov/Newsroom. Comments must be submitted in writing and received by DCF by May 24, 2016.

Phyllis Gilmore
Secretary for Children and Families

Doc. No. 044463

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation (KDOT) requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 16-19. The comprehensive list of projects being amended to the STIP may be viewed online at: <http://www.ksdot.org/bureaus/burProgProjMgmt/stip/stip.asp>. This list includes projects for counties and cities and projects on the state highway system.

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

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

The comment period regarding the STIP amendment for these projects will conclude May 11, 2016.

Mike King
Secretary of Transportation

Doc. No. 044479

The Kansas Register (USPS 0662-190) 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. One-year subscriptions are \$80 (Kansas residents must include applicable state and local sales tax). Single copies, if available, may be purchased for \$2. **Periodicals postage paid at Topeka, Kansas. POSTMASTER:** Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

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Hard copy subscription information and current and back issues of the Kansas Register (PDF Format) can be found at the following link: http://www.sos.ks.gov/pubs/pubs_kansas_register.asp

Published by
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1st Floor, Memorial Hall
120 S.W. 10th Ave.
Topeka, KS 66612-1594
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State of Kansas

Department of Transportation

Notice to Contractors

Electronic copies of the letting proposals and plans are available on the KDOT website at <http://www.ksdot.org/burconsmain/contracts/proposal.asp>. The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the "Bid Holders List," or to be included on the "Non-Bid Holders List" as a subcontractor/supplier. KDOT's approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid no later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject your bid. The secretary reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2007 edition of the Kansas Department of Transportation's *Standard Specifications for State Road and Bridge Construction*.

KDOT will only accept electronic internet proposals using the Bid Express website at <http://www.bidx.com> until 1 p.m. local time May 25, 2016. KDOT will open and read these proposals at the Eisenhower State Office Building, 700 S.W. Harrison, Topeka, at 1:30 p.m. local time May 25, 2016. An audio broadcast of the bid letting is available at <http://www.ksdot.org/burconsmain/audio.asp>.

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

District One – Northeast

Douglas–23 TE-0424-01–Baldwin City Depot located at 1601 High Street, rehabilitate and operate historical transportation buildings. (Federal Funds)

Leavenworth–52 C-4611-01–0.2 mile south of Easton, bridge replacement. (Federal Funds)

Marshall–58 KA-4347-01–K-9 from the Marshall/Washington county line east to the west K-9/U.S. 77 junction and U.S. 77: from west U.S. 77/K-9 junction east and north to the Marysville city limits (south end of the bridge over the railroad), milling and overlay, 19.8 miles. (State Funds)

Osage–75-70 KA-4258-01–U.S. 75, bridge #044 located 2.02 miles north of U.S. 56 junction (southbound), bridge repair. (State Funds)

Shawnee–75-89 KA-4244-01–U.S. 75, Bridge #157 located at the U.S. 75/U.S. 24 junction (U.S. 75 southbound), bridge repair. (State Funds)

District Two – North Central

Chase–50-9 KA-4322-01–U.S. 50, from 8.80 miles east of the Chase/Marion county line to 13.24 miles east of the

Chase/Marion county line, milling and overlay, 4.4 miles. (State Funds)

Geary–70-31 KA-4290-01–I-70, bridge #033 located at the I-70/K-177 junction (westbound lanes), bridge repair. (State Funds)

Statewide–36-106 KA-3497-01–U.S. 36, 1.1 miles east of U.S. 81/U.S. 36 junction east to the Washington County line and U.S. 36 beginning at the Washington County line east to U.S. 36/K-22 junction, milling and overlay, 17.6 miles. (State Funds)

Statewide–177-106 KA-4338-01–K-177, beginning at the Chase/Butler county line north to the Chase/Morris county line and beginning at the Chase/Morris county line north to the Council Grove city limits, surfacing, 42.4 miles. (State Funds)

District Three – Northwest

Ellis–70-26 KA-4182-01–I-70, bridges #038 and #039, located 3.62 miles east of the K-255 junction, bridge deck. (State Funds)

Sherman–70-91 KA-4167-01–I-70, from the I-70/R S 1668 junction (Exit 12) east to the I-70/K-27 junction (Exit 17), sealing, 4.5 miles. (State Funds)

District Four – Southeast

Coffey–58-16 KA-4331-01–K-58 from the south U.S. 75 junction east to the west city limits of LeRoy, recycle and overlay, 5.5 miles. (State Funds)

Miami–169-61 KA-4330-01–U.S. 169, from the Baptiste Drive/U. S. 169 junction north to 1.74 miles south of Miami/Johnson county line, ultrathin bonded asphalt surfacing, 10.4 miles. (State Funds)

Neosho–169-67 KA-4348-01 – U.S. 169, beginning 335 feet south of 140th Road on U.S. 169, north to edge of wearing surface (EWS) of bridge #45 at the Neosho/Allen county line, pavement patching, 11.7 miles. (State Funds)

Statewide–106 KA-4318-01–K-68, from the K-68/K-33 junction, east to the Franklin/Miami county line and K-68 from the Miami/Franklin county line, east to the K-68/U.S. 169 junction, milling and overlay, 13.4 miles. (State Funds)

Statewide–75-106 KA-4335-01–U.S. 75, from the north city limits of Yates Center north to the Coffey county line and U.S. 75 from the Coffee county line north 4.09 miles to the south edge of wearing surface of bridge #056 north of the north K- 58 junction, ultrathin bonded asphalt surfacing, 14.6 miles. (State Funds)

District Five – South Central

Barton–56-5 KA-2051-01–Bridge #005, 5.79 miles east of U.S. 56/K-156 junction east 0.5 miles to the east city limits of Ellinwood, bridge replacement, 1.7 miles. (Federal Funds)

Barton–56-5 KA-2051-02–U.S. 56 in the City of Ellinwood, special, 0.4 mile. (Federal Funds)

Butler–196-8 KA-3104-01–K-196, bridges #057 (Dry Creek), #059 (Whitewater River) and #060 (Diamond Creek) located 5.60, 6.46 and 6.72 miles respectively southeast of the Butler/Harvey county line, bridge replacement. (Federal Funds)

Cowley–77-18 KA-4292-01–U.S.77, beginning at the north city limits of Winfield north to K-15, crack repair, 9.8 miles. (State Funds)

(continued)

Pawnee—73 KA-4296-01- U.S. 183, beginning at the K-156/U.S. 183 junction north to the Pawnee/Rush county line and K-156, beginning the Hodgeman/Pawnee county line east to the U.S. 183/K-156 junction, crack repair, 25.3 miles. (State Funds)

Sedgwick—54-87 KA-4187-01—U.S. 54 and Edwards (K-42)/Meridian Avenue, lighting, 0.1 mile. (Federal Funds)

Sedgwick—87 KA-4341-01—K-15, northbound and southbound from the south end of the KTA bridge to just south of 71st Street south/west Meadowlark Boulevard junction in Derby and K-96, eastbound and westbound from Greenwich to U.S. 54, pavement patching, 9.2 miles. (State Funds)

Sedgwick—87 KA-4344-01—I-235, northbound and southbound, the entire route including most ramps and U.S. 54 eastbound and westbound at various locations, pavement patching, 23.7 miles. (State Funds)

Statewide—106 KA-2350-01—Various locations on U.S. 54 in Pratt, Sedgwick and Butler counties, K-96 in Reno and Sedgwick counties, I-135 in Sedgwick county, U.S. 77 in Sumner county; K-254 in Butler County and U.S. 400 in Butler County, milling. (State Funds)

Statewide—61-106 KA-4311-01—K-61, from the north city limits of Pratt (end of 4 lanes), northeast to the Pratt/Reno county line and K-61 from the Reno/Pratt county line, northeast to the west edge of wearing surface (EWS) of bridge #043 (near Arlington over the north Fork Ninnescah), 1.5-inch overlay, 34.6 miles. (State Funds)

Sumner—81-96 KA-4293-01—U.S. 81, beginning 0.34 mile north of the U.S. 81/U.S. 166 junction north to the U.S. 81/K-53 junction (does not include Wellington), crack repair, 28.6 miles. (State Funds)

District Six — Southwest

Gray—56-35 KA-2218-01—U.S. 56 from west city limits of Copeland, east to the east city limits of Copeland, pavement reconstruction, 0.6 mile. (Federal Funds)

Mike King
Secretary of Transportation

Doc. No. 044496

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. 2014 Supp. 12-1675(b)(c)(d) and K.S.A. 2014 Supp. 12-1675a(g).

Effective 4-25-16 through 5-1-16

Term	Rate
1-89 days	0.37%
3 months	0.25%
6 months	0.35%
12 months	0.56%
18 months	0.72%
2 years	0.79%

Scott Miller
Director of Investments

Doc. No. 044476

State of Kansas

**Department of Health and Environment
Division of Health Care Finance**

Public Notice

The Kansas Department of Health and Environment, Division of Health Care Finance, is closing the Medicaid State Plan Health Home Program as required by the Governor’s budget. Effective July 1, 2016, all Medicaid eligible citizens will no longer be able to utilize Health Home services.

