

Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas
Department of Transportation
Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 05-07 by adding the following project:

Project X-2462-01, Preliminary engineering for a track connection, South Kansas and Oklahoma Railroad connection in Fredonia, Wilson County

The amendment of the STIP requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amend-

ment, contact the Kansas Department of Transportation, Bureau of Program and Project Management, 2nd Floor Tower, 700 S.W. Harrison, Topeka, 66603-3754, (785) 296-3526, fax (785) 368-6664.

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

The comment period regarding the STIP amendment will conclude January 24.

Deb Miller
Secretary of Transportation

Doc. No. 031417

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of December 27-January 7. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://kslegislature.org/klrd>.

Date	Room	Time	Committee	Agenda
Jan. 4	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Agenda not available.

Jeffrey M. Russell
Director of Legislative
Administrative Services

Doc. No. 031443

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State of Kansas

Kansas Military Board**Notice of Meeting**

The Kansas Military Board of the Adjutant General's Department will meet at 10 a.m. Wednesday, January 5, at the State Defense Building, Conference Room 102, 2800 S.W. Topeka Blvd., Topeka. Requests for special accommodations should be made at least two working days in advance of the meeting by contacting Tracey Tally at (785) 274-1001.

Maj. Gen. Tod M. Bunting
Adjutant General of Kansas

Doc. No. 031442

State of Kansas

Department of Transportation**Request for Comments**

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 2005-2007 by adding the following projects:

**Kansas Department of Wildlife and Parks (KDWP)
Recreational Trails Funding Projects for FY 2005:**

- (1) City of Anthony Municipal Lake Trail
- (2) City of Beattie Community PRIDE Park Trail Improvement
- (3) City of Jetmore Kenyon Nature Parkway
- (4) City of Parsons Tolen Creek Recreational Trail Project
- (5) City of Argonia River Park Trail Enhancements
- (6) City of Pratt USD 382 Southwest Elementary Trail
- (7) City of Westmoreland Rock Creek Valley Historical Society Recreational Trail
- (8) City of Shawnee Multi-Use Trail
- (9) City of WaKeeney Multi-Use Trail
- (10) City of Wellington Worden Park Trail
- (11) KDWP — Prairie Spirit Trail Brush Chipper
- (12) KDWP — Cross Timbers and Fall River State Parks Trail Equipment
- (13) KDWP — Park 24 Trail Development
- (14) KDWP — Circle K Purchase
- (15) KDWP — Prairie Spirit Trail Brochure and Signage

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

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

The comment period regarding the STIP amendment will conclude January 24.

Deb Miller
Secretary of Transportation

Doc. No. 031432

State of Kansas

State Fair Board**Notice of Meeting**

The Kansas State Fair Board will meet at 2:30 p.m. Saturday, January 8, at the Holiday-Inn Holidome, 605 S.W. Fairlawn Road, Topeka. For more information, call (620) 669-3600.

Robba Moran
President

Doc. No. 031431

State of Kansas

**Department of Administration
Division of Facilities Management****Notice of Commencement of
Negotiations for Engineering Services**

Notice is hereby given of the commencement of negotiations for engineering services for on-call fire protection consulting services for small projects for the Division of Facilities Management and other state agencies. Consulting services shall include:

- Code Plan Review
- Design of services for fire alarm and detection systems, fire sprinkler systems and other building life-safety systems
- Building evaluations for life safety and code compliance
- Consulting for individual life safety questions
- Develop or evaluate alternative materials, design and methods of construction and equipment (IBC 104.11)

The successful firm must have certified fire protection engineers and licensed professional engineers in the state of Kansas. The successful firm must demonstrate a minimum of five years experience in fire protection engineering.

For more information regarding the scope of services, contact Jim Brooke, Division of Facilities Management, Suite 600, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5104.

To be considered, a letter of interest, an SF330 Part I, information regarding similar projects, and an SF330 Part II for each firm and consultant should be provided in one bound proposal. Also required are four bound copies of the same information and one CD with one PDF file of the same information. Proposals should be concise and follow the 2004 State Building Advisory Commission guidelines, which have previously been distributed to firms. If copies of the guidelines are needed, contact Phyllis Fast, Division of Facilities Management, Room 600, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796. Submittals should be received by Phyllis Fast before noon January 7.

D. Keith Meyers
Director, Division of
Facilities Management

Doc. No. 031435

State of Kansas

Social and Rehabilitation Services

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, March 1, in the SRS board room, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the adoption of amendments to an existing rule and regulation on a permanent basis effective April 1, 2005. Telephone conference will not be available.

This 60-day notice of the public hearing shall constitute a public comment period for the proposed regulation. All interested parties may submit written comments prior to or during the public hearing to Hope Burns, Office of the Secretary for SRS, Room 603-N, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612, or e-mail at hope@srskansas.org. All interested parties will be given a reasonable opportunity to present their views, but it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Hope Burns at (785) 296-3274 or by calling the Kansas Relay Center at 1-800-766-3777.

The adoption of the regulation will take place at 9 a.m. Monday, March 7, in the SRS executive conference room, Room 603-N, Docking State Office Building.

Copies of the regulation and the economic impact statement may be obtained by contacting Hope Burns or from the SRS Web site at www.srskansas.org. A summary of the proposed regulation and the economic impact follows:

Article 10.—ADULT CARE HOME PROGRAM

30-10-18. Rates of reimbursement. This regulation is being amended to add language to require that non-base year cost report be adjusted to the base year period before being used to set rates.

