



Kansas Register

Kris W. Kobach, Secretary of State

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State of Kansas

Secretary of State

Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A listing of Kansas state agencies, boards, commissions, and county officials are included in the Kansas Directory, which is available on the Secretary of State's Web site at www.sos.ks.gov. The following appointments were recently filed with the Secretary of State:

Ford County Commissioner

Chris Boys, 3202 Foxfire Drive, Dodge City, 67801. Succeeds Kim Goodnight, resigned.

McPherson County Clerk

Cathy Schmidt, 1022 N. Ash, McPherson, 67460. Succeeds Susan Meng, resigned.

Sherman County Attorney

Brock Abbey, 204 E. 15th, Goodland, 67735. Succeeds Bonnie Selby, resigned.

Sherman County Treasurer

April Hall, 709 Main Ave., Goodland, 67735. Succeeds Iris Scheopner, resigned.

Kansas Commission on Emergency
Planning and Response

Henry Hungerbeeler, 2609 Kensington Place, Leavenworth, 66048. Term expires Nov. 30, 2015. Succeeds John Prather.

Governmental Ethics Commission

James Ward, P.O. Box 482, Ottawa, 66067. Term expires Jan. 31, 2014. Succeeds Sabrina Standifer.

Juvenile Justice Authority

Teresa Williams, Commissioner of Juvenile Justice, Suite 300, Jayhawk Walk, 714 S.W. Jackson, Topeka, 66603. Serves at the pleasure of the governor. Succeeds Curtis Whitten.

Long-Term Care Ombudsman

Barbara Hickert, 2308 S.W. Mayfair Place, Topeka, 66611. Term expires March 15, 2016. Succeeds Belinda Vierthaler.

Kansas Lottery Commission

Carl Gerlach, Chair, 10084 Hemlock Drive, Overland Park, 66212.

Kansas Military Disability Board

Brig. Gen. Eric Peck, 840 Stadel Road, Manhattan, 66502. Serves at the pleasure of the governor. Succeeds Maj. Gen. Lee Tafanelli.

Col. Alan Soldan, 2807 S.W. Rother Road, Topeka, 66614. Serves at the pleasure of the governor. Succeeds Col. John Andrew.

Secretary of Social and Rehabilitation Services

Phyllis Gilmore, 6th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. Succeeds Robert Siedlecki, resigned.

Solid Waste Grants Advisory Committee

Marty Kowalski, 12604 E. Killarney, Wichita, 67206. Term expires Dec. 12, 2013. Succeeds Michael Clagett.

Kris W. Kobach
Secretary of State

Doc. No. 040458

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State of Kansas

Juvenile Justice Authority

Request for Proposals

The Juvenile Justice Authority and the Kansas Advisory Group announce the availability of a request for proposals for new and continuing applications for Title II and Title V funds for delinquency prevention through the Juvenile Justice and Delinquency Prevention Act. Priority will be given to evidence-based delinquency prevention programs, alternatives to detention, and programs to reduce disproportionate minority contact. Applications can be downloaded at the JJA website at http://www.jja.ks.gov/grants_federal.html.

For more information, contact Randy Bowman or Don Chronister at (785) 296-4213, or dchronister@jja.ks.gov or rbowman@jja.ks.gov.

Terri Williams
Acting Commissioner

Doc. No. 040462

State of Kansas

Department of Administration
Office of Facilities and Property Management

Notice of Requested Architectural Services

Notice is hereby given of the commencement of the selection process for architectural services for the remodeling of Singular/Trusler Residential Hall at Emporia State University. This is a 57,384 sq. ft. concrete and masonry structure. Services will include architectural and engineering consultant services (mechanical, electrical, structural, fire protection/life safety). The estimated construction cost is \$3,350,000. A copy of the building program may be found on the Office of Facilities and Property Management's website at <http://www.da.ks.gov/fp/ArchEngPrograms.htm>.

For more information concerning the scope of services, contact Bobbi Pearson at (620) 341-5331 or bpearson@emporia.edu.

To be considered, one (1) PDF file and one (1) bound proposal of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end. Proposals should be less than 5 MB and follow the current State Building Advisory Commission guidelines, which can be found in Chapter 4 of the Building Design and Construction Manual at www.da.ks.gov/fp/manual.htm. Proposals should be sent to Barbara Schilling, Office of Facilities and Property Management, Suite 600 South, Landon State Office Building, 900 SW Jackson, Topeka, 66612. If you have questions call (785) 291-3695 or email Barb.Schilling@da.ks.gov. Both the PDF and bound proposal submittals shall be delivered to the attention of Barbara Schilling before noon May 11.

Mark J. McGivern, Director
Office of Facilities and
Property Management

Doc. No. 040460

(Published in the Kansas Register April 26, 2012.)

Heartland Works, Inc.

Request for Proposals

Heartland Works, Inc. is accepting bids for the lease of office space in Manhattan. To receive a request for proposal, including all specifications, contact the Heartland Works office at 5020 S.W. 28th St., Suite 100, Topeka, 66614-2348, (785) 234-0500. Bids are due by 3 p.m. May 24. All real estate companies, brokers, agencies and/or property owners are encouraged to submit proposals.

Kristine Kitchen
Executive Director

Doc. No. 040463

State of Kansas

Department of Commerce

Notice of Hearing

The Department of Commerce, CDBG Program, will conduct a special public hearing from 1 to 2 p.m. Thursday, May 24, in Room 530 of the Curtis State Office Building, 1000 S.W. Jackson, Topeka, on the proposed Downtown Commercial Rehabilitation Program, which would be part of the FFY 2013 Community Development Block Grant Program. The purpose of the hearing is to gain citizen input on the proposed program. No preregistration is required. Anyone needing special accommodations should contact the Department of Commerce at least five business days in advance of the hearing at (785) 296-3004, fax (785) 296-3776 or TTY 711.

The purpose of the proposed program is to assist in the revitalization of downtown business districts by providing funding for the renovation of privately owned blighted structures. Rehabilitation activities would be limited to improvements of the exterior of the buildings, abatement of asbestos hazards, lead-based paint hazard evaluation and reduction, and the correction of code violations. The maximum grant award would be \$250,000. A private match of 25 percent of project cost would be required. To qualify for funding, the projects would have to meet the "slum and blight" national objective under the Housing & Community Development Act. Applications would be taken on an open-window basis from January 1 through December 10, 2013.

The following point rating system would be used to evaluate applications:

Past efforts of community to revitalize downtown commercial district	(20 points)
Scope of work and impact of building on commercial district	(25 points)
Financial capacity and business experience of property owner	(20 points)
Business plan for reuse of building	(25 points)
Readiness of owner to proceed with project	(10 points)
Total	100 Points

Pat George
Secretary of Commerce

Doc. No. 040455

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Eisenhower State Office Building, fourth floor west wing, 700 S.W. Harrison, Topeka, until 1 p.m. May 23 and then publicly opened:

District One — Northeast

Doniphan—36-22 KA-2668-01 — U.S. 36 from 0.6 mile east of the Brown-Doniphan county line east 14.6 miles, pavement patching. (State Funds)

Douglas—23 C-0059-01 — County road 5.5 miles east and 11.5 miles north of the county line, grading and surfacing, 0.4 mile. (Federal Funds)

Johnson—35-46 N-0542-01 — I-35 from Olathe to Edgerton, Intelligent Transportation System, 14 miles. (Federal Funds)

Johnson—435-46 KA-2258-01 — I-435 bridges 0.3 mile north of Renner Road, bridge repair. (State Funds)

Shawnee—70-89 KA-2633-01 — I-70 sign truss 0.6 mile southeast of 10th Street in Topeka, lighting. (State Funds)

Shawnee—24-89 KA-2679-01 — U.S. 24 bridges 1.84 and 1.85 miles east of the U.S. 75 junction, replace bridge approaches. (State Funds)

Wabaunsee—31-99 KA-1806-01 — K-31 culvert 4.2 miles east of the junction of K-99, culvert repair. (State Funds)

Wyandotte—435-105 KA-2231-01 — I-435 bridges at the K-32 junction, bridge repair. (State Funds)

Wyandotte—435-105 KA-2724-01 — I-435 bridge 0.2 mile north of the Wyandotte-Johnson county line, overlay. (State Funds)

Wyandotte—32-105 KA-2271-01 — K-32 bridges 0.7 mile east of I-435, bridge repair. (State Funds)

District Two — North Central

Cloud-Clay—106 KA-2718-01 — U.S. 24 in Cloud County beginning at the junction of K-189 east to the Cloud-Clay county line; U.S. 24 in Clay County beginning at the Cloud-Clay county line east to the west city limits of Clay Center; K-189 in Cloud County beginning at the east city limits of Miltonvale north to the junction of U.S. 24, crack repair, 17.1 miles. (State Funds)

Dickinson—43-21 KA-2680-01 — K-43 from the north city limits of Hope north and west to the County Route 191 junction, milling and overlay, 9 miles. (State Funds)

Dickinson-Geary—18-106 KA-2672-01 — K-18 in Dickinson County beginning at the east junction of K-15 east to the Dickinson-Geary county line; K-18 in Geary County beginning at the Dickinson-Geary county line east to the north junction of U.S. 77, seal, 23.2 miles. (State Funds)

District Two—106 KA-2757-01 — Milling at various locations in Chase, Marion, McPherson, Cloud and Ottawa counties, 68 miles. (State Funds)

Mitchell—62 KA-1803-02 — County bridge 1.9 miles east of K-128, detour construction. (State Funds)

Saline—70-85 KA-2706-01 — Two I-70 bridges 6.53 and 6.54 miles east of the Lincoln-Saline county line, and two

I-70 bridges 7.35 and 7.36 miles east of the Lincoln-Saline county line, bridge overlay. (State Funds)

Saline—70-85 KA-2816-01 — I-70 from 0.3 west of the I-135 interchange east to the west end of the crossover pavement marking, 9.1 miles. (Federal Funds)

District Four — Southeast

Allen-Woodson—106 KA-2763-01 — U.S. 54 in Allen County beginning at the Woodson-Allen county line east to the west city limits of Iola; U.S. 54 in Woodson County beginning at the east city limits of Yates Center east to the Woodson-Allen county line, crack repair, 17.6 miles. (State Funds)

Cherokee—400-11 KA-2725-01 — U.S. 400 bridge 2.6 miles northwest of the U.S. 166 junction, bridge overlay. (State Funds)

Greenwood, Labette, Montgomery, Wilson—400-106 KA-2685-01 — U.S. 400 from the Butler-Greenwood county line southeast to 0.5 mile east of the U.S. 59 junction, concrete pavement, 83.5 miles. (State Funds)

Montgomery—63 C-4418-01 — County road 6.5 miles north and 2.3 miles east of Elk City, grading and bridge, 0.2 mile. (Federal Funds)

District Five — South Central

Barber—2-4 KA-1809-01 — K-2 drainage structures 3.8 miles and 4.1 miles east of the junction of U.S. 281. (State Funds)

Sedgwick—96-87 KA-2723-01 — K-96 under Central Avenue 1 mile north of the U.S. 54 junction; K-96 under the KTA access road 0.7 mile north of the U.S. 54 junction; K-96 westbound ramp over U.S. 54; K-96 eastbound ramp over U.S. 54, bridge overlay. (State Funds)

Sedgwick—135-87 KA-2824-01 — Various locations on I-135, I-235, U.S. 54, K-96 and K-15, pavement marking, 34.2 miles. (Federal Funds)

District Six — Southwest

Finney—156-28 KA-2703-01 — K-156 from the east end of Mary Street-Jennie Barker Road northeast and east to the west junction of K-23, milling and overlay, 21.4 miles. (State Funds)

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

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

Mike King
Interim Secretary of Transportation

Doc. No. 040456

State of Kansas
Governmental Ethics Commission

Opinion No. 2012-03

Written April 18, 2012, to Don Pyle, Crawford County Clerk, Girard.

Synopsis: The public service announcement or advertisement by candidates law (PSA law) applies to any candidate for a state or local elected office in which the candidate's name appears on a primary election ballot during the specified time frame, which is a period beginning 60 days before any primary election in which the candidate's name appears on the ballot and ending with the conclusion of the general election.

In response to the questions you posed, the Kansas Governmental Ethics Commission provides the following responses:

During the specified time period, a candidate may do the following to promote or announce an issue of public importance, concern or welfare:

- personally appear at a public function or event;
- personally appear on a scheduled radio or television program;
- participate in a newspaper interview;
- use his or her name when providing written information, such as a press release to a newspaper, radio or television station, for use as a news item;
- allow his or her name or photograph to appear on printed literature promoting a program so long as it is: (a) used regularly throughout the year in the regular course of business and (b) not distributed in an unsolicited direct mail advertising campaign at a cost exceeding \$2,000;
- appear, and allow his or her name to be used, in a campaign advertisement - whether newspaper, radio, television, or any other electronic, telephone, or print media;
- use his or her personal website or Facebook page;
- allow his or her name or photograph to appear on the website and Facebook page of his or her government agency; and
- distribute refrigerator magnets and key chains that include the candidate's name.

Additionally, a candidate may:

- provide a newspaper with information that is required by law to be published in a newspaper; and
- allow his or her name or photograph to appear on office envelopes, stationary, business cards, etc.

During the specified period of time, a candidate may not do the following to promote or announce a program of public importance, concern or welfare:

- appear in an outside organization's PSA which promotes or announces an issue of public importance, concern or welfare that is unrelated to the office of the public official.

Cited herein: K.S.A. 2011 Supp. 25-4189.

Dear Mr. Pyle:

This opinion is in response to your email of February 13, 2012 in which you request an opinion from the Kansas Governmental Ethics Commission concerning the application of the public service announcements or advertisements by candidates statute (PSA law), formerly 2011 SB 126, and currently K.S.A. 2011 Supp. 25-4189, a statute found within the Kansas Campaign Finance Act.

We note at the outset that the Commission's jurisdiction is limited to the applicability of K.S.A. 25-4142 *et seq.*, and the Commission's opinion does not address whether some other statutory system, common law theory, or agency rule or regulation applies to your inquiry. In particular, this opinion does not apply to lawful expenditures of campaign funds made pursuant to the Campaign Finance Act.

Factual Statement:

We understand you request this opinion in your capacity as Crawford County Clerk and as the Elections Legislative Chair of the Kansas County Clerks and Election Officials Association. You advise the Commission that various questions have arisen from Kansas county clerks regarding the application of the PSA law.

Background:

The 2011 Legislature passed a law relating to public service announcements or advertisements by candidates.¹ This PSA law was promoted by Kansas Treasurer Ron Estes to clarify "the difference between public service announcements and campaign commercials during the campaign season," which in his opinion had become "blurred." Mr. Estes further stated that the proposed measure was designed "to prevent future State Treasurers and other elected officials from using public service announcements and advertisements for a state agency's programs to help themselves get re-elected" or "to serve as a free campaign commercial."²

K.S.A. 2011 Supp. 25-4189 (a) states:

No candidate for elected office shall either appear in a public service announcement or advertisement or allow the candidate's name to be used in a public service announcement or advertisement during a period beginning 60 days before any primary election in which the candidate's name appears on the ballot and ending with the conclusion of the general election.

The "period beginning 60 days before any primary election in which the candidate's name appears on the ballot and ending with the conclusion of the general election" will be referred to in this opinion as the "specified time frame."

Section (b) sets out the applicable definitions:

"Public service announcement or advertisement" means any message broadcast by electronic, telephone or print media promoting or announcing some issue of public importance, public concern or public welfare regardless of whether or not the announcement or advertisement involves the donation of time or space on behalf of the media or is paid for with public sector funds or private sector funds from the current contractor of the sponsoring government entity;

(continued)

“electronic media” shall not include the website for the government agency or other entity that administers the program promoted by the public service announcement or advertisement; and

“print media” means direct mail literature and advertisements in any newspaper, magazine or any other periodical publication, but it shall not include printed literature promoting a program so long as it is used regularly throughout the year in the regular course of business and not distributed in an unsolicited direct mail advertising campaign at a cost exceeding \$2,000 during a period beginning 60 days before any primary election in which the candidate’s name appears on the ballot and ending with the conclusion of the general election.

Questions, Analysis and Opinion:

Based on the PSA law, you pose a series of questions that will be answered individually.

(1) **Applicability.** To whom does the PSA law apply?

This law applies to any candidate for a state or local³ elected office in which the candidate’s name appears on a primary election ballot.⁴

(2) **Personal appearance at public functions and events.** May a candidate appear at a public function or event to explain or discuss an issue of public importance, public concern or public welfare during the law’s specified time frame?

Questions have been raised about a candidate appearing at public events such as a county fair, an organization such as a Rotary or Chamber of Commerce meeting, or a candidate forum. In the case of a county clerk, such issues could include explaining election laws, new electronic poll books procedures, voting, advance voting, voter ID, polling locations, and district boundaries. In the case of a county commissioner, issues may include discussing a summary of projects or a review of commission meetings.

The prohibition established by the PSA law covers only a “public service announcement or an advertisement,” which is “any message broadcast by electronic, telephone or print media” in which time or space is either (1) donated on behalf of the media, (2) paid for with public sector funds, or (3) paid for with private sector funds from the current contractor of the sponsoring government entity. Therefore, an elected official who is a candidate may personally appear at a public function or event during the law’s specified time frame and explain, discuss, promote or announce an issue of public importance, concern or welfare.

(3) **Personal appearance for media.** May a candidate appear on a radio or television program or for a newspaper interview, either individually or as part of a group or panel, to discuss an issue of public importance, public concern or public welfare during the law’s specified time frame?

The PSA law prohibits “any message broadcast by electronic, . . . or print media promoting or announcing some issue of public importance, public concern or public welfare” by a candidate during the specified time frame if time or space either (1) donated on behalf of the media, (2) paid for with public sector funds, or (3) paid for with private sector funds from the current contractor of the sponsoring government entity.

Again, in the case of a county clerk, such issues could include explaining election laws, new electronic poll books procedures, voting, advance voting, voter ID, polling locations, and district boundaries. In the case of a county commissioner, issues could include discussing a summary of projects or a review of commission meetings.

The Commission does not consider a scheduled broadcast program, such as a local radio news program or a television interview program, to be time donated on behalf of the media; likewise, the Commission does not consider space used by a newspaper for news reporting purposes to be space donated on behalf of the media. The time or space also would not be paid for with public sector funds or paid for with private sector funds from the current contractor of the sponsoring government entity.

Thus, a candidate may personally appear on a scheduled radio or television program and may participate in a newspaper interview and discuss, announce or promote an issue of public importance, concern or welfare during the specified time frame.

(4) **Providing written information for use as a news item.** May a candidate provide written information, such as a press release, to a newspaper, radio or television station, for use as a news item, during the specified time frame?

In the case of a county clerk, such written information could include the identity of offices or positions up for election, deadlines for filing for election and voter registration, the date advance voting begins, location of polling places, as well as voter ID requirements. In the case of a county commissioner, written information could include the upcoming agenda for the county commission meeting.

As indicated, the definition of “print media” means “direct mail literature and advertisements in any newspaper, magazine or any other periodical publication.” Written information provided to a newspaper, radio or television station for use as a news item does not fall within the meaning of “advertisement,” nor would it be considered “direct mail literature.” Therefore, a candidate may use his or her name when providing written information, such as a press release about an issue of public importance, concern or welfare to a newspaper, radio or television station, for use as a news item, during the specified time frame.

(5) **Required publications in newspaper.** May a candidate, such as a county clerk, provide a newspaper with information that is required by law to be published in a newspaper? For a county clerk, such information could include the date that voter registration closes and the identity of offices or positions that are up for election.

As with the answer to question (4), information required by law to be published does not fall within the meaning of “advertisement,” nor would it be considered “direct mail literature.” Therefore, during the specified time frame a candidate, such as a county clerk, may provide a newspaper with information that is required by law to be published in a newspaper.

(6) **Office supplies.** May the name of a candidate appear on office envelopes, stationary, business cards, etc., during the specified time frame?

The PSA law does not prohibit the name of a candidate from appearing on office envelopes, stationary, business cards, etc., during the specified time frame. Further, printed literature "promoting a program" may also contain the name of a candidate so long as it is: (a) "used regularly throughout the year in the regular course of business" and (b) "not distributed in an unsolicited direct mail advertising campaign at a cost exceeding \$2,000 during the specified time frame."⁵

(7) Campaign advertisement. May a candidate place a campaign advertisement in the newspaper?

The PSA law does not prohibit a candidate from placing a campaign advertisement in the newspaper or other print media. The PSA law's prohibition against the use of a candidate's appearance or name promoting or announcing an issue of public importance, concern or welfare is triggered only when time and space is (1) donated on behalf of the media, (2) paid for with public sector funds, or (3) paid for with private sector funds from the current contractor of the sponsoring government entity.⁶

Consequently, assuming that newspaper campaign advertisements are paid for by or on behalf of the candidate, the candidate may appear and the candidate's name may be used in a campaign advertisement - whether newspaper, radio, television, or any other electronic, telephone, or print media - to promote or announce an issue of public importance, concern or welfare in a campaign advertisement during the specified time frame.

(8) Personal website and Facebook page. May a candidate include or place information about an issue of public importance, concern or welfare on the candidate's personal website and Facebook page? In the case of a county clerk, such information could include information about the new voter ID law.

As with campaign advertisements, the PSA law's prohibition against the use of a candidate's appearance or name promoting or announcing an issue of public importance, concern or welfare is triggered only when time and space is (1) donated on behalf of the media, (2) paid for with public sector funds, or (3) paid for with private sector funds from the current contractor of the sponsoring government entity.⁷

Thus a candidate may promote or announce (*i.e.*, include or place) information about an issue of public importance, concern or welfare, such as the new voter ID law, on the candidates *personal* website or *personal* Facebook page during the specified time frame.

(9) Government agency's website and Facebook page. May a candidate place information about an issue of public importance, concern or welfare on the official's *government agency's* website and Facebook page? Again, in the case of a county clerk, such information could include information about the new voter ID law.

As indicated, the meaning of "electronic media" specifically excludes "the website for the government agency or other entity that administers the program" that promotes or announces an issue of public importance, concern or welfare. Therefore, in the example of a county clerk, the website for the county clerk's office may include a photograph and/or the name of the county clerk along with information about the new voter ID law.

Although the PSA law does not make an exception for a government agency's Facebook page, the Commission considers such to be the functional equivalent to a government agency's website. Thus, a candidate may place information about an issue of public importance, concern or welfare on the official's government agency's Facebook page.

(10) Refrigerator magnets and key chains. May a candidate distribute refrigerator magnets and key chains that support an issue of public importance, concern or welfare, during the specified time frame, if the items have the candidate's name on them? For example, a sheriff whose name appears on a refrigerator magnet that promotes calling 911 in the case of an emergency.

These items would have written words on them, but the issue in relation to the PSA law, is whether these items should be considered as "print media." That term is defined to mean, in pertinent part, "direct mail literature and advertisements in any newspaper, magazine or any other periodical publication." These items, therefore, do not fall within the PSA law's prohibition. Thus, a candidate may distribute refrigerator magnets and key chains that support an issue of public importance, concern or welfare during the specified time frame even if these items have the candidate's name on them.

(11) PSA unrelated to campaign. May a candidate appear, during the specified time frame, in a public service announcement that promotes or announces an issue of public importance, concern or welfare but that is unrelated to the office of the public official? An example would be a candidate appearing in a public service announcement provided by and for a local hospital on the importance of obtaining a flu shot.

The prohibition contained in the PSA law for public service announcements covers "any message broadcast by electronic, telephone or print media promoting or announcing some issue of public importance, public concern or public welfare . . ." regardless of whether time and or space for the PSA is donated or paid for with public funds. The law does not distinguish between messages that promote or announce important public issues that are related to the office sought and those that are not. Consequently, a candidate may not appear, during the specified time frame, in any public service announcement that promotes or announces an issue of public importance, concern or welfare even when the PSA is unrelated to the office of the public official.

¹ 2011 SB 126, L. 2011 ch. 112, § 18, now K.S.A. 2011 Supp. 25-4189.

² Minutes, House Elections Committee, February 7, 2011, Attachment 9, Testimony of Ron Estes, Kansas State Treasurer.

³ K.S.A. 2011 Supp. 25-4189 is part of and supplemental to the campaign finance act, and thus that act's definition of "candidate" applies, *i.e.*, "an individual who: (1) appoints a treasurer or a candidate committee; (2) makes a public announcement of intention to seek nomination or election to state or local office; (3) makes any expenditure or accepts any contribution for such person's nomination or election to any state or local office; or (4) files a declaration or petition to become a candidate for state or local office." K.S.A. 2011 Supp. 25-4143(a). "State office" means the state officers elected on a statewide basis, members of the house of representatives and state senators, members of the state board of education, district magistrate judges and district attorneys.

(continued)

K.S.A. 25-4143(m); 25-2505. "Local office" means a member of the governing body of a city of the first class, any elected office of a unified school district having 35,000 or more pupils regularly enrolled in the preceding school year, of a county or of the board of public utilities. K.S.A. 25-4143(p).

⁴ 2011 SB 126, L. 2011 ch. 112, § (a), now K.S.A. 2011 Supp. 25-4189(a).

⁵ K.S.A. 2011 Supp. 25-4189(b)(3).

⁶ K.S.A. 2011 Supp. 25-4189(b)(1).

⁷ K.S.A. 2011 Supp. 25-4189(b)(1).