To obtain a copy of the proposed amendment or to provide written comments contact Kim Tjelmeland, KDHE, Division of Health Care Finance, Room 900-N, Landon State Office Building, 900 S.W. Jackson St., Topeka, KS 66612-1220 or email ktjelmeland@kdheks.gov.

The deadline for requests or comments is May 13, 2016.

Michael Randol, Director
Division of Health Care Finance

Doc. No. 044482

State of Kansas

**Department of Health and Environment
Division of Health Care Finance**

Public Notice

The Kansas Department of Health and Environment, Division of Health Care Finance, is making technical corrections to the Medicaid Disproportionate Share Hospital (DSH) State Plan. The corrections provide the State with the ability to disburse any allotments that are greater than the Federal Fiscal Year 2012 allotment.

To obtain a copy of the proposed amendment or to provide written comments contact Kim Tjelmeland, KDHE, Division of Health Care Finance, Room 900-N, Landon State Office Building, 900 S.W. Jackson Street, Topeka, KS 66612-1220 or email ktjelmeland@kdheks.gov.

The deadline for requests or comments is May 31, 2016.

Michael Randol, Director
Division of Health Care Finance

Doc. No. 044483

State of Kansas

Board of Regents Universities

Notice to Bidders

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

Emporia State University – Bid postings: www.emporia.edu/busaff/. Additional contact info: phone 620-341-5145, fax: 620-341-5073, email: tshepher@emporia.edu. Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Circle, Emporia, KS 66801-5415.

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

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

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

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

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

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

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

Doc. No. 043663

State of Kansas

Office of Judicial Administration

Notice of Available Grant Funding

The Access to Justice Fund is administered by the Kansas Supreme Court. To the extent the Judicial Branch budget is funded, Access to Justice Grants will be made available for operating expenses of programs that provide access to the Kansas civil justice system for people who otherwise would not be able to participate. Such programs may provide legal assistance to *pro se* litigants, legal counsel for civil and domestic matters, or other legal or dispute resolution services to recipients that meet financial qualifications under grant guidelines promulgated by the Supreme Court of Kansas.

Access to Justice Grant application packets may be requested from the Office of Judicial Administration, Kansas Judicial Center, 301 S.W. 10th Ave., Room 337, Topeka, KS 66612, and must be returned to this office by June 3, 2016. Telephone inquiries may be directed to Jeff Peter at 785-296-2256.

Nancy M. Dixon
Judicial Administrator

Doc. No. 044495

State of Kansas

**Department of Agriculture
Division of Conservation**

**Notice of Authorization to Proceed with
On-Call Engineering Services**

The Watershed Institute has been identified as a qualified entity to provide certain on-call engineering services to the Kansas Department of Agriculture, Division of Conservation. Pursuant to its current "Agreement for On-Call Engineering Services" with The Watershed Institute, the Kansas Department of Agriculture, Division of Conservation, issued a 1st Amendment to the original notice of authorization to proceed on Contract No. NPS-2016-33 for the resurvey and design addendums of Cottonwood River Reach 3 Group 2 Streambank Stabilization Project Sites. The 1st Amendment to the original authorization to proceed was issued on March 14, 2016, on a total proposed price of \$6,970.

Additional information about the Department of Conservation's Streambank Restoration Program is available from the program administrator by phone at 785-564-6622, or electronically at steve.frost@kda.ks.gov.

Rob Reschke
Executive Director
Division of Conservation

Doc. No. 044480

State of Kansas

**Department of Agriculture
Division of Animal Health**

**Notice of Hearing on Proposed
Administrative Regulation**

A public hearing will be conducted at 10 a.m. Wednesday, July 6, 2016, in the 1st floor meeting room 124 of the Kansas Department of Agriculture, 1320 Research Park Dr., Manhattan, Kansas, to consider the adoption of a proposed regulation.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to the secretary of Agriculture, 1320 Research Park Dr., Manhattan, KS, 66502, or by email at ronda.hutton@kda.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes. This regulation is proposed for adoption on a permanent basis. A summary of the proposed regulation and its economic impact follows:

K.A.R. 9-27-1 relates to the designation of certain infectious or contagious diseases of animals in Kansas as reportable. Diseases designated as reportable in this list are to be immediately reported to the animal health commissioner.

(continued)

Economic Impact Statement: The regulation change was requested to update the list of reportable animal diseases in Kansas to better line up with the federal list of reportable diseases. The federal list of reportable animal diseases has had several updates since this regulation was last updated in Kansas. Any confirmation of diseases on this list are reported to the federal level as most of the diseases are required to be reported by all OIE Member Countries.

There will be minimal to no costs associated with updating the list of reportable animal diseases. The Kansas Department of Agriculture will be required to respond to any reports of diseases on the list. Costs incurred would initially include travel to location of any suspect animals, and any shipping costs to get samples to the appropriate laboratory. Further costs may be incurred upon a positive diagnosis. These may be associated with the activities including eradication of the disease, surveillance for further spread, cleaning and disinfection, and recovery. Some of these costs will be shared or reimbursed by the United States Department of Agriculture.

Significant costs may be incurred by a private business or individual if there is a positive diagnosis of a reportable disease. This may include eradication of infected animals/herd/flock, cleaning and disinfection, restocking, and any down time as a result of these processes. Some of these costs may be eligible for indemnity either through state or federal funds.

No alternative methods were considered because of minimal impact to the agency and other governmental agencies. No significant impacts (neither beneficial nor degrading) could be identified should the proposed changes be adopted.

Any individual with a disability may request accommodations in order to participate in the public hearing and may request the proposed regulation and impact statement in an accessible format. Requests for accommodations should be made at least five working days in advance of the hearing by contacting Ronda Hutton at 785-564-6715 or by fax at 785-564-6777. Handicapped parking is located on the west side of the building located at 1320 Research Park Drive, Manhattan, and the west entrance to the building is accessible to individuals with disabilities.

Copies of the regulation and its economic impact statement may be obtained by contacting the Department of Agriculture, Ronda M. Hutton, 1320 Research Park Drive, Manhattan, KS 66502 or 785-564-6715 or by accessing the department's website at agriculture.ks.gov. Comments may also be made through our website under the proposed regulation.

Jackie McClaskey
Secretary of the Kansas
Department of Agriculture

Doc. No. 044492

(Published in the Kansas Register April 28, 2016.)

The Garden City Western Railway Co.

Request for Proposals

The Garden City Western Railway Co. will receive proposals from suppliers to furnish complete switch packages including closer rails and other track material in accor-

dance with the project scope. Contractors may also solicit for the installation, rehabilitation or construction of the switch turnouts and other track services in accordance with the project scope of work.

Project # 28 – RF – 0045 – 01

Proposed project for The Garden City Western Railway Co. to rehab the west main line on the Garden City Western Railway.

Bid Package Track Rehabilitation Material Requirements

Project Scope: The project consists of the removal and installation of 13 switches over a three mile area including any other associated track work involving the work scope on the Garden City Western Railway Co. in the State of Kansas. Bidders will be requested to provide all or a portion of the material, as well as labor to install in accordance with the Project scope of work, including a signed contract and insurance Certification as per the scope of work.

Bid Documents: The information for bidders and Project Scope of work may be ordered from the office of the Garden City Western Railway Co., 1318 S. Johanson Road, Peoria, IL 61607, or by email at mhains@pioneer-railcorp.com, attention Mike Hains, General Roadmaster.

Pre Bid Meeting: None

Bid Closing: Bids will be received by The Garden City Western Railway Co., 1318 S. Johanson Road, Peoria, IL 61607, or by email at mhains@pioneer-railcorp.com, attention Mike Hains, General Roadmaster, until 3 p.m. (CST) May 10, 2016.

The owner reserves the right to waive any irregularities and to reject any and all bids. Award of the bid is contingent upon availability of funds.

Mike Hains
General Roadmaster
Pioneer Rail Services
Office: 309-697-1400
Cell: 309-369-3766

www.pioneer-railcorp.com

Doc. No. 044498

State of Kansas

Department of Administration Procurement and Contracts

Notice to Bidders

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

05/10/2016	EVT0004370	12 Passenger Vans
05/10/2016	EVT0004374	Fiberglass Brine Storage Tanks
05/11/2016	EVT0004369	Bituminous Plant Mixture, Hot Mix/Cold Lay, District 2
05/16/2016	EVT0004316	Livescans
05/18/2016	EVT0004347	Medicaid Asset Verification System
05/19/2016	EVT0004372	Software for Electronic Filing of Case Information
05/20/2016	EVT0004368	Cheney State Park Concessionaire

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

<http://admin.ks.gov/offices/procurement-and-contracts/bid-solicitations>

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

<http://admin.ks.gov/offices/procurement-and-contracts/additional-files-for-bid-solicitations>

05/10/2016	A-013043	Seal and Strip Lot 1 at Topeka, KS Office of Facilities and Property Management
05/12/2016	A-012898	Horton Area Office/Shop Reroof at Horton, KS; KDOT
05/12/2016	A-013005	Kansas State University West Memorial Stadium Parking Lot D-1 Reconstruction
05/19/2016	A-013060	Kansas Highway Patrol Academy Physical Plant Window Replacement

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

Tracy T. Diel, Director
Procurement and Contracts

Doc. No. 044497

(Published in the Kansas Register April 28, 2016.)