Federal Mandate: None.

Economic Impact: \$100,000.

Bearer of Cost: New providers and providers that have undergone a change of ownership.

Affected Parties: Nursing home providers.

Other Methods: Leaving the regulation as it creates what may be viewed creating a reimbursement methodology that is more favorable to new providers and providers that change ownership.

Gary Daniels
Acting Secretary of Social and Rehabilitation Services

Doc. No. 031444

(Published in the Kansas Register December 23, 2004.)

City of Wichita, Kansas

Notice to Bidders

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, January 21, for the following project:

KDOT Project No. 87N-0229-01/472-83686/
448-89553/468-83460
203317/771500/662467

(OCA Code 706851/636102/620344)

Paving

Harry, I-135 to George Washington Blvd.

Plans and specifications for this project will be available December 29. Requests for the bid documents and plans should be directed to City Blue Print, (316) 265-6224, or to Marty Murphy, (316) 268-4488. Other questions should be directed to the respective design engineer at (316) 268- 4501.

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

The successful bidder may contact Kim Pelton at (316) 268-4499 or Marty Murphy at (316) 268-4488 for extra sets of plans and specifications.

Marty Murphy
Administrative Aide
City of Wichita—Engineering

Doc. No. 031433

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

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

- 01/03/2005 07985 Aggregate AB-3 (District #1)
01/05/2005 07989 Genetic Analyzer
01/05/2005 07993 Fluorometric Assay Kits
01/05/2005 07998 Neonatal Hypothyroid Screening Fluorescent Kits
01/05/2005 07999 Waste Tire Abatement
01/10/2005 07952 Grain Elevator Appraisal Guide and Services
01/13/2005 07866 Papers
01/27/2005 07799 Wheelchairs and Related Equipment and Supplies

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

http://da.state.ks.us/purch/rfq/

Additional files may be located at the following Web

site (please monitor this Web site on a regular basis for any changes/addenda):

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

Contractors wishing to bid on the projects listed below must be prequalified. For more information about the prequalification process or to obtain the following bid documents, call (785) 296-8899:

01/06/2005 A-9979 Curtain Wall Replacement

Chris Howe
Director of Purchases

Doc. No. 031449

(Published in the Kansas Register December 23, 2004.)

**Summary Notice of Bond Sale
Unified School District No. 290
Franklin County, Kansas (Ottawa)
\$25,900,000
General Obligation Bonds, Series 2005
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated December 28, 2004, bids will be received by the superintendent of Unified School District No. 290, Franklin County, Kansas (Ottawa), on behalf of the Board of Education of the school district at the office of the Board of Education, 123 W. 4th St., Suite 100, Ottawa, KS 66067, or, in the case of electronic proposals, via *PARITY* electronic bid submission system, until 11 a.m. January 10, 2005, for the purchase of \$25,900,000 principal amount of General Obligation Bonds, Series 2005. No bid of less than the entire par value of the bonds, plus a premium of not more than 1 percent of the principal amount of the bonds, and accrued interest 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 January 15, 2005, and will become due on September 1 in the years as follows:

Maturity September 1	Principal Amount
2007	\$ 350,000
2008	450,000
2009	550,000
2010	580,000
2011	660,000
2012	755,000
2013	855,000
2014	950,000
2015	1,050,000
2016	1,155,000
2017	1,265,000
2018	1,690,000
2019	1,740,000
2020	1,885,000
2021	2,045,000
2022	2,215,000
2023	2,400,000

2024	2,560,000
2025	2,745,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2006. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

Paying Agent and Bond Registrar
Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$518,000 (2 percent of the principal amount of the bonds).

Delivery

The school district 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 January 27, 2005, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2004 is \$103,010,194. The total general obligation indebtedness of the school district as of the date of the bonds, including the bonds being sold, is \$36,705,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Kutak Rock LLP, Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the school district and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (785) 229-8010; from the school district's financial advisor, Piper Jaffray & Co., 11150 Overbrook Road, Suite 300, Leawood, KS 66211, Attention: Greg Vahrenberg, (913) 345-3274; or from bond counsel, Kutak Rock LLP, 444 W. 47th St., Suite 200, Valencia Place, Kansas City, MO 64112-1914, (816) 960-0090, Attention: Dorothea Riley.

Dated December 23, 2004.

Unified School District No. 290
Franklin County, Kansas (Ottawa)
By Teri L. George, Clerk
123 W. 4th St.
Suite 100
Ottawa, KS 66067

Doc. No. 031448

(Published in the Kansas Register December 23, 2004.)

Heartland Works, Inc.

Request for Proposals

Heartland Works, Inc. is accepting bids for the lease of office space in Lawrence. Lease space should be approximately 6,200 square feet. To receive a request for proposal containing specifications, contact the Heartland Works office at 610 S.W. 10th Ave., Suite 210, Topeka, 66612-1616, (785) 234-0500. Bids must be received not later than 3 p.m. January 20. All real estate companies, brokers, agencies and/or property owners are encouraged to submit proposals.

Nancy Leonard
Administrative Assistant

Doc. No. 031445

(Published in the Kansas Register December 23, 2004.)