G. Daniel Harden, Chairman
By Direction of the Commission

Doc. No. 040461

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:

05/08/2012	EVT0001229	Furnish Automated HVAC Control System
05/08/2012	EVT0001374	Aggregate, Ottawa State Fishing Lake, Wilson – Smokey Hill Wildlife Areas
05/08/2012	EVT0001379	Rock Salt for Snow and Ice Removal
05/09/2012	EVT0001377	Sign Posts Installed and KDOT Signs Erected
05/10/2012	EVT0001372	Excavating Services – Milford Wildlife Area
05/10/2012	EVT0001390	Stage Curtain and Rigging Replacement
05/14/2012	EVT0001370	Upgrade Electrical, Replace Lighting & Repaint
05/15/2012	EVT0001378	Construct Cabin Access and Living Areas – Clinton State Park
05/23/2012	EVT0001358	Security Cameras/Surveillance Systems
05/31/2012	EVT0001371	Medicare Advantage
06/07/2012	EVT0001382	Web-based and Hosting Services

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

<http://www2.da.ks.gov/purch/contracts/bids.aspx>

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

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

05/08/2012	A-011924	Parking Lot B18 Reconstruction – Kansas State University, Manhattan
05/08/2012	A-011923	Parking Lot A17 Reconstruction – Kansas State University, Manhattan
05/16/2012	A-011853	Replace North Plaza & Fountain Repairs – Kansas Judicial Center – Dept. of Administration, Topeka
05/17/2012	A-011529	Roof Repairs – Anderson Hall – Kansas State University, Manhattan

Information regarding prequalification, projects and bid documents can be obtained at (785) 296-8899 or <http://da.ks.gov/fp/>.

Chris Howe, Director
Procurement and Contracts

Doc. No. 040466

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: thouse@emporia.edu. Mailing address: Emporia State University, Controller's Office/Purchasing, Campus Box 4021, 1200 Commercial, Emporia, KS 66801.

Fort Hays State University – Bid postings: www.fhsu.edu/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: jensch@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

University of Kansas – Electronic bid postings: <http://www.purchasing.ku.edu/>. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 30, 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.

Carla K. Bishop
Chair of Regents Purchasing Group
Director of Purchasing
Kansas State University

Doc. No. 039551

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-12-112/117

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Bob Binder & Son, Inc. 1653 Mt. Pleasant Road Hays, KS 67601	SW/4 of Section 15, T14S, R18W, Ellis County	Smoky Hill River Basin

Kansas Permit No. A-SHEL-B008

This permit is being reissued for an existing facility with a maximum capacity of 75 head (75 animal units) of cattle more than 700 pounds and 75 head (37.5 animal units) of cattle 700 pounds or less, for a total of 150 head (112.5 animal units) of cattle. There is no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Hanschu Farms Ricky Hanschu 133 Quail Road Ramona, KS 67475	SE/4 of Section 36, T16S, R03E, Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-B004

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

Name and Address of Applicant	Legal Description	Receiving Water
Hess Cattle Co., Inc. — Gene Hess 3501 N. Grant Road Scott City, KS 67871	NE/4 of Section 31, T17S, R33W, Scott County	Upper Arkansas River Basin

Kansas Permit No. A-UASC-C028 Federal Permit No. KS0080624

This permit is being reissued for an existing facility for 2,500 head (2,500 animal units) of cattle weighing more than 700 pounds. There is no change in the permitted animal units from the previous permit. An

approved Nutrient Management Plan for the facility is on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Janssen Hog Farm, Inc. Steven Janssen 980 Ave. B Geneseo, KS 67444	NE/4 of Section 09, T18S, R09W, Rice County	Lower Arkansas River Basin

Kansas Permit No. A-ARRC-S002

This permit is being reissued to an existing facility with a maximum capacity of 1,450 head (560 animal units) of swine weighing more than 55 pounds. The animal unit capacity has not changed since the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Ruff Farms, Inc. Ronald Ruff 39344 S.E. O Road Hanston, KS 67849	S/2 of Section 24, T22S, R22W, Hodgeman County	Upper Arkansas River Basin

Kansas Permit No. A-UAHG-C004 Federal Permit. KS0085413

This is a permit modification and reissuance for an existing livestock facility with the maximum capacity of 4,950 head (4,905 animal units) of cattle weighing greater than 700 pounds. The facility consists of approximately 30.8 acres of open lot pens and associated feedlot areas. Surface runoff and process wastewater are collected by five earthen retention structures. Proposed modifications to the facility include converting three retention structures into sediment basins, constructing two diversion berms and relocating the manure storage area. There is no change in the permitted number of animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Slawson Farms — Carolyn Slawson 17638 246th St. Tonganoxie, KS 66086	NE/4 of Section 14, T11S, R20E, Leavenworth County	Kansas River Basin

Kansas Permit No. A-KSLV-S015

This permit is being reissued for an existing facility with a maximum capacity of 516 head (206.4 animal units) of swine more than 55 pounds and 310 head (31 animal units) of swine 55 pounds or less, for a total of 237.4 animal units of swine. There is no change in the permitted animal units from the previous permit.

Public Notice No. KS-NQ-12-008/009

The requirements of the draft permits public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f):

Name and Address of Applicant	Legal Location	Type of Discharge
Abengoa Energy Hybrid of Kansas 16150 Main Circle Drive, Suite 300 Chesterfield, MO 63107	S18, T33S, R37W, Stevens County, KS	Nonoverflowing

Kansas Permit No. I-CI07-NO03 Federal Tracking No. KSJ000647

Facility Name: Abengoa Bioenergy Hybrid of Kansas

Facility Location: NE Intersection U.S. Hwy. 56 & Road 10, Stevens County, Kansas

Facility Description: This action consists of issuing a new Kansas Water Pollution Control Permit for a new facility. The facility consists of operations of two processes: a biomass to ethanol (cellulosic ethanol) and a biomass to energy (steam electric co-generating power plant). A total of 480 gpm (0.691 MGD) of treated process and noncontact wastewater is proposed to be stored in two 12.0-acre each surface area synthetic membrane-lined storage basins. The facility has proposed to land apply the wastewater, at agronomic rates, onto agri-

(continued)

cultural cropland adjacent to the site. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit. Included in this permit is a requirement for the permittee to submit a plan, acceptable to KDHE, to monitor the treatment system and the irrigation storage basins to achieve compliance with this permit.

Name and Address of Applicant	Legal Location	Type of Discharge
Western Plains Energy, LLC 3022 County Road 18 Oakley, KS 67748	NW½, S2, T11S, R31W, Gove County, KS	Nonoverflowing
Kansas Permit No. I-SA24-NP01 Federal Tracking No. KSJ000664		
Facility Name: Western Plains Energy — Biogas Facility		
Facility Description: This action consists of issuing a new Kansas Water Pollution Control Permit for a new facility. This facility produces biogas through anaerobic digestion of animal manure and other organic wastes. Wastewater generated from dewatering is pumped into a two-cell anaerobic digester lagoon for treatment and storage. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.		

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

All comments regarding the draft documents or application notices received on or before May 26 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-12-112/117, KS-NQ-12-008/009) 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 agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

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

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 040457

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. Spirit AeroSystems, Inc. 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.

Spirit AeroSystems, Inc., 712 Fifth Ave., New York, NY 10019, owns and operates an aircraft component manufacturing facility located at 3801 S. Oliver, Wichita, KS 67210.

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, 1000 S.W. Jackson, Suite 310, Topeka, and copy of the proposed permit can be reviewed at the Wichita Department of Environmental Health, 1900 E. 9th St., Wichita. To obtain or review the proposed permit and supporting documentation, contact Kristin R. Fritchman, (785) 368-6683, at the KDHE central office, and to review the proposed permit only, contact Randy Owen, (316) 268-8353, 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 Kristin R. Fritchman, KDHE, Bureau of Air, 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 May 29.

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 Sharon Burrell, Bureau of Air, not later than the close of business May 29 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. 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 im-

practicable 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 VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 040454

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. Oneok Field Services Company, LLC 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.

Oneok Field Services Company, LLC, P.O. Box 871, Tulsa, OK 74102-0871, owns and operates a compressor station located at Section 10, Township 30S, Range 37W, Grant 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, 1000 S.W. Jackson, Suite 310, Topeka, and a copy of the proposed permit can be reviewed at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Rasha Allen, (785) 296-1693, at the KDHE central office, and to review the proposed permit only, contact Ethel Evans, (620) 356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rasha Allen, KDHE, Bureau of Air, 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 May 29.

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 Sharon Burrell, Bureau of Air, not later than the close of business May 29 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. 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 VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 040459

State of Kansas

Department of Revenue

Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Final Written Determinations, Revenue Rulings, Memorandums, Property Valuation Division Directives, Q&A's, Information Guides and Notices published by the Department of Revenue for March 2012. Copies can be obtained by accessing the Policy Information Library located on the Internet at www.ksrevenue.org or by calling the Office of Policy and Research at (785) 296-3081.

Private Letter Rulings

P-2011-011 Charges for brine-impacted soil remediation services including services to dispose of unwanted soil excavated from the remediation site.

Opinion Letters

No new publications

Final Written Determinations

No new publications

Revenue Rulings

No new publications

Notices

No new publications

Memorandums

No new publications

Property Valuation Division Directives

No new publications

Q&A's

No new publications

Information Guides

No new publications

Nick Jordan
Secretary of Revenue

Doc. No. 040452

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 9, at the Kansas Medical Society, 623 S.W. 10th Ave., Topeka. For more information, contact the KDHE Bureau of Community Health Systems at (785) 296-1200.

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 040453

(Published in the Kansas Register April 26, 2012.)

Summary Notice of Bond Sale
City of Mission Hills, Kansas
\$3,285,000*
General Obligation Refunding and
Improvement Bonds
Series 2012A
Dated May 15, 2012
(General obligations payable from
unlimited ad valorem taxes)

Bids

Subject to the complete Notice of Bond Sale dated May, 7, 2012, bids for the bonds will be received by the undersigned city administrator of the city of Mission Hills, Kansas, at the City Hall, 6300 State Line Road, Mission Hills, KS 66208, by delivery or via facsimile at (913) 362-0673, or, in the case of electronic bids, via PARITY, until 1 p.m. Monday, May 14, 2012, for the purchase of all of the city's \$3,285,000* principal amount of General Obligation Refunding and Improvement Bonds, Series 2012A, as hereinafter described.

Electronic bids for the purchase of all of the bonds will only be accepted through PARITY electronic bid submission system. Each bidder shall be solely responsible for making the necessary arrangements to access PARITY for the purpose of submitting its electronic bid in a timely manner and in compliance with the requirements of the complete Notice of Bond Sale. If any provisions in this Summary Notice of Bond Sale conflict with information provided by PARITY, this Summary Notice of Bond Sale will control. Further information about PARITY, including any fee charged and registration requirements, may be obtained from iDeal, LLC, 1359 Broadway, 2nd Floor, New York, NY 10018, customer support, (212) 849-5000. The city assumes no responsibility or liability for bids submitted through PARITY. The city is using the services of PARITY solely as a communication mechanism to conduct the electronic bidding for the bonds. PARITY is not an agent of the city.

All bids will be publicly opened on the date and at the time set forth above and acted upon by the City Council at 6:30 p.m., or soon thereafter as practicable, on said sale date. No oral, telephone or auction bids will be considered. Bids for the bonds shall not be less than \$3,285,000*, plus accrued interest on the total principal amount of the bonds to the date of delivery.

Bond Details

The bonds will be in book-entry form only. The bonds will be issued in the denomination of \$5,000 or any integral multiple thereof; will be dated May 15, 2012; will be issued in the principal amount of \$3,285,000*; and will become due serially on September 1 in each of the years as follows:

Maturity Schedule*

Maturity September 1	Principal Amount
2013	\$320,000
2014	335,000
2015	330,000
2016	380,000
2017	230,000
2018	230,000
2019	235,000
2020	235,000
2021	240,000
2022	245,000
2023	250,000
2024	255,000

Bids for the bonds may contain a maturity schedule providing for a combination of serial bonds and term bonds. All term bonds shall be subject to mandatory sinking fund redemption and must conform to the maturity schedule set forth above at a price of par plus accrued interest to the date of redemption.

The bonds will bear interest from their date at the rates to be determined when the bonds are sold as hereinafter provided, payable semiannually on March 1 and September 1 in each year, commencing March 1, 2013.

Delivery and Payment

The bonds will be delivered to the successful bidder properly prepared, executed and registered without cost within approximately 30 days after the date of their sale in New York, New York.

Good Faith Deposit

A good faith deposit in the form of a certified or cashier's check drawn on a bank located in the United States, financial surety bond or the wire transfer of same-day funds in accordance with the requirements set forth in the Notice of Bond Sale in the amount of \$65,700 must be furnished at or prior to the time of sale by each bidder.

Costs

The city will pay the cost of printing the bonds and the expense of all legal services, including the opinion of Kutak Rock LLP, bond counsel, approving the legality of the bonds and the exclusion of the interest thereon (with specified minor exceptions) from federal and Kansas gross income taxes.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation of the taxable tangible property within the city for computation of bonded debt limitations as of December 31, 2011, is \$169,121,609. The total general obligation bonded indebtedness of the city as of the date of the bonds, including the bonds, is \$7,621,542. A portion of the proceeds of the bonds will be used to retire the city's outstanding

\$550,000 Series 2004-A Bonds and retire the outstanding \$2,881,542 KDHE-2003 loan.

Additional Information

A complete Notice of Bond Sale for the bonds, Official Statement and bid forms approved by the city will be mailed to all interested parties. Bidders may be required to be qualified in a manner established by the city before submitting a bid. Additional information regarding the bonds may be obtained from the financial advisor, George K. Baum & Company, at 1-800-821-7195, or from the city administrator at (913) 362-9620. Arrangements may be made with the financial advisor to deliver a sealed bid for the bonds to the city.

City of Mission Hills, Kansas
 By: Courtney Christensen
 City Administrator
 6300 State Line Road
 Mission Hills, KS 66208
 Fax (913) 362-0673

***Preliminary; subject to change.**

Doc. No. 040464

(Published in the Kansas Register April 26, 2012.)

City of Baldwin City, Kansas

**Notice of Intent to Seek Private Placement
 General Obligation Refunding Bonds, Series 2012**

Notice is hereby given that the city of Baldwin City, Kansas (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$1,185,000. The proposed sale of the bonds is in all respects subject to approval of a bond purchase agreement between the issuer and the purchaser of the bonds and the passage of an ordinance and adoption of a resolution by the governing body of the issuer authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

Dated April 2, 2012.

Darcy Higgins
 City Clerk

Doc. No. 040465

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. 2011 Supp. 12-1675(b)(c)(d) and K.S.A. 2011 Supp. 12-1675a(g).

Effective 4-23-12 through 4-29-12

Term	Rate
1-89 days	0.14%
3 months	0.07%
6 months	0.12%
1 year	0.19%
18 months	0.24%
2 years	0.29%

Scott Miller
 Director of Investments

Doc. No. 040451

State of Kansas

Social and Rehabilitation Services

Department on Aging

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

**Notice of Proposed Nursing Facility Medicaid Rates
 for State Fiscal Year 2013;**

**Methodology for Calculating Proposed Rates, and
 Rate Justifications; Notice of Intent to Amend the
 Medicaid State Plan; Request for Written Comments;
 and Notice of Intent to Publish Final Rates**

Under the Medicaid program, 42 U.S.C. 1396 et seq., the state of Kansas pays nursing facilities, nursing facilities for mental health, and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The Secretary of Aging administers the nursing facility program, which includes hospital long-term care units, and the Secretary of Social and Rehabilitation Services administers the nursing facility for mental health program. Both secretaries act on behalf of the Kansas Department of Health and Environment, Division of Health Care Finance (DHCF), the single state Medicaid agency. As a result of the reorganization of the Kansas Department on Aging and the Kansas Department of Social and Rehabilitation Services (Executive Reorganization Order No. 41), the nursing facilities program and the nursing facilities for mental health program will all be administered under the Kansas Department for Aging and Disability Services after July 1, 2012.

As required by 42 U.S.C. 1396a(a)(13), as amended by Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the secretary of the Kansas Department on Aging (KDOA) and the secretary of the Kansas Department of Social and Rehabilitation Services (SRS) are publishing the proposed Medicaid per diem rates for Medicaid-certified nursing facilities for state fiscal year 2013, the methodology underlying the establishment of the proposed nursing facility rates, and the justifications for those proposed rates. SRS and KDOA also are providing notice of the state's intent to submit proposed amendments to the Medicaid State Plan to the U.S. Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) on or before September 30, 2012.

I. Methodology Used to Calculate Medicaid Per Diem Rates for Nursing Facilities.

In general, the state uses a prospective, cost-based, facility-specific rate-setting methodology to calculate nursing facility Medicaid per diem rates, including the rates listed in this notice. The state's rate-setting methodology is contained primarily in the following described documents and authorities and in the exhibits, attachments, regulations, or other authorities referenced in them:

- A. The following portions of the Kansas Medicaid State Plan are maintained by DHCF:
 - 1. Attachment 4.19D, Part I, Subpart C, Exhibit C-1, inclusive.

(continued)

The text of the portions of the Medicaid State Plan identified above in section IA.1, but not the documents, authorities and the materials incorporated therein by reference, is reprinted in this notice. The Medicaid State Plan provision set out in this notice appears in the version which the state currently intends to submit to CMS on or before September 30, 2012. The proposed Medicaid State Plan amendment that the state ultimately submits to CMS may differ from the version contained in this notice.

Copies of the documents and authorities containing the state's rate-setting methodology are available upon written request. A request for copies will be treated as a request for public records under the Kansas Open Records Act, K.S.A. 45-215 et seq. The state will charge a fee for copies. Written requests for copies should be sent to:

Secretary of Aging
New England Building, 2nd Floor
503 S. Kansas Ave.
Topeka, KS 66603-3404
Fax: (785) 296-0767

A.1 Attachment 4.19D, Part I, Subpart C, Exhibit C-1: Methods and Standards for Establishing Payment Rates for Nursing Facilities

Under the Medicaid program, the State of Kansas pays nursing facilities (NF), nursing facilities for mental health (NFMH), and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The narrative explanation of the nursing facility reimbursement formula is divided into eleven sections. The sections are: Cost Reports, Rate Determination, Quarterly Case Mix Index Calculation, Resident Days, Inflation Factors, Upper Payment Limits, Quarterly Case Mix Rate Adjustment, Real and Personal Property Fee, Incentive Factors, Rate Effective Date, and Retroactive Rate Adjustments.

1) Cost Reports

The Nursing Facility Financial and Statistical Report (MS2004) is the uniform cost report. It is included in Kansas Administrative Regulation (K.A.R.) 129-10-17. It organizes the commonly incurred business expenses of providers into three reimbursable cost centers (operating, indirect health care, and direct health care). Ownership costs (i.e., mortgage interest, depreciation, lease, and amortization of leasehold improvements) are reported but reimbursed through the real and personal property fee. There is a non-reimbursable/non-resident related cost center so that total operating expenses can be reconciled to the providers' accounting records.

All cost reports are desk reviewed by agency auditors. Adjustments are made, when necessary, to the reported costs in arriving at the allowable historic costs for the rate computations.

Calendar Year End Cost Reports:

All providers that have operated a facility for 12 or more months on December 31 shall file a calendar year cost report. The requirements for filing the calendar year cost report are found in K.A.R. 129-10-17.

When a non-arms length or related party change of provider takes place or an owner of the real estate as-

sumes the operations from a lessee, the facility will be treated as an on-going operation. In this situation, the related provider or owner shall be required to file the calendar year end cost report. The new operator or owner is responsible for obtaining the cost report information from the prior operator for the months during the calendar year in which the new operator was not involved in running the facility. The cost report information from the old and new operators shall be combined to prepare a 12-month calendar year end cost report.

Projected Cost Reports:

The filing of projected cost reports are limited to: 1) newly constructed facilities; 2) existing facilities new to the Medicaid program; or 3) a provider re-entering the Medicaid program that has not actively participated or billed services for 24 months or more. The requirements are found in K.A.R. 129-10-17.

2) Rate Determination

Rates for Existing Nursing Facilities

Medicaid rates for Kansas NFs are determined using a prospective, facility-specific rate-setting system. The rate is determined from the base cost data submitted by the provider. The current base cost data is the combined calendar year cost data from each available report submitted by the current provider during 2008, 2009, and 2010.

If the current provider has not submitted a calendar year report between 2008 and 2010, the cost data submitted by the previous provider for that same period will be used as the base cost data. Once the provider completes their first 24 months in the program, their first calendar year cost report will become the provider's base cost data.

The allowable expenses are divided into three cost centers. The cost centers are Operating, Indirect Health Care and Direct Health Care. They are defined in K.A.R. 129-10-18.

The allowable historic per diem cost is determined by dividing the allowable resident related expenses in each cost center by resident days. Before determining the per diem cost, each year's cost data is adjusted from the midpoint of that year to 12/31/11. The resident days and inflation factors used in the rate determination will be explained in greater detail in the following sections.

The inflated allowable historic per diem cost for each cost center is then compared to the cost center upper payment limit. The allowable per diem rate is the lesser of the inflated allowable historic per diem cost in each cost center or the cost center upper payment limit. Each cost center has a separate upper payment limit. If each cost center upper payment limit is exceeded, the allowable per diem rate is the sum of the three cost center upper payment limits. There is also a separate upper payment limit for owner, related party, administrator, and co-administrator compensation. The upper payment limits will be explained in more detail in a separate section.

The case mix of the residents adjusts the Direct Health Care cost center. The reasoning behind a case mix payment system is that the characteristics of the residents in a facility should be considered in determining the payment rate. The idea is that certain resident characteristics can be used to predict future costs to care for residents with those same characteristics. For these reasons, it is

desirable to use the case mix classification for each facility in adjusting provider rates.

There are add-ons to the allowable per diem rate. The add-ons consist of the incentive factor, the real and personal property fee, and per diem pass-throughs to cover costs not included in the cost report data. The incentive factor and real and personal property fee are explained in separate sections of this exhibit. Pass-throughs are explained in separate subparts of Attachment 4.19D of the State Plan. The add-ons plus the allowable per diem rate equal the total per diem rate.

Rates for New Construction and New Facilities (New Enrollment Status)

The per diem rate for newly constructed nursing facilities, or new facilities to the Kansas Medical Assistance program shall be based on a projected cost report submitted in accordance with K.A.R. 129-10-17.

The cost information from the projected cost report and the first historic cost report covering the projected cost report period shall be adjusted to 12/31/11. This adjustment will be based on the IHS Global Insight, National Skilled Nursing Facility Market Basket Without Capital Index (unless otherwise specified, henceforth referenced as IHS Index). The IHS indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to 12/31/11. The provider shall remain in new enrollment status until the base data is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in new enrollment status.

Rates for Facilities Recognized as a Change of Provider (Change of Provider Status)

The payment rate for the first 24 months of operation shall be based on the base cost data of the previous owner or provider. This base cost data shall include data from each calendar year cost report that was filed by the previous provider from 2008 to 2010. If base cost data is not available the most recent calendar year data for the previous provider shall be used. Beginning with the first day of the 25th month of operation the payment rate shall be based on the historical cost data for the first calendar year submitted by the new provider.

All data used to set rates for facilities recognized as a change-of-provider shall be adjusted to 12/31/11. This adjustment will be based on the IHS Index. The IHS indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to 12/31/11. The provider shall remain in change-of-provider status until the base data is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in change of provider status.

Rates for Facilities Reentering the Program (Reenrollment Status)

The per diem rate for each provider reentering the Medicaid program shall be determined from a projected

cost report if the provider has not actively participated in the program by the submission of any current resident service billings to the program for 24 months or more. The per diem rate for all other providers reentering the program shall be determined from the base cost data filed with the agency or the most recent cost report filed preceding calendar year 2008.

All cost data used to set rates for facilities reentering the program shall be adjusted to 12/31/11. This adjustment will be based on the IHS Index. The IHS indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to 12/31/11. The provider shall remain in reenrollment status until the base data is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in reenrollment status.

3) Quarterly Case Mix Index Calculation

Providers are required to submit to the agency the uniform assessment instrument, which is the Minimum Data Set (MDS), for each resident in the facility. The MDS assessments are maintained in a computer database.

The Resource Utilization Groups-III (RUG-III) Version 5.2, 34 group, index maximizer model is used as the resident classification system to determine all case mix indices, using data from the MDS submitted by each facility. Standard Version 5.12b case mix indices developed by the Health Care Financing Administration (now the Centers for Medicare and Medicaid Services) shall be the basis for calculating facility average case mix indices to be used to adjust the Direct Health Care costs in the determination of upper payment limits and rate calculation. Resident assessments that cannot be classified will be assigned the lowest CMI for the State.

Each resident in the facility on the first day of each calendar quarter with a completed and submitted assessment shall be assigned a RUG-III 34 group calculated on the resident's most current assessment available on the first day of each calendar quarter. This RUG-III group shall be translated to the appropriate CMI. From the individual resident case mix indices, three average case mix indices for each Medicaid nursing facility shall be determined four times per year based on the assessment information available on the first day of each calendar quarter.

The facility-wide average CMI is the simple average, carried to four decimal places, of all resident case mix indices. The Medicaid-average CMI is the simple average, carried to four decimal places, of all indices for residents, including those receiving hospice services, where Medicaid is known to be a per diem payer source on the first day of the calendar quarter or at any time during the preceding quarter. The private-pay/other average CMI is the simple average, carried to four decimal places, of all indices for residents where neither Medicaid nor Medicare were known to be the per diem payer source on the first day of the calendar quarter or at any time during the preceding quarter. Case mix indices for ventilator-de-

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pendent residents for whom additional reimbursement has been determined shall be excluded from the average CMI calculations.

The resident listing cutoff for calculating the average CMIs will be the first day of the quarter before the rate is effective. The following are the dates for the resident listings and the quarter in which the average Medicaid CMIs will be used in the quarterly rate-setting process.