**Summary Notice of Bond Sale
Unified School District No. 364
Marshall County, Kansas (Marysville)
\$9,900,000*
General Obligation School Building Bonds
Series 2016**

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

Bids

Subject to the Notice of Bond Sale dated March 9, 2016, facsimile and electronic bids will be received on behalf of the clerk of Unified School District No. 364, Marshall County, Kansas (Marysville) (the issuer), in the case of facsimile bids, at the address set forth below, and in the case of electronic bids, through PARITY®, until 11 a.m. (CST) May 11, 2016, for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 1, 2016, and will become due on September 1 in the years as follows:

Year	Principal Amount*
2018	\$200,000
2019	230,000
2020	265,000

2021	310,000
2022	355,000
2023	410,000
2024	460,000
2025	505,000
2026	545,000
2027	580,000
2028	615,000
2029	655,000
2030	695,000
2031	740,000
2032	785,000
2033	830,000
2034	880,000
2035	840,000

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 March 1 and September 1 in each year, beginning on March 1, 2017.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied (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 \$198,000.

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 June 1, 2016, 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 2015 is \$88,751,837. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$25,900,000.

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 validity 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.

(continued)

Issuer –Good Faith Deposit Delivery Address:

Office of the Board of Education
 211 S. 10th
 Marysville, KS 66508
 Attn: Lucille P. West, Clerk
 785-562-5308
 Fax: 785-562-5309
 lwest@usd364.org

2024	1,825,000
2025	1,865,000
2026	1,930,000
2027	1,975,000
2028	1,790,000
2029	795,000
2030	200,000
2031	210,000
2032	215,000
2033	220,000
2034	225,000
2035	235,000
2036	240,000

Financial Advisor–Facsimile Bid Delivery Address:

George K. Baum & Company
 100 N. Main, Suite 810
 Wichita, KS 67202
 Attn: Mr. Stephen E. Shogren
 316-264-9351
 Fax: 316-264-9370
 shogren@gkbaum.com

Dated March 9, 2016.

Unified School District No. 364
 Marshall County, Kansas (Marysville)

* Subject to change, see the Notice
 Doc. No. 044490

(Published in the Kansas Register April 28, 2016.)

**Summary Notice of Bond Sale
 City Of Manhattan, Kansas
 \$19,845,000*
 General Obligation Refunding and
 Improvement Bonds
 Series 2016-A**

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

Bids

Subject to the Notice of Bond Sale dated April 19, 2016, facsimile and electronic bids will be received on behalf of the director of finance of the city of Manhattan, Kansas (the issuer), in the case of facsimile bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 11 a.m. (CST) on May 17, 2016 for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 6, 2016, and will become due on November 1 in the years as follows:

Year	Principal Amount*
2017	\$145,000
2018	215,000
2019	910,000
2020	1,650,000
2021	1,690,000
2022	1,725,000
2023	1,785,000

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 May 1 and November 1 in each year, beginning on November 1, 2016.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied (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 \$397,500.

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 June 6, 2016, 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 2015 is \$562,257,269. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$176,105,000; such amount includes the issuer's temporary notes in the principal amount of \$7,380,000, also dated as of the dated date, which will be issued on or about the closing date. Temporary notes in the principal amount of \$3,950,000 will be retired out of proceeds of the bonds, and \$1,320,000 will be retired from other available funds, which will reduce the outstanding general obligation indebtedness of the issuer to \$170,835,000.

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 validity 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 municipal advisor at the addresses set forth below.

Issuer – Good Faith Deposit Delivery Address:

Rina Neal, City Treasurer
 City Hall, First Floor
 1101 Poyntz Ave.
 Manhattan, KS 66502-5497
 785-587-2465
 Fax: 785-587-2409
 neal@cityofmhk.com

Municipal Advisor Facsimile Bid Delivery Address:

Springsted Incorporated, Attn: Bond Services
 380 Jackson St., Suite 300
 St. Paul, MN 55101-2887
 651-223-3000
 Fax: 651-223-3046
 bond_services@springsted.com

Dated April 19, 2016.

City of Manhattan, Kansas

* Subject to change, see the Notice
 Doc. No. 044494

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

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

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

Public Notice No. KS-AG-16-056

Application for New or Expansion of Existing Swine Facilities

Name and Address of Applicant	Owner of Property Where Facility Will Be Located	Receiving Water
H.B. Heim Intervet dba Merck Animal Health 35500 W. 91st St. DeSoto, KS 66018	Intervet dba Merck Animal Health 35500 W. 91st St. DeSoto, KS 66018	Kansas River Basin
Legal Description		
SW/4 of Section 29 and NW/4 of Section 32, T12S, R22E, Johnson County		

Kansas Permit No. A-KSJO-B001

This is an application for a permit for expansion at an existing facility for 1,084 animal units which includes 575 head (230 animal units) of swine, and 854 animal units will be made of a combination of cattle, horses, goats, sheep, dogs, cats, rabbits, and rodents at the facility. A new or modified permit will not be issued without additional public notice.

Public Notice No. KS-AG-16-057/060

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
H.B. Heim Intervet dba Merck Animal Health 35500 W. 91st St. DeSoto, KS 66018	SW/4 of Section 29 & NW/4 of Section 32, T12S, R22E, Johnson County	Kansas River Basin

Kansas Permit No. A-KSJO-B001

This permit is being reissued for an expanding confined animal feeding operation for 1,084 animal units. The total animal units will include 575 head (230 animal units) of swine weighing more than 55 pounds. The remaining animal units will be made of a combination of cattle, horses, goats, sheep, dogs, cats, rabbits, and rodents at the facility. This represents an increase in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Shari Diedrick Diedrick Farms Inc. 688 Evergreen Road Tescott, KS 67484	NE/4 of Section 07, T12S, R04W, Ottawa County	Saline River Basin

Kansas Permit No. A-SAOT-C001 Federal Permit No. KS0094625

This permit is being reissued for a confined animal feeding operation for 500 head (500 animal units) of cattle weighing greater than 700 pounds, and 600 head (300 animal units) of cattle weighing less than 700 pounds. There is no change in the permitted animal units. The permit contains modifications consisting of a new wastewater control system for the east side of the facility and two new earthen wastewater retention basins to control runoff from the commodities storage area. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Fred Cox, Jr. 8920 S. Simpson Road Assaria, KS 67416	NE/4 of Section 19, T16S, R02W, Saline County	Smoky Hill River Basin

Kansas Permit No. A-SHSA-B006

This permit is being reissued for an existing facility with a maximum capacity of 150 head (150 animal units) of cattle more than 700 pounds and 100 head (50 animal units) of cattle 700 pounds or less, for a total of 250 head (200 animal units) of cattle. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Royce Kolle & Jim Kolle Elmer Kolle & Sons 1641 10th Road Linn, KS 66953	SW/4 of Section 10, T04S, R03E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-B016

This existing facility has a maximum capacity of 100 head (100 animal units) of cattle more than 700 pounds and 300 head (150 animal units) of cattle 700 pounds or less, for a total of 400 head (250 animal units) of cattle. There is no change in the permitted animal units.

(continued)

Public Notice No. KS-Q-16-047/049

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
Elk City, City of P.O. Box 245 Elk City, KS 67344	Elk River	Treated Domestic Wastewater
Kansas Permit No. M-VE14-OO01		Federal Permit No. KS0045969
Legal Description: NW¼, SE¼, NE¼, S6, T32S, R14E, Montgomery County, KS		

The proposed action consists of reissuing of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Inman, City of P.O. Box 177 Inman, KS 67546	Blaze Fork Creek	Treated Domestic Wastewater
Kansas Permit No. M-LA08-OO01		Federal Permit No. KS0080292
Legal Description: SE¼, SW¼, NE¼, S9, T21S, R4W, McPherson County, KS		

The proposed action consists of reissuing of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and E. coli, as well as monitoring for ammonia, total phosphorus, chlorides, total recoverable selenium and arsenic, and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Hamilton, City of P.O. Box 58 Hamilton, KS 66853	Onion Creek via Unnamed Tributary	Treated Domestic Wastewater
Kansas Permit No. M-VE20-OO01		Federal Permit No. KS0046001
Legal Description: SE¼, SW¼, NW¼, S1, T24S, R11E, Greenwood County, KS		

The proposed action consists of reissuing of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, and pH.

Public Notice No. KS-PT-16-003/004

The requirements of the draft permits public noticed below are pursuant to K.A.R. 26-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 C.F.R. 403.