Summary Notice of Bond Sale

City of Rose Hill, Kansas

\$252,000

General Obligation Bonds

Series 2005-1

(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated December 6, 2004, written bids will be received on behalf of the clerk of the City of Rose Hill, Kansas (the issuer), on behalf of the governing body at City Hall, 306 N. Rose Hill Road, Rose Hill, Kansas, until 4 p.m. January 3, 2005, for the purchase of \$252,000 principal amount of General Obligation Bonds, Series 2005-1. 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.

Terms of the Bonds

The bonds will consist of one fully registered bond in the denomination of \$252,000. The bonds will be dated as of the date of issue (the dated date), and the principal thereof will be amortized, with payments on the anniversary of the dated date in each year as follows:

Year	Principal Amount
2006	\$28,000
2007	\$28,000
2008	\$28,000
2009	\$28,000
2010	\$28,000
2011	\$28,000
2012	\$28,000
2013	\$28,000
2014	\$28,000

The bonds will bear interest from the dated date at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable annually on the amortization dates set forth above (the interest payment dates).

Anticipated Zero Interest Bid

Notice should be taken that the issuer has received a commitment from Butler Rural Electric Cooperative Association, Inc., to bid for and purchase the bonds at no interest pursuant to a Rural Economic Development Loan and Grant Program.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$5,040 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about January 20, 2005, to the bank or trust company in the contiguous United States specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2004 is \$21,573,878. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$5,109,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the undersigned at the address set forth below, (316) 776-2712, fax (316) 776-2769 or e-mail: kathy@cityofrosehill.com; or from the financial advisor, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 264-9351, fax (316) 264-9370, e-mail: bouilly@gkbaum.com.

Written Bid and Good Faith Deposit

Delivery Address:

Kathy A. Raney, Clerk
306 N. Rose Hill
Rose Hill, KS 67133

Facsimile Bid Delivery Address:

Kathy A. Raney, Clerk
Fax (316) 776-2769

George K. Baum & Company
Attn: Charles M. Bouilly
Fax (316) 264-9370

Dated December 6, 2004.

City of Rose Hill, Kansas

Doc. No. 031434

**State of Kansas
State Conservation Commission**

Notice to Contractors

Sealed bids for the construction of a 37,223 cubic yard detention dam, Site 28-10B in Nemaha County, will be received by the Nemaha-Brown Watershed Joint District No. 7 at the district office, 612 Community Drive, Seneca, 66538, until 10 a.m. January 25 and then opened. A copy of the invitation for bids and the plans and specifications may be reviewed and/or obtained from the Nemaha-Brown Watershed District Office, (785) 336-6044, available on or after January 10. There will be a \$50 nonrefundable charge for obtaining a copy of the plans and specifications mailed.

Greg A. Foley
Executive Director

Doc. No. 031450

(Published in the Kansas Register December 23, 2004.)

**Summary Notice of Bond Sale
City of Belleville, Kansas
\$2,100,000
Electric and Gas System Revenue Bonds
Series 2005**

Bids

Subject to the notice of bond sale dated December 13, 2004, written and electronic bids will be received on behalf of the clerk of the city of Belleville, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 4 p.m. January 10, 2005, for the purchase of \$2,100,000 principal amount of Electric and Gas System Revenue Bonds, Series 2005. No bid of less than 98 percent of the principal amount of the Series 2005 Bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The Series 2005 Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Series 2005 Bonds will be dated February 1, 2005, and will become due on September 1 in the years as follows:

Year	Principal Amount
2007	\$125,000
2008	130,000
2009	135,000
2010	140,000
2011	145,000
2012	150,000
2013	160,000
2014	165,000
2015	170,000
2016	180,000
2017	190,000
2018	200,000
2019	210,000

The Series 2005 Bonds will bear interest from the date thereof at rates to be determined when the Series 2005 Bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning September 1, 2005.

Optional Book-Entry-Only System

The successful bidder may elect to have the Series 2005 Bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$42,000 (2 percent of the principal amount of the Series 2005 Bonds).

Delivery

The issuer will pay for printing the Series 2005 Bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about February 1, 2005, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Approval of Series 2005 Bonds

The Series 2005 Bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the Series 2005 Bonds will be furnished and paid for by the issuer, printed on the Series 2005 Bonds and delivered to the successful bidder when the Series 2005 Bonds are delivered.

Additional Information

Additional information regarding the Series 2005 Bonds may be obtained from the undersigned at the address set forth below, (785) 527-2288, fax (785) 527-2334 or e-mail: belleville@nckcn.com; or from the financial advisor, Ranson Financial Consultants, L.L.C., 209 E. William, Suite 401, Wichita, KS 67202, Attention: John Haas, (316) 264-3400, fax (316) 265-5403, e-mail: jhaas@ransonfinancial.com.

Written Bid and Good Faith Deposit

Delivery Address:

Karen Dreesen, Clerk
1819 L St., P.O. Box 280
Belleville, KS 66935-0280

Facsimile Bid Delivery Address:

Karen Dreesen, Clerk
Fax (785) 527-2334
Ranson Financial Consultants, L.L.C.
Attn: John Haas
Fax (316) 265-5403

Dated December 13, 2004.

City of Belleville, Kansas

Doc. No. 031452

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared and/or permit applications have been received for discharges to the waters of the United States and the state of Kansas for the class of discharges described below.