<u>Rate Effective Date:</u>	<u>Cutoff Date:</u>
July 1	April 1
October 1	July 1
January 1	October 1
April 1	January 1

The resident listings will be mailed to providers prior to the dates the quarterly case mix adjusted rates are determined. This will allow the providers time to review the resident listings and make corrections before they are notified of new rates. The cutoff schedule may need to be modified in the event accurate resident listings and Medicaid CMI scores cannot be obtained from the MDS database.

4) Resident Days

Facilities with 60 beds or less:

For facilities with 60 beds or less, the allowable historic per diem costs for all cost centers are determined by dividing the allowable resident related expenses by the actual resident days during the cost report period(s) used to establish the base cost data.

Facilities with more than 60 beds:

For facilities with more than 60 beds, the allowable historic per diem costs for the Direct Health Care cost center and for food and utilities in the Indirect Health Care cost center are determined by dividing the allowable resident related expenses by the actual resident days during the cost report period(s) used to establish the base cost data. The allowable historic per diem cost for the Operating and Indirect Health Care Cost Centers less food and utilities is subject to an 85% minimum occupancy rule. For these providers, the greater of the actual resident days for the cost report period(s) used to establish the base cost data or the 85% minimum occupancy based on the number of licensed bed days during the cost report period(s) used to establish the base cost data is used as the total resident days in the rate calculation for the Operating cost center and the Indirect Health Care cost center less food and utilities. All licensed beds are required to be certified to participate in the Medicaid program.

There are two exceptions to the 85% minimum occupancy rule for facilities with more than 60 beds. The first is that it does not apply to a provider who is allowed to file a projected cost report for an interim rate. Both the rates determined from the projected cost report and the historic cost report covering the projected cost report period are based on the actual resident days for the period.

The second exception is for the first cost report filed by a new provider who assumes the rate of the previous provider. If the 85% minimum occupancy rule was applied to the previous provider's rate, it is also applied when the rate is assigned to the new provider. However, when the

new provider files a historic cost report for any part of the first 12 months of operation, the rate determined from the cost report will be based on actual days and not be subject to the 85% minimum occupancy rule for the months in the first year of operation. The 85% minimum occupancy rule is then reapplied to the rate when the new provider reports resident days and costs for the 13th month of operation and after.

5) Inflation Factors

Inflation will be applied to the allowable reported costs from the calendar year cost report(s) used to determine the base cost data from the midpoint of each cost report period to 12/31/11. The inflation will be based on the IHS index.

The IHS Indices listed in the latest available quarterly publication will be used to determine the inflation tables for the payment schedules processed during the payment rate period. This may require the use of forecasted factors in the inflation table. The inflation tables will not be revised until the next payment rate period.

The inflation factor will not be applied to the following costs:

- 1) Owner/Related Party Compensation
- 2) Interest Expense
- 3) Real and Personal Property Taxes

The inflation factor for the real and personal property fees will be based on the IHS index.

6) Upper Payment Limits

There are three types of upper payment limits that will be described. One is the owner/related party/administrator/co-administrator limit. The second is the real and personal property fee limit. The last type of limit is an upper payment limit for each cost center. The upper payment limits are in effect during the payment rate period unless otherwise specified by a State Plan amendment.

Owner/Related Party/Administrator/Co-Administrator Limits:

Since salaries and other compensation of owners are not subject to the usual market constraints, specific limits are placed on the amounts reported. First, amounts paid to non-working owners and directors are not an allowable cost. Second, owners and related parties who perform resident related services are limited to a salary chart based on the Kansas Civil Service classifications and wages for comparable positions. Owners and related parties who provide resident related services on less than a full time basis have their compensation limited by the percent of their total work time to a standard work week. A standard work week is defined as 40 hours. The owners and related parties must be professionally qualified to perform services which require licensure or certification.

The compensation paid to owners and related parties shall be allocated to the appropriate cost center for the type of service performed. Each cost center has an expense line for owner/related party compensation. There is also a cost report schedule titled, "Statement of Owners and Related Parties." This schedule requires information concerning the percent of ownership (if over five percent), the time spent in the function, the compensation, and a description of the work performed for each owner and/

or related party. Any salaries reported in excess of the Kansas Civil Service based salary chart are transferred to the Operating cost center where the excess is subject to the Owner/Related Party/Administrator/Co-Administrator per diem compensation limit.

The Schedule C is an array of non-owner administrator and co-administrator salaries. The schedule includes the calendar year 2010 historic cost reports in the database from all active nursing facility providers. The salary information in the array is not adjusted for inflation. The per diem data is calculated using an 85% minimum occupancy level for those providers in operation for more than 12 months with more than 60 beds. The Schedule C for the owner/related party/administrator/co-administrator per diem compensation limit is the first schedule run during the rate setting.

The Schedule C is used to set the per diem limitation for all non-owner administrator and co-administrator salaries and owner/related party compensation in excess of the civil service based salary limitation schedule. The per diem limit for a 50-bed or larger home is set at the 90th percentile on all salaries reported for non-owner administrators and co-administrators. A limitation table is then established for facilities with less than 50 beds. This table begins with a reasonable salary per diem for an administrator of a 15-bed or less facility. The per diem limit for a 15-bed or less facility is inflated based on the State of Kansas annual cost of living allowance for classified employees for the rate period. A linear relationship is then established between the compensation of the administrator of the 15-bed facility and the compensation of the administrator of a 50-bed facility. The linear relationship determines the per diem limit for the facilities between 15 and 50 beds.

The per diem limits apply to the non-owner administrators and co-administrators and the compensation paid to owners and related parties who perform an administrative function or consultant type of service. The per diem limit also applies to the salaries in excess of the civil service based salary chart in other cost centers that are transferred to the operating cost center.

Real and Personal Property Fee Limit

The property component of the reimbursement methodology consists of the real and personal property fee that is explained in more detail in a later section. The upper payment limit will be 105% of the median determined from a total resident day-weighted array of the property fees in effect April 1, 2011.

Cost Center Upper Payment Limits

The Schedule B computer run is an array of all per diem costs for each of the three cost centers—Operating, Indirect Health Care, and Direct Health Care. The schedule includes a per diem determined from the base cost data from all active nursing facility providers. Projected cost reports are excluded when calculating the limit.

The per diem expenses for the Operating cost center and the Indirect Health Care cost center less food and utilities are subject to the 85% minimum occupancy for facilities over 60 beds. All previous desk review and field audit adjustments are considered in the per diem expense

calculations. The costs are adjusted by the owner/related party/administrator/co-administrator limit.

Prior to the Schedule B arrays, the cost data on certain expense lines is adjusted from the midpoint of the cost report period to 12/31/11. This will bring the costs reported by the providers to a common point in time for comparisons. The inflation will be based on the IHS Index.

Certain costs are exempt from the inflation application when setting the upper payment limits. They include owner/related party compensation, interest expense, and real and personal property taxes.

The final results of the Schedule B run are the median compilations. These compilations are needed for setting the upper payment limit for each cost center. The median for each cost center is weighted based on total resident days. The upper payment limits will be set using the following:

Operating	110% of the median
Indirect Health Care	115% of the median
Direct Health Care	130% of the median

Direct Health Care Cost Center Limit:

The Kansas reimbursement methodology has a component for a case mix payment adjustment. The Direct Health Care cost center rate component and upper payment limit are adjusted by the facility average CMI.

For the purpose of setting the upper payment limit in the Direct Health Care cost center, the facility cost report period CMI and the statewide average CMI will be calculated. The facility cost report period CMI is the resident day-weighted average of the quarterly facility-wide average case mix indices, carried to four decimal places. The quarters used in this average will be the quarters that most closely coincide with the financial and statistical reporting period. For example, a 01/01/20XX-12/31/20XX financial and statistical reporting period would use the facility-wide average case mix indices for quarters beginning 04/01/XX, 07/01/XX, 10/01/XX and 01/01/XY. The statewide average CMI is the resident day-weighted average, carried to four decimal places, of the facility cost report period case mix indices for all Medicaid facilities.

The statewide average CMI and facility cost report period CMI are used to set the upper payment limit for the Direct Health Care cost center. The limit is based on all facilities with a historic cost report in the database. There are three steps in establishing the base upper payment limit.

The first step is to normalize each facility's inflated Direct Health Care costs to the statewide average CMI. This is done by dividing the facility's cost report period CMI by the statewide average CMI for the cost report year, then multiplying this answer by the facility's inflated costs. This step is repeated for each cost report year for which data is included in the base cost data.

The second step is to determine per diem costs and array them to determine the median. The per diem cost is determined by dividing the total of each provider's base direct health care costs by the total days provided during the base cost data period. The median is located using a day-weighted methodology. That is, the median

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cost is the per diem cost for the facility in the array at which point the cumulative total of all resident days first equals or exceeds half the number of the total resident days for all providers. The facility with the median resident day in the array sets the median inflated direct health care cost. For example, if there are 8 million resident days, the facility in the array with the 4 millionth day would set the median.

The final step in calculating the base Direct Health Care upper payment limit is to apply the percentage factor to the median cost. For example, if the median cost is \$60 and the upper payment limit is based on 120% of the median, then the upper payment limit for the statewide average CMI would be \$78 ($D=130\% \times \60).

7) Quarterly Case Mix Rate Adjustment

The allowance for the Direct Health Care cost component will be based on the average Medicaid CMI in the facility. The first step in calculating the allowance is to determine the Allowable Direct Health Care Per Diem Cost. This is the lesser of the facility's per diem cost from the base cost data period or the Direct Health Care upper payment limit. Because the direct health care costs were previously adjusted for the statewide average CMI, the Allowable Direct Health Care Per Diem Cost corresponds to the statewide average CMI.

The next step is to determine the Medicaid acuity adjusted allowable Direct Health Care cost. The Medicaid CMI is divided by the statewide average CMI for the cost data period. This answer is then multiplied by the Allowable Direct Health Care per diem cost. The result is referred to as the Medicaid Acuity Adjustment.

The Medicaid Acuity Adjustment is calculated quarterly to account for changes in the Medicaid CMI. To illustrate this calculation take the following situation: The facility's direct health care per diem cost is \$60.00, the Direct Health Care per diem limit is \$78.00, and these are both tied to a statewide average CMI of 1.000, and the facility's current Medicaid CMI is 0.9000. Since the per diem costs are less than the limit the Allowable Direct Health Care Cost is \$60.00, and this is matched with the statewide average CMI of 1.0000. To calculate the Medicaid Acuity Adjustment, first divide the Medicaid CMI by the statewide average CMI, then multiply the answer by the Allowable Direct Health Care Cost. In this case that would result in \$54.00 ($0.9000/1.0000 \times \60.00). Because the facility's current Medicaid CMI is less than the statewide average CMI the Medicaid Acuity Adjustment moves the direct health care per diem down proportionally. In contrast, if the Medicaid CMI for the next quarter rose to 1.1000, the Medicaid Acuity Adjustment would be \$66.00 ($1.1000/1.0000 \times \60.00). Again the Medicaid Acuity Adjustment changes the Allowable Direct Health Care Per Diem Cost to match the current Medicaid CMI.

8) Real and Personal Property Fee

The property component of the reimbursement methodology consists of the real and personal property fee (property fee). The property fee is paid in lieu of an allowable cost of mortgage interest, depreciation, lease expense and/or amortization of leasehold improvements. The fee is facility specific and does not change as a result of a change of ownership, change in lease, or with re-

enrollment in the Medicaid program. The original property fee was comprised of two components, a property allowance and a property value factor. The differentiation of fee into these components was eliminated effective July 1, 2002. At that time each facility's fee was re-established based on the sum of the property allowance and value factor.

The property fees in effect on June 1, 2008 were inflated with 12 months of inflation effective July 1, 2008. The inflation factor was from the IHS index. The providers receive the lower of the inflated property fee or the upper payment limit.

For providers re-enrolling in the Kansas Medical Assistance program or providers enrolling for the first time but operating in a facility that was previously enrolled in the program, the property fee shall be the sum of the last effective property allowance and the last effective value factor for that facility. The property fee will be inflated to 12/31/08 and then compared to the upper payment limit. The property fee will be the lower of the facility-specific inflated property fee or the upper payment limit.

Providers entering the Kansas Medical Assistance program for the first time, who are operating in a building for which a fee has not previously been established, shall have a property fee calculated from the ownership costs reported on the cost report. This fee shall include appropriate components for rent or lease expense, interest expense on real estate mortgage, amortization of leasehold improvements, and depreciation on buildings and equipment. The process for calculating the property fee for providers entering the Kansas Medical Assistance program for the first time is explained in greater detail in K.A.R. 129-10-25.

There is a provision for changing the property fee. This is for a rebasing when capital expenditure thresholds are met (\$25,000 for homes under 51 beds and \$50,000 for homes over 50 beds). The original property fee remains constant but the additional factor for the rebasing is added. The property fee rebasing is explained in greater detail in K.A.R. 129-10-25. The rebased property fee is subject to the upper payment limit.

9) Incentive Factors

An incentive factor will be awarded to both NF and NF-MH providers that meet certain outcome measures criteria. The criteria for NF and NF-MH providers will be determined separately based on arrays of outcome measures for each provider group.

Nursing Facility Quality and Efficiency Incentive Factor:

The Nursing Facility Incentive Factor is a per diem amount determined by six per diem add-ons providers can earn for various outcomes measures. Providers that maintain a case mix adjusted staffing ratio at or above the 75th percentile will earn a \$2.25 per diem add-on. Providers that fall below the 75th percentile staffing ratio but improve their staffing ratio by 10% or more will earn a \$0.20 per diem add-on. Providers that achieve a turnover rate at or below the 75th percentile will earn a \$2.25 per diem add-on. Providers that have a turnover rate greater than the 75th percentile but that reduce their turnover rate by 10% or more will receive a per diem add-on of \$0.20. Finally, providers that have a Medicaid occupancy

percentage of 60% or more will receive a \$1.00 per diem add-on. The total of all the per diem add-ons a provider qualifies for will be their incentive factor.

The table below summarizes the incentive factor outcomes and per diem add-ons:

Incentive Outcome	Incentive Points
CMI Adjusted staffing ratio ≥ 75th percentile (4.76), or CMI adjusted staffing < 75th percentile but improved ≥ 10%	\$2.25 \$0.20
Staff turnover rate ≤ 75th percentile, 39% or Staff turnover rate > 75th percentile but reduced ≥ 10%	\$2.25 \$0.20
Medicaid occupancy ≥ 60%	\$1.00
Total Incentive Points Available	\$5.90

Nursing Facility for Mental Health Quality and Efficiency Incentive Factor:

The Quality and Efficiency Incentive plan for Nursing Facilities for Mental Health (NFMH) will be established separately from NF. NFMH serve people who often do not need the NF level of care on a long term basis. There is a desire to provide incentive for NFMH to work cooperatively and in coordination with Community Mental Health Centers to facilitate the return of persons to the community.

The Quality and Efficiency Incentive Factor is a per diem add-on ranging from zero to three dollars. It is designed to encourage quality care, efficiency and cooperation with discharge planning. The incentive factor is determined by five outcome measures: case-mix adjusted nurse staffing ratio; operating expense; staff turnover rate; staff retention rate; and occupancy rate. Each provider is awarded points based on their outcomes measures and the total points for each provider determine the per diem incentive factor included in the provider's rate calculation.

Providers may earn up to two incentive points for their case mix adjusted nurse staffing ratio. They will receive two points if their case-mix adjusted staffing ratio equals or exceeds 3.50, which is 120% of the statewide NFMH median of 2.92. They will receive one point if the ratio is less than 120% of the NFMH median but greater than or equal to 3.21, which is 110% of the statewide NFMH median. Providers with staffing ratios below 110% of the NFMH median will receive no points for this incentive measure.

NFMH providers may earn one point for low occupancy outcomes measures. If they have total occupancy less than 90% they will earn a point.

NFMH providers may earn one point for low operating expense outcomes measures. They will earn a point if their per diem operating expenses are below \$18.56, or 90% of the statewide median of \$20.62.

NFMH providers may earn up to two points for their turnover rate outcome measure. Providers with direct health care staff turnover equal to or below 22%, the 75th percentile statewide, will earn two points as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs. Providers with direct health care staff turnover greater than 22% but equal to or below 37%, the 50th percentile statewide, will earn one point as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs.

Finally, NFMH providers may earn up to two points for their retention rate outcome measure. Providers with staff retention rates at or above 83%, the 75th percentile statewide will earn two points. Providers with staff retention rates at or above 78%, the 50th percentile statewide will earn one point.

The table below summarizes the incentive factor outcomes and points:

Quality/Efficiency Outcome	Incentive Points
CMI adjusted staffing ratio ≥ 120% (3.74) of NF-MH median (3.12), or CMI adjusted staffing ratio between 110% (3.43) and 120%	2, or 1
Total occupancy ≥ 90%	1
Operating expenses < \$18.56, 90% of NF-MH median, \$20.62	1
Staff turnover rate ≤ 75th percentile, 22% Staff turnover rate ≤ 50th percentile, 37%	2, or 1
Contracted labor < 10% of total direct health care labor costs	
Staff retention ≥ 75th percentile, 83% Staff retention ≥ 50th percentile, 78%	2, or 1
Total Incentive Points Available	8

The Schedule E is an array containing the incentive points awarded to each NFMH provider for each quality and efficiency incentive outcome. The total of these points will be used to determine each provider's incentive factor based on the following table.

Total Incentive Points:	Incentive Factor Per Diem:
Tier 1: 6-8 points	\$7.50
Tier 2: 5 points	\$5.00
Tier 3: 4 points	\$2.50
Tier 4: 0-3 points	\$0.00

The survey and certification performance of each NF and NF-MH provider will be reviewed prior to any incentive factor payment. In order to qualify for the incentive factor a home must not have received any health care survey deficiency of scope and severity level "H" or higher during the survey review period. Homes that receive "G" level deficiencies, but no "H" level or higher deficiencies, and that correct the "G" level deficiencies within 30 days of the survey, will receive 50% of the calculated incentive factor. Homes that receive no deficiencies higher than scope and severity level "F" will receive 100% of the calculated incentive factor. The survey and certification review period will be the 15-month period ending one quarter prior to the rate effective date. The following table lists the rate effective dates and corresponding review period end dates.

Rate Effective Date:	Review Period End Date:
July 1	March 31st
October 1	June 30th
January 1	September 30th
April 1	December 31st

The Culture Change/Person-Centered Care Incentive Program

The Culture Change/Person-Centered Care Incentive Program (PEAK 2.0) includes five different incentive levels to recognize homes that are either pursuing culture change, have made major achievements in the pursuit of culture change, have met minimum competencies in person-centered care, have sustained person-centered care, or are mentoring others in person-centered care.

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Each incentive level has a specific pay-for-performance incentive per diem attached to it that homes can earn by meeting defined outcomes. The first two levels are intended to encourage quality improvement for homes that have not yet met the minimum competency requirements for a person-centered care home. Homes can earn both of these incentives simultaneously as they progress toward the minimum competency level. The third level recog-

nizes those homes that have attained a minimum level of core competency in person-centered care. The fourth and fifth levels are reserved for those homes that have demonstrated sustained person-centered care for multiple years and have gone on to mentor other homes in their pursuit of person-centered care. The table below provides a brief overview of each of the levels.

PEAK Nursing Home Incentive Program

Level	Title	Required Nursing Home Action	State Action	Per Diem Incentive	Incentive Duration
1	Pursuit of Culture Change	Completes a person-centered care assessment (KCCI leadership version). Based on evaluation of this information the home then develops and submits an action plan explaining what changes they will implement during the next state fiscal year. The plan must include a time line, a budget, and staff education initiatives. All materials must be submitted in accordance with the PEAK 2.0 application packet.	Reviews assessment documentation and action plan to ensure that PEAK 2.0 application requirements have been met. Implements incentive for the next fiscal year.	\$0.50	Available beginning July 1, 2012. Subsequent fiscal year following approved action plan.
2	Culture Change Achievement	Submits culture change action plan report to KDOA documenting successful implementation of at least 75% of the core competencies approved. A home can apply for recognition for achievement and pursuit of culture change in the same year.	Reviews culture change action plan report and verifies that it documents at least 75% of the approved core competencies have been met. Conducts site visit to verify that action plan objectives have been met.	\$1.00	Available beginning July 1, 2013. Subsequent fiscal year following confirmed successful action plan report.
3	Person - Centered Care Home	Completes a person-centered care assessment (KCCI leadership version). Based on evaluation of this information the home then develops and submits a narrative demonstrating that the home has achieved minimum competency in the core areas of PEAK defined person-centered care. Once a home attains this level they are no longer eligible for recognition through levels one and two.	Reviews application to ensure it meets designated criteria. Conducts site visits to confirm application.	\$2.00	Available beginning July 1, 2012. Subsequent fiscal year following confirmed minimum competency.
4	Sustained Person - Centered Care	Earns person-centered care home award two consecutive years or bi-annually following initial recognition as sustained person-centered care home. For state fiscal year 2013 only, previous PEAK award wins will be included. Homes that meet the person-centered care home criteria that have also won a PEAK award once in the previous four years or twice in the first 10 years of PEAK would qualify.	Reviews application to ensure it meets designated criteria. Conducts site visits to confirm application. Reviews prior records to ensure home meets sustained criteria.	\$3.00	Available beginning July 1, 2012. Two subsequent fiscal years following confirmation. Renewable bi-annually.
5	Person - Centered Care Mentor	Earns sustained person-centered care achievement award, and successfully mentors another home to earn culture change achievement or Person-Centered Care Home Award. Submits documentation of mentoring activity. For the first year only previous PEAK winners would be allowed to submit evidence of their own mentoring activities and document how that has led to culture change in other homes.	Verifies sustained person-centered care achievement award. Reviews mentoring documentation and verifies mentoring activities with mentoree.	\$4.00	Available beginning July 1, 2012. Two subsequent fiscal years following confirmation. Renewable bi-annually.

10) Rate Effective Date

Rate effective dates are determined in accordance with K.A.R. 30-10-19. The rate may be revised for an add-on reimbursement factor (i.e., rebased property fee), desk review adjustment or field audit adjustment.

11) Retroactive Rate Adjustments

Retroactive adjustments, as in a retrospective system, are made for the following three conditions:

A retroactive rate adjustment and direct cash settlement is made if the agency determines that the base year cost report data used to determine the prospective payment rate was in error. The prospective payment rate period is adjusted for the corrections.

If a projected cost report is approved to determine an interim rate, a settlement is also made after a historic cost report is filed for the same period.

All settlements are subject to upper payment limits. A provider is considered to be in projection status if they are operating on a projected rate and they are subject to the retroactive rate adjustment.

II. Proposed Medicaid Per Diem Rates for Kansas Nursing Facilities.

A. Cost Center Limitations: The state proposes the following cost center limitations which are used in setting rates effective July 1, 2012.

Cost Center	Limit Formula	Per Day Limit
Operating	110% of the Median Cost	\$31.45
Indirect Health Care	115% of the Median Cost	\$45.89
Direct Health Care	130% of the Median Cost	\$99.24
Real and Personal Property Fee	105% of the Median Fee	\$9.11

These amounts were determined according to the "Reimbursement Limitations" section. The Direct Healthcare Limit is calculated based on a CMI of 1.0124, which is the statewide average.

B. Case Mix Index. These proposed rates are based upon each nursing facility's Medicaid average CMI calculated with a cutoff date of April 1, 2012, using the July 1, 2012 Kansas Medicaid/Medicaid CMI Table. In Section II.C below, each nursing facility's Medicaid average CMI is listed beside its proposed per diem rate.

C. Proposed Nursing Facility Per Diem Rates and CMI.

The following list includes the calculated Medicaid rate for each nursing facility provider currently enrolled in the Medicaid program and the Medicaid case mix index used to determine each rate.