Name and Address of Applicant	Receiving Facility	Type of Discharge
D-J Engineering, Inc. 219 W. 6th Ave. Augusta, KS 67010	Conway Springs WWTP	Process Wastewater
Kansas Permit No. P-AR25-OO01		Federal Tracking No. KSP000048
Facility Name: D-J Extruding		
Facility Address: 723 E. Spring, Conway Springs, KS 67031		

The proposed action consists of reissuing an existing pretreatment permit for an existing facility. This facility extrudes aluminum al-

loy billets into aluminum parts. Aluminum parts are rinsed off in a 9,000 gallon tank containing a water/glycol mixture. The rinse water is discharged to the city sanitary sewer and will be considered Outfall 001. Outfall 002 consists of rinse water from the extruding operation near Furnace #2. A die cleaning operation (Outfall 003) also exists on-site in a separate building but this waste is hauled off-site for disposal and not discharged to the city sanitary sewer. In addition, a titanium heat treat operation (Outfall 004) is also located in the southwest part of the plant but does not have a discharge to the sewer. The proposed permit contains limits for total toxic organics, chromium, zinc, cyanide, oil and grease, and pH, as well as monitoring of flow.

Name and Address of Applicant	Receiving Facility	Type of Discharge
Great Plains Manufacturing, Inc. 1525 E. North St. Salina, KS 67402	Abilene MWWTP	Process Wastewater
Kansas Permit No. P-SH01-OO01		Federal Tracking No. KSP000029
Facility Name: Great Plains Manufacturing, Inc.		
Facility Address: 1100 N.W. 8th St., Abilene, KS 67410		

The proposed action consists of reissuing an existing pretreatment permit for an existing facility. This facility manufactures various types of landscape equipment, including mowers, tillers, cutters and seeders. Steel parts are welded, phosphated and painted to produce the final product. Regulated wastes consist of wastewater from a conversion coating (phosphating) operation, which consists of an automatic eight-stage washing system. Wastewater is treated with a chemical precipitation system and discharged to the city sewer. The proposed permit contains limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide, and pH, as well as monitoring of flow.

Public Notice No. KS-EG-16-007/019

In accordance with K.A.R. 28-46-7 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the wells described below within the state of Kansas.

Name and Address of Applicant

Cargill, Inc.
P.O. Box 1403
Hutchinson, KS 67504

Facility Name: Cargill, Inc.-Hutchinson Salt Plant

Well & Permit Number	Location
N-1 / KS-03-155-243	Latitude: 38.037023, Longitude: -97.893961, Sedgwick County
N-2 / KS-03-155-244	Latitude: 38.037025, Longitude: -97.892920, Sedgwick County
N-3 / KS-03-155-245	Latitude: 38.037026, Longitude: -97.891878, Sedgwick County
N-4 / KS-03-155-246	Latitude: 38.037028, Longitude: -97.890837, Sedgwick County
N-5 / KS-03-155-247	Latitude: 38.037033, Longitude: -97.887643, Sedgwick County
N-6 / KS-03-155-248	Latitude: 38.037035, Longitude: -97.886115, Sedgwick County

Facility Description: The proposed action is to issue six new Class III Injection Well permits. The fluids to be injected consist of water obtained from groundwater wells and saline fluid recycled from plant processes. Injection is into the Hutchinson Salt member of the Wellington formation. Mining shall not extend into the upper 50 feet of the salt member. The maximum operational injection pressure is not to exceed 170 pounds per square inch at the wellhead. All

construction, monitoring, and operation of these wells shall meet the requirements that apply to Class III Injection wells under K.A.R. 28-43-1 through 28-43-11 and K.A.R. 28-46-1 through 28-46-44 and other requirements of KDHE.

Name and Address of Applicant

Compass Minerals America, Inc.
1662 Ave. N
Lyons, KS 67554

Facility Name: Compass Minerals America, Inc

Well & Permit Number Location

G-102 / KS-03-159-242	670 feet from south line and 200 feet from east line of Section 15-20-8W, Rice County, Kansas (NE SE SE)
G-103 / KS-03-159-237	650 feet from south line and 640 feet from east line of Section 15-20-8W, Rice County, Kansas (SE SE SE)
G-104 / KS-03-159-238	650 feet from south line and 940 feet from east line of Section 15-20-8W, Rice County, Kansas (SW SE SE)
G-105 / KS-03-159-239	650 feet from south line and 1240 feet from east line of Section 15-20-8W, Rice County, Kansas (SW SE SE)
G-106 / KS-03-159-229	650 feet from south line and 1540 feet from east line of Section 15-20-8W, Rice County, Kansas (SE SW SE)
G-107 / KS-03-159-208	650 feet from south line and 1840 feet from east line of Section 15-20-8W, Rice County, Kansas (SE SW SE)
G-108 / KS-03-159-209	650 feet from south line and 2140 feet from east line of Section 15-20-8W, Rice County, Kansas (SW SW SE)

Facility Description: The proposed action is to reissue seven existing Class III Injection Well permits. The fluids to be injected will consist of nearly saturated brine. Injection is into the Hutchinson Salt member of the Wellington formation. The top of the cavity shall not extend into the upper 40 feet of the salt deposit. The maximum operational injection pressure is not to exceed 250 pounds per square inch at the wellhead. All construction, monitoring, and operation of these wells shall meet the requirements that apply to Class III Injection wells under K.A.R. 28-43-1 through 28-43-11 and K.A.R. 28-46-1 through 28-46-44 and other requirements of KDHE.

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

All comments regarding the draft documents or application notices received on or before May 28, 2016, will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-16-056/060, KS-Q-16-047/049, KS-PT-16-003/004, KS-EG-16-007/019) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the secretary of Health and Environment will issue a determination regarding final agen-

cy action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 044489

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Bunge North America (OPD West), Inc., Emporia Facility 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.

Bunge North America (OPD West), Inc., Emporia Facility, Bunge North America, Inc., 11720 Borman Drive, St. Louis, MO 63146, owns and operates a soybean processing plant located at 701 E. 6th Ave., Emporia, KS 66801.

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, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southeast District Office, 308 W. 14th St., Chanute. To obtain or review the proposed permit and supporting documentation contact Vivien Smith, 785-296-0757, at the KDHE central office or Doug Cole, 620-431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Vivien Smith, KDHE, Bureau of Air, 1000 S.W. 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 noon Tuesday, May 31, 2016.

A person may request a public hearing be held on the proposed permit. The request for a public hearing

(continued)

shall be in writing and set forth the basis for the request. The written request must be submitted to Vivien Smith, KDHE, Bureau of Air, no later than noon Tuesday, May 31, 2016, in order for the secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency 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 Ward Burns, 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.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 044484

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. WTG Hugoton, L.P. 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.

WTG Hugoton, L.P., 211 N. Colorado, Midland, TX 79701, owns and operates Sublette Compressor Station located at Sec. 1, T32S, R33W, Seward County, Kansas.

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, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor, Dodge City. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the pro-

posed permit may be directed to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. 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 noon Tuesday, May 31, 2016.

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 Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, KS 66612-1366, no later than noon, Tuesday, May 31, 2016, in order for the secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency 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 Ward Burns, 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.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 044487

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Clay Center Municipal Power Plant 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.

Clay Center Municipal Power Plant, 427 Court St., P.O. Box 117, Clay Center, KS 67432, owns and operates a power plant located at 4th and Clay Street, Clay Center, Kansas.

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, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W.

Jackson, Suite 310, Topeka, and at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office or Joshua Webb, 785-827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. 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 noon Tuesday, May 31, 2016.

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 Cathy Richardson, KDHE, Bureau of Air, no later than noon Tuesday, May 31, 2016 in order for the secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency 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 Ward Burns, 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.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 044488

(Published in the Kansas Register April 28, 2016.)

Kansas WorkforceONE

Request for Comments

The Local Area I Workforce Development Board (LWDB) invites comment on Kansas WorkforceONE Local Area 1 WIOA Strategic Plan from May 10, 2016, to June 10, 2016. All comments must be received by 5 p.m. on June 10, 2016. To access the plan electronically please visit www.kansasworkforceone.org. To access a physical copy of the plan please contact the LWDB office at 785-493-8018. Comments may be submitted by email at info@kansasworkforceone.org.

Deb Scheibler
Executive Director

Doc. No. 044499

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 74.—RISK MANAGEMENT PROGRAM

28-74-1. Definitions. For purposes of this article, each of the following terms shall have the meaning specified in this regulation: (a) "Acceptance" means that an application for the risk management program has been approved by the secretary and a risk management plan agreement has been signed by the secretary.

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

(c) "Environmental contamination" has the meaning specified in K.A.R. 28-73-1. (Authorized by and implementing K.S.A. 2015 Supp. 65-34,176; effective May 13, 2016.)

28-74-2. Application. (a) Each prospective participant shall submit a completed application to the secretary on a form provided by the department. Each application shall include the following information:

(1) A map identifying the location of the site and the area within the site to which the risk management plan applies;

(2) a map identifying all parcels within the site to which the risk management plan applies, including ownership of each parcel;

(3) documentation that the applicant provided written notification to all property owners and occupants within the site to which the risk management plan applies and proof that those property owners and occupants received the notification; and

(4) a draft risk management plan for review and consideration for approval.

(b) If an application is determined to be incomplete by the secretary, written notification shall be provided to the applicant, identifying the documentation, data, or other information that is needed to complete the application. The applicant may then submit the required information or withdraw the application. The application shall be considered void if a complete response has not been received from the applicant within 60 calendar days from the date of the written request for additional information from the department. (Authorized by and implementing K.S.A. 2015 Supp. 65-34,176; effective May 13, 2016.)