The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the EPA, and when issued will result in a State Water Pollution Control Permit and National Pollutant Discharge Elimination System Authorization subject to certain conditions.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

Public Notice No. KS-AG-04-341/345
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Kevin Gant Route 1, Box 47 Wilsey, KS 66873	SE/4 of Section 10, NE/4 of Section 15, T17S, R07E, Morris County	Neosho River Basin

Kansas Permit No. A-NEMR-B006

This is a renewal permit for an existing operation with livestock confinement facilities for a maximum of 950 head of cattle weighing 700 pounds or more (950 animal units).

Name and Address of Applicant	Legal Description	Receiving Water
Pruitt Farms Inc. David Pruitt Route 4, Box 84 Beloit, KS 67420	SE/4 of Section 17, T09S, R07W, Mitchell County	Solomon River Basin

Kansas Permit No. A-SOMC-B012

This is a renewal permit for an existing facility for 999 head of cattle weighing 700 pounds or greater (999 animal units).

Name and Address of Applicant	Legal Description	Receiving Water
Matt and Rachael Deters Dairy Route 1, Box 89 Baileyville, KS 66404	NE/4 of Section 16, T02S, R11E, Nemaha County	Big Blue River Basin

Kansas Permit No. A-BBNM-M010

This is a renewal permit for 120 head (168 animal units) of dairy cows, 42 head (42 animal units) of replacement dairy heifers greater than 700 pounds and 80 head (40 animal units) of dairy calves, for a total of 242 head (250 animal units).

Name and Address of Applicant	Legal Description	Receiving Water
Pork Chop Acres, Inc. Leo Schwartz 2051 20th Road Washington, KS 66968	SE/4 of Section 20, T02S, R04E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-S024

This is a renewal permit for an existing swine facility. The facility is expanding the animal unit capacity from 348.4 animal units to 369

animal units. The new maximum capacity will be 450 head (180 animal units) of swine weighing more than 55 pounds and 1,890 head (189 animal units) of swine weighing 55 pounds or less. This is an expansion in animal units only and does not include new construction.

Name and Address of Applicant	Legal Description	Receiving Water
S & W Swine LLC 5816 CR 3300 Independence, KS 67301	SE/4 of Section 16, T31S, R15E, Montgomery County	Verdigris River Basin

Kansas Permit No. A-VEMG-S041

This is a new permit for the expansion of an existing facility from 1,600 head (640 animal units) of swine weighing more than 55 pounds and 1,660 head (166 animal units) of swine weighing 55 pounds or less, to a maximum capacity of 1,760 head (704 animal units) of swine weighing more than 55 pounds and 2,050 head (205 animal units) of swine weighing 55 pounds or less. The expansion consists of the addition of a swine nursery building, a second waste storage cell and operational changes that increase the capacity of the existing swine units.

Public Notice No. KS-04-267/270

Name and Address of Applicant	Waterway	Type of Discharge
Linn County Commission 306 Main, P.O. Box 350 Mound City, KS 66056	Big Sugar Creek via Sugar Creek	Treated Domestic Wastewater

Kansas Permit No. M-MC64-0001

Federal Permit No. KS0092941

Legal Description: NW¼, SW¼, NW¼, S17, T21S, R22E, Linn County
Facility Name: Linn County SD No. 1 (Centerville)

Facility Description: The proposed action is to issue a new permit for operation of a new wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand and total suspended solids. Monitoring of ammonia, fecal coliform and pH also will be required. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Milford, City of P.O. Box 279 Milford, KS 66514-0279	Republican River (Milford Reservoir)	Treated Domestic Wastewater

Kansas Permit No. M-LR17-0001

Federal Permit No. KS0086231

Legal: SE¼, SE¼, NE¼, S19, T10S, R5E, Geary County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand and total suspended solids. Monitoring for fecal coliform, ammonia and pH also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Olsburg, City of P.O. Box 127 Olsburg, KS 66520	Tuttle Creek Reservoir via Carnahan Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-BB18-0001

Federal Permit No. KS0093297

Legal: NE¼, SW¼, SE¼, S23, T7S, R7E, Pottawatomie County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand and total suspended solids. Moni-

toring for fecal coliform, ammonia and pH also will be required. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
University Park Sewer Benefit District	Tuttle Creek Reservoir	Treated Domestic
Riley County Public Works Dept. 110 Courthouse Plaza Manhattan, KS 66502-0112	Wastewater	
Kansas Permit No. C-BB25-0002	Federal Permit No. KS0079243	
Legal: NE¼, NE¼, NW¼, S12, T8S, R6E, Riley County		

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform, ammonia and pH. Monitoring of total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen, total chlorine residual and effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Persons wishing to comment on or object to the draft permits 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 or objections considered in the decision making process. Comments or objections should be submitted to the attention of April Romero for agricultural permits or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft permit or application notice postmarked or received on or before January 22 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-04-341/345, KS-04-267/270) and name of applicant/application as listed when preparing comments.