Prov. Num.	Facility Name	City	Daily Rate	Medicaid CMI
19928	Village Manor	Abilene	148.14	0.8500
20875	Alma Manor	Alma	160.19	0.8553
11211	Life Care Center of Andover	Andover	150.84	1.1382
21600	Victoria Falls SNF	Andover	190.98	1.1886
19671	Anthony Community Care Center	Anthony	140.51	0.9932
18691	Medicalodges Health Care Center	Arkansas City	163.05	1.0494
19387	Arkansas City Presbyterian Manor	Arkansas City	161.94	0.9858
19244	Arma Care Center	Arma	134.59	1.1443
15157	Ashland Health Center - LTCU	Ashland	168.90	0.9086
10826	Medicalodges Atchison	Atchison	165.01	1.0478
15023	Atchison Senior Village	Atchison	161.11	0.9200
21222	Dooley Center	Atchison	161.97	0.7503
05720	Attica Long Term Care	Attica	165.38	1.0238
26464	Atwood Good Samaritan Center	Atwood	160.14	0.9329

15113	Lake Point Nursing Center	Augusta	138.73	1.0051
15363	Baldwin Care Center	Baldwin City	135.96	1.0479
20919	Quaker Hill Manor	Baxter Springs	122.64	1.0539
05415	Great Plains of Republic County, Inc.	Belleville	187.88	1.0435
18502	Belleville Health Care Center	Belleville	136.03	1.1558
05516	Mitchell County Hospital LTCU	Beloit	175.05	0.8950
11467	Hilltop Lodge Nursing Home	Beloit	152.61	1.0097
20732	Bonner Springs Nursing and Rehab.	Bonner Springs	143.38	1.0226
15462	Hill Top House	Bucklin	151.60	0.9041
26565	Buhler Sunshine Home, Inc.	Buhler	162.49	0.8920
16780	Life Care Center of Burlington	Burlington	147.90	1.2062
20676	Caney Nursing Center	Caney	102.47	0.8833
21132	Eastridge Nursing Home	Centralia	167.88	0.8938
11144	Heritage Health Care Center	Chanute	125.32	0.9600
20146	Chanute Health Care Center	Chanute	149.42	1.0273
20942	Applewood Rehabilitation	Chanute	82.26	0.7685
16845	Chapman Valley Manor	Chapman	135.78	0.9600
16351	Cheney Golden Age Home Inc.	Cheney	152.31	1.0342
21009	Cherryvale Care Center	Cherryvale	131.55	1.0544
19019	Chetopa Manor	Chetopa	118.28	0.8890
18308	The Shepherd's Center	Cimarron	146.51	1.0100
11107	Medicalodges Clay Center	Clay Center	167.45	0.9210
15168	Clay Center Presbyterian Manor	Clay Center	182.68	0.9927
16418	Clearwater Nursing and Rehabilitation	Clearwater	165.91	1.0317
20266	Community Care, Inc.	Clifton	118.70	0.8800
17813	Park Villa Nursing Home	Clyde	135.61	0.9658
05764	Coffeyville Regional Medical Center	Coffeyville	84.51	0.0000
11514	Windsor Place	Coffeyville	151.35	1.0773
15991	Medicalodges Coffeyville	Coffeyville	179.07	1.1690
19917	Windsor Place at Iola, LLC	Coffeyville	149.59	1.0052
19119	Deseret Nursing & Rehab at Colby	Colby	160.62	1.1377
19648	Prairie Senior Living Complex	Colby	175.56	0.9508
25251	Pioneer Lodge	Coldwater	141.08	0.8520
18410	Medicalodges Columbus	Columbus	165.04	1.0008
15226	Mt. Joseph Senior Village, LLC	Concordia	126.81	0.9279
21187	Sunset Home, Inc.	Concordia	152.65	1.0620
27217	Spring View Manor	Conway Springs	114.16	0.8136
19872	Golden Living Center-Chase Co.	Cottonwood Falls	143.27	1.1862
20135	Council Grove Healthcare Center	Council Grove	138.61	1.0465
18162	Hilltop Manor	Cunningham	122.61	0.9862
10748	Westview of Derby	Derby	166.26	1.2478
21560	Derby Health and Rehabilitation	Derby	177.12	1.0156
20492	Hillside Village	De Soto	142.12	0.9439
18173	Dexter Care Center	Dexter	136.94	1.0124
05347	Lane County Hospital - LTCU	Dighton	169.52	0.9440
11377	Trinity Manor	Dodge City	145.14	0.9327
17385	Dodge City Good Samaritan Center	Dodge City	149.98	1.0231
21143	Manor of the Plains	Dodge City	168.27	1.0433
20838	Medicalodges Douglass	Douglass	166.91	0.9727
10995	Golden Living Center-Downs	Downs	135.03	0.9878
19153	Country Care Home	Easton	143.42	0.9781
20614	Golden Living Center-Parkway	Edwardsville	145.04	1.0121
20625	Golden Living Center-Kaw River	Edwardsville	167.24	1.1073
20636	Golden Living Center-Edwardsville	Edwardsville	135.09	0.8613
10782	Lakepoint Nursing Center-El Dorado	El Dorado	136.17	1.0910
19907	Golden Living Center-El Dorado	El Dorado	133.22	1.0504
05696	Morton County Hospital	Elkhart	140.78	0.9381
19635	Woodhaven Care Center	Ellinwood	132.57	0.9792
25485	Ellis Good Samaritan Center	Ellis	164.64	1.0622
15416	Good Sam. Society-Ellsworth Village	Ellsworth	152.00	1.0223
11232	Emporia Presbyterian Manor	Emporia	183.55	1.0516
11367	Holiday Resort	Emporia	134.88	1.0393
20175	Flint Hills Care Center, Inc.	Emporia	114.51	0.9610
17791	Enterprise Estates Nursing Center, Inc.	Enterprise	130.04	0.9853
20715	Golden Living Center-Eskridge	Eskridge	109.78	0.7920
17781	Medicalodges of Eudora	Eudora	144.70	0.9924
18927	Eureka Nursing Center	Eureka	135.64	1.0093
21570	Kansas Soldiers' Home	Fort Dodge	160.21	0.9371
15045	Medicalodges Fort Scott	Fort Scott	159.27	1.0124
20446	Fort Scott Manor	Fort Scott	127.23	0.9797
17857	Fowler Residential Care	Fowler	159.06	0.8483
27555	Frankfort Community Care Home, Inc.	Frankfort	140.34	1.0041
20581	Golden Living Center-Fredonia	Fredonia	142.15	1.1082

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15304	Sunset Manor, Inc	Frontenac	123.89	0.9634	17328	Logan Manor Community Health Service	Logan	160.98	0.8500
17915	Emerald Pointe Health & Rehab Centre	Galena	120.59	0.8815	20096	Louisburg Care Center	Louisburg	160.76	1.3846
20930	Galena Nursing & Rehab Center	Galena	136.52	1.0735	17497	Good Samaritan Society-Lyons	Lyons	156.70	0.9968
11345	Garden Valley Retirement Village	Garden City	155.44	0.9716	10894	Meadowlark Hills Retirement Community	Manhattan	197.30	1.0929
15430	Homestead Health & Rehab	Garden City	160.96	0.9871	11491	Stoneybrook Retirement Community	Manhattan	167.80	1.0431
05712	Meadowbrook Rehab Hospital, LTCU	Gardner	197.65	1.1286	21530	Via Christi Village Manhattan, Inc.	Manhattan	152.66	0.9817
19579	Medicalodges Gardner	Gardner	152.87	0.9818	05088	Jewell County Hospital	Mankato	161.98	0.8167
05808	Anderson County Hospital	Garnett	174.71	0.9012	05156	St. Luke Living Center	Marion	144.61	0.8625
21053	Golden Heights Living Center	Garnett	154.70	1.0200	18037	Riverview Estates, Inc.	Marquette	152.19	0.9405
15315	The Heritage	Girard	128.24	1.1814	21162	Cambridge Place	Marysville	135.75	1.0176
15214	St. John's Home, Inc.	Glasco	125.57	0.7683	20854	McPherson Care Center	McPherson	130.31	1.1577
11197	Medicalodges Goddard	Goddard	178.28	1.1026	25935	The Cedars, Inc.	McPherson	162.67	0.8953
05595	Bethesda Home	Goessel	170.75	0.9037	25982	Meade District Hospital, LTCU	Meade	193.39	1.0507
17295	Goodland Sherman Co. Good Samaritan	Goodland	155.09	0.9857	10805	Trinity Nursing & Rehab Center	Merriam	159.64	1.0497
10714	Cherry Village Benevolence	Great Bend	134.33	0.8756	05191	Great Plains of Ottawa County, Inc.	Minneapolis	72.20	0.0000
16837	Great Bend Health & Rehab Center	Great Bend	142.09	1.0483	17734	Good Samaritan Society-Minneapolis	Minneapolis	141.30	0.9823
11029	Halstead Health and Rehab Center	Halstead	150.64	1.0393	18274	Minneola District Hospital - LTCU	Minneola	190.84	1.0818
20121	Haviland Care Center	Haviland	97.49	0.8204	15528	Bethel Home, Inc.	Montezuma	155.60	0.9333
11006	St. John's of Hays	Hays	147.52	0.9325	20085	Moran Manor	Moran	132.77	1.2410
17137	St. Johns Victoria	Hays	140.80	0.8567	15901	Pine Village	Moundridge	178.89	1.0595
17486	Good Samaritan Society-Hays	Hays	141.72	0.9910	18140	Moundridge Manor, Inc.	Moundridge	151.52	0.8695
21640	St. John's Hays	Hays	152.80	1.0124	17565	Mt. Hope Nursing Center	Mt. Hope	136.44	0.9245
11089	Haysville Healthcare Center	Haysville	150.96	0.9700	18230	Villa Maria, Inc.	Mulvane	137.11	0.9386
15348	Medicalodges Herington	Herington	135.91	0.9427	20605	Golden Living Center-Neodesha	Neodesha	135.20	1.0874
16902	Schowalter Villa	Hesston	185.12	0.9589	05630	Ness County Hospital Dist. #2	Ness City	162.23	0.8828
21032	Maple Heights of Hiawatha	Hiawatha	123.23	0.8984	10062	Asbury Park	Newton	178.52	1.0124
19334	Highland Care Center	Highland	139.35	1.0931	15574	Kansas Christian Home	Newton	165.94	1.0122
25531	Dawson Place, Inc.	Hill City	152.76	0.9033	15585	Newton Presbyterian Manor	Newton	177.40	0.9395
05426	Salem Home	Hillsboro	163.57	0.9576	10051	Bethel Care Center	North Newton	163.28	0.9500
17690	Parkside Homes, Inc.	Hillsboro	158.54	1.0659	16103	Andbe Home, Inc.	Norton	150.71	1.0007
17835	Medicalodges Jackson County	Holton	144.48	0.9536	15619	Village Villa	Nortonville	137.93	1.0993
10602	Tri County Manor Living Center, Inc.	Horton	113.46	0.9979	19683	Logan County Manor	Oakley	169.36	0.8643
15394	Howard Twilight Manor	Howard	142.53	0.9741	05562	Decatur County Hospital	Oberlin	163.14	0.9100
05281	Sheridan County Hospital	Hoxie	170.06	1.0540	25395	Good Samaritan Society-Decatur Co.	Oberlin	147.54	0.9170
11018	Pioneer Manor	Hugoton	180.88	0.9133	10668	Villa St. Francis	Olathe	175.45	1.0533
11077	Golden Plains Rehabilitation Center	Hutchinson	131.28	0.9296	10920	Pinnacle Ridge Nursing and Rehabilitation	Olathe	142.83	0.9787
17148	Good Sam. Society-Hutchinson Village	Hutchinson	165.01	0.9870	11245	Royal Terrace Nursing & Rehab. Center	Olathe	138.75	0.9239
19595	Hutchinson Care Center	Hutchinson	138.77	1.1100	15653	Good Samaritan Society-Olathe	Olathe	174.92	0.9727
21154	Wesley Towers	Hutchinson	188.98	1.0015	21109	Evergreen Community of Johnson County	Olathe	195.54	1.0767
21176	Ray E. Dillon Living Center	Hutchinson	178.36	0.9637	21460	Aberdeen Village, Inc.	Olathe	187.32	0.9737
11447	Regal Estate	Independence	128.45	1.0887	26422	Deseret Nursing & Rehab at Onaga	Onaga	133.19	1.1956
19300	Montgomery Place Nursing Center, LLC	Independence	146.87	1.0107	18206	Peterson Health Care, Inc.	Osage City	130.83	1.0405
25913	Pleasant View Home	Inman	152.36	0.8493	27578	Osage Nursing & Rehab Center	Osage City	153.46	1.2040
15002	Iola Nursing Center	Iola	144.50	1.0385	10973	Life Care Center of Osawatomie	Osawatomie	148.94	1.0878
05066	Hodgeman Co. Health Center-LTCU	Jetmore	169.59	0.9090	17521	Parkview Care Center	Osborne	131.56	0.9090
05674	Stanton County Hospital - LTCU	Johnson	172.78	0.8788	20301	Hickory Pointe Care & Rehab Center	Oskaloosa	151.86	1.0187
10480	Valley View Senior Life	Junction City	156.26	1.0025	18402	Deseret Nursing & Rehab at Oswego	Oswego	117.05	1.0194
10591	Medicalodges Post Acute Care Center	Kansas City	177.50	1.1497	20467	Ottawa Retirement Village	Ottawa	129.64	0.9672
11030	Kansas City Presbyterian Manor	Kansas City	183.00	1.0086	11121	Brookside Manor	Overbrook	136.70	0.9841
16654	Medicalodges Kansas City	Kansas City	172.29	1.1100	11300	Garden Terrace at Overland Park	Overland Park	153.97	1.0757
20377	Lifecare Center of Kansas City	Kansas City	154.83	1.1051	11335	Indian Meadows Healthcare Center	Overland Park	200.24	1.5283
20244	Deseret Nursing & Rehab at Kensington	Kensington	125.98	1.1282	11412	Manorcare Health Services of Overland Park	Overland Park	180.95	1.1232
21121	The Wheatlands	Kingman	143.32	1.0075	11423	Villa Saint Joseph	Overland Park	187.44	1.0268
18432	Medicalodges Kinsley	Kinsley	173.66	0.8606	11478	Delmar Gardens of Overland Park	Overland Park	169.85	0.9840
20806	Kiowa Hospital District Manor	Kiowa	155.84	0.8300	21200	Overland Park Nursing & Rehab	Overland Park	167.44	1.0723
05246	Rush Co. Memorial Hospital	La Crosse	161.19	1.0000	21251	Indian Creek Healthcare Center	Overland Park	171.91	1.1091
18757	Rush County Nursing Home	La Crosse	145.49	0.8723	21430	Village Shalom, Inc.	Overland Park	187.38	0.9794
20232	High Plains Retirement Village	Lakin	191.05	1.0865	16553	Riverview Manor, Inc.	Oxford	116.99	0.9304
20197	Golden Living Center-Lansing	Lansing	151.42	1.1312	18713	Medicalodges Paola	Paola	115.68	0.6801
20450	Larned Healthcare Center	Larned	138.96	0.9774	20298	North Point Skilled Nursing Center	Paola	143.24	1.0348
11175	Lawrence Presbyterian Manor	Lawrence	181.87	1.0491	18322	Elmhaven East	Parsons	115.96	0.8615
11391	Brandon Woods at Alvarmar	Lawrence	157.84	0.9234	18792	Elmhaven West	Parsons	131.19	0.9718
21450	Pioneer Ridge Retirement Community	Lawrence	162.08	0.9546	18871	Parsons Presbyterian Manor	Parsons	165.16	0.9644
11096	Medicalodges Leavenworth	Leavenworth	157.37	0.9331	25733	Good Samaritan Society-Parsons	Parsons	150.36	1.0532
11355	Delmar Gardens of Lenexa	Lenexa	142.65	0.9715	10097	Peabody Care Center, LLC	Peabody	159.95	1.1536
21470	Lakeview Village	Lenexa	190.06	1.0470	20753	Westview Manor of Peabody	Peabody	83.83	0.6749
16261	Leonardville Nursing Home	Leonardville	124.18	0.9087	21045	Phillips County Retirement Center	Phillipsburg	133.72	1.0158
05786	Wichita County Health Center	Leoti	145.27	0.6433	10433	Medicalodges Pittsburg South	Pittsburg	156.95	0.9841
17508	Liberal Good Samaritan Center	Liberal	148.15	0.9869	20749	Golden Living Center-Pittsburg	Pittsburg	130.27	1.0354
21510	Wheatridge Park Care Center	Liberal	155.94	0.9665	21520	Via Christi Village Pittsburg, Inc.	Pittsburg	145.43	0.9845
17577	Lincoln Park Manor, Inc.	Lincoln	146.38	1.0500	26666	Rooks County Senior Services, Inc.	Plainville	158.79	0.9156
15890	Bethany Home Association	Lindsborg	179.93	0.9814	05775	Pratt Regional Medical Center	Pratt	187.68	1.1488
17352	Linn Community Nursing Home	Linn	122.29	0.8754	20029	Pratt Care Center, LLC	Pratt	146.58	1.1575
27566	Sandstone Heights	Little River	179.71	1.0626					

17464	Prescott Country View Nursing Center	Prescott	127.67	1.0369	10141	Medicalodges Wichita	Wichita	163.64	1.0285
21440	Prairie Sunset Manor	Pretty Prairie	147.21	0.8433	10613	Meridian Nursing & Rehab Center	Wichita	128.19	0.9572
17587	Protection Valley Manor	Protection	128.59	0.8770	10646	Catholic Care Center Inc.	Wichita	175.77	1.0264
05044	Gove County Medical Center	Quinter	177.44	0.9474	10670	Kansas Masonic Home	Wichita	168.84	1.0000
05617	Grisell Memorial Hospital Dist. #1-LTCU	Ransom	168.51	0.9531	10736	Homestead Health Center, Inc.	Wichita	170.55	0.9786
15485	Richmond Healthcare and Rehabilitation	Richmond	151.43	1.0752	10853	Deseret Healthcare and Rehab at Wichita	Wichita	131.22	1.1468
20695	Lakepoint Nursing Center-Rose Hill	Rose Hill	155.85	1.2622	11052	Wichita Presbyterian Manor	Wichita	195.07	1.1650
18445	Rossville Healthcare & Rehab Center	Rossville	141.58	1.0936	11266	Sandpiper Healthcare and Rehab Center	Wichita	136.87	0.9963
20772	Wheatland Nursing & Rehab Center	Russell	138.85	1.0350	11313	Lakepoint Nursing and Rehabilitation	Wichita	150.35	1.0234
21480	Russell Regional Hospital	Russell	196.35	1.0933	11322	Manorcare Health Services of Wichita	Wichita	164.70	1.1592
19782	Sabetha Nursing Center	Sabetha	151.67	1.1229	11504	College Hill Nursing and Rehab Center	Wichita	140.36	0.9206
26238	Apostolic Christian Home	Sabetha	138.34	0.9504	18583	Seville Care Center, LLC	Wichita	146.79	1.0852
10774	Smokey Hill Rehabilitation Center	Salina	137.00	1.0692	18591	Golden Living Center-Wichita	Wichita	143.79	0.9470
10952	Kenwood View Nursing Center	Salina	130.81	0.9817	21233	The Health Care Center @ Larksfield Place	Wichita	180.11	1.2100
11186	Windsor Estates	Salina	134.54	0.9471	21360	Life Care Center of Wichita	Wichita	152.59	1.0843
11459	Pinnacle Park Nursing and Rehabilitation	Salina	124.73	1.0089	21541	Via Christi Hope	Wichita	134.41	1.0124
11480	Salina Presbyterian Manor	Salina	180.58	1.0163	21550	Family Health & Rehabilitation Center	Wichita	169.67	1.0658
21382	Holiday Resort of Salina	Salina	151.98	1.0707	21620	Caritas Center	Wichita	184.55	1.0124
05685	Satanta Dist. Hospital LTCU	Satanta	172.08	0.9281	20660	Golden Living Center-Wilson	Wilson	143.70	1.1450
16338	Park Lane Nursing Home	Scott City	155.52	0.8823	05584	Jefferson Co. Memorial Hospital-LTCU	Winchester	162.48	1.0122
19545	Pleasant Valley Manor	Sedan	116.22	0.9929	16812	Winfield Good Samaritan Center	Winfield	148.93	0.9696
19707	Sedgwick Healthcare Center	Sedgwick	162.70	0.9543	21350	Cumbernauld Village, Inc.	Winfield	167.57	0.8331
16037	Crestview Manor	Seneca	117.92	1.0493	21410	Winfield Rest Haven II LLC	Winfield	159.71	0.9076
18253	Life Care Center of Seneca	Seneca	132.73	1.0417	21580	Kansas Veterans' Home	Winfield	161.35	0.9750
21630	Wallace County Community Center	Sharon Springs	150.49	1.0124	20335	Yates Center Nursing and Rehabilitation	Yates Center	142.53	1.2107
15384	Shawnee Gardens Nursing Center	Shawnee	140.41	1.0946					
21190	Sharon Lane Health Services	Shawnee	138.37	0.9864					
05505	Smith County Memorial Hospital LTCU	Smith Center	171.66	0.8864					
18153	Deseret Nursing & Rehab at Smith Center	Smith Center	130.90	1.1550					
18138	Mennonite Friendship Manor, Inc.	South Hutchinson	176.48	0.9794					
20650	Golden Living Center-Spring Hill	Spring Hill	168.18	1.2167					
25204	St. Francis Good Samaritan Village	St. Francis	159.71	0.9489					
19884	Leisure Homestead at St. John	St. John	144.22	0.9238					
19467	Community Hospital of Onaga, LTCU	St. Marys	171.21	0.9226					
21240	Prairie Mission Retirement Village	St. Paul	134.18	0.9459					
17655	Leisure Homestead at Stafford	Stafford	130.20	0.9469					
26622	Sterling Presbyterian Manor	Sterling	173.41	0.8735					
20222	Solomon Valley Manor	Stockton	157.82	0.9745					
05641	Seasons of Life Living Center	Syracuse	169.04	0.8733					
11154	Tonganoxie Nursing Center	Tonganoxie	150.05	1.0816					
10310	Brewster Health Center	Topeka	189.47	1.0327					
10343	Topeka Presbyterian Manor Inc.	Topeka	179.23	0.9693					
10916	Eventide Convalescent Center, Inc.	Topeka	115.61	0.8128					
11201	Topeka Community Healthcare Center	Topeka	153.36	1.0789					
11254	McCrite Plaza Health Center	Topeka	144.65	0.8700					
11276	Rolling Hills Health Center	Topeka	168.45	0.9932					
11388	Manorcare Health Services of Topeka	Topeka	161.82	1.0760					
19346	Westwood Manor	Topeka	142.86	1.0781					
19445	IHS of Brighton Place	Topeka	106.36	0.8475					
19692	Countryside Health Center	Topeka	110.71	0.6897					
20557	Providence Living Center	Topeka	95.04	0.7205					
20963	Brighton Place North	Topeka	89.30	0.6559					
21110	Aldersgate Village	Topeka	182.08	1.0295					
21211	Plaza West Care Center, Inc.	Topeka	173.97	1.0326					
21420	Lexington Park Nursing and Post Acute	Topeka	170.91	0.9786					
21610	Washburn Community Care Center, LLC	Topeka	130.89	1.1156					
18772	Greeley County Hospital, LTCU	Tribune	171.40	0.9392					
21590	The Legacy at Park View	Ulysses	180.26	0.9769					
18465	Valley Health Care Center	Valley Falls	133.50	0.7527					
05292	Trego Co. Lemke Memorial LTCU	WaKeeney	172.99	0.8908					
20865	Trego Manor	WaKeeney	148.64	0.9082					
20704	Golden Living Center-Wakefield	Wakefield	153.83	1.0345					
26442	Wamego Valley Vista Good Samaritan	Wamego	165.19	1.0322					
16597	The Centennial Homestead, Inc.	Washington	125.35	0.9436					
20186	Wathena Nursing & Rehab Center	Wathena	149.58	1.1024					
20076	Coffey County Hospital	Waverly	163.06	0.8505					
19863	Golden Living Center-Wellington	Wellington	127.91	0.9386					
20368	Sumner County Care Center	Wellington	132.44	1.1862					
20392	Wellsville Manor	Wellsville	132.02	1.0126					
17767	Westy Community Care Home	Westmoreland	133.26	0.9975					
10578	Wheat State Manor	Whitewater	157.33	0.9352					

III. Justifications for the Proposed Rates.

- The proposed rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan and pending amendments thereto.
- The proposed rates are calculated according to a methodology which satisfies the requirements of K.S.A. 39-708c(x) and the Kansas Administrative Regulations implementing that statute and applicable federal law.
- The State's analyses project that the proposed rates:
 - Would result in payment, in the aggregate of 91.07% of the Medicaid day weighted average inflated allowable nursing facility costs statewide; and
 - Would result in a maximum allowable rate of \$185.69; with the total average allowable cost being \$149.48.
 - Estimated average rate July 1, 2012 \$149.48
 - Average payment rate July 1, 2011 \$149.10
Amount of change \$0.30
Percent of change 0.25%
- Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will remain approximately constant.
- The state estimates that the proposed rates will continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general population in the geographic area. The state's analyses indicate:
 - Service providers operating a total of 295 nursing facilities (representing approximately 97% of all the licensed nursing facilities in Kansas) participate in the Medicaid program, while an additional 34 hospital-based long-term care units are also certified to participate in the Medicaid program;
 - There is at least one Medicaid-certified nursing facility and/or nursing facility for mental health, or Medicaid-certified hospital-based long-term care unit in 105 of the 105 counties in Kansas;

(continued)

- c. The statewide average occupancy rate for nursing facilities participating in Medicaid is 84%;
 - d. The statewide average Medicaid occupancy rate for participating facilities is approximately 56.38%; and
 - e. The proposed rates would cover 93.49% of the estimated Medicaid direct health care costs incurred by participating nursing facilities statewide.
6. Federal Medicaid regulations at 42 C.F.R. 447.272 impose an aggregate upper payment limit that states may pay for Medicaid nursing facility services. The state's analysis indicates that the proposed methodology will result in compliance with the federal regulation.

IV. Request for Comments; Request for Copies.

The state requests providers, beneficiaries and their representatives, and other concerned Kansas residents to review and comment on the proposed rates, the methodology used to calculate the proposed rates, the justifications for the proposed rates, and the intent to amend the Medicaid State Plan. Persons and organizations wishing to submit comments must mail, deliver, or fax their signed, written comments before the close of business on Friday, May 25, 2012, to:

Rhonda Boose
Nursing Facility Reimbursement Manager
Kansas Department on Aging
New England Building, 2nd Floor
503 S. Kansas Ave
Topeka, KS 66603-3404
Fax: (785) 296-0256

V. Notice of Intent to Amend the Medicaid State Plan.

The state intends to submit proposed Medicaid State Plan amendments to CMS on or before September 30, 2012.

Shawn Sullivan
Secretary of Aging

Phyllis Gilmore
Secretary of Social and
Rehabilitation Services

Kari Bruffett
Executive Director
Division of Health Care Finance

Doc. No. 040467

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 401.—HOLLYWOOD CASINO AT KANSAS SPEEDWAY (NORTHEAST GAMING ZONE)

111-401-119. Name of the game; rules and regulations. The Kansas lottery shall conduct a lottery facility game at the Hollywood Casino in Kansas City, Kansas, entitled "Pai-Gow Poker Fortune Bonus" beginning on or after January 1, 2012.