28-74-3. Risk management plan. (a) Each risk management plan shall include the following:

(1) Demonstration that all of the following conditions have been met:

(A) The extent of the environmental contamination has been determined;

(B) the source reduction has been completed, if necessary;

(C) the contaminant concentration trends are not dependent on the continued operation and maintenance of active remediation systems;

(D) the associated groundwater contaminant plume is stable or shrinking, if applicable;

(E) imminent future exposure is not likely; and

(F) all current complete exposure pathways have been addressed;

(continued)

(2) any site-specific requirements for monitoring, inspection, or maintenance;

(3) a process for completing routine verification of and notices to property owners and occupants;

(4) a description of the specific terms and conditions that shall be in effect for the duration of the risk management plan; and

(5) a process for redefining the area within the site to which the risk management plan applies.

(b) Upon review of each draft risk management plan, a notification shall be issued to the applicant, either approving the draft risk management plan or noting deficiencies in the draft risk management plan and describing the modifications necessary to address the deficiencies. The applicant may then submit a revised draft risk management plan for the secretary's approval.

(c) If the secretary and the applicant are unable to agree on an appropriate risk management plan, notification that the application is void shall be provided by the department to the applicant. An invoice for the costs incurred by the department to process the application package and review the draft risk management plan shall be included in the notification.

(d) Each risk management plan shall be implemented upon the effective date of the risk management plan agreement. (Authorized by and implementing K.S.A. 2015 Supp. 65-34,176; effective May 13, 2016.)

28-74-4. Risk management plan agreement. (a) Pursuant to K.S.A. 2015 Supp. 65-34,176 and amendments thereto, a risk management plan agreement shall be required for each site.

(b) Upon approval of a risk management plan, a risk management plan agreement shall be issued by the secretary and shall include the following information:

(1) A description of site conditions and specification of any monitoring, inspection, or maintenance requirements proposed by the participant and approved by the secretary;

(2) a description of the area within the site to which the risk management plan applies;

(3) authorization for agents of the department to have access to the site as necessary to monitor and inspect all risk management plan activities, as required by the act;

(4) identification of the one-time payment to reimburse the department for all direct and indirect costs incurred by the department in implementing and administering the risk management plan required by K.S.A. 2015 Supp. 65-34,176, and amendments thereto;

(5) a description of the specific terms and conditions that shall be applied as part of the risk management plan for the area within the site to which the risk management plan applies; and

(6) a description of the enforcement provisions authorized by K.S.A. 2015 Supp. 65-34,176, and amendments thereto.

(c) The risk management plan agreement shall be effective with the signature of the secretary.

(d) Any participant may request a transfer of the obligations specified in the risk management plan agreement to another person. The following requirements for each transfer shall be met:

(1) Each participant requesting a transfer shall provide written notice to the department indicating that both the participant and the transferee agree to the transfer.

(2) A review of site conditions and consideration of the transferee's capacity to implement the risk management plan shall be factors in the secretary's determination of approving the transfer.

(3) The automatic transfer of risk management plan agreement obligations shall be prohibited. The participant and the transferee shall comply with the risk management plan agreement until an amendment conveying the responsibilities from the participant to the transferee has been executed.

(e) A long-term care agreement as required by K.S.A. 65-1,226, and amendments thereto, may replace a risk management plan agreement for a site where environmental use controls are established in conjunction with a risk management plan if the long-term care agreement meets the requirements of the risk management plan.

(f) If site conditions change or new information that could warrant additional action becomes available, a risk management plan agreement shall not absolve any party of environmental liability associated with the site under state and federal law. (Authorized by and implementing K.S.A. 2015 Supp. 65-34,176; effective May 13, 2016.)

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 044478

State of Kansas

Kansas Insurance Department

Permanent Administrative Regulations

Article 4.— ACCIDENT AND HEALTH INSURANCE

40-4-34. Accident and health insurance; coordination of benefits. The Kansas insurance department's "policy and procedure relating to coordination of benefits," dated January 27, 2016, including the appendices, is hereby adopted by reference. (Authorized by K.S.A. 40-103, 40-2404a; implementing K.S.A. 2015 Supp. 40-2404; effective May 1, 1981; amended May 1, 1982; amended May 1, 1984; amended May 1, 1985; amended, T-86-13, May 9, 1985; amended May 1, 1986; amended May 1, 1987; amended Feb. 19, 1999; amended May 13, 2016.)

Ken Selzer
Kansas Insurance Commissioner

Doc. No. 044477

State of Kansas

Board of Barbering

Permanent Administrative Regulations

Article 3.— SCHOOLS; REQUIREMENTS

61-3-7. Minimum requirements for opening a barber school or barber college. (a) Each approved barber school or barber college shall have at least three students enrolled and at least five feet between the centers of each adjoining barber chair in the clinical demonstration room before opening. If the barber school or barber college is located

in a building in which another entity operates a business or school that conducts or teaches anything other than barbering as defined in K.S.A. 65-1809 and amendments thereto, the barber school or barber college shall have a separate entrance and shall be completely separate within that building, except as provided in subsection (b).

Each barber school or barber college shall have at least two rooms accessible to its students at all times. One room shall be used for class study, examinations, and lectures, and the other room shall be used for practical demonstrations. The barber school or barber college shall provide at least one restroom with a toilet and washbasin, which shall be kept in a sanitary condition. Each room shall be equipped to meet the requirements of all applicable regulations of the board.

(b) Any barber school or barber college that shares a building in which another entity operates a business or school that conducts or teaches anything other than barbering may share the following facilities with that entity:

- (1) Classrooms other than the clinic floor, if no classroom is used by both the entity and the barber school or barber college at the same time;
- (2) restrooms; and
- (3) common areas, including reception areas, lounges, and hallways. (Authorized by and implementing K.S.A. 65-1825a, K.S.A. 2015 Supp. 74-1806; effective Jan. 1, 1966; amended May 1, 1988; amended March 20, 2015; amended May 13, 2016.)

Article 7.—FEES

61-7-1. (Authorized by K.S.A. 65-1825; implementing K.S.A. 1982 Supp. 65-1817; effective May 1, 1983; revoked May 13, 2016.)

61-7-2. Fees. The following fees shall be charged by the board:

- (a) Barber license
 - (1) Examination to practice barbering \$100
 - (2) Issuance of license to practice barbering 80
 - (3) Renewal of license to practice barbering 80
 - (4) Restoration of expired license to practice barbering
 - (A) If the expiration period is not more than three years, the restoration and lapsed fees shall be as follows:
 - lapsed 1 through 30 days 100
 - lapsed 31 through 365 days 160
 - lapsed 366 through 730 days 240
 - lapsed 731 through 1,095 days 320
 - (B) For each barbering license that has lapsed for more than three years, the applicant shall be reexamined upon payment of the barbering examination and issuance of license fees 180
- (b) Instructor license
 - (1) Examination to instruct barbering 40
 - (2) Issuance of license to instruct barbering 40
 - (3) Renewal of license to instruct barbering 40
 - (4) Restoration of expired instructor’s license
 - (A) If the expiration period is not more than three years, the restoration and lapsed fees shall be as follows:
 - lapsed 1 through 30 days 60
 - lapsed 31 through 365 days 80
 - lapsed 366 through 730 days 120
 - lapsed 731 through 1,095 days 160

- (B) For each instructor’s license that has lapsed for more than three years, the instructor shall be reexamined upon payment of the examination, instructor’s license, and renewal fees 120
 - (c) License to operate a barber school or barber college (annual fee) 500
 - (d) License to operate a barber shop
 - (1) Shop inspection and annual license fee 40
 - (2) Restoration of expired shop license. If the expiration period is not more than three years, the restoration and lapsed fees shall be as follows:
 - lapsed 1 through 30 days 55
 - lapsed 31 through 365 days 120
 - lapsed 366 through 730 days 160
 - lapsed 731 through 1,095 days 200
 - (3) New shop, relocation, or change of ownership.... 80
 - (e) Seminar permit..... 80
 - (f) Student learning license 55
- (Authorized by and implementing K.S.A. 2015 Supp. 65-1817; effective May 13, 2016.)

Larry Montgomery
Administrative Officer

Doc. No. 044469

State of Kansas

Department of Agriculture
Division of Water Resources

Permanent Administrative Regulations

Article 23.—SOUTHWEST KANSAS
GROUNDWATER MANAGEMENT
DISTRICT NO. 3

5-23-4. High plains aquifer. (a) Except as specified in subsection (b), the district shall be closed to new appropriations of water in the high plains aquifer.