If no objections are received during the public notice period regarding any proposed permit, the Secretary of Health and Environment will issue the final determination regarding issuance or denial of the proposed permit. If response to this notice indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

For agricultural permits and applications, a copy of the permit application, supporting documentation and a KDHE-developed fact sheet, if appropriate, is available for review at the appropriate district office:

Northwest District Office, 2301 E. 13th, Hays, 67601-2651, (785) 625-5664

North Central District Office, 2501 Market Place, Salina, 67401-7699, (785) 827-9639

Northeast District Office, 800 W. 24th, Lawrence, 66046-4417, (785) 842-4600

Southwest District Office, 302 W. McArtor Road, Dodge City, 67801-6098, (620) 225-0596

South Central District Office, 130 S. Market, 6th Floor, Wichita, 67202-3802, (316) 337-6020

Southeast District Office, 1500 W. 7th, Chanute, 66720, (620) 431-2390

Application information and components of plans and specifications for all new facilities and for expansions of existing swine facilities may be reviewed on the Internet at <http://www.kdhe.state.ks.us/feedlots>.

For all other proposed permits, the draft permit(s), including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received and other information, are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water.

Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays. These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 031446

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment and the Unified Government of Wyandotte County/Kansas City, Kansas Department of Air Quality are soliciting comments regarding a proposed air quality operating permit. Bennett Rogers has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 et seq. 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.

Bennett Rogers, Kansas City, Kansas, owns and operates a pipe coating facility located at 900 Kindleberger Road, Kansas City, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Topeka, and at the Department of Air Quality, 619 Ann Ave., Kansas City, Kansas. To obtain or review the proposed permit and supporting documentation, contact Brie Wilkins, (785) 296-6422, at the KDHE central office, or Natalie Blom, (913) 573-6700, at the DE-

(continued)

partment of Air Quality. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Natalie Blom, Department of Air Quality, 619 Ann Ave., Kansas City, KS 66101. In order to be considered in formulating a final permit decision, written comments must be received before the close of business January 24.

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 Brie Wilkins, Bureau of Air and Radiation, not later than the close of business January 24 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 30-day 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. If the EPA waives its 45-day review period, the 60-day public petition period will start directly after the 30-day public comment 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 Harriet Jones, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7097, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 031439

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Globe Engineering Company, Inc. has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 et seq. 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.

Globe Engineering Company, Inc., Wichita, owns and operates an aircraft parts manufacturer located at 1539 S. St. Paul, Wichita.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the Wichita Department of Environmental Health, 1900 E. 9th, Wichita. To obtain or review the proposed permit and supporting documentation, contact Adam Kice, (785) 296-1691, at the KDHE central office; and to review the proposed permit only, contact Randy Owen, (316) 268-8448, at the Wichita Department of Environmental Health. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Adam Kice, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business January 24.

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 Brie Wilkins, Bureau of Air and Radiation, not later than the close of business January 24 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 30-day 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. If the EPA waives its 45-day review period, the 60-day public petition period will start directly after the 30-day public comment 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 Harriet Jones, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7097, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 031440

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Magellan Pipeline Company, LP-Independence Station has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et seq. 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.

Magellan Pipeline Company, LP, Tulsa, Oklahoma, owns and operates a liquid petroleum pipeline and pumping station located at 836 S. Rosser Road, Independence, Montgomery County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Southeast District Office, 150 W. 7th., Chanute. To obtain or review the proposed permit and supporting documentation, contact Xiao Wu, (785) 296-1615, at the KDHE central office; and to review the proposed permit only, contact Doug Cole, (620) 431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Xiao Wu, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business January 24.

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 Brie Wilkins, Bureau of Air and Radiation, not later than the close of business January 24 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 30-day 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. If the EPA waives its 45-day review period, the 60-day public petition period will start directly after the 30-day public comment 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 Harriet Jones, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7097, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 031438

State of Kansas

Secretary of State

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Thursday, February 24, in the Secretary of State's Office, Room 120, Memorial Hall, 120 S.W. 10th Ave., Topeka, to consider proposed new Kansas Administrative Regulation 7-34-2, which set fees for corporate filings. This regulation is proposed for adoption on a permanent basis.

The Kansas corporate code was revised during the 2004 legislative session (Chapter 143 of the 2004 Session Laws, SB 29). The new law delegates the authority to set fees for corporate filings to the Secretary of State.

K.A.R. 7-34-2 sets the fees for filing corporate documents with the Secretary of State and the fees for corporate certificates and copies issued by the Secretary of State. This regulation is not expected to have an increased economic impact on governmental agencies or the general public. Corporate fees are currently set in statute. The regulation sets the fees at the same amount as given in current statute; thus, there is no increased cost to the public.

This 60-day notice of public hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed regulation. Comments may be submitted prior to the hearing to Melissa A. Wangemann, Legal Counsel, Office of the Secretary of State, Room 140, Memorial Hall, 120 S.W. 10th Ave., Topeka, 66612-1594, or by e-mail at MelissaW@kssos.org.

All interested parties will be given a reasonable opportunity at the hearing to present their views. Any person requiring visual, hearing or other communication assistance, building access assistance or other similar accommodation should contact the Secretary of State's office so appropriate arrangements can be made.

Copies of the regulation and the economic impact statement may be obtained at the address above or by contacting Barb Nemecek at (785) 296-2114 or BarbN@kssos.org. The regulation also is available on the Secretary of State's Web site at www.kssos.org.

Ron Thornburgh
Secretary of State

Doc. No. 031437

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d), 75-4201(l) and 75-4209(a)(1)(B).