The rules and regulations for the game of "Pai-Gow Poker Fortune Bonus" are contained in K.A.R. 111-401-119 through 111-401-124, and applicable generic rules are

contained in K.A.R. 111-201-1 *et seq.* (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-120. Object of game. The "Pai-Gow Poker Fortune Bonus" is played with one deck of 53 cards, the back of which cards shall all be identical in appearance. Each deck of playing cards shall consist of 13 value cards (ace, 2, 3, 4, 5, 6, 7, 8, 9, 10, jack, queen, and king) in each of four suits (hearts, spades, diamonds, and clubs), plus one joker. The object of the game is for a player to beat the dealer's hand by creating a high hand (five cards) and a low hand (two cards) that are higher in value than the dealer's hand. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-121. Definitions. The following definitions, when used in the Northeast Kansas Lottery Gaming Zone, when pertaining to the game of "Pai-Gow Poker Fortune Bonus" shall have the following meanings unless the context clearly indicates otherwise.

(a) "Bank" or "banker" shall mean the house or the dealer.

(b) "Bonus wager" shall mean an optional wager that the player's seven cards will form a qualifying poker hand, regardless of the manner in which the player set the high hand and the low hand. All bonus wagers shall be banked by the house.

(c) "Copy hand" shall mean either a two-card hand or a five-card hand of a player which is identical in rank to the corresponding two-card hand or five-card hand of the dealer.

(d) "Envy bonus" shall mean an additional fixed sum payoff made to a player who placed a bonus wager of at least \$5.00 when another player at the pai-gow poker table is the holder of a premium qualifying poker hand. A player is entitled to multiple envy bonuses if more than one other player is the holder of a premium qualifying poker hand; provided, however, that a player is not entitled to an envy bonus for his or her own cards or the cards of the dealer.

(e) "High hand" shall mean the five-card hand which is formed from the seven cards dealt at the game of pai-gow poker so as to rank equal to or higher than the two-card low hand.

(f) "Natural" when referring to a hand in pai-gow poker shall mean a hand that does not utilize a joker.

(g) "Owner" shall mean the first person betting in a position, the seated player.

(h) "Premium qualifying poker hand" shall mean a five-card or seven-card poker hand with a rank of four-of-a-kind or higher formed from the seven cards dealt to a player.

(i) "Push" shall mean a player loses or has a copy hand on either the high hand or low hand, but wins on the remaining hand.

(j) "Qualifying poker hand" shall mean a five-card or seven-card poker hand with a rank of three-of-a-kind or higher formed from the seven cards dealt to a player.

(k) "Rank" or "ranking" shall mean the relative position of a card or group of cards.

(l) "Second highest" or "low hand" shall mean the two-card hand which is formed from the seven cards dealt at the game of pai-gow poker so as to rank equal to or lower than the five-card high hand.

(m) "Set" or "setting the hands" shall mean the process of forming a high hand and low hand from the seven cards dealt.

(n) "Shadow" or "shadow wager" shall mean a wager another player is allowed to place behind the owner's bet. A shadow bet must abide by table minimums and maximums. The owner has complete jurisdiction over the decisions made when the cards are dealt. The shadow wager must never be stacked on top of the owner's wager.

(o) "Suit" shall mean one of the four categories of cards, i.e., diamond, spade, club, or heart. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-122. Hand rankings. (a) The ranking of the cards used in pai-gow poker, in order of highest to lowest rank, is ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3, and 2. An ace may be used to complete a "straight flush" or a "straight" formed with a 2, 3, 4, and 5. Except as otherwise provided below, the joker is used and ranked as an ace.

(1) Five aces - a high hand consisting of the four "natural aces" in the deck with the joker played in the five-card hand.

(2) Royal flush - a high hand consisting of an ace, king, queen, jack, and 10 of the same suit with or without the joker in the five-card hand.

(3) Straight flush - a high hand consisting of five cards of the same suit in consecutive ranking with ace, 2, 3, 4, and 5 being the highest ranking and 2, 3, 4, 5, and 6 being the lowest.

(4) Four of a kind - a high hand consisting of four cards of the same rank with four aces being the highest and four 2's being the lowest.

(5) Full house - a high hand consisting of three-of-a-kind and a pair, with three aces with two kings being the highest and three 2's with two 3's being the lowest.

(6) Flush - a high hand consisting of five cards of the same suit.

(7) Straight - a high hand consisting of five cards of consecutive rank regardless of suit, with the rankings as follows:

(A) Ace, king, queen, jack, 10 is the highest ranking straight.

(B) Ace, 2, 3, 4, 5, is the second ranking straight.

(C) All other straight rankings will be determined by the highest card in the straight.

(8) Three-of-a-kind - a high hand consisting of three cards of the same rank regardless of suit.

(9) Two pair - a high hand consisting of two pairs of two cards of the same rank regardless of suit.

(10) One pair - a high hand consisting of two cards of the same rank regardless of suit.

(11) High card - a hand that does not encompass any of the hands above.

For purposes of setting the hands, a joker may be used as any card to complete a straight, a flush, a straight flush, or a royal flush.

(b) The following hand rankings are only applicable to pai-gow poker bonus wagers:

(1) Seven-card natural straight flush - a hand consisting of all seven of the player's cards in the same suit in consecutive ranking using no joker.

(2) Royal flush plus royal match - a high hand consisting of an ace, king, queen, jack, and 10 of the same suit in the five-card hand and a king and queen of the same suit in the two-card hand.

(3) Seven-card straight flush utilizing a joker - same as subsection (b)(1) above, except using the joker as one of the seven cards. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-123. Wagers. (a) Only players who are seated at the pai-gow poker table may touch his or her own cards.

(b) Shadow betting may be allowed at the discretion of the lottery gaming facility manager and approval of the Kansas lottery.

(c) Prior to the first card being dealt for each round of play, each player at the game of pai-gow poker fortune bonus shall make a pai-gow poker wager against the dealer. There is also an optional bonus bet wager that, if placed, must be placed prior to the first card being dealt for each round to be active.

(1) The pai-gow poker wager shall win if the high hand of the player is higher in rank than the high hand of the dealer and the low hand of the player is higher in rank than the low hand of the dealer.

(2) If the optional bonus wager is placed, the bonus wager shall win if the player's seven cards will form a qualifying poker hand, regardless of the manner in which the player set the high hand and the low hand.

(3) If the player has placed an optional bonus wager of \$5 (five dollars) or more, the envy wager shall win when another player at the pai-gow poker table is the holder of a premium qualifying poker hand.

(d) A pai-gow poker wager made by a player is a push if:

(1) The high hand of the player is higher in rank than the high hand of the dealer, but the low hand of the player is identical in rank to the low hand of the dealer (copy hand) or lower in rank than the low hand of the dealer, or

(2) The high hand of the player is identical in rank to the high hand of the dealer (copy hand) or lower in rank than the high hand of the dealer, but the low hand of the player is higher in rank than the low hand of the dealer.

(e) After each round of play is complete, the dealer shall collect all losing wagers and pay off all winning wagers with the exception of any hands that are subject to income tax withholding and/or reporting, which are paid once the necessary documents are completed. All winning pai-gow poker wagers made in accordance with these rules shall be paid at odds of one to one.

(f) A winning pai-gow poker wager shall be paid off by a lottery gaming facility manager at odds of one to one, except that the lottery gaming facility manager shall extract a commission known as "vigorish" from the win-

(continued)

ning player in an amount equal to five percent of the amount won, provided, however, that when collecting the vigorish, the lottery gaming facility manager may round off the vigorish to the nearest half dollar. If a player leaves the table, but owes a vigorish of twenty-five cents or less, the casino will waive the vigorish. The vigorish will be collected from a player at the time the winning payout is made, unless the vigorish is less than a fifty-cent increment, in which event the dealer will place a lammer or marker on the player's spot to indicate the running total of the vigorish. At the time that the vigorish reaches at least fifty-cents, it will be paid.

(g) Any player who has made a pai-gow poker wager may, at the same time, make a pai-gow bonus wager by placing gaming chips in the area designed for a bonus wager at his or her betting position. A bonus wager shall be no less than \$1.00.

(h) Any player who makes a bonus wager of \$5.00 or more shall qualify to receive an envy bonus payment. The dealer shall place an envy bonus marker immediately in front any bonus wager of \$5.00 or more.

(i) If a pai-gow bonus wager has been made by one or more players, the dealer shall observe the following procedures:

(1) The cards of any player who has placed a bonus wager shall remain on the layout regardless of the outcome of his or her pai-gow poker wager until removed in accordance with the provisions of (k)(2) or (k)(3) below, and

(2) If any player has placed a bonus wager of \$5.00 or more, the cards of each player shall remain on the layout regardless of the outcome of his or her pai-gow poker wager until removed in accordance with the provisions below.

(j) After settling the pai-gow poker wager of a player who has placed a bonus wager, the dealer may rearrange the seven cards of the player to form the best possible hand and shall be ultimately responsible for creating such hand for purposes of the bonus wager. A joker may be used as any card to complete any straight, flush, straight flush or royal flush or other than a seven-card straight flush with no joker. If any player at the table has placed a bonus wager of \$5.00 or more, the dealer may rearrange the cards of each player at the table regardless of whether that player has placed a bonus wager, and then proceed as follows:

(1) If the player does not have a qualifying pai-gow poker hand, the dealer shall collect the bonus wager, if applicable, and place the cards of the player in the discard rack.

(2) If the player has a qualifying pai-gow poker hand, the dealer shall, if applicable, pay the winning bonus wager in accordance with the approved pay table and place the cards of the player in the discard rack.

(k) The dealer shall, starting from the right and moving clockwise around the table, settle with each player who has an envy bonus marker at his or her betting position or who has a bonus wager and a premium qualifying poker hand.

(1) If the player has an envy bonus marker, the dealer shall pay the player the appropriate envy bonus payment

set forth by these rules and collect the envy bonus marker and place the cards of the player in the discard rack.

(2) If the player has a bonus wager and a premium qualifying poker hand, the dealer shall pay the winning bonus wager in accordance with the approved pay table and place the cards of the player in the discard rack.

(3) After all envy bonuses and premium qualifying poker hands are paid, the dealer shall collect the cards of any player who had a premium qualifying poker hand but did not place a bonus wager and place the cards of the player in the discard rack.

(l) All winning bonus and envy wagers made in accordance with these rules shall be paid at the following odds or in the following amounts, as applicable:

Hand Ranking	Bonus Wager Payoff	Envy Wager Payoff
7 card natural straight flush	5,000 to 1	\$1000
Royal flush plus royal match	1,000 to 1	\$250
7-card straight flush using a joker	750 to 1	\$100
5 aces	250 to 1	\$50
Royal flush	100 to 1	\$25
Straight flush	50 to 1	\$10
4-of-a-kind	20 to 1	\$5
Full house	5 to 1	
Flush	4 to 1	
3-of-a-kind	3 to 1	
Straight	2 to 1	
3 Pair	Push	

(Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-124. Play. (a) The starting position for the dealing of cards or the delivery of stacks of cards for the game of pai-gow poker may be determined in one of the following manners:

(1) The dealer shall shake the pai-gow poker shaker and dice at least three times so as to cause a random mixture of the dice.

(A) The dealer shall then remove the lid covering the pai-gow poker shaker, total the dice and announce the total.

(B) To determine the starting position, the dealer shall count counterclockwise around the table, with the position of the dealer considered number one, and continuing around the table with each betting position counted in order, including the dealer, regardless of whether there is a wager at the position, until the count matches the total of the three dice.

(C) The dealer shall place the cover on the pai-gow poker shaker and shake the shaker once. The pai-gow poker shaker shall then be placed to the left of the dealer's rack.

(2) The dealer may use a computerized random number generator to select and display a number from 1 through 7, inclusive. To determine the starting position, the dealer shall count counterclockwise around the table, with the position of the dealer considered number one, and continuing around the table with each betting position counted in order, including the dealer, regardless of whether there is a wager at the position, until the count matches the number displayed by the random number generator.

(b) Each hand shall be placed face down in the appropriate area of the layout. The dealer shall deal the first hand to the starting position as determined in (a) above and moving clockwise around the table, deal all other positions, including the dealer, regardless of whether there is a wager at that position.

(c) After seven cards have been dealt to each position, the dealer shall count and determine that exactly four cards are left. The four cards shall not be exposed to anyone at the table and shall be placed in the discard rack. If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt and a player or the dealer has more or less than seven cards, all hands shall be removed from the table and new hands dealt.

(d) The dealer shall then collect any cards dealt to a position where there is no wager and place them in the discard rack without exposing the cards.

(e) Once seven cards have been dealt to each position and the dealer, and any cards dealt to a position with no wagers have been collected, the dealer shall then announce that all players should set their hands.

(f) After all players have set their hands and placed the cards on the table, the seven cards of the dealer shall be turned over and the dealer shall set his or her hands by arranging the cards into a high and low hand using the following rules:

(1) No pair: Use the highest card in the high hand. Use the second and third highest cards in the low hand.

(2) One pair: Always play the pair in the high hand.

(3) Two pair: Always use the following rules for two pairs:

2,3,4,5 = low pair

6,7,8,9 = medium pair

ten, jack, queen, king = high pair

aces = aces

Low-Low or Low-Medium: Always split unless a king or higher hand can be played in the low hand.

Medium-Medium or Low-High: Always split unless an ace and a jack, queen, or king can be played in the low hand.

Medium-High or High-High: always split

Aces: always split with any other pair

(4) Three Pair - Play the highest of the three pairs as low hand.

(5) Three of a kind - Always keep unless three Aces, then use one Ace with the next highest card as the low hand. 2 Three of a kind - Play a pair of highest 3 of a kind as the low hand.

(6) Straight, flush, straight flush, or royal flush - With a 6 or 7 card straight, flush, straight flush, or royal flush, use the highest card(s) in the low hand. With a straight, flush, straight flush, or royal flush along with an additional pair, use the pair as the low hand keeping the straight, flush, straight flush, or royal flush as the high hand. Break a straight, flush, straight flush, or royal flush when having two pair. The two pair rule applies as set forth above. Choose a straight over a flush dependent on whichever results in the highest low hand.

(7) Full House - Always split. If you have an additional pair, then play the highest of the two pair in the low hand.

(8) Four of a kind - Apply the two pair rule, above, except that if the hand also contains an additional pair, use the pair in the low hand. Four aces always split unless the hand also contains an additional pair of kings.

(9) Five aces - Keep only with a pair of kings, otherwise split.

(g) The dealer shall then place the two hands face up on the appropriate area of the layout.

(h) Once the dealer has set a high hand and a low hand, the dealer shall expose both hands of each player, starting from the right and proceeding counterclockwise around the table. The dealer shall compare the high and low hand of each player to the high and low hand of the dealer and shall announce if the pai-gow poker wager of that player shall win, lose, or be considered a tie.

(i) All losing wagers shall be immediately collected by the dealer and put in the table games chip tray. A pai-gow poker wager made by a player shall lose if:

(1) The high hand of the player is lower in rank than the high hand of the dealer and the low hand of the player is lower in rank than the low hand of the dealer;

(2) The high hand of the player is identical in rank to the high hand of the dealer or the low hand of the player is identical in rank to the low hand of the dealer (a copy hand) and the other hand of the player is identical in rank or lower in rank than the other hand of the dealer;

(3) The high hand of the player was not set so as to rank equal to or higher than the low hand of that player; or

(4) The two hands of the player were not otherwise set correctly in accordance with the rules of the game (for example, a player forms a three-card low hand and a four-card high hand).

(j) All hands that resulted in a winning pai-gow poker wager shall remain face up on the layout. Winning wagers shall be paid as the dealer exposes the players' cards with the exception of the hands that require income tax withholding and/or reporting, which are paid once the necessary documents are completed.

(k) After a winning pai-gow poker wager has been paid and the vigorish collected, the dealer shall then, if applicable, pay the winning bonus wager of that player. Before paying a winning bonus wager, the dealer shall, if necessary, reset the player's high hand and low hand to form the hand type yielding the highest bonus payout to which the player is entitled. The dealer shall then collect the cards from that player.

(l) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in case of a question or dispute.

(m) The following irregularities or invalid roll of dice shall apply:

(1) If the dealer uncovers the pai-gow poker shaker and all three dice do not land flat on the bottom of the shaker, the dealer shall call a "no roll" and shake the dice again.

(2) If the dealer uncovers the pai-gow poker shaker and a die or dice fall out of the shaker, the dealer shall call a "no roll" and shake the dice again.

(3) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe.

(continued)

(4) If the dealer is dealt an incorrect number of cards, all hands shall be void and the cards reshuffled.

(5) If the dealer does not set his or her hands in the manner specified above, the hands must be reset in accordance with this submission and the round of play completed.

(6) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled.

(7) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal all cards during a round of play, the round of play shall be void, and the cards shall be removed from the device and reshuffled with any cards already dealt.

(8) If cards become soiled in the course of play and the dealer finds that a card is unsuitable for use, a table games floor supervisor will bring a substitute card from the card reserve in the pit stand and the unsuitable card is placed in a sealed envelope or container. The table games floor supervisor will maintain the envelope in a secure place within the pit until collection by security personnel. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-125. Name of the game; rules and regulations. The Kansas lottery shall conduct a lottery facility game at the Hollywood Casino at Kansas Speedway in Kansas City, Kansas, entitled "Fortune Pai Gow Bonus Progressive," beginning on or after January 1, 2012.

The rules and regulations for the game of "Fortune Pai Gow Bonus Progressive" are contained in K.A.R. 111-401-125 through 111-401-132, and applicable generic rules are contained in K.A.R. 111-201-1 et seq. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-126. Object of game. The object of Fortune Pai Gow Bonus Progressive is to create two hands; one consisting of five cards and one consisting of two cards, in such a manner the two hands will both win against the Dealer's two hands. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-127. Method of play. (a) Fortune Pai Gow Bonus Progressive is played with a standard deck of 52 playing cards (2, 4, 5, 6, 7, 8, 9, 10, jack, queen, king, and ace in each of the following four suits: hearts, diamonds, clubs and spades), plus one Joker.

(b) The dealer and each player receive seven cards.

(c) Each player will arrange their seven cards into two hands as follows:

(1) High hand - The high hand will consist of five cards and must be higher by traditional poker rankings than the low hand (see rankings in "e", below).

(2) Low hand - The low hand will consist of two cards and must be lower by traditional poker rankings than the high hand.

(3) Use of joker - A player or the dealer may use the joker as an ace or as any card needed to complete a

straight, flush, straight flush or royal flush. When the dealer can use the joker either as an ace or to complete a straight, flush, straight flush or royal flush, the hand will be arranged according to the highest possible ranking as listed below.

(d) Hands will be ranked from highest to lowest using traditional poker rankings, as follows:

- (1) Five aces
- (2) Royal flush
- (3) Small wheel straight flush consisting of a suited ace, 2, 3, 4, and 5.
- (4) Straight flush
- (5) Four-of-a-kind
- (6) Full house
- (7) Flush
- (8) Straight consisting of ace, king, queen, jack and 10
- (9) Small wheel straight consisting of a non-suited ace, 2, 3, 4, and 5
- (10) Straight
- (11) Three-of-a-kind
- (12) Two pair
- (13) Pair
- (14) High card

(e) Procedures for dealer setting of hands:

(1) No pair — use second and third highest cards for low hand.

(2) One pair — use pair as high hand, two highest remaining cards as low.

(3) Two pair

(A) Low pair — 2, 3, 4, 5

(B) Medium pair — 6, 7, 8, 9

(C) High pair — 10s, jacks, queens, kings, aces. Low-low or low-medium always split unless a king or better can be played in the low hand. Medium-medium or low-high always split unless an ace and a face card can be played in the low hand. Medium-high or high-high always split. Aces always split with any other pair

(4) Three pair — play the highest of the three pairs as low hand.

(5) Three-of-a-kind — always keep unless aces, then use one ace with next highest card as the low hand.

(6) Two three-of-a-kind — play a pair of highest three-of-a-kind as the low hand.

(7) Straights, flushes, straight flushes, and royal flush:

(A) With a 6 or 7 card straight, flush, straight flush, or royal flush, use the highest card or cards in the low hand.

(B) With a straight, flush, straight flush, or royal flush along with an additional pair, use the pair as the low hand keeping the straight, flush, straight flush, or royal flush as the high hand.

(C) Break a straight, flush, straight flush, or royal flush when having two pair. Two pair rule applies (see above).

(D) Choose a straight over a flush dependent on whichever gives the highest low hand.

(8) Full house — always split.

(9) Full house with three-of-a-kind and two pairs. Play the higher of the two pairs in the low hand.

(10) Four-of-a-kind — apply the two pair rule (above), except that if the hand contains an additional pair, use the pair in the low hand. Four aces always split unless an additional pair of kings is contained in the hand.

(11) Five aces — Keep only with a pair of kings, otherwise split. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-128. Physical characteristics of table. (a) The game of Fortune Pai Gow Bonus Progressive is played on a table with a layout approved by the lottery containing six betting areas.

(b) Each betting area on the layout will contain:

- (1) an area for a low hand;
- (2) an area for a high hand;
- (3) an area for the wager;

(4) an area utilized by a player for making a bonus wager on the outcome of the player's hand; and,

(5) an area for a progressive wager.

(c) The game may contain a digital meter or other electronic device utilized for designating the beginning position for dealing hands. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-129. Wagers and payout odds. (a) Minimum and maximum wagers will be posted on a sign at each table.

(b) Maximum table payouts, if any, will be posted at each table and will not be less than the maximum bet times the maximum odds.

(c) If a player has been permitted to wager less than the table minimum, the dealer will take or pay the amount actually wagered. If a player has been permitted to wager more than the table maximum, the excess will be returned to the player and the player will be paid the correct odds on the correct wager. The player will be informed of the table minimum and maximum for subsequent wagers.

(d) A player may play two hands at double the table minimum or greater per hand not to exceed the table maximum. A player may play three hands at the table maximum per hand. Multiple hands must be on empty positions with no other players located between multiple hands. Exceptions will be made only at the discretion of the table games pit manager, the table games shift manager, or higher ranking casino official.

(e) The following describes a list of the permissible wagers, payout odds, and what constitutes a win, loss, or tie:

(1) Initial Pai Gow wager:

(A) All wagers must be placed prior to dealing of hands. The initial Pai Gow wager is a wager placed by a player on either his own hand or the hand of another player.

(i) Initial Pai Gow wagers may be placed on a position by more than one player, however, the total initial Pai Gow wagers per position cannot exceed the table maximum.

(ii) Only the seated player for a position will handle the cards and set the hand. A seated player may refuse additional wagers.

(iii) An additional initial Pai Gow wager may be made as a tip for the dealer. No commission is charged on winning Pai Gow wagers made as a tip for the dealer.

(B) Payout odds on all winning wagers will be 1 to 1, less a five percent commission which may be marked on the layout with lammers (markers) or value chips.

(C) Initial Pai Gow wagers will win if:

(i) The player's low hand beats the dealer's low hand, and

(ii) The player's high hand beats the dealer's high hand.

(D) Initial Pai Gow wagers will lose if:

(i) The player's low hand does not beat the dealer's low hand, and

(ii) The player's high hand does not beat the dealer's high hand.

(iii) The player forfeited the hand.

(iv) The low hand of the player is set to rank higher than the high hand of the player (fouled hand).

(v) The low hand contains more or less than two cards, or the high hand contains more or less than five cards (fouled hand).

(E) Initial Pai Gow wagers will tie or push if:

(i) The player's low hand beats the dealer's low hand and the player's high hand does not beat the dealer's high hand; or

(ii) The player's high hand beats the dealer's high hand and the player's low hand does not beat the dealer's low hand.

(2) Fortune Pai Gow bonus wagers:

(A) The Fortune Pai Gow bonus wager is a player's optional side bet that the outcome of his or her high hand will be of a certain qualifying poker rank. Players who wager a minimum of \$5 on the Fortune Pai Gow bonus wager also qualify for the envy bonus. The Fortune Pai Gow bonus wager must be placed at the same time as the initial Pai Gow wager and may be larger than the initial Pai Gow wager.

(i) Only the seated player for a position is allowed to place a Fortune Pai Gow bonus wager.

(ii) An additional Fortune Pai Gow bonus wager may be made as a tip for the dealer.

(B) Payout odds on winning Fortune Pai Gow bonus wagers will be independent of the outcome of the dealer's hand and the bonus will be paid at the following odds when the player's high hand or high hand and low hand combined consist of a:

(i) 3 pair - push

(ii) straight - 2 to 1

(iii) three-of-a-kind - 3 to 1

(iv) flush - 4 to 1

(v) full house - 5 to 1

(vi) four-of-a-kind - 20 to 1

(vii) straight flush - 50 to 1

(viii) royal flush - 100 to 1

(ix) five aces - 250 to 1

(x) seven card straight flush with joker - 750 to 1

(xi) royal flush plus a royal match (suited king and queen) - 1,000 to 1

(xii) seven card straight flush without a joker - 5,000 to 1

(C) A Fortune Pai Gow bonus wager will win if:

(i) The player makes an initial Pai Gow wager

(ii) The player makes a Fortune Pai Gow bonus wager of \$1 up to the table maximum in \$5 increments per hand once the bet reaches \$5; and,

(iii) The hand on which the bets were placed consists of a combination of cards containing at least three pair.

(continued)

(D) A Fortune Pai Gow bonus wager will lose if:

(i) The hand on which the bet was placed does not consist of a combination of cards containing at least three pair, or

(ii) The seated player forfeited the hand.

(3) Envy bonus wager:

(A) Players who wager a minimum of \$5 on the Fortune Pai Gow bonus wager qualify for the envy bonus, subject to the following:

(i) Only the seated player for a position qualifies for the envy bonus.

(ii) Before dealing the cards, the dealer will place an envy bonus lammer for each player who has a \$5 bonus wager.

(iii) If two players have an envy bonus jackpot, the players will be paid on both hands.

(iv) The dealer's hand never qualifies for the envy bonus.

(v) The position which contains the qualifying envy bonus hand (at least a four-of-a-kind) cannot win the envy bonus.