- (b) This regulation shall not apply to the following:
 - (1) Wells for domestic use;
 - (2) wells authorized by temporary permits;
 - (3) wells authorized by term permits of no more than five years;
 - (4) an application to appropriate 15 acre-feet of water or less if all of the following conditions are met:
 - (A) The area is closed to new appropriations, but the sum of the annual quantity requested by the proposed appropriation and the total quantities authorized by prior permits because of this exemption does not exceed 15 acre-feet in a circle with a radius of two miles surrounding the proposed point of diversion.
 - (B) Well spacing criteria have been met.
 - (C) Approval of the application will not authorize an additional quantity of water out of an existing well authorized by a nondomestic approval of application or water right, which would result in a total combined annual quantity of water authorized from that well in excess of 15 acre-feet.
 - (D) All other criteria for processing a new application have been met.
- (c) Each application filed to request a well within the area described in subsection (e) shall include a driller’s

(continued)

log, an electric log, and a laboratory analysis from a state-certified laboratory of the chloride concentrations in samples taken from whatever depths are necessary to determine the vertical location where the chloride concentrations exceed 250 milligrams per liter (mg/l). The samples shall be taken from a well located within a 300-foot radius of the proposed well. A state-certified laboratory analysis shall be used to determine the vertical location of the chloride concentrations exceeding 250 mg/l.

(d) Each well constructed in the area described in subsection (e) shall be constructed in a manner that prevents the movement of water containing 250 mg/l of chlorides beyond its naturally occurring condition.

(e) The level of chlorides may exceed 250 mg/l in the following areas:

(1) The west ½ of townships 33, 34, and 35 south, range 28 west in Meade County, Kansas;

(2) the east ½ of township 33 south, range 29 west in Meade County, Kansas;

(3) all of townships 34 and 35 south, ranges 29 and 30 west in Meade County, Kansas; and

(4) all of townships 34 and 35 south, ranges 31 and 32 west and the east ½ of townships 34 and 35 south, range 33 west in Seward County, Kansas. (Authorized by K.S.A. 82a-706a and K.S.A. 2015 Supp. 82a-1028; implementing K.S.A. 82a-706a, K.S.A. 2015 Supp. 82a-711, and K.S.A. 2015 Supp. 82a-1028; effective May 1, 1981; amended May 1, 1986; amended Aug. 28, 1989; amended Sept. 22, 2000; amended Nov. 21, 2003; amended May 13, 2016.)

5-23-4b. (Authorized by K.S.A. 82a-706a and K.S.A. 82a-1028; implementing K.S.A. 82a-706a and K.S.A. 2002 Supp. 82a-1028; effective Sept. 22, 2000; amended Nov. 21, 2003; revoked May 13, 2016.)

Article 24. — NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 4

5-24-2. Allowable withdrawals. (a) Except as specified in subsection (b) the district shall be closed to any new appropriation of water that partially or wholly requests a source of supply that includes the Ogallala formation.

(b) The following types of applications shall not be subject to the closure of the district under this regulation:

(1) A nondomestic application for an approval of application if the proposed point of diversion meets the following criteria:

(A) Is to be located in an alluvial aquifer not closed to new appropriations, except for domestic use, temporary permits, and term permits for five or fewer years;

(B) meets the well spacing requirements of K.A.R. 5-24-3; and

(C) meets the safe yield requirements of K.A.R. 5-3-9, K.A.R. 5-3-10, and K.A.R. 5-3-11;

(2) a nondomestic application to appropriate water from the Cretaceous system if the proposed point of diversion meets the well spacing criteria of K.A.R. 5-24-3;

(3) an application for a permit to appropriate water for domestic use;

(4) an application for a term permit for five years or less;

(5) an application for a temporary permit;

(6) an application for an approval of application filed

on an existing well currently authorized by a vested right, appropriation right, or approval of application that requests a quantity of water equal to or less than the currently available quantity of water that will be conjunctively reduced from a well authorized by either a vested right or certified appropriation right meeting either of the criteria specified in paragraph (c)(1);

(7) an application for an approval of application that meets the criteria of K.A.R. 5-24-10; and

(8) an application for an additional rate of diversion only that meets the requirements of K.A.R. 5-4-5.

(c)(1) To be exempt from this regulation, each application for an approval of application filed on an existing well currently authorized by a vested right, appropriation right, or approval of application that requests a quantity of water equal to or less than the currently available quantity of water that will be conjunctively reduced from a well authorized by either a vested right or certified appropriation right shall meet either of the following criteria:

(A) Be located within 2,640 feet of the existing well that will have its authorized quantity reduced; or

(B) be located within a distance from the currently authorized well for which a Theis analysis shows a .5 foot or greater drawdown, using the following assumptions:

(i) The certified rate of diversion of the currently authorized well;

(ii) the certified annual quantity of water for the currently authorized well;

(iii) the pumping time equal to the time it takes to pump the certified annual quantity at the certified rate of diversion;

(iv) the drawdown computed at the time equal to the pumping time; and

(v) the transmissivity and storage coefficient derived either from a time drawdown aquifer pump test of the currently authorized well or from use of the well log from the currently authorized well or a well log from a test hole or well located within 300 feet of the currently authorized well, using the table on page 26 and the calculation described in the second paragraph on page 27 of the United States geological survey's water-resources investigations report 85-4198, published in 1985. The portions of this document specified in this paragraph are hereby adopted by reference.

(2)(A) For water rights authorized for irrigation use, the currently available quantity of water shall be calculated as follows:

(i) Determine the maximum number of acres actually irrigated during the perfection period. For vested rights, use the maximum number of acres irrigated in any one calendar year before June 29, 1945; and

(ii) use the 80 percent chance rainfall net irrigation requirements (NIR) for corn as specified in K.A.R. 5-5-12 to determine the NIR for each acre, and then divide that value by .85 to adjust for efficiency.

(B) For non-irrigation water rights, the currently available quantity of water shall not exceed the actual consumptive use during the perfection period.

(3) Each well that has a reduced or new water right pursuant to this subsection shall be equipped with a water flowmeter meeting the requirements of article one of the chief engineer's regulations.

(4) The maximum distance that a well shall be relocated under paragraph (c)(1)(B) shall be the distance computed as described in paragraph (c)(1)(B), or 3,960 feet, whichever is less.

(5) The historic consumptive use of a well meeting the requirements of paragraph (b)(6) that is accounted for in the Republican river compact, K.S.A. 82a-518 and amendments thereto, accounting as a stream depletion reaching the Republican river downstream of Trenton dam shall not be transferred to a well that would cause a depletion reaching the Republican river upstream of Trenton dam.

(6) The total net acreage authorized by the following shall not exceed the current net total authorized acreage for both wells:

- (A) The approval of application;
- (B) the water right being reduced; and
- (C) the water right currently authorizing the well for which the new water right is sought. (Authorized by and implementing K.S.A. 82a-706a and K.S.A. 2015 Supp. 82a-1028; effective May 1, 1983; amended May 1, 1985; amended May 1, 1987; amended Aug. 19, 1991; amended Jan. 30, 2004; amended May 13, 2016.)

David W. Barfield
Chief Engineer
Division of Water Resources

Doc. No. 044493

State of Kansas

Board of Healing Arts

Permanent Administrative Regulations

Article 29.—PHYSICAL THERAPY

100-29-9. License and certificate renewal; continuing education. (a)(1)(A) As a condition of renewal for each odd-numbered year, each licensed physical therapist or certified physical therapist assistant shall submit, in addition to the annual application for renewal of licensure or certification, evidence of satisfactory completion within the preceding two-year period of at least 40 contact hours of continuing education for a licensed physical therapist and at least 20 contact hours of continuing education for a certified physical therapist assistant.

(B) Evidence of satisfactory completion of a program of continuing education shall not be required to be submitted with the application for renewal of licensure or certification in even-numbered years.

(2) A contact hour shall consist of 60 minutes of activity pertaining to the practice of physical therapy.

(3) Meals and breaks shall not be included in the contact hour calculation.

(b) Any applicant for renewal who cannot meet the requirements of paragraph (a)(1)(A) may request an extension from the board to submit evidence of continuing education. The request shall include a plan for completion of the continuing education requirements within the requested extension period. An extension of up to six months may be granted by the board for a substantiated medical condition, natural disaster, death of a spouse or an immediate family member, or any other compelling reason that in the

judgment of the board renders the licensee incapable of meeting the requirements of paragraph (a)(1)(A).

(c) A physical therapist initially licensed or physical therapist assistant initially certified within one year of a renewal date in an odd-numbered year shall not be required to submit evidence of satisfactory completion of a program of continuing education required by paragraph (a)(1)(A) for that first renewal period. Each physical therapist or physical therapist assistant initially licensed or certified or whose license or certificate has been reinstated for more than one year but less than two years from a renewal date in an odd-numbered year shall be required to submit evidence of satisfactory completion of at least half of the contact hours of continuing education required by paragraph (a)(1)(A).

(d) All continuing education activities shall be related to the practice of physical therapy.

(e) All continuing education activities shall pertain to the following:

- (1) Clinical skills;
 - (2) administration and management techniques;
 - (3) educational principles when providing service to patients, families, health professionals, health professional students, or the community;
 - (4) research projects with peer-reviewed, published results;
 - (5) legislative issues involving the profession;
 - (6) health care and the health care delivery system;
 - (7) documentation, reimbursement, cost-effectiveness, and regulatory compliance; and
 - (8) problem solving, critical thinking, and ethics.
- (f) The following shall qualify as continuing education activities:

(1) Lecture. "Lecture" shall mean a live discourse for the purpose of instruction given before an audience. One contact hour shall be awarded for each hour of instruction.

(2) Panel. "Panel" shall mean the presentation multiple views by several professional individuals on a given subject, with none of the views considered a final solution. One contact hour shall be awarded for each hour of panel presentation.