Effective 12-20-04 through 12-26-04

Term	Rate
1-89 days	2.24%
3 months	2.19%
6 months	2.46%
1 year	2.71%
18 months	2.89%
2 years	2.99%

Derl S. Treff
Director of Investments

Doc. No. 031430

State of Kansas

State Corporation Commission

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Wednesday, March 9, in the first floor hearing room of the State Corporation Commission, 1500 S.W. Arrowhead, Topeka, to consider the adoption of proposed revisions of and additions to the Kansas Motor Carrier Regulations, K.A.R. 82-4-3, K.A.R. 82-4-3a, K.A.R. 82-4-3b, K.A.R. 82-4-3c, K.A.R. 82-4-3d, K.A.R. 82-4-3e, K.A.R. 82-4-3f, K.A.R. 82-4-3g, K.A.R. 82-4-3h, K.A.R. 82-4-3i, K.A.R. 82-4-3j, K.A.R. 82-4-3k, K.A.R. 82-4-3l and K.A.R. 82-4-3m.

The proposed revisions to the Kansas Motor Carrier Regulations update all but one of the adoptions currently contained in K.A.R. 82-4-3 to the 2003 Code of Federal Regulations, move each adoption to its own regulation for ease in updating the adoptions in the future, and make permanent the adoption of the 2003 hours of service regulations that have been in effect on a temporary basis since January 4, 2004. 49 C.F.R. Parts 40, 382, 385, 387, 390, 391, 392, 393, 395, 396, 397, 398 and 399 are now each adopted by a separate regulation. Additionally, pre-existing exemptions from the commission's safety regulations found in K.A.R. 82-4-3 and 49 C.F.R. 390.3(f) shall be maintained in K.A.R. 82-4-3. Extensive editing of the Code of Federal Regulations adoptions were done in the proposed regulations in order to properly adopt all of the needed materials. However, these extensive re-writes do not represent any substantive changes from existing regulation of the industry.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Paula N. Johnson, Advisory Counsel, State Corporation Commission, 1500 S.W. Arrowhead, Topeka, 66604. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing.

Copies of the regulations and the economic impact statement may be obtained by contacting Paula N. Johnson at (785) 271-3361.

Any person requiring accommodations under the Americans With Disabilities Act should give notice to the commission at least 10 days prior to the hearing date.

Susan K. Duffy
Executive Director

Doc. No. 031451

State of Kansas

Department of Health and Environment

Request for Bids on the Kansas Childhood Lead Poisoning Prevention Program

Sealed bids for the items listed will be received by the Kansas Department of Health and Environment until 2 p.m. on the date indicated. For more information, call (785) 296-1519:

January 10, 2004

#264-05-1

Project Lead Safe KCK —
Lead Hazard Reduction at the following properties:

- 1709 Cleveland Ave.
Kansas City, Kansas 66102
- 2818 Wood Ave.
Kansas City, Kansas 66104
- 3052 N. 32nd St
Kansas City, Kansas 66104
- 4510 Leavenworth Road
Kansas City, Kansas 66104
- 1954 N. 31st St
Kansas City, Kansas 66104
- 1051 Rowland Ave
Kansas City, Kansas 66104
- 4344 Everett
Kansas City, Kansas 66102
- 2715 N. 21st St
Kansas City, Kansas 66104
- 1305 S. 80th St
Kansas City, Kansas 66111
- 1938 S. 42nd St
Kansas City, Kansas 66106

Contractors will be required to attend a walkthrough of each property in order to be eligible to respond to the Invitation for Bid. For times and actual locations, call (913) 262-0796 or go to the following Web site: http://www.unleadedks.com/contractor_info.html.

The above referenced bid documents can be downloaded at the Web site listed above.

Roderick L. Bremby
Secretary of Health and Environment

Doc. No. 031447

State of Kansas

Social and Rehabilitation Services

Permanent Administrative
RegulationsArticle 5.—PROVIDER PARTICIPATION, SCOPE OF
SERVICES, AND REIMBURSEMENTS FOR THE
MEDICAID (MEDICAL ASSISTANCE) PROGRAM

30-5-64. Prior authorization. (a) Any medical service may be placed by the secretary on the published list of services requiring prior authorization or precertification for any of the following reasons:

(1) To ensure that provision of the service is medically necessary;

(2) to ensure that services that may be subject to over-use are monitored for appropriateness in each case; and

(3) to ensure that services are delivered in a cost-effective manner.

(b) Administration of covered pharmaceuticals in the following classes shall require prior authorization. A cross-reference of generic and brand names shall be made available upon request:

(1) Ace inhibitors:

- (A) Fosinopril;
- (B) moexipril;
- (C) perindopril;
- (D) quinapril;
- (E) ramipril; and
- (F) trandolopril;

(2) acne and skin lesion products:

- (A) Tretinoin; and
- (B) alitretinoin;

(3) angiotensin II receptor antagonists:

- (A) Candesartan;
- (B) eprosartan;
- (C) irbesartan;
- (D) olmesartan; and
- (E) valsartan;

(4) antipsoriatics: alefacept;

(5) antiretroviral drugs: enfuvirtide;

(6) antirheumatics:

- (A) Leflunomide;
- (B) infliximab;
- (C) anakinra;
- (D) adalimumab; and
- (E) etonercept;

(7) cervical dystonias: botulinum toxins A and B;

(8) drugs for the treatment of osteoporosis: teriparatide;

(9) antituberculosis products:

- (A) Aminosalicylate sodium;
- (B) capreomycin;
- (C) ethambutol;
- (D) ethionamide;
- (E) isoniazid;
- (F) pyrazinamide; and
- (G) rifampin and rifampin-isoniazid combinations;

(10) benzodiazepines:

- (A) Alprazolam;
- (B) clorazepate dipotassium; and
- (C) diazepam;

(11) all decubitus and wound care products;
(12) all intravenous and oral dietary and nutritional products, including the following:

- (A) Amino acids, injectable;
- (B) l-cysteine;
- (C) lipids, injectable; and
- (D) sodium phenylbutyrate;

(13) beta-blockers:

- (A) Betaxolol;
- (B) bisoprolol;
- (C) carteolol;
- (D) nadolol;
- (E) penbutolol;
- (F) pindolol; and
- (G) timolol;

(14) calcium channel blockers:

(A) Diltiazem extended release, with the following brand names:

- (i) Cardizem SR®;
- (ii) Cardizem CD®;
- (iii) Cartia XT®;
- (iv) Dilacor XR®;
- (v) Taztia XT®; and
- (vi) Cardizem LA®;

(B) verapamil sustained release, with the following brand names:

- (i) Covera HS®; and
- (ii) Verelan PM®;

(C) nifedipine sustained release, with the following brand names:

- (i) Nifedical XL®; and
- (ii) Procardia XL® and all generic equivalents;
- (D) nimodipine;
- (E) nisoldipine;
- (F) felodipine;
- (G) isradipine;
- (H) nicardipine SR; and

(I) nifedipine immediate release, with the following brand names:

- (i) Adalat® and all generic equivalents; and
- (ii) Procardia® and all generic equivalents;

(15) all cyclooxygenase 2 (cox 2) inhibitors:

- (A) Celecoxib;
- (B) rofecoxib; and
- (C) valdecoxib;

(16) all growth hormones and growth hormone stimulating factor, including the following:

- (A) Somatrem;
- (B) somatropin; and
- (C) sermorelin;

(17) modafinil;

(18) intranasal corticosteroids:

- (A) Budesonide;
- (B) mometasone;
- (C) beclomethasone; and
- (D) triamcinolone;

(19) proton pump inhibitors:

- (A) Omeprazole;
- (B) pantoprazole; and
- (C) rabeprazole;

(continued)

- (20) drugs for the treatment of impotence: alprostadil;
- (21) monoclonal antibody for respiratory syncytial virus (RSV), including palivizumab;
- (22) muscle relaxants:
 - (A) Tizanidine;
 - (B) orphenadrine;
 - (C) methocarbamol;
 - (D) carisprodol;
 - (E) carisprodol compound;
 - (F) cyclobenzaprine (5 mg); and
 - (G) metaxolone;
- (23) nonsteroidal, anti-inflammatory drugs:
 - (A) Meloxicam;
 - (B) diclofenac-misoprostol;
 - (C) indomethacin;
 - (D) nabumetone; and
 - (E) piroxicam;
- (24) drugs for the treatment of obesity:
 - (A) Orlistat; and
 - (B) sibutramine;
- (25) oxazolidinones, including linezolid;
- (26) HMG-CoA reductase inhibitors:
 - (A) Pravastatin;
 - (B) fluvastatin;
 - (C) lovastatin; and
 - (D) rosuvastatin;
- (27) nonsedating antihistamines:
 - (A) Desloratidine;
 - (B) fexofenadine;
 - (C) Claritin®; and
 - (D) cetirizine;
- (28) H₂ antagonists: nizatidine;
- (29) triptans:
 - (A) Naratriptan;
 - (B) zolmitriptan;
 - (C) frovatriptan; and
 - (D) eletriptan HBr;
- (30) oral antidiabetic drugs:
 - (A) Amaryl®;
 - (B) Glucotrol XL®;
 - (C) Starlix®;
 - (D) Precose®;
 - (E) Glucophage XR®;
 - (F) Glucovance®; and
 - (G) Metaglip®;
- (31) all 3.0 ml syringes and 3.0 ml cartridges of insulin, including the following:
 - (A) Humalog®;
 - (B) Humalog Mix®;
 - (C) Novolog®; and

- (D) Novolog Mix®;
- (32) serotonin 5-HT₃ receptor antagonist antiemetics:
 - (A) Kytril®; and
 - (B) Anzemet®;
- (33) influenza vaccines: Flumist®; and
- (34) the following drugs if specifically required by the physician, which shall require prior authorization to override maximum allowable cost (MAC) or federal upper limit (FUL) pricing:
 - (A) Clozaril;
 - (B) depakene;
 - (C) tegretol; and
 - (D) coumadin.
- (c) Failure to obtain prior authorization, if required, shall negate reimbursement for the service and any other service resulting from the unauthorized or noncertified treatment. The prior authorization shall affect reimbursement to all providers associated with the service.
- (d) The only exceptions to prior authorization shall be the following:
 - (1) Emergencies. If certain surgeries and procedures that require prior authorization are performed in an emergency situation, the request for authorization shall be made within two working days after the service is provided.
 - (2) Situations in which services requiring prior authorization are provided and retroactive eligibility is later established. When an emergency occurs or when retroactive eligibility is established, prior authorization for that service shall be waived, and if medical necessity is documented, payment shall be made.
 - (e) Services requiring prior authorization shall be considered covered services within the scope of the program unless the request for prior authorization is denied. (Authorized by K.S.A. 39-708c(b) and K.S.A. 2003 Supp. 39-7,120; implementing K.S.A. 2003 Supp. 39-7,120 and 39-7,121a; effective May 1, 1981; amended May 1, 1983; amended May 1, 1986; amended May 1, 1992; amended July 1, 1994; amended March 1, 1995; amended March 1, 1996; amended July 1, 1996; amended July 1, 1997; amended Jan. 1, 1999; amended April 1, 2000; amended Oct. 1, 2000; amended Oct. 1, 2001; amended Dec. 6, 2002; amended Feb. 21, 2003; amended May 9, 2003; amended July 11, 2003; amended Aug. 8, 2003; amended Nov. 14, 2003; amended Dec. 29, 2003; amended May 28, 2004; amended Oct. 29, 2004; amended Jan. 7, 2005.)