(B) Payout odds on winning envy bonus wagers will be independent of the outcome of the dealer's hand and the following bonuses will be paid when a player wagers a minimum of \$5 on the Fortune Pai Gow bonus wager and another player's hand at the table contains a:

(i) four-of-a-kind - \$5

(ii) straight flush - \$10

(iii) royal flush - \$25

(iv) five aces - \$50

(v) Seven card straight flush with a joker - \$100

(vi) royal flush plus royal match - \$250

(vii) seven card straight flush without a joker - \$1,000

(C) A Fortune Pai Gow envy bonus wager will win if:

(i) The player makes an initial Pai Gow wager

(ii) The player makes a fortune bonus wager of a minimum of \$5, and

(iii) Another player's hand consists of at least a four-of-a-kind.

(D) A Fortune Pai Gow envy bonus wager will lose if no players have a hand consisting of at least a four-of-a-kind.

(4) Progressive:

(A) Players may participate in the optional progressive jackpot by placing a \$1 chip in the designated area. The progressive bet is considered a side wager and the dealer's hand has no bearing on the progressive bet's outcome. The player must have an original wager to make a progressive bet.

(B) The progressive jackpot will be comprised of a beginning base amount of \$1,000.

(C) The amount of the progressive jackpot will be displayed in a manner visible to players.

(D) Winning progressive bets will be paid at the rate of:

(i) If the player's hand consists of a full house, 4 to 1.

(ii) If the player's hand consists of a four-of-a-kind, 75 to 1.

(iii) If the player's hand consists of a straight flush, 100 to 1.

(iv) If the player's hand consists of a royal flush, 500 to 1.

(v) If the player's hand consists of five aces, 10 percent of the progressive jackpot.

(vi) If the player's hand consists of a seven card straight flush (with or without the joker), 100% of the progressive jackpot.

(E) A progressive bet will win if the player's hand consists of a seven card straight flush (with or without the joker), five aces, royal flush, straight flush, four-of-a-kind, or a full house.

(5) Winning progressive bets will be paid in the following manner:

(A) If the winning hand consists of a full house, four-of-a-kind, or straight flush, the table games supervisor will verify the winning hand and will verify the progressive bet was made, and direct the dealer to make the appropriate payout.

(B) If the winning hand consists of a royal flush, five aces, or a seven card straight flush (with or without the joker), the table games supervisor or higher ranking casino official will verify the winning hand and will verify the progressive bet was made. The table games supervisor or higher ranking casino official will notify the table games pit manager or higher ranking casino official. Surveillance will also be notified to verify the winning hand.

(i) The dealer will verify the deck of cards by counting down and sorting the remaining cards by suit.

(ii) Once the jackpot has been deducted from the progressive jackpot for the five aces or seven card straight flush (with or without the joker), new cards will be placed on the table and play will resume.

(iii) In the case of the seven card straight flush (with or without the joker), the meter will reset to an amount equal to the sum of \$1,000.

(iv) In the event of multiple winning progressive hands consisting of five aces or seven card straight flush (with or without joker), the jackpot will be determined by whoever receives their hand first according to the time stated on surveillance video at the lottery gaming facility.

(C) A progressive bet will lose if the player's hand consists of any combination of cards other than a seven card straight flush (with or without the joker), five aces, royal flush, straight flush, four-of-a-kind, or a full house. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-130. Shuffling and cutting cards. (a) Shuffling procedures:

(1) A shuffling machine may be used or the cards may be shuffled manually.

(2) The dealer may be required to mix the cards prior to placing them into the shuffling machine.

(3) In the event a shuffling machine is not used, the dealer will place the cards in the dealer's work area and separate the deck into two stacks. The dealer will intermix the two stacks by shuffling and otherwise mixing the stacks.

(b) Card cutting procedures:

(1) No card cutting procedures are used when using a shuffling machine. After a manual shuffle, the dealer sets the whole deck flat on the layout. The dealer will take approximately one-half of the cards from the deck and

place them on top of the cut card. The dealer will then place the remaining portion of the deck on top of the other cards. After the manual shuffle and cut, the dealer will make, starting from left and moving to the right, seven stacks containing seven cards each placed in one row in the front of the tray. The four remaining cards will be burned (removed from play without disclosing their value to any player). The stacks will be distributed to the players according to the rules of the game. The stack to the far left of the dealer is considered stack number one and will be the first set of cards delivered. The stack to the far right of the dealer is considered stack number seven and will be the last set of cards to be delivered.

(c) Dealing and taking cards:

(1) Placement of cards:

(A) Hands will be distributed to players as follows:

(i) Each position is dealt a hand without regard to the presence of a player or wager.

(ii) The hands will be distributed from right to left beginning with the position designated by the number generated by the digital meter or other electronic device, or the dealer shaking a dice cup containing two dice and determining the sum total of the dice. Positions are numbered 1 through 15, inclusive, counter-clockwise beginning with the dealer position being 1, 8, or 15, inclusive.

(B) Taking of cards

(i) After each position is dealt a hand, positions with no wagers present will be collected.

(ii) After the dealer's hand is exposed, each hand is paid, taken, pushed, or paid by the dealer from right to left. The initial Pai Gow wager is determined first then the fortune wager is paid or taken.

(iii) The dealer will collect the cards after settling each hand.

(d) After all positions, including the dealer's position, are dealt a hand, the remaining four cards will be spread as proof all hands have been properly dealt then burned. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-131. Collection and payout of bets. (a)

After the dealer's hand is exposed, each hand is paid, taken or pushed (declared a tie) by the dealer from right to left. The initial Pai Gow wager is determined first, then the Fortune Pai Gow Bonus wager is paid, taken, or pushed. After settling each hand, the cards are collected.

(1) In the event of a loss, the dealer will collect the wager and collect the cards.

(2) In the event a player forfeits his hand, the dealer will not expose the player's hand, but will collect the wager and collect the cards.

(3) In the event a player's hand consists of a losing hand versus the dealer, but is a winning Fortune Pai Gow bonus hand with a Fortune Pai Gow bonus wager, the player's initial Pai Gow wager will be collected, the Fortune Pai Gow bonus wager will be paid, and the player's cards will be collected.

(4) In the event a player's hand consists of a winning hand versus the dealer but is a losing Fortune Pai Gow bonus hand with a Fortune Pai Gow bonus wager, the player's initial Pai Gow wager will be paid, the Fortune

Pai Gow bonus wager will be collected and the player's cards will be collected.

(5) In the event a player has a winning Fortune Pai Gow bonus wager, the winning bets will be paid as follows:

(A) If the winning hand consists of a seven card straight flush with a joker, a royal flush plus royal match or consists of a seven card straight flush without a joker, the table games supervisor or higher ranking casino official will verify the winning hand and will verify the Fortune Pai Gow bonus wager was made. The table games supervisor or higher ranking casino official will notify the table games pit manager or higher ranking casino official. The lottery gaming facility surveillance department will also be notified to verify the winning hand.

(B) The dealer will verify the deck of cards by counting down and sorting the remaining cards by suit. If the dealer is unable to verify the deck of cards the table games supervisor or higher ranking casino official will determine the course of action to be taken.

(C) Unless otherwise determined by the table games supervisor or higher ranking casino official, once all verifications and notifications have been made the table games supervisor or higher ranking casino official shall direct the dealer to pay the winning player.

(D) Once the winning hand has been verified, a new deck may be placed on the table and play can resume. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-132. Irregularities of the game. (a) An exposed card does not necessarily constitute a misdeal. The dealer, upon direction from the table games supervisor or higher ranking casino official, may turn the card over and continue dealing as if the card were not exposed.

(b) A table games supervisor or higher ranking casino official will be notified of any incorrect number of cards being dealt. Depending on the situation, the table games supervisor or higher ranking casino official will determine how to proceed. Players receiving incorrect number of cards will have a dead (void) hand. If the dealer has an incorrect number of cards, the entire hand is a misdeal and the cards are dealt again.

(c) If the sensors start flashing during a round because the shuffler signaled an incorrect card count, the table games supervisor or higher ranking casino official will verify the correct number of cards is in play. If all players and the dealer have the correct number of cards, the remaining cards in the deck will be counted down. If the card count is correct (53 cards), the table games supervisor or higher ranking casino official may direct the dealer to resume play. If the card count is incorrect (any number of cards other than 53), unless otherwise directed by the table games supervisor or higher ranking casino official the hand shall be void, all players' wagers returned to them, and the deck of cards shall be replaced with a new deck of cards.

(d) It will be a misdeal if the dealer presses the start button to unload the remaining cards in the shuffle machine prior to delivering the dealer's hand. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing

(continued)

K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-133. Name of the game; rules and regulations. The Kansas lottery shall conduct a lottery facility game at the Hollywood Casino at Kansas Speedway in Kansas City, Kansas, entitled "Royal Match" beginning on or after January 1, 2012.

The rules and regulations for the game of "Royal Match" are contained in K.A.R. 111-401-133 through 111-401-137, and applicable generic rules are contained in K.A.R. 111-201-1 *et seq.* (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-134. Definitions. The following definitions when pertaining to the game of "Royal Match" shall have the following meanings unless the context clearly indicates otherwise:

(a) "A blackjack" shall mean an ace and any card having a point value of 10 dealt as the initial two cards to a player or a dealer, except that this shall not include an ace and a ten point value card dealt to a player who has split pairs.

(b) "Burn" or "burning" a card shall mean to remove a card from play.

(c) "Dealer" shall mean the person responsible for dealing the cards.

(d) "Discard rack" shall mean the receptacle into which cards are placed after each round of decisions is rendered in a game.

(e) "Hard total" shall mean the total point count of a hand which contains no aces or which contains one or more aces that are each counted as having one point in value.

(f) "Push" or "tie" shall mean the player does not lose or win the hand played.

(g) "Shoe" shall mean the receptacle into which cards are placed to be held for dealing to the players and dealer.

(h) "Soft total" shall mean the total point count of a hand containing an ace when the ace is counted as having 11 points in value. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-135. Characteristics of the game, gaming equipment and table. (a) The game of Royal Match is played on a table consisting of five to seven individual betting areas with a layout approved by the lottery.

(b) Royal Match is played on a layout similar to a blackjack layout with an additional betting area for the royal match wager.

(c) Royal Match shall be played with at least two decks of playing cards and all decks of cards shall be identical in appearance. Each deck of playing cards shall consist of 13 value cards (2, 3, 4, 5, 6, 7, 8, 9, 10, jack, queen, king, and ace) in each of four suits (hearts, spades, diamonds, and clubs). The value of the cards contained in each deck shall be as follows:

- (1) Any card from 2 to 10 shall have its face value;
- (2) Any jack, queen or king shall have a value of 10; and
- (3) An ace shall have a value of 11, unless that value would give a player or the dealer a score in excess of 21,

in which case it shall have a value of one. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-136. Wagers and payout odds. (a) Minimum and maximum wagers will be posted on a sign at each table.

(b) Maximum table payouts, if any, will be posted at each table and will not be less than the maximum bet times the maximum odds.

(c) If a player has been permitted to wager less than the table minimum, the dealer will take or pay the amount actually wagered. If a player has been permitted to wager more than the table maximum, the excess will be returned to the player and the dealer will pay the correct odds on the posted maximum amount. The player will be informed of the table minimum or maximum for subsequent wagers.

(d) A player may play two hands at double the table minimum per hand not to exceed the table maximum. A player may play three hands at five times the table minimum per hand not to exceed the table maximum. Exceptions to this rule are permitted if approved by the pit manager, casino shift manager, or higher ranking casino official.

(e) The following describes a list of permissible wagers, payout odds, and what constitutes a win, loss, or tie:

(1) Original wagers:

(A) An original wager will be made by the player prior to the first card of the hand being dealt.

(B) An additional original wager may be made as a tip for the dealer.

(C) An original wager will win if the total point value of the player's cards exceeds the total point value of the dealer's cards without exceeding a total point value of 21. In the event the player's first two cards have a total point value 21, the player will have a blackjack.

(D) An original wager will lose if the total point value of the player's cards exceeds 21 or is lower than the total point value of the dealer's cards.

(E) An original wager will tie ("push") if the total point value of the player's cards is equivalent to the total point value of the dealer's cards. A blackjack beats a hand with a total point value of 21 that uses the point value of three or more cards.

(F) When a player's hand consists of a blackjack, the winning hand will be paid out at a rate of 3 to 2. All winning original wagers, except hands consisting of a blackjack, will be paid out at the rate of 1 to 1.

(2) Insurance wager:

(A) An insurance wager is a one-time wager in an amount up to one-half of the original wager that may be taken when the dealer has an ace for his up card (the first card dealt to the dealer, which is dealt face up). An insurance wager will be made prior to the dealer looking at the hole card (the second card dealt to the dealer, which is dealt face down).

(B) An additional insurance wager may be made as a tip for the dealer.

(C) An insurance wager will win at the rate of 2 to 1 if the dealer has a blackjack.

(D) An insurance wager will lose if the dealer does not have a blackjack.

(3) Double down wager:

(A) An additional wager made by the player up to the amount of the player's original wager on the condition only one additional card will be dealt to the player. This wager can be made on any hand consisting of two cards including after splitting, except that the wager may not be made after splitting aces.

(B) An additional double down wager may be made as a tip for the dealer only if the player has made an original wager for the dealer.

(C) A double down wager will win if the total point value of the player's cards exceeds the total point value of the dealer's cards without exceeding a total point value of 21.

(D) A double down bet will lose if the total point value of the player's cards exceeds 21 or is less than the total point value of the dealer's cards.

(E) A double down bet will tie ("push") if the player's hand and the dealer's hand are of equal total point value.

(F) A winning double down bet will be paid at the rate of 1 to 1.

(4) Split wager:

(A) An additional wager made when a player's initial two cards are of the same face value provided the player makes a wager equal to the original wager. A player may split up to three times for a total of four hands. A player may double down after splitting with the exception of after splitting aces. A player will only receive one additional card after splitting aces.

(B) A split wager will win if the total point value of the player's cards exceeds the total point value of the dealer's cards without exceeding a total point value of 21.

(C) A split bet will lose if the total point value of the player's cards exceeds 21 or is less than the total point value of the dealer's cards.

(D) A split wager will tie ("push") if the player's hand and the dealer's hand are of equal total point value.

(E) A winning split wager will be paid at the rate of 1 to 1.

(F) An additional split wager may be made as a tip for the dealer only if the player has made an original wager for the dealer.

(5) Royal Match wagers:

(A) An optional Royal Match wager may be made by the player prior to the first card of the hand being removed from the shoe in an area designated for the Royal Match wager. The player must make an original blackjack wager in order to place the Royal Match wager.

(B) An additional Royal Match wager may be made as a tip for the dealer.

(C) A Royal Match wager will win if the original two cards combined are both in the same suit ("suited").

(D) A Royal Match wager will lose if the player's original two cards combined are not suited.

(E) Winning Royal Match wagers will be paid out as follows:

(i) When the player's original two cards combined are suited, the hand will be paid at a rate of 2.5 to 1.

(ii) When the player's original two cards combined are suited and consist of a king and queen, the hand will be paid at a rate of 25 to 1.

(iii) All Royal Match wagers will be taken or paid from right to left before the blackjack portion of the game continues. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-137. Play. (a) Shuffling procedures.

(1) The cards will be shuffled at various times including, but not limited to, the following circumstances:

(A) New decks are put into play,

(B) A shuffle will be performed after the completion of the hand in which the cut card appeared,

(C) The decks have been dropped or otherwise mishandled,

(D) When instructed to do so by a table games supervisor or higher ranking casino official.

(2) The shuffle may be performed manually.

(3) Alternatively, a shuffling machine may be used to shuffle the cards.

(b) Card cutting procedures:

(1) Upon completion of the shuffle, the dealer will offer the decks to a player to cut. In the event players at the table fail or refuse to perform the cut, the dealer or table games supervisor will cut the cards.

(2) On a game utilizing more than two decks of cards, the cards will be cut by inserting the cut card a minimum of approximately one deck from either end of the stack, as determined by the dealer.

(3) Once cards have been cut, the dealer will insert the cut card approximately one and one-half decks from the back of a six-deck shoe unless otherwise instructed by the table games supervisor, table games pit manager, or higher ranking casino official.

(c) Dealing and taking cards:

(1) All original wagers must be in place before the first card is dealt from the shoe.

(2) Cards are distributed to the players one at a time from left to right. The dealer distributes one card to himself face up before continuing. The dealer deals a second card to each player one at a time from left to right and deals a second card to himself face down directly under the up card.

(3) Beginning with the first player position to the left of the dealer, each player will indicate whether he wishes to stand (take no more cards) or hit (take one or more additional cards). A player will indicate he wants a hit by making a clearly visible motion with his hand. Cards will continue being distributed to the players, one at a time, receiving an additional signal from the player after each card until the player indicates his desire to stand or the player's hand exceeds a total of 21 (busts), whichever comes first. To indicate a player's wish to stand, players should motion slightly with their hands palm down toward the dealer.

(4) After all of the players have stood or broken, the hole card will be turned face up and the dealer will announce the total point value of the two cards. If any player's hand is still in action (the player has not folded or busted), the dealer will hit if the dealer holds a hand with a total point value of 16 or less or a soft 17. The dealer will stand on a hard 17 or more.

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(d) Payment of winning hands and collection of losing hands:

(1) On a player's losing hand, the dealer will remove the chips and pick up the cards for placement into the discard rack.

(2) Winning wagers will be paid and losing wagers will be collected beginning on the right and working toward the left.

(3) The winning Royal Match wagers will be paid and losing Royal Match wagers will be collected prior to the continuation of the game.

(e) Burning cards:

(1) Dealers will burn a card after completion of the shuffle; and,

(2) Dealers will burn a card upon entering a game. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-138. Name of the game; rules and regulations. The Kansas lottery shall conduct a lottery facility game at the Hollywood Casino at Kansas Speedway in Kansas City, Kansas, entitled "Craps" beginning on or after January 1, 2012.

The rules and regulations for the game of "Craps" are contained in K.A.R. 111-401-138 through 111-401-143, and applicable generic rules are contained in K.A.R. 111-201-1 *et seq.* (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-139. Object of game. The object of the "Craps" game is to play with two six-sided cubes (dice) with one (1) to six (6) spots on each face, with the sum of opposite sides of each die equaling (7) seven, giving 36 possible combinations. All odds and probabilities are calculated from this figure. Winning or losing decisions on craps are determined by the sum of the spots shown on the upward facing side of the two dice ("point value" or "total") that come to rest after being thrown by a player or "shooter." The shooter places a pass or don't pass line bet and then selects two of the five dice offered by the dealer (stickperson). The shooter throws the dice from their side of the table toward the opposite side. On the initial throw, the shooter wins, pushes, loses or establishes a point. If a point is established, the shooter continues to throw the dice until a total of seven is thrown prior to the established point, or if they choose to pass the dice. Other players at the table may also make wagers without being the shooter. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-140. Definitions. The following definitions, when used at the Hollywood Casino at Kansas Speedway in Kansas City, Kansas, when pertaining to the game of "Craps" shall have the following meanings unless the context clearly indicates otherwise:

(a) "The point" shall mean a total of 4, 5, 6, 8, 9, or 10 thrown by the shooter on the come out roll.

(b) "Come out roll" shall mean the first roll of the dice at the opening of the game and the first roll of the dice after a decision with respect to a pass bet and a don't pass bet has been effected.

(c) "Come point" shall mean a total of 4, 5, 6, 8, 9, or 10 thrown by the shooter on the next roll following placement of a come bet or don't come bet.

(d) A "stick" is a device used by the stickperson to retrieve dice.

(e) "Pucks" or "marker buttons" are round plastic cylinders that are used to mark the point. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-141. Characteristics of the game. (a) Craps is played at a large rectangular shaped table with rounded corners.

(b) A cloth covering the table has areas for all possible bets that can be made.

(c) Two dice as described in K.A.R. 111-302-2 are required to play the game.

(d) The table layout is divided in half and both halves are imprinted the same.

(e) For each half of the table open for play there is a dealer (also known as a "base dealer") and for the entire table one employee that is called the "stickperson" that is positioned at the center across from the base dealer or dealers.

(f) A Table Games Supervisor sits in between the location for the two base dealers.

(g) The players are able to play on either half of the table. If only half of the table is open for play, the players are able to play on only the open half of the table. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-142. Wagers. (a) The following shall constitute the permissible wagers at the game of craps:

(1) A "pass bet" is a wager placed on the pass line of the layout immediately prior to the come out roll. A pass bet shall win if, on the come out roll:

(A) A total of 7 or 11 is thrown; or

(B) A total of 4, 5, 6, 8, 9, or 10 is thrown and that total is again thrown before a 7 total appears.

A pass bet shall lose if, on the come out roll:

(C) A total of 2, 3, or 12 is thrown; or

(D) A total of 4, 5, 6, 8, 9, or 10 is thrown and a total of 7 subsequently appears before that total is again thrown.

(2) A "don't pass bet" is a wager placed on the don't pass line of the layout immediately prior to the come out roll. A don't pass bet shall win if, on the come out roll:

(A) A total of 2 or 3 is thrown; or

(B) A total of 4, 5, 6, 8, 9, or 10 is thrown and a total of 7 subsequently appears before that total is again thrown.

A don't pass bet shall lose if, on the come out roll:

(C) A total of 7 or 11 is thrown; or

(D) A total of 4, 5, 6, 8, 9, or 10 is thrown and that total is again thrown before a total of 7 appears.

A don't pass bet shall be void if, on the come out roll, a total of 12 is thrown.

(3) A "come bet" is a wager placed on the come line of the layout at any time after the come out roll. A come bet shall win if, on the roll immediately following placement of such bet:

(A) A total of 7 or 11 is thrown; or

(B) A total of 4, 5, 6, 8, 9, or 10 is thrown and that total is again thrown before a total of 7 appears.

A come bet shall lose if, on the roll immediately following placement of such bet:

(C) A total of 2, 3, or 12 is thrown; or

(D) A total of 4, 5, 6, 8, 9, or 10 is thrown and a total of 7 subsequently appears before that total is again thrown.

(4) A "don't come bet" is a wager placed on the don't come area of the layout at any time after the come out roll. A don't come bet shall win if, on the roll immediately following placement of such bet:

(A) A total of 2 or 3 is thrown; or

(B) A total of 4, 5, 6, 8, 9, or 10 is thrown and a total of 7 subsequently appears before that total is again thrown.

A don't come bet shall lose if, on the roll immediately following placement of such bet:

(C) A total of 7 or 11 is thrown; or

(D) A total of 4, 5, 6, 8, 9, or 10 is thrown and that total is again thrown before a total of 7 appears.

A don't come bet shall be void if, on the roll immediately following placement of such bet, a total of 12 is thrown.

(5) "Place bet to win" is a wager that may be made at any time on any of the numbers 4, 5, 6, 8, 9, or 10, which shall win if the number on which the wager was placed is thrown before a total of 7 and shall lose if a total of 7 is thrown before such number. All place bets to win, hardway bets and come odds bets shall be inactive on any come out roll unless called "on" by the player and confirmed by the dealer through placement of an "on" marker button on top of such player's wager.

(6) "Four the hardway" is a wager that may be made at any time, which shall win if a total of 4 is thrown the hardway (that is, with 2 spots appearing on each die) before a total of 4 is thrown in any other way and before a total of 7 is thrown.

(7) "Six the hardway" is a wager that may be made at any time, which shall win if a total of 6 is thrown the hardway (that is, with 3 spots appearing on each die) before a total of 6 is thrown in any other way and before a total of 7 is thrown.

(8) "Eight the hardway" is a wager that may be made at any time, which shall win if a total of 8 is thrown the hardway (that is, with 4 spots appearing on each die) before a total of 8 is thrown in any other way and before a total of 7 is thrown.

(9) "Ten the hardway" is a wager that may be made at any time, which shall win if a total of 10 is thrown the hardway (that is, with 5 spots appearing on each die) before a total of 10 is thrown in any other way and before a total of 7 is thrown.

(10) "Field bet" is a one roll wager that may be made at any time, which shall win if any one of the totals 2, 3, 4, 9, 10, 11, or 12 is thrown on the roll immediately following placement of such bet and shall lose if a total of 5, 6, 7, or 8 is thrown on such roll.

(11) "Any seven" is a one roll wager that may be made at any time, which shall win if a total of 7 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.

(12) "Any craps" is a one roll wager that may be made at any time, which shall win if a total of 2, 3 or 12 is

thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.

(13) "Craps two" is a one roll wager that may be made at any time, which shall win if a total of 2 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.

(14) "Craps three" is a one roll wager that may be made at any time, which shall win if a total of 3 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.

(15) "Craps twelve" is a one roll wager that may be made at any time, which shall win if a total of 12 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.

(16) "11" (also referred to as "Yo") is a one roll wager that may be made at any time, which shall win if a total of 11 is thrown on the next roll and shall lose if any other total is thrown.

(17) "Craps-eleven" or "C and E" is a one roll wager that may be made at any time, which shall win if either a craps (a total of 2, 3 or 12) is rolled or a total of 11 is rolled immediately following placement of such bet and shall lose if any other total is thrown.

(18) "Horn bet" is a one roll wager that may be made at any time, which shall win if any one of the totals 2, 3, 11 or 12 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.

(19) "Horn high bet" is a wager that may be made at any time, which shall win if any one of the totals 2, 3, 11, or 12 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown. A horn high bet shall be placed in wager units of five with four units wagered as a horn bet and an additional unit wagered on one of the totals 2, 3, 11, or 12. If the craps table layout does not have a designated area for the acceptance of a horn high bet, a dealer shall break down the bet into two separate wagers on the horn and one of the totals 2, 3, 11, or 12.

(20) "Whirl bet" or "world bet" is a one roll wager that may be made at any time, which bet shall consist of a horn bet and an "any seven" wager. A whirl bet shall be placed in units of five, with four units wagered on 2, 3, 11 and 12 and the fifth unit wagered as an any seven wager.

(21) "Four the hardway on the hop" is a one roll wager that may be made at any time, which shall win if a total of 4 is thrown the hardway (that is, with 2 spots appearing on each die) on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(22) "Six the hardway on the hop" is a one roll wager that may be made at any time, which shall win if a total of 6 is thrown the hardway (that is, with 3 spots appearing on each die) on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(23) "Eight the hardway on the hop" is a one roll wager that may be made at any time, which shall win if a total of 8 is thrown the hardway (that is, with 4 spots appearing on each die) on the roll immediately following place-

(continued)

ment of such bet and shall lose if any other combination is thrown.

(24) "Ten the hardway on the hop" is a one roll wager that may be made at any time, which shall win if a total of 10 is thrown the hardway (that is, with 5 spots appearing on each die) on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(25) "One-three (ace-trey) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 4 is thrown with a 1 spot appearing on one die and a 3 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(26) "One-four (ace-four) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 5 is thrown with a 1 spot appearing on one die and a 4 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(27) "Two-three (deuce-trey) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 5 is thrown with a 2 spot appearing on one die and a 3 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(28) "One-five (ace-five) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 6 is thrown with a 1 spot appearing on one die and a 5 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(29) "Two-four (deuce-four) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 6 is thrown with a 2 spot appearing on one die and a 4 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(30) "One-six (ace-six) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 7 is thrown with a 1 spot appearing on one die and a 6 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(31) "Two-five (deuce-five) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 7 is thrown with a 2 spot appearing on one die and a 5 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(32) "Three-four (trey-four) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 7 is thrown with a 3 spot appearing on one die and a 4 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(33) "Two-six (deuce-six) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 8 is thrown with a 2 spot appearing on one die and a 6 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(34) "Three-five (trey-five) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 8 is thrown with a 3 spot appearing on one die and a 5 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(35) "Three-six (trey-six) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 9 is thrown with a 3 spot appearing on one die and a 6 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(36) "Four-five on the hop" is a one roll wager that may be made at any time, which shall win if a total of 9 is thrown with a 4 spot appearing on one die and a 5 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(37) "Four-six on the hop" is a one roll wager that may be made at any time, which shall win if a total of 10 is thrown with a 4 spot appearing on one die and a 6 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(38) "Big 6" is a wager that may be made at any time on the big number 6 on the table layout, which shall win if a total of 6 is rolled before a total of 7 is rolled and shall lose if a total of 7 is thrown before a total of 6.

(39) "Big 8" is a wager that may be made at any time on the big number 8 on the table layout, which shall win if a total of 8 is rolled before a total of 7 is rolled and shall lose if a total of 7 is thrown before a total of 8.

(40) A "put bet" is a contract wager that may be made at any time on any of the numbers 4, 5, 6, 8, 9, and 10 which wins if the number on which the wager was placed is thrown before a 7 appears and loses if a 7 is thrown before such number.

(41) A "high low" bet is a one roll wager that wins if either a high (12) or low (2) is rolled and loses if any other total is thrown.

(42) "Three way craps" is a one roll wager that wins if either an ace deuce (3) or any craps (2, 3 or 12) is rolled and loses if any other total is thrown.

(43) "Fire bet" is a wager that is placed before the first point is established by a new shooter. The wager will win if 4 or more of the 6 individual points are made by the shooter. The wager will lose if the 3 or less of the 6 individual points are made by the shooter.

(b) Wagers are made before the dice are thrown but they may also be made between the time the dice leave the shooter's hand and the time the dice come to rest, provided that the wager is confirmed orally by a dealer or a table games supervisor.

(c) All wagers at craps are made using gaming chips on the appropriate area of the table layout.

(d) A wager made on any bet may be removed or reduced at any time prior to a roll that decides the outcome of such wager except that a pass line bet, come bet, and a put bet may not be removed or reduced after a come out point or come point is established with respect to such bet.

(e) A don't come bet and a don't pass bet may be removed or reduced at any time but may not be replaced or increased after such removal or reduction until a new come out roll.

(f) All place bets, hardway bets and come odds bets are inactive on any come out roll unless called "on" by the player and confirmed by the dealer through placement of an "on" marker button on the top of each player's wager. All other wagers are considered "on."

(g) The minimum and maximum wagers allowed at a table shall be posted at the table.

(h) No call bets are allowed. A "call bet" is a bet made verbally without actually placing gaming chips on the table layout.

(i) Winning payoff wagers at the game of craps are at the odds listed below:

Wager	Payout Odds
Pass Bet	1 to 1
Pass Bet odds (points of 4 and 10)	2 to 1
Pass Bet odds (points of 5 and 9)	3 to 2
Pass Bet odds (points of 6 and 8)	6 to 5
Don't Pass Bet	1 to 1
Don't Pass Bet odds (points of 4 and 10)	1 to 2
Don't Pass Bet odds (points of 5 and 9)	2 to 3
Don't Pass Bet odds (points of 6 and 8)	5 to 6
Come Bet and Put Bet	1 to 1
Come and Put Bet odds (points of 4 and 10)	2 to 1
Come and Put Bet odds (points of 5 and 9)	3 to 2
Come and Put Bet odds (points of 6 and 8)	6 to 5
Don't Come Bet	1 to 1
Don't Come Bet odds (points of 4 and 10)	1 to 2
Don't Come Bet odds (points of 5 and 9)	2 to 3
Don't Come Bet odds (points of 6 and 8)	5 to 6
Place Bet on the 4 or 10	9 to 5
Place Bet on the 5 or 9	7 to 5
Place Bet on the 6 or 8	7 to 6
Four the Hardway	7 to 1
Six the Hardway	9 to 1
Eight the Hardway	9 to 1
Ten the Hardway	7 to 1
Field Bet	1 to 1 on 3, 4, 9, 10, and 11 2 to 1 on 2 2 to 1 on 12
Any Seven	4 to 1
Any Craps	7 to 1
Craps 2	30 to 1
Craps 3	15 to 1
Craps 12	30 to 1
11 in one roll	15 to 1
Four the Hardway on the Hop	30 to 1
Six the Hardway on the Hop	30 to 1
Eight the Hardway on the Hop	30 to 1
Ten the Hardway on the Hop	30 to 1
One-Three (Ace-Trey) on the Hop	15 to 1
One-Four (Ace-Four) on the Hop	15 to 1
One-Five (Ace-Five) on the Hop	15 to 1
One-Six (Ace-Six) on the Hop	15 to 1
Two-Three (Deuce-Trey) on the Hop	15 to 1
Two-Four (Deuce-Four) on the Hop	15 to 1
Two-Five (Deuce-Five) on the Hop	15 to 1
Two-Six (Deuce-Six) on the Hop	15 to 1
Three-Four (Trey-Four) on the Hop	15 to 1
Three-Five (Trey-Five) on the Hop	15 to 1
Three-Six (Trey-Six) on the Hop	15 to 1
Four-Five on the Hop	15 to 1

Four-Six on the Hop	15 to 1
Big 6	1 to 1
Big 8	1 to 1

(j) A horn bet and horn high bet shall be paid as if they were four separate wagers on 2, 3, 11, and 12.

(k) A craps-eleven or C and E bet shall be paid as if one half of the wagered amount had been placed on "any craps" and one half on "eleven," and shall be paid as if two separate wagers were made for the one roll.

(l) A lottery gaming facility manager ("manager") may offer true odds on place bets under the following circumstances:

(1) In addition to the payout odds set forth above for place bets on 4, 5, 6, 8, 9, and 10, a manager may offer a player the option of receiving true odds on these bets (referred to as a buy bet) in return for the player paying to manager, a percentage of the amount wagered which in no event shall exceed five percent of such wager;

(2) If a true odds place bet to win is made by a player, winning wagers shall be paid as follows:

Buy Bet Made	True Odds Paid
4 to Win	2 to 1
5 to Win	3 to 2
6 to Win	6 to 5
8 to Win	6 to 5
9 to Win	3 to 2
10 to Win	2 to 1

(3) In addition to the payout odds set forth in above for lay bets to lose on 4, 5, 6, 8, 9, and 10, a manager may offer a player the option of receiving true odds on these bets in return for the player paying to manager, at the time of making the bet, a percentage of the amount wagered which in no event shall exceed five percent of such wager;

(4) Lay bets: If a lay bet is made by a player, winning wagers shall be paid as follows:

Lay Bet Made	True Odds Paid
4 to Lose	1 to 2
5 to Lose	2 to 3
6 to Lose	5 to 6
8 to Lose	5 to 6
9 to Lose	2 to 3
10 to Lose	1 to 2

(m) Supplemental wagers shall also be allowed as follows:

(1) Whenever a player makes a pass bet and a total of 4, 5, 6, 8, 9, or 10 is thrown on the come out roll, the player shall have the right to make a supplemental wager in support of the pass bet which may be limited to an amount that is equal to the amount of the original pass bet. If, in such circumstances, the pass bet wins, the original pass bet shall be paid at odds of 1 to 1 and the supplemental wager shall be paid at odds of 2 to 1 if the come out point was 4 or 10, at odds of 3 to 2 if the come out point was 5 or 9, and at odds of 6 to 5 if the come out point was 6 or 8. A player loses this supplemental wager if the pass bet loses.

(2) Whenever a player makes a don't pass bet and a total of 4, 5, 6, 8, 9, or 10 is thrown on the come out roll,

(continued)

the player shall have the right to make a supplemental wager in support of the don't pass bet which may be limited to an amount so calculated as to provide winnings not in excess of the amount originally wagered on the don't pass bet. If, in such circumstances, the don't pass bet wins, the original don't pass bet shall be paid at odds of 1 to 1 and the supplemental wager shall be paid at odds of 1 to 2 if the come out point was 4 or 10, at odds of 2 to 3 if the come out point was 5 or 9, and at odds of 5 to 6 if the come out point was 6 or 8. A player loses this supplemental wager if the don't pass bet loses.

(3) Whenever a player makes a come bet and a total of 4, 5, 6, 8, 9, or 10 is thrown on the roll immediately following placement of such bet, the player shall have the right to make a supplemental wager in support of the come bet which may be limited to an amount that is equal to the amount of the original come bet. If, in such circumstances, the come bet wins, the original come bet shall be paid at odds of 1 to 1 and the supplemental wager shall be paid at odds of 2 to 1 if the come point was 4 or 10, at odds of 3 to 2 if the come point was 5 or 9, and at odds of 6 to 5 if the come point was 6 or 8. A player loses this supplemental wager if the come bet loses.

(4) Whenever a player makes a don't come bet and a total of 4, 5, 6, 8, 9, or 10 is thrown on the roll immediately following placement of such bet, the player shall have the right to make a supplemental wager in support of the don't come bet which may be limited to an amount so calculated as to provide winnings not in excess of the amount originally wagered on the don't come bet. If, in such circumstances, the don't come bet wins, the original don't come bet shall be paid at odds of 1 to 1 and the supplemental wager shall be paid at odds of 1 to 2 if the come point was a 4 or 10, at odds of 2 to 3 if the come point was 5 or 9, and at odds of 5 to 6 if the come point was 6 or 8. A player loses this supplemental wager if the don't come bet loses.

(5) The facility manager may allow a supplemental wager in support of a pass or come bet in an amount up to 20 (twenty) times the amount of the original pass or come bet. The facility manager may allow a supplemental wager in support of a don't pass or don't come bet in an amount so calculated as to provide a winning player with winnings not in excess of up to 20 (twenty) times the amount originally wagered on the don't pass or don't come bet. The original pass, don't pass, come or don't come bet and any supplemental wager allowed pursuant to this subsection shall be paid at the same odds as the original and supplemental wagers are paid under (1) through (4) above.

(6) Whenever a player makes a put bet, the player has the right to make an additional wager in support of the bet which may be limited to an amount equal to the table minimum or maximum odds. If, in such circumstances, the bet wins, the original amount of the bet is paid at odds of 1 to 1 and the supplemental amount is paid in multiples of 2 to 1 if the come point was 4 or 10, 3 to 2 if the come point was 5 or 9, and 6 to 5 if the come point was 6 or 8.

(7) The facility manager may accept a supplemental wager that exceeds an amount that is otherwise authorized by this section or posted as the maximum wager

permitted at the table, provided that the excess amount of the supplemental wager is necessary to facilitate the payouts permitted by this section.

(n) The payout odds on a winning fire bet are as follows:

Four individual points	40 to 1
Five individual points	200 to 1
Six individual points	500 to 1

(Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-143. Play. (a) Control of the dice at a craps table is the responsibility of the stickperson at the table.

(b) The first player to accept the dice when offered shall become the shooter who shall select and retain two of the dice offered. Prior to selecting the dice, the shooter shall make a pass or don't pass bet after which the shooter shall throw the two selected dice so that they leave the shooter's hand simultaneously and in a manner calculated to cause them to strike the end of the craps table farthest from the shooter. It shall be the option of the shooter, after any roll, either to pass the dice or remain the shooter except that the shooter shall pass the dice upon throwing a losing total of 7 (this does not apply to the come out roll). The table games supervisor may order the shooter to pass the dice to another player if the shooter unreasonably delays the game, repeatedly makes invalid rolls or violates applicable rules and regulations pertaining to the game of craps.

(c) If a shooter, after making the come out point, elects not to place a pass or don't pass bet, and other wagers remain on the table with respect to come and/or don't come numbers, the craps stickperson shall offer the dice to the player immediately to the left of the previous shooter.

(d) A roll of the dice shall be invalid whenever either or both of the dice go off the table or whenever one die comes to rest on top of the other.

(e) The dealer, stickperson, or table games supervisor shall also have the authority to invalidate a roll of the dice by calling "no roll" for various reasons, including but not limited to:

(1) The dice do not leave the shooter's hand simultaneously;

(2) Either or both of the dice fail to strike an end of the table;

(3) Either or both of the dice come to rest on the chips constituting the bank of chips located in front of the table games supervisor;

(4) Either or both of the dice come to rest in the dice bowl in front of the stickperson or on one of the rails surrounding the table;

(5) The use of a cheating, crooked or fixed device or technique was used in the roll of the dice; and,

(6) For any other reason the craps dealer, stickperson, or table games supervisor considers the throw to be improper.

(f) The call of "no roll" under any applicable rules of this game shall, whenever possible, be made before both dice come to rest.

(g) "No roll" may be called in craps by a dealer, stickperson, or table games supervisor.

(h) Roll results shall be as follows: In the event either or both of the dice do not land flat on the table (for example, one edge of the die is resting cocked on a stack of chips), the dealer or table games supervisor will call the uppermost or "face up" side of the die. The dealer or table games supervisor shall have discretion to determine which face is uppermost or to order the throw be void and the dice be re-thrown. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-144. Name of the game; rules and regulations. The Kansas lottery shall conduct a lottery facility game at the Hollywood Casino at Kansas Speedway in Kansas City, Kansas, entitled "Craps Free Craps" beginning on or after January 1, 2012.

The rules and regulations for the game of "Craps Free Craps" are contained in K.A.R. 111-401-144 through 111-401-149, and applicable generic rules are contained in K.A.R. 111-201-1 *et seq.* (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-145. Object of game. The object of the "Craps Free Craps" game is to play with two six-sided cubes (dice) with one (1) to six (6) spots on each face, with the sum of opposite sides of each die equaling seven (7), giving 36 possible combinations. All odds and probabilities are calculated from this figure. Winning or losing decisions on craps are determined by the sum of the spots shown on the upward facing side of the two dice ("point value" or "total") that come to rest after being thrown by a player or "shooter." The shooter places a pass line bet and then selects two of the five dice offered by the dealer (stickperson). The shooter throws the dice from their side of the table toward the opposite side. On the initial throw, the shooter wins or establishes a point. If a point is established, the shooter continues to throw the dice until a total of seven is thrown or if the shooter chooses to pass the dice. Other players at the table may also make wagers without being the shooter. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-146. Definitions. The following definitions, when used at the Hollywood Casino at Kansas Speedway in Kansas City, Kansas, when pertaining to the game of "Craps Free Craps" shall have the following meanings unless the context clearly indicates otherwise:

(a) "Come out roll" shall mean the first roll of the dice at the opening of the game and the first roll of the dice after a decision with respect to a pass bet has been effected.

(b) "Come point" shall mean a total of 2, 3, 4, 5, 6, 8, 9, 10, 11, or 12 thrown by the shooter on the next roll following placement of a come bet.

(c) "Pucks" or "marker buttons" are round plastic cylinders that are used to mark the point.

(d) A "stick" is a device used by the stickperson to retrieve dice.

(e) "The point" shall mean a total of 2, 3, 4, 5, 6, 8, 9, 10, 11, or 12 thrown by the shooter on the come out roll.

(Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-147. Characteristics of the game. (a) Craps Free Craps is played at a large rectangular shaped table with rounded corners.

(b) A cloth covering the table has areas for all possible bets that can be made.

(c) Two dice as described in K.A.R. 111-301-8 are required to play the game.

(d) The table layout is divided in half and both halves are imprinted the same.

(e) For each half of the table open for play, there is a dealer (also known as a "base dealer") and for the entire table one employee that is called the "stickperson" that is positioned at the center across from the base dealer or dealers. Due to low business levels, the lottery gaming facility manager has the option to use only one base dealer and close one side of the table to wagers.

(f) A table games supervisor sits in between the location for the two base dealers.

(g) The players are able to play on either half of the table along the far side away from the stickperson and the base dealers. If only half of the table is open for play, the players are able to play on only the open half of the table along the far side away from the stickperson and the base dealer. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-148. Wagers. (a) The following shall constitute the permissible wagers at the game of Craps Free Craps:

(1) A "pass bet" is a wager placed on the pass line of the layout immediately prior to the come out roll. A pass bet shall win if, on the come out roll:

(A) A total of 7 is thrown; or

(B) A total of 2, 3, 4, 5, 6, 8, 9, 10, 11, or 12 is thrown and that total is again thrown before a 7 total appears.

A pass bet shall lose if, on the come out roll:

(C) A total of 2, 3, 4, 5, 6, 8, 9, 10, 11, or 12 is thrown and a total of 7 subsequently appears before that total is again thrown.

(2) A "come bet" is a wager placed on the come line of the layout at any time after the come out roll. A come bet shall win if, on the roll following placement of such bet:

(A) A total of 7 is thrown; or

(B) A total of 2, 3, 4, 5, 6, 8, 9, 10, 11, or 12 is thrown and that total is again thrown before a total of 7 appears.

A come bet shall lose if, on the roll following placement of such bet:

(C) A total of 2, 3, 4, 5, 6, 8, 9, 10, 11, or 12 is thrown and a total of 7 subsequently appears before that total is again thrown.

(3) "Place bet" is a wager that may be made at any time on any of the numbers 2, 3, 4, 5, 6, 8, 9, 10, 11, or 12 which shall win if the number on which the wager was placed is thrown before a total of 7 and shall lose if a total of 7 is thrown before such number. All place bets, hardway bets and come odds bets shall be inactive on any come out roll unless called "on" by the player and confirmed

(continued)

by the dealer through placement of an "on" marker button on top of such player's wager.

(4) "Four the hardway" is a wager that may be made at any time, which shall win if a total of 4 is thrown the hardway (that is, with 2 spots appearing on each die) before a total of 4 is thrown in any other way and before a total of 7 is thrown.

(5) "Six the hardway" is a wager that may be made at any time, which shall win if a total of 6 is thrown the hardway (that is, with 3 spots appearing on each die) before a total of 6 is thrown in any other way and before a total of 7 is thrown.

(6) "Eight the hardway" is a wager that may be made at any time, which shall win if a total of 8 is thrown the hardway (that is, with 4 spots appearing on each die) before a total of 8 is thrown in any other way and before a total of 7 is thrown.

(7) "Ten the hardway" is a wager that may be made at any time, which shall win if a total of 10 is thrown the hardway (that is, with 5 spots appearing on each die) before a total of 10 is thrown in any other way and before a total of 7 is thrown.

(8) "Field bet" is a one roll wager that may be made at any time, which shall win if any one of the totals 2, 3, 4, 9, 10, 11, or 12 is thrown on the roll immediately following placement of such bet and shall lose if a total of 5, 6, 7, or 8 is thrown on such roll.

(9) "Any seven" is a one roll wager that may be made at any time, which shall win if a total of 7 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.

(10) "Any craps" is a one roll wager that may be made at any time, which shall win if a total of 2, 3, or 12 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.

(11) "Craps two" is a one roll wager that may be made at any time, which shall win if a total of 2 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.

(12) "Craps three" is a one roll wager that may be made at any time, which shall win if a total of 3 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.

(13) "Craps twelve" is a one roll wager that may be made at any time, which shall win if a total of 12 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.

(14) An "11" (also referred to as "Yo") is a one roll wager that may be made at any time, which shall win if a total of 11 is thrown on the next roll and shall lose if any other total is thrown.

(15) "Craps-11" or "C and E" is a one roll wager that may be made at any time, which shall win if either a craps (a total of 2, 3, or 12) is rolled or a total of 11 is rolled immediately following placement of such bet and shall lose if any other total is thrown.

(16) "Horn bet" is a one roll wager that may be made at any time, which shall win if any one of the totals 2, 3, 11, or 12 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.

(17) "Horn high bet" is a wager that may be made at any time, which shall win if any one of the totals 2, 3, 11, or 12 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown. A horn high bet shall be placed in wager units of five with four units wagered as a horn bet and an additional unit wagered on one of the totals 2, 3, 11, or 12. If the craps table layout does not have a designated area for the acceptance of a horn high bet, a dealer shall break down the bet into two separate wagers on the horn and one of the totals 2, 3, 11, or 12.

(18) "Whirl bet" or "world bet" is a one roll wager that may be made at any time, which bet shall consist of a horn bet and an any seven wager. A whirl bet shall be placed in units of five, with four units wagered on 2, 3, 11, and 12 and the fifth unit wagered as an any seven wager.

(19) "Four the hardway on the hop" is a one roll wager that may be made at any time, which shall win if a total of 4 is thrown the hardway (that is, with 2 spots appearing on each die) on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(20) "Six the hardway on the hop" is a one roll wager that may be made at any time, which shall win if a total of 6 is thrown the hardway (that is, with 3 spots appearing on each die) on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(21) "Eight the hardway on the hop" is a one roll wager that may be made at any time, which shall win if a total of 8 is thrown the hardway (that is, with 4 spots appearing on each die) on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(22) "Ten the hardway on the hop" is a one roll wager that may be made at any time, which shall win if a total of 10 is thrown the hardway (that is, with 5 spots appearing on each die) on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(23) "One-three (ace-trey) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 4 is thrown with a 1 spot appearing on one die and a 3 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(24) "One-four (ace-four) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 5 is thrown with a 1 spot appearing on one die and a 4 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(25) "Two-three (deuce-trey) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 5 is thrown with a 2 spot appearing on one die and a 3 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(26) "One-five (ace-five) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 6 is thrown with a 1 spot appearing on one die and a

5 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(27) "Two-four (deuce-four) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 6 is thrown with a 2 spot appearing on one die and a 4 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(28) "One-six (ace-six) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 7 is thrown with a 1 spot appearing on one die and a 6 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(29) "Two-five (deuce-five) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 7 is thrown with a 2 spot appearing on one die and a 5 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(30) "Three-four (trey-four) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 7 is thrown with a 3 spot appearing on one die and a 4 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(31) "Two-six (deuce-six) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 8 is thrown with a 2 spot appearing on one die and a 6 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(32) "Three-five (trey-five) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 8 is thrown with a 3 spot appearing on one die and a 5 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(33) "Three-six (trey-six) on the hop" is a one roll wager that may be made at any time, which shall win if a total of 9 is thrown with a 3 spot appearing on one die and a 6 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(34) "Four-five on the hop" is a one roll wager that may be made at any time, which shall win if a total of 9 is thrown with a 4 spot appearing on one die and a 5 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(35) "Four-six on the hop" is a one roll wager that may be made at any time, which shall win if a total of 10 is thrown with a 4 spot appearing on one die and a 6 spot appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

(36) "Big 6" is a wager that may be made at any time on the big number 6 on the table layout, which shall win if a total of 6 is rolled before a total of 7 is rolled and shall lose if a total of 7 is thrown before a total of 6.

(37) "Big 8" is a wager that may be made at any time on the big number 8 on the table layout, which shall win if a total of 8 is rolled before a total of 7 is rolled and shall lose if a total of 7 is thrown before a total of 8.

(38) A "put bet" is a contract wager that may be made at any time on any of the numbers 2, 3, 4, 5, 6, 8, 9, 10, 11, or 12 which wins if the number on which the wager was placed is thrown before a 7 appears and loses if a 7 is thrown before such number.

(39) A "high low" bet is a one roll wager that wins if either a high (12) or low (2) is rolled and loses if any other total is thrown.

(40) "Three way craps" is a one roll wager that wins if either an ace deuce (3) or any craps (2, 3, or 12) is rolled and loses if any other total is thrown.

(b) Wagers are made before the dice are thrown but they may also be made between the time the dice leave the shooter's hand and the time the dice come to rest, provided that the wager is confirmed orally by a dealer or a table games supervisor.

(c) All wagers at craps free craps are made using gaming chips on the appropriate area of the table layout.

(d) A wager made on any bet may be removed or reduced at any time prior to a roll that decides the outcome of such wager except that a pass line bet, come bet, and put bet may not be removed or reduced after a come out point or come point is established with respect to such bet.

(e) All place bets, hardway bets and come odds bets are inactive on any come out roll unless called "on" by the player and confirmed by the dealer through placement of an "on" marker button on the top of each player's wager. All other wagers are considered "on."