(3) Workshop. "Workshop" shall mean a series of meetings designed for intensive study, work, or discussion in a specific field of interest. One contact hour shall be awarded for each hour of workshop meeting.

(4) Seminar. "Seminar" shall mean directed advanced study or discussion in a specific field of interest. One contact hour shall be awarded for each hour of seminar.

(5) Symposium. "Symposium" shall mean a conference of more than a single session organized for the purpose of discussing a specific subject from various viewpoints and by various speakers. One contact hour shall be awarded for each hour of symposium.

(6) In-service training. "In-service training" shall mean an educational presentation given to employees during the course of employment that pertains solely to the enhancement of physical therapy skills in the evaluation, assessment, or treatment of patients. One contact hour shall be awarded for each hour of in-service training.

(7) College or university courses. "College or university course" shall mean a course at the college or university

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level directly related to the practice of physical therapy. Ten contact hours shall be given for each semester credit hour for which the student received a grade of at least C or its equivalent or a "pass" in a pass/fail course that is documented in an official transcript.

(8) Administrative training. "Administrative training" shall mean a presentation that enhances the knowledge of a physical therapist or physical therapist assistant on the topic of quality assurance, risk management, reimbursement, hospital and statutory requirements, or claim procedures. One contact hour shall be awarded for each hour of administrative training.

(9) Self-instruction. "Self-instruction" shall mean the following:

(A) Reading professional literature directly related to the practice of physical therapy. A maximum of two contact hours shall be awarded for reading professional literature;

(B) completion of a home study, correspondence, audio, video, or internet course for which a printed verification of successful completion is provided by the person or organization offering the course. One contact hour shall be awarded for each hour of coursework for each completed course. A maximum of 10 contact hours shall be awarded for each course; and

(C) passage of a specialty certification examination approved by the board. Forty contact hours shall be awarded for passage of a specialty certification examination.

(10) Professional publications. Contact hours for writing a professional publication shall be allotted as follows:

(A) Original paper	single author	20
	senior author.....	15
	coauthor.....	8
(B) Review paper or case report	single author	15
	coauthor.....	8
(C) Abstract or book review		8
(D) Publication of a book.....		20

(11) Physical therapy residency or fellowship program. "Physical therapy residency or fellowship program" shall mean a post-professional program that is directly related to the practice of physical therapy and requires at least 1,000 combined hours of instruction and clinical practice for completion. Forty contact hours shall be awarded for successful completion of a physical therapy residency or fellowship program.

(12) Elected delegate. "Elected delegate" shall mean an elected delegate in a national assembly of delegates with the objective to create policy related to the practice of physical therapy. Ten contact hours shall be awarded for serving one term as an elected delegate.

(13) Supervision of a student. "Supervision of a student" shall mean clinical instruction and evaluation of a physical therapist student or physical therapist assistant student in a clinical setting. One contact hour shall be awarded for each documented 40 hours of providing supervision of a student. A maximum of three contact hours shall be awarded in each two-year continuing education period.

(14) Continuing education program presentation. "Continuing education program presentation" shall mean the preparation and presentation of a continuing education program that meets the requirements of sub-

section (e). Three contact hours shall be awarded for each hour spent presenting.

(15) Physical therapy jurisprudence examination. "Physical therapy jurisprudence examination" shall mean the board physical therapy jurisprudence examination. One contact hour shall be awarded for completion of the physical therapy jurisprudence examination with a score of at least 88 percent correct.

(g) No contact hours shall be awarded for any repeated continuing education activity on the same topic within a two-year continuing education period.

(h) To provide evidence of satisfactory completion of continuing education activities, each licensed physical therapist and each certified physical therapist assistant shall submit the following to the board:

(1) Documented evidence of any attendance at or successful completion of continuing education activities;

(2) personal verification of any self-instruction from reading professional literature; and

(3) one copy of any peer-reviewed professional publication. (Authorized by K.S.A. 2015 Supp. 65-2910 and 65-2911; implementing K.S.A. 2015 Supp. 65-2910; effective March 21, 1997; amended Nov. 14, 2003; amended May 26, 2006; amended May 13, 2016.)

100-29-16. Supervision of physical therapist assistants and support personnel. (a) Each physical therapist shall be responsible for the following:

(1) The physical therapy services provided to a patient or client by any physical therapist assistant working under the direction of the physical therapist; and

(2) the tasks relating to the physical therapy services provided to a patient or client by any support personnel working under the personal supervision of the physical therapist or by the physical therapist assistant acting under the direction of the physical therapist.

(b) Each physical therapist and each physical therapist assistant acting under the direction of a physical therapist shall provide personal supervision of the support personnel during any session in which support personnel are utilized to carry out a task.

(1) "Personal supervision" shall mean oversight by a physical therapist or by a physical therapist assistant acting under the direction of the physical therapist who is on-site and immediately available to the support personnel.

(2) "Support personnel" shall mean any person other than a physical therapist or physical therapist assistant. Support personnel may be designated as or describe themselves as physical therapy aides, physical therapy technicians, physical therapy paraprofessionals, rehabilitation aides, or rehabilitation technicians.

(3) "Task" shall mean an activity that does not require the formal education or training of a physical therapist or a physical therapist assistant.

(c) The determination by the physical therapist to utilize a physical therapist assistant for selected components of physical therapy interventions shall require the education, expertise, and professional judgment of the physical therapist. Before delegating an intervention by a physical therapist to a physical therapist assistant and before delegating a designated task to support personnel, the physical therapist shall consider the following:

(1) The education, training, experience, and skill level of the physical therapist assistant;

(2) the complexity and acuteness of the patient's or client's condition or health status;

(3) the predictability of the consequences;

(4) the setting in which the care is being delivered to the patient or client; and

(5) the frequency of reexamination of the patient or client.

(d) Pursuant to K.S.A. 65-2914 and amendments thereto, if patient care is initiated by a physical therapist assistant in a hospital setting because the physical therapist is not immediately available, "minimum weekly review" shall mean that the physical therapist shall evaluate the patient and determine a plan of treatment within seven days of the initiation of treatment by the physical therapist assistant.

(e) Only a physical therapist may perform any of the following:

(1) Interpretation of a referral;

(2) performance and documentation of an initial examination, testing, evaluation, diagnosis, and prognosis;

(3) development or modification of a plan of care that is based on a reexamination of the patient or client that includes the physical therapy goals for intervention;

(4) determination of the qualifications of support personnel performing an assigned task;

(5) delegation of and instruction about the service to be rendered by the physical therapist assistant;

(6) timely review of documentation, reexamination of the patient or client, and revision of the plan of care when indicated;

(7) establishment and documentation of the discharge plan and discharge summary; and

(8) oversight of all documentation for services, including documents for billing, rendered to each patient or client under the care of the physical therapist.

(f) In all practice settings, the performance of selected interventions by the physical therapist assistant and the delegation of designated tasks to support personnel shall be consistent with the safe and legal practice of physical therapy and shall be based on the following factors:

(1) The complexity and acuteness of the patient's or client's condition or health status;

(2) the physical therapist's proximity and accessibility to the patient or client;

(3) the supervision available for all emergencies or critical events;

(4) the type of setting in which the physical therapy intervention is provided;

(5) the ability of the physical therapist assistant to perform the selected interventions or the support personnel to perform designated tasks; and

(6) an assessment by the physical therapist of the ability of the support personnel to perform designated tasks.

(g) Except as specified in this subsection, a physical therapist shall not have more than four physical therapist assistants working concurrently under the direction of that physical therapist. A request by a physical therapist to supervise additional physical therapist assistants may be granted by the board if it finds that significant hardship to the health and welfare of the community will occur if the physical therapist's request to

supervise more than four physical therapist assistants is not granted.

(h) Each physical therapist wishing to provide personal supervision to more than four physical therapist assistants in a clinic or hospital setting shall provide a written and signed request to the physical therapy advisory council with the following information:

(1) The name of each physical therapist assistant to whom the physical therapist proposes to provide personal supervision;

(2) the reason for the request; and

(3) a written statement from the clinic or hospital director documenting the hardship and the plan for alleviating future staffing shortages of physical therapists.

(i) The physical therapy advisory council shall review each request granted by the board pursuant to subsection (g) at least every six months to determine whether a significant hardship to the health and welfare of the community will exist if the request is no longer granted. The physical therapy advisory council shall prepare and submit a written recommendation of each review to the board. A determination of whether the exemption should be renewed for another six-month period shall be made by the board at the recommendation of the physical therapy advisory council.

(j) Failure to meet the requirements of this regulation shall constitute unprofessional conduct. (Authorized by K.S.A. 2015 Supp. 65-2905 and 65-2911; implementing K.S.A. 2015 Supp. 65-2912 and 65-2914; effective July 14, 2006; amended July 17, 2009; amended May 13, 2016.)

Article 54.—OCCUPATIONAL THERAPY

100-54-7. Continuing education; license renewal.

(a)(1) Each licensee shall submit evidence of completing at least 40 contact hours of continuing education during the preceding 24 months. Evidence of this attainment shall be submitted before or with the application for renewal in each odd-numbered year.