Gary Daniels
Acting Secretary of Social and
Rehabilitation Services

Doc. No. 031436

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2003 Vol-

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1-45-18	Amended	V. 23, p. 1044
1-45-19	Amended (T)	V. 23, p. 424
1-45-19	Amended	V. 23, p. 1044
1-45-20	Amended (T)	V. 23, p. 424
1-45-20	Amended	V. 23, p. 1045

1-45-23	Amended (T)	V. 23, p. 425
1-45-23	Amended	V. 23, p. 1045
1-45-24	Amended (T)	V. 23, p. 425
1-45-24	Amended	V. 23, p. 1045

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4-8-39	Amended	V. 23, p. 1103

4-8-40	Amended (T)	V. 23, p. 901
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4-25-16	Amended (T)	V. 22, p. 2176
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4-28-1	New (T)	V. 23, p. 1597
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5-3-5o	New	V. 23, p. 1130
5-3-29	New (T)	V. 23, p. 1284
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5-17-18	New	V. 23, p. 1131-1137
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28-4-587	Amended (T)	V. 23, p. 394
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28-4-591	Amended (T)	V. 23, p. 397
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28-4-613	New	V. 23, p. 957-962
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28-4-705	New (T)	V. 23, p. 398-400
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28-4-705	New	V. 23, p. 1265, 1266
28-15-11	Revoked	V. 23, p. 1367
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28-29-82	Amended	V. 23, p. 203-205
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30-5-59	Amended	V. 23, p. 1637
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40-2-26	Amended	V. 23, p. 151
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44-7-104	Amended	V. 23, p. 953
44-7-113	Amended (T)	V. 23, p. 386
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91-1-236	New	V. 23, p. 1109
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102-4-3a	Amended	V. 23, p. 1141
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102-4-7a	Amended	V. 23, p. 1144
102-5-4a	Amended	V. 23, p. 1145
102-5-7a	Amended	V. 23, p. 1147

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108-1-4	Amended	V. 23, p. 823

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110-8-8 through 110-8-11	Revoked	V. 23, p. 1595
110-10-1	New	V. 23, p. 180

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed by the Kansas Lottery from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003

The following regulations were filed after January 1, 2004:

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111-2-159	New	V. 23, p. 901
111-2-160	New	V. 23, p. 1655
111-2-161	New	V. 23, p. 1655
111-2-162	New	V. 23, p. 1655
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111-3-22	Amended	V. 23, p. 97
111-4-881	Amended	V. 23, p. 97
111-4-1448	Amended	V. 23, p. 98
111-4-2052	Amended	V. 23, p. 262
111-4-2055	Amended	V. 23, p. 263
111-4-2057	Amended	V. 23, p. 263
111-4-2074	Amended	V. 23, p. 98
111-4-2093	Amended	V. 23, p. 309
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111-4-2097	Amended	V. 23, p. 310
111-4-2098	Amended	V. 23, p. 310
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111-4-2126 through 111-4-2146	New	V. 23, p. 459-471
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111-5-113	Amended	V. 23, p. 472
111-5-114	Amended	V. 23, p. 472
111-6-1	Amended	V. 23, p. 1439
111-6-7	Amended	V. 23, p. 1440
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111-7-190	Amended	V. 23, p. 473
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111-11-1	Amended	V. 23, p. 1077
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112-10-5	Amended	V. 23, p. 1073
112-10-6	Amended	V. 23, p. 1073

112-10-6a New V. 23, p. 1074
 112-10-13 New V. 23, p. 495
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 WILDLIFE AND PARKS**

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115-2-2	Amended	V. 23, p. 1581
115-2-3	Amended	V. 23, p. 1581

115-2-3a New V. 23, p. 1582
 115-3-2 Amended V. 23, p. 1043
 115-4-14 New V. 23, p. 1583
 115-7-1 Amended V. 23, p. 1584
 115-18-10 Amended V. 23, p. 1043
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117-3-2	Amended	V. 23, p. 1408
117-4-2	Amended	V. 23, p. 1408
117-8-1	Amended	V. 23, p. 337
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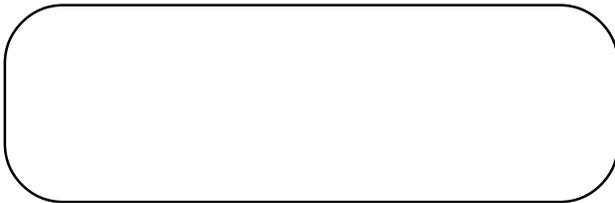
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