(f) The minimum and maximum wagers allowed at a table shall be posted at the table.

(g) No call bets are allowed. A "call bet" is a bet made verbally without actually placing gaming chips on the table layout.

(h) Winning payoff wagers at the game of craps are at the odds listed below:

Wager	Payout Odds
Pass Bet	1 to 1
Pass Bet odds (points of 2 and 12)	6 to 1
Pass Bet odds (points of 3 and 11)	3 to 1
Pass Bet odds (points of 4 and 10)	2 to 1
Pass Bet odds (points of 5 and 9)	3 to 2
Pass Bet odds (points of 6 and 8)	6 to 5
Come Bet and Put Bet	1 to 1
Come and Put Bet odds (points of 2 and 12)	6 to 1
Come and Put Bet odds (points of 3 and 11)	3 to 1
Come and Put Bet odds (points of 4 and 10)	2 to 1
Come and Put Bet odds (points of 5 and 9)	3 to 2
Come and Put Bet odds (points of 6 and 8)	6 to 5
Place Bet on the 2 or 12	11 to 2
Place Bet on the 3 or 11	11 to 4
Place Bet on the 4 or 10	9 to 5
Place Bet on the 5 or 9	7 to 5
Place Bet on the 6 or 8	7 to 6
Four the Hardway	7 to 1
Six the Hardway	9 to 1
Eight the Hardway	9 to 1
Ten the Hardway	7 to 1

(continued)

Field Bet	1 to 1 on 3, 4, 9, 10, and 11 2 to 1 on 2 2 to 1 on 12
Any Seven	4 to 1
Any Craps	7 to 1
Craps 2	30 to 1
Craps 3	15 to 1
Craps 12	30 to 1
11 in one roll	15 to 1
Four the Hardway on the Hop	30 to 1
Six the Hardway on the Hop	30 to 1
Eight the Hardway on the Hop	30 to 1
Ten the Hardway on the Hop	30 to 1
One-Three (Ace-Trey) on the Hop	15 to 1
One-Four (Ace-Four) on the Hop	15 to 1
One-Five (Ace-Five) on the Hop	15 to 1
One-Six (Ace-Six) on the Hop	15 to 1
Two-Three (Deuce-Trey) on the Hop	15 to 1
Two-Four (Deuce-Four) on the Hop	15 to 1
Two-Five (Deuce-Five) on the Hop	15 to 1
Two-Six (Deuce-Six) on the Hop	15 to 1
Three-Four (Trey-Four) on the Hop	15 to 1
Three-Five (Trey-Five) on the Hop	15 to 1
Three-Six (Trey-Six) on the Hop	15 to 1
Four-Five on the Hop	15 to 1
Four-Six on the Hop	15 to 1
Big 6	1 to 1
Big 8	1 to 1

(i) A horn bet and horn high bet shall be paid as if they were four separate wagers on 2, 3, 11, and 12.

(j) A craps-eleven or C and E bet shall be paid as if one half of the wagered amount had been placed on "any craps" and one half on "eleven," and shall be paid as if two separate wagers were made for the one roll.

(k) A lottery gaming facility manager ("manager") may offer true odds on place bets under the following circumstances:

(1) In addition to the payout odds set forth in above for place bets on 2, 3, 4, 5, 6, 8, 9, 10, 11, and 12, a manager may offer a player the option of receiving true odds on these bets in return for the player paying to manager a percentage of the amount wagered which in no event shall exceed five percent of such wager;

(2) If a true odds place bet is made by a player, winning wagers shall be paid as follows:

Buy Bet made	True odds paid
2 to Win	6 to 1
3 to Win	3 to 1
4 to Win	2 to 1
5 to Win	3 to 2
6 to Win	6 to 5
8 to Win	6 to 5
9 to Win	3 to 2
10 to Win	2 to 1
11 to Win	3 to 1
12 to Win	6 to 1

(l) Supplemental wagers shall also be allowed as follows:

(1) Whenever a player makes a pass bet and a total of 2, 3, 4, 5, 6, 8, 9, 10, 11, or 12 is thrown on the come out roll, the player shall have the right to make a supplemental wager in support of the pass bet which may be limited

to an amount that is equal to the amount of the original pass bet. If, in such circumstances, the pass bet wins, the original pass bet shall be paid at odds of 1 to 1 and the supplemental wager shall be paid at odds of 6 to 1 if the come out point was 2 or 12, 3 to one if the come out point was 3 or 11, 2 to 1 if the come out point was 4 or 10, at odds of 3 to 2 if the come out point was 5 or 9, and at odds of 6 to 5 if the come out point was 6 or 8. A player loses this supplemental wager if the pass bet loses.

(2) Whenever a player makes a come bet and a total of 2, 3, 4, 5, 6, 8, 9, 10, 11, or 12 is thrown on the roll immediately following placement of such bet, the player shall have the right to make a supplemental wager in support of the come bet which may be limited to an amount that is equal to the amount of the original come bet. If, in such circumstances, the come bet wins, the original come bet shall be paid at odds of 1 to 1 and the supplemental wager shall be paid at odds of 6 to 1 if the come out point was 2 or 12, 3 to one if the come out point was 3 or 11, 2 to 1 if the come point was 4 or 10, at odds of 3 to 2 if the come point was 5 or 9, and at odds of 6 to 5 if the come point was 6 or 8. A player loses this supplemental wager if the come bet loses.

(3) The facility manager may allow a supplemental wager in support of a pass or come bet in an amount up to 20 (twenty) times the amount of the original pass or come bet. The original pass, come bet and any supplemental wager allowed pursuant to this subsection shall be paid at the same odds as the original and supplemental wagers are paid under (1) through (4) above.

(4) Whenever a player makes a put bet, the player has the right to make an additional wager in support of the bet which may be limited to an amount equal to the table minimum or maximum odds. If, in such circumstances, the bet wins, the original amount of the bet is paid at odds of 1 to 1 and the supplemental amount is paid in multiples of 6 to 1 if the come out point was 2 or 12, 3 to one if the come out point was 3 or 11, 2 to 1 if the come point was 4 or 10, 3 to 2 if the come point was 5 or 9, and 6 to 5 if the come point was 6 or 8.

(5) The facility manager may accept a supplemental wager that exceeds an amount that is otherwise authorized by this section or posted as the maximum wager permitted at the table, provided that the excess amount of the supplemental wager is necessary to facilitate the payouts permitted by this section. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-149. Play. (a) Control of the dice at a craps free craps table is the responsibility of the stickperson at the table.

(b) The first player to accept the dice when offered shall become the shooter who shall select and retain two of the dice offered. Prior to selecting the dice, the shooter shall make a pass bet after which the shooter shall throw the two selected dice so that they leave the shooter's hand simultaneously and in a manner calculated to cause them to strike the end of the craps table farthest from the shooter. It shall be the option of the shooter, after any roll, either to pass the dice or remain the shooter except that the shooter shall pass the dice upon throwing a los-

ing total of 7 (this does not apply to the come out roll). The table games supervisor may order the shooter to pass the dice to another player if the shooter unreasonably delays the game, repeatedly makes invalid rolls or violates applicable rules and regulations pertaining to the game of craps free craps.

(c) If a shooter, after making the come out point, elects not to place a pass bet, and other wagers remain on the table with respect to come numbers, the craps stickperson shall offer the dice to the player immediately to the left of the previous shooter.

(d) A roll of the dice shall be invalid whenever either or both of the dice go off the table or whenever one die comes to rest on top of the other.

(e) The dealer, stickperson, or table games supervisor shall also have the authority to invalidate a roll of the dice by calling "no roll" for various reasons, including but not limited to:

(1) The dice do not leave the shooter's hand simultaneously;

(2) Either or both of the dice fail to strike an end of the table;

(3) Either or both of the dice come to rest on the chips constituting the bank of chips located in front of the table games supervisor;

(4) Either or both of the dice come to rest in the dice bowl in front of the craps stickperson or on one of the rails surrounding the table.

(5) The use of a cheating, crooked or fixed device or technique was used in the roll of the dice; and,

(6) For any other reason the craps dealer, stickperson, or table games supervisor considers the throw to be improper.

(f) The call of "no roll" under any applicable rules of this game shall, whenever possible, be made before both dice come to rest.

(g) "No roll" may be called in craps free craps by a dealer, stickperson, or table games supervisor.

(h) Roll results shall be as follows:

(1) In the event either or both of the dice do not land flat on the table (for example, one edge of the die is resting cocked on a stack of chips), the dealer or table games supervisor will call the uppermost or "face up" side of the die. The dealer or table games supervisor shall have discretion to determine which face is uppermost or to order the throw be void and the dice be re-thrown.

(2) In the event of a dispute as to which face is uppermost or "face up," the dealer shall have discretion to determine which face is uppermost or to order the throw be void and the dice be re-thrown. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-150. Name of the game; rules and regulations. The Kansas lottery shall conduct a lottery facility game at the Hollywood Casino at Kansas Speedway in Kansas City, Kansas, entitled "Roulette" beginning on or after January 1, 2012.

The rules and regulations for the game of "Roulette" are contained in K.A.R. 111-401-150 through 111-401-154, and applicable generic rules are contained in K.A.R. 111-201-1 *et seq.* (Authorized by K.S.A. 2010 Supp. 74-8710

and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-151. Object of game. Roulette is a game of chance where a ball shall be spun by the dealer in a direction opposite to the rotation of a wheel with various numbered and colored compartments and the players make wagers based upon numbers and colors for the compartment on the wheel in which the ball will come to rest. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-152. Definitions. The following definitions, when used at the Hollywood Casino at Kansas Speedway in Kansas City, Kansas, when pertaining to the game of "Roulette" shall have the following meanings unless the context clearly indicates otherwise:

(a) "American wheel" shall mean a roulette wheel with 38 compartments containing the numbers one through thirty-six (1-36) and a zero (0) and double zero (00).

(b) "Compartment" or "slots on the roulette wheel" shall mean where the roulette ball will land to decide the outcome of the bet. The numbers of the roulette wheel are numbered from 1 to 36, with background colors alternating between red and black. The background color of the zero and double zero compartments is green.

(c) "Crown" shall mean a point marker used by the dealer to mark the corresponding number on the roulette table layout where the roulette ball has come to rest.

(d) "Croupier" or "dealer" shall mean a person in charge of the roulette game. This person handles the wagers and payouts and spins the roulette wheel and ball.

(e) "Inside bets" shall mean the following types of wagers:

(1) One number (straight bet)

(2) Two numbers (split bet)

(3) Three numbers (street bet)

(4) Four numbers (corner bet)

(5) First five numbers

(6) Six numbers (line bet)

(7) Courtesy line

(f) "No more bets" shall mean that a dealer waves one hand over the layout prior to the roulette ball coming to rest in a compartment on the wheel and that no more bets will be accepted on the roulette layout.

(g) "No spin" shall mean when a dealer states the spin is void because of an irregularity in the spin.

(h) "Non-value chips" shall mean gaming chips of various colors that have no value amount imprinted on them. The value of these chips is established with the dealer by the player before any betting takes place on the roulette layout. Each player receives chips of a different color, thus eliminating possible confusion of which player placed the bet.

(i) "Outside bets" shall mean the following types of wagers:

(1) Twelve numbers (column bet)

(2) Twelve numbers (dozen bet)

(3) Red or black

(4) Even or odd

(5) Low or high numbers

(continued)

(j) "Value chips" shall mean gaming chips that have specific dollar denominations imprinted on them, which chips may be redeemed by a player for cash from the lottery gaming facility manager. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-153. Wagers. (a) All wagers (or "bets") at roulette shall be made by placing value gaming chips or non-value gaming chips on the appropriate areas of the roulette layout. No verbal wagers or cash may be accepted by the dealer as a wager on the table. Value chips issued by the lottery gaming facility manager and used on other table games within the lottery gaming facility, may be accepted for any round of play. Multiple players will be allowed to wager value chips of the same denomination on outside wagers (wagers on the gaming table layout located on the perimeter of the layout closest to the players).

(b) Non-value chips issued by the dealer on a roulette table have no value off the table and may not be taken off the table to be exchanged for value cash chips or cash. Non-value chips may only be redeemed at the table at which they were originally purchased. Each roulette table shall have non-value chips that are of a different design from chips at any other roulette table at the lottery gaming facility. Non-value chips shall only be used and redeemed at the roulette table where issued. The lottery gaming facility manager may limit or prohibit the use of value chips at any roulette table.

(c) Each player shall be responsible for the correct positioning of their wager on the roulette layout regardless of whether the player is assisted by the dealer. Each player shall be responsible for ensuring that instructions given to the dealer regarding the placement of a wager are correctly carried out.

(d) Each wager shall be settled strictly in accordance with its position on the layout when the ball falls to rest in a compartment of the wheel.

(e) The permissible wagers in the game of roulette shall be:

(1) "Straight bet" (one number) is a wager that the roulette ball will come to rest in the compartment of the roulette wheel that corresponds to a single number selected by the player. The player shall select a number by placing a wager within the box on the roulette layout that contains the selected number.

(2) "Split bet" (two numbers) is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to either of two numbers selected by the player. The player shall select the numbers by placing a wager on the line between the two boxes on the roulette layout that contain the two selected numbers, except that a split wager on "0" and "00" may also be placed on the line between the "2nd 12" and the "3rd 12" boxes.

(3) "Street bet" (three numbers) is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any of three numbers in a single row on the roulette layout selected by the player. The player shall select a row of numbers by placing a wager on the outside line of the box on the roulette layout that contains the first number in the selected row.

(4) "Three numbers" shall also include a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of the three numbers contained in one of the following groups of numbers: (0,1,2) (0,2,00) or (00,2,3). The player shall select one of the "three numbers" wagers by placing a wager on the common corner of the three boxes containing the selected numbers.

(5) "Corner bet" (four numbers) is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of four numbers in contiguous boxes on the roulette layout selected by the player. The player shall select the four numbers by placing a wager on the common corner of the four boxes containing the selected numbers.

(6) "Top line bet" (also called "first five numbers bet") is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any of the numbers "0," "00," "1," "2," or "3." The player shall bet the "first" of the boxes on the roulette layout that contains the label "1st 12" and the numbers "0" and "1."

(7) "Line bet" (six numbers) is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of six numbers contained in two contiguous rows of numbers on the roulette layout selected by the player. The player shall select the two rows of numbers by placing a wager on the outside common corner of the boxes on the roulette layout that contains the first number in each of the rows being selected.

(8) "Column bet" (12 numbers) is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any of 12 numbers contained in a single column on the roulette layout selected by the player. The player shall select a column of 12 numbers by placing a wager in the box on the roulette layout that is at the bottom of the column being selected.

(9) "Dozen bet" (12 numbers) is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any of 12 consecutive numbers from 1 through 12, 13 through 24, or 25 through 36 selected by the player. The player shall select the 12 numbers by placing a wager in the box on the roulette layout labeled "1st 12" (1 through 12) "2nd 12" (13 through 24), or "3rd 12" (25 through 36).

(10) "Red" is a wager that the roulette ball will come to rest in any compartment with a red background on the roulette wheel. The player shall bet on "red" by placing a wager within the red box on the roulette layout used for such wagers.

(11) "Black" is a wager that the roulette ball will come to rest in any compartment with a black background on the roulette wheel. The player shall bet on "black" by placing a wager within the black box on the roulette layout used for such wagers.

(12) "Odd" is a wager that the roulette ball will come to rest in any compartment of the roulette wheel that corresponds to any "odd" number. The player shall bet on an "odd" by placing a wager within the box on the roulette layout that is labeled "odd."

(13) "Even" is a wager that the roulette ball will come to rest in any compartment of the roulette wheel that corresponds to any "even" number. The player shall bet on an "even" by placing a wager within the box on the roulette layout that is labeled "even."

(14) "1 to 18" is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any of 18 consecutive numbers from 1 through 18. The player shall bet on "1 to 18" by placing a wager within the box on the roulette layout that is labeled "1 to 18." This is also referred to as a "low" bet.

(15) "19 to 36" is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any of 18 consecutive numbers from 19 through 36. The player shall bet on "19 to 36" by placing a wager within the box on the roulette layout that is labeled "19 to 36." This is also referred to as a "high" bet.

(f) The maximum and minimum bets will be set by the lottery gaming facility manager and be posted on the game table at the time the game is operating.

(g) The odds paid for winning wagers for roulette shall be:

Bet made	Payout Odds
Straight	35 to 1
Split	17 to 1
Street	11 to 1
Three numbers	11 to 1
Corner	8 to 1
Top line	6 to 1
Line	5 to 1
Column	2 to 1
Dozen	2 to 1
Red	1 to 1
Black	1 to 1
Odd	1 to 1
Even	1 to 1
1 to 18	1 to 1
19 to 36	1 to 1

(Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-154. Play. (a) The roulette ball shall be spun by the dealer in a direction opposite to the rotation of the wheel and shall complete at least three (3) revolutions around the track of the wheel to constitute a valid spin.

(b) Prior to the ball coming to rest in a compartment, the dealer shall wave a hand over the table layout.

(c) Upon the ball coming to rest in a compartment, the dealer shall announce the number of such compartment and shall place a crown on that number on the roulette table layout.

(d) After placing the crown on the layout, the dealer shall first collect all losing wagers and then pay off all winning wagers.

(e) Irregularities necessitating a call of "no spin" and a subsequent re-spin of the ball shall be as follows:

(1) If the ball is spun in the same direction as the wheel, the dealer shall state "no spin" and shall attempt to remove the roulette ball from the wheel prior to its coming to rest in one of the compartments.

(2) If the roulette ball does not complete three (3) revolutions around the track of the wheel, the dealer shall announce "no spin" and shall attempt to remove the ball from the wheel prior to its coming to rest in one of the compartments.

(3) If a foreign object enters the wheel prior to the ball coming to rest, the dealer shall announce "no spin" and shall attempt to remove the ball from the wheel prior to its coming to rest in one of the compartments.

(4) If for any reason the dealer attempts to remove the ball from the wheel prior to it coming to rest in one of the compartments but fails to remove the ball before it comes to rest in one of the compartments, the spin is invalid.

(5) If the ball leaves the wheel prior to the ball coming to rest, the dealer shall announce "no spin." The ball shall be recovered and inspected by the pit supervisor for any damage or tampering before being placed back into the wheel. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-155. Name of the game; rules and regulations. The Kansas lottery shall conduct a lottery facility game at the Hollywood Casino at Kansas Speedway in Kansas City, Kansas, entitled "Mini-Baccarat" beginning on or after January 1, 2012. The rules and regulations for the game of "Mini-Baccarat" are contained in K.A.R. 111-401-155 through 111-401-166, and applicable generic rules are contained in K.A.R. 111-201-1 *et seq.* (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-156. Definitions. The following definitions shall apply to the "Mini-Baccarat" game:

(a) "Banker's hand" means the name of the hand given to the hand dealt on the gaming table layout designated for the banker.

(b) "Betting circle" or "wagering circle" means the circular area designated on the gaming table layout for the placement of bets by players.

(c) "Cut card" is the blank card inserted by the dealer into the stack of playing cards that divides the stack of cards into two portions.

(d) "Deck of playing cards" or "cards" means a standard deck of playing cards consisting of four different suits in each of the following 13 cards in rank order from highest to lowest: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3, and 2. No jokers shall be included in a deck of cards. The suits of all playing cards in this game (hearts, diamonds, clubs, and spades) are irrelevant.

(e) "Player's hand" means the name of the hand given to the hand dealt on the gaming table layout designated for the player. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-157. How to play. (a) Mini-Baccarat is played with eight decks of 52 standard playing cards. The players may place a wager on either the banker hand, the player's hand, dragon bonus bet, or on a tie between the player's and the banker's hand.

(continued)

(b) Two cards are dealt to each hand. The player side will act on its hand first. The winning hand is the one with the point count closest to nine, after all cards are dealt. A third card may be drawn by either side subject to the rules herein. Neither the player side nor the banker side will ever have more than three cards.

(c) Each "10" card, the sum of cards totaling 10, and the jack, queen and king card all count as zero points. Aces count only as one point, and numbered cards 2, 3, 4, 5, 6, 7, 8, and 9 count as their respective face value. If the point count total is a two digit number, only the last digit is utilized when determining the hand with a point count closest to a total of nine. By way of example: 5+7=12 but counts as 2; king + 7 = 17 but counts as 7; ace + king + 7 = 18 but counts as 8.

(d) If either the player or the banker have a total point count of 8 or 9 on the first two cards, no further cards are drawn, the hand totaling 8 or 9 is declared a "natural," and unless there is a tie the hand totaling 8 or 9 is announced the winner.

(e) If the player's hand has a point count total of 5 or less, a third card will be drawn unless the banker wins with a natural.

(f) If a player does not draw a third card, then the banker hand stands on a hand having a point count total of 6 or more and takes a third card on a hand having a point count total of 5 or less.

(g) If the player does draw a third card, then the banker's hand draws according to the third card rules of Mini-Baccarat.

(h) The highest point count closest to 9 wins the hand, and if both hands are equal the hand shall be declared a push (tie).

(i) The banker's hand and the player's hand are names given to the opposing wager boxes.

(j) The banker and player hands are even money bets that pay odds of 1 to 1.

(k) There is an optional tie bet that pays odds of 8 to 1. The tie bet is a separate bet wagered before the cards are dealt.

(l) A commission (vigorish) shall be collected on each winning banker hand, which commission shall be equal to five percent of the amount wagered on that winning banker hand. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-158. Wagers. (a) Minimum and maximum wagers shall be posted at each table. Any player that makes a wager that is less than the table minimum and not discovered prior to the dealing of cards will be allowed to play that hand and be paid based upon the actual wager made, but the player will be informed by the table games supervisor of the table minimums and the player must wager at least the minimum on all subsequent hands. Any player that makes a wager that is more than the table maximum and not discovered prior to dealing of cards will have the excess of that wager returned to the player and the player will be paid at the correct odds on the correct wager. The player will be informed of the table maximum for subsequent wagers.

(b) Verbal wagers accompanied by cash are not accepted and no cash may be used to make a wager.

(c) All wagers at Mini-Baccarat shall be made by placing gaming chips on the banker, player, dragon bonus bet or tie areas corresponding to the player's position at the table.

(1) Wagers from non-seated players will be allowed.

(2) The seated player will wager first. Table limits will apply to the total amount wagered in one wagering position by the seated and non-seated player(s).

(3) The commission shall be collected at the conclusion of each hand of play.

(4) The seated player must place a wager with his or her own chips before any cards are dealt.

(5) A seated player and a non-seated player can only wager on one player position at a time. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-159. Third card rule. Based upon the first two cards dealt, the player and banker shall follow the following rules regarding the third card dealt to each (the "third card rule"):

(a) Player rules

When First Two Cards Total:	Third Card Rule
0-1-2-3-4-5	Draw a card
6-7	Stands
8-9	Stands (natural, bank does not draw)

(b) Banker rules

When Banker's First Two Cards Total:	Draw When Player's Third Card Is:	Does Not Draw When Player's Third Card Is:
0-1-2	Always draws*	
3	0-1-2-3-4-5-6-7-9	8
4	2-3-4-5-6-7	1-8-9-10
5	4-5-6-7	1-2-3-8-9-10
6	6-7	1-2-3-4-5-8-9-10
7		Stands
8-9		Stands (natural, player cannot draw)

*Unless player shows a natural 8 or 9 (a total of 8 or 9 points in the first two cards dealt).

If the player draws no cards, the banker must draw on hands having a total point count value of 0, 1, 2, 3, 4, and 5 and stand on hands having a total point count value of 6 or 7. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-160. Payout odds and commissions. (a) A winning wager made on the player's hand shall be paid off at the odds of 1 to 1.

(b) A winning hand for the banker shall be paid at the odds of 1 to 1 except that a five percent (5%) commission for the casino shall be extracted on the amount won.

(c) The procedure for collecting the five percent (5%) commission on winning banker bets is as follows:

(1) The dealer is responsible for collecting the five percent (5%) commission;

(2) All bets will be determined to have won or lost before the five percent (5%) commission is collected.

(3) All commissions must be clearly displayed by the dealer.

(4) Commissions are collected prior to the start of the next round. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-161. Irregularities. During the course of a game, if a card is accidentally exposed, the following procedures must be observed:

(a) A card drawn and exposed before or after a completed hand is dealt will not be used in play of the game. At the direction of the table games supervisor or higher ranking casino official, the card drawn in error will be held aside. The current hand will continue to completion. The table games supervisor will announce to the players that the next hand will be a non-wagering hand and all bets will be removed from the betting areas. The non-wagering hand will proceed with the first player card (the exposed card from previous hand) being placed in the correct position for the player hand. Dealing will continue and be completed under the standard rules of Mini-Baccarat.

(b) A third card dealt to the players hand when no third card is authorized shall become the third card of the banker's hand if the banker's hand is required to draw. If the banker's hand is required to stay, the disclosed card will be utilized as the first card of a non-wagering hand as described in subsection (a) above.

(c) Any card drawn from the shoe in error (a card not required to be used in the current hand in play), if not exposed, shall be used as the first card of the next hand in play. If the card has been exposed, the non-wagering hand procedure as described in subsection (a) above shall be implemented.

(d) When a new dealer begins dealing in a game already in progress, the dealer will not burn (discard) a card. If a card is burned, that card will be used as the first card of a non-wagering hand as described in subsection (a) above.

(e) If there are insufficient cards remaining in the shoe to complete the round of play, that round shall be void. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-162. Card shuffle. (a) A card shuffler machine and cut card shall be utilized for the game of Mini-Baccarat, except as set forth in (c) below. All cards shall be shuffled and the cut card inserted before commencement of dealing the cards.

(b) When opening a game and/or replacing cards in a game, the new cards must be manually shuffled before insertion into a shuffle machine