(2) No evidence of continuing education shall be required for license renewal in even-numbered years.

(b) A licensee initially licensed within one year of a renewal date when evidence of continuing education must be submitted shall not be required to submit evidence of satisfactory completion of a program of continuing education required by paragraph (a)(1) for that first renewal period. Each licensee who was initially licensed or whose license has been reinstated for more than one year but less than two years from a renewal date when continuing education required by paragraph (a)(1) must be submitted shall be required to submit evidence of satisfactory completion of at least 20 contact hours of continuing education.

(c) Any licensee who cannot meet the requirements of paragraph (a)(1) or subsection (b) may request an extension from the board. The request shall include a plan for completion of the continuing education requirements within the requested extension period. An extension of not more than six months may be granted by the board for good cause shown by a substantiated medical condition, natural disaster, death of a spouse or an immediate family member, or any other compelling reason that in the judg-

(continued)

ment of the board renders the licensee incapable of meeting the requirements of paragraph (a)(1) or subsection (b).

(d) A contact hour shall consist of 60 minutes of instruction, unless otherwise specified in this regulation.

(e) The content of the continuing education classes or literature shall be related to the field of occupational therapy or similar areas.

(f) Each licensee shall acquire continuing education from the classes of education experiences defined in subsection (g). The licensee shall acquire at least 30 contact hours from one or more of the following: class I, class IV, class V, and class VI.

(g) Continuing education experiences shall be classified as follows:

(1) Class I: attendance at or participation in an education presentation. Class I continuing education experiences shall include the following types of education offerings:

(A) Lectures. A "lecture" means a discourse given for instruction before an audience or through a teleconference.

(B) Panels. A "panel" means the presentation of a number of views by several professional individuals on a given subject, with none of the views considered a final solution.

(C) Workshops. A "workshop" means a series of meetings designed for intensive study, work, or discussion in a specific field of interest.

(D) Seminars. A "seminar" means directed advanced study or discussion in a specific field of interest.

(E) Symposiums. A "symposium" means a conference of more than a single session organized for the purpose of discussing a specific subject from various viewpoints and presented by various speakers.

(F) College or university courses. Ten contact hours shall be given for each college credit hour with a grade of at least C or a "pass" in a pass/fail course.

(G) Other courses. An "other course" means a home study, correspondence, or internet course for which the provider of the activity evaluates the licensee's knowledge of the subject matter presented in the continuing education activity. A maximum of 20 contact hours may be acquired from other courses.

(2) Class II: in-service training. "In-service training" means training that is given to employees during the course of employment. A maximum of four contact hours may be given for attending an in-service training session. A maximum of four contact hours may be given for instructing an in-service training session, but no additional hours shall be acquired for attending that particular in-service training session or for any subsequent instruction on the same subject matter. A maximum of eight contact hours may be acquired from class II.

(3) Class III: professional reading. "Professional reading" means reading professional literature, whether printed or provided by audiotapes, videotapes, or electronic media. A maximum of two contact hours may be acquired from class III.

(4) Class IV: professional publication. The maximum number of contact hours that may be given for professional publication shall be as follows:

(A) 30 hours for publication of a book or original paper; and

(B) 15 hours for a review paper, case report, abstract, or book review.

(5) Class V: instructor preparation of class I programs. Any licensee who presents a class I continuing education program or its equivalent may receive three class V contact hours for each hour of presentation. No credit shall be granted for any subsequent presentations on the same subject matter. A maximum of 30 contact hours may be acquired from class V.

(6) Class VI: fieldwork supervision of level II students. One contact hour per week may be given for supervising a level II student's full-time fieldwork. "Full-time fieldwork" shall mean at least 35 hours per week. A maximum of 24 contact hours may be acquired from class VI.

(h) Each licensee shall submit documented evidence of attendance at, participation in, or presentation to class I and class II continuing education activities. Each licensee shall submit personal verification for class III activities. Copies of publications shall be submitted for verification of class IV activities. Verification of class VI fieldwork supervision shall be submitted by the licensee's employer.

(i) Instructional staff shall be competent in the subject matter and in the methodology of instruction and learning processes as evidenced by experience, education, or publication. (Authorized by K.S.A. 65-5405; implementing K.S.A. 2013 Supp. 65-5412; effective, T-88-17, July 1, 1987; effective May 1, 1988; amended Feb. 14, 1997; amended Nov. 21, 2003; amended July 6, 2007; amended May 13, 2016.)

100-54-12. Supervision of occupational therapy assistants. (a) For the purposes of this regulation, each of the following terms shall have the meaning specified in this subsection:

(1) "Full-time" means employed for 30 or more hours per week.

(2) "Supervision" means oversight of an occupational therapy assistant by a licensed occupational therapist that includes initial direction and periodic review of service delivery and the provision of relevant instruction and training.

(b) Supervision shall be considered adequate if the occupational therapist and occupational therapy assistant have on-site contact at least monthly and interim contact occurring as needed by other means, including telephone, electronic mail, text messaging, and written communication.

(c) Each occupational therapist who supervises an occupational therapy assistant shall meet the following requirements:

(1) Be licensed in Kansas;

(2) be actively engaged in the practice of occupational therapy in Kansas;

(3) be responsible for the services and tasks performed by the occupational therapy assistant under the supervision of the occupational therapist;

(4) be responsible for any tasks that the supervised occupational therapy assistant delegates to an occupational therapy aide, occupational therapy technician, or occupational therapy paraprofessional;

(5) delegate only those services for which the occupational therapist has reasonable knowledge that the occupational therapy assistant has the knowledge, experience, training, and skill to perform;

(6) document in the patient's chart any direction or re-

view of occupational therapy services provided under supervision by the occupational therapy assistant; and

(7) report to the board any knowledge that the occupational therapy assistant has committed any act specified in K.S.A. 65-5410, and amendments thereto. The occupational therapist shall report this information to the board within 10 days of receiving notice of the information.

(d) An occupational therapist shall not supervise more than the combined equivalent of four full-time occupational therapy assistants. This combination shall not exceed a total of eight occupational therapy assistants.

(e) Each occupational therapist's decision to delegate components of occupational therapy services under this regulation to an occupational therapy assistant shall be based on that occupational therapist's education, expertise, and professional judgment.

(f) An occupational therapy assistant shall not initiate therapy for any patient or client before the supervising occupational therapist's evaluation of the patient or client.

(g) An occupational therapy assistant shall not perform any of the following services for a patient or client:

- (1) Performing and documenting an initial evaluation;
- (2) developing or modifying the treatment plan; or
- (3) developing a plan of discharge from treatment.

(h) Any occupational therapy assistant, under supervision, may perform the following services for a patient or client:

(1) Collecting initial patient data through screening and interviewing;

(2) assessing initial activities of daily living by administering standardized assessments;

(3) performing a chart review;

(4) implementing and coordinating occupational therapy interventions;

(5) providing direct services that follow a documented routine and accepted protocol;

(6) grading and adapting activities, media, or the environment according to the needs of the patient or client;

(7) contributing to the reassessment process; and

(8) contributing to the discontinuation of intervention, as directed by the occupational therapist, by implementing a discharge plan and providing necessary client discharge resources.

(i) Failure by any occupational therapist or occupational therapy assistant to meet the applicable requirements of this regulation shall constitute evidence of unprofessional conduct. (Authorized by K.S.A. 65-5405; implementing K.S.A. 2015 Supp. 65-5402 and 65-5410; effective May 13, 2016.)

Kathleen Selzler Lippert
Executive Director

Doc. No. 044485

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111-401-190		
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111-401-194	Amended	V. 35, p. 140

AGENCY 115: DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

Reg. No.	Action	Register
115-1-1	Amended	V. 34, p. 1204
115-2-1	Amended	V. 34, p. 1206
115-4-11	Amended	V. 34, p. 1208
115-4-13	Amended	V. 34, p. 1210
115-7-1	Amended	V. 34, p. 1211
115-7-2	Amended	V. 34, p. 103
115-7-10	Amended	V. 34, p. 1212
115-8-1	Amended	V. 35, p. 274
115-9-6	Amended	V. 34, p. 104
115-30-1	Amended	V. 34, p. 104

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-7-1	Amended	V. 34, p. 420
117-8-3	New	V. 35, p. 199

AGENCY 123: DEPARTMENT OF CORRECTIONS—DIVISION OF JUVENILE SERVICES

Reg. No.	Action	Register
123-6-105	Amended	V. 34, p. 868
123-6-105a	New	V. 34, p. 868
123-15-107	New	V. 24, p. 1183

AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION

Reg. No.	Action	Register
127-2-2	Amended	V. 34, p. 347

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

Reg. No.	Action	Register
129-5-1	Amended (T)	V. 34, p. 100
129-5-1	Amended	V. 34, p. 340
129-5-10		
through		
129-5-21	New	V. 34, p. 943, 944
129-10-18	Amended	V. 35, p. 46
129-10-19	New	V. 35, p. 49

AGENCY 132: KANSAS 911 COORDINATING COUNCIL

Reg. No.	Action	Register
132-1-1	New	V. 34, p. 103

Kansas Register
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Topeka, KS 66612-1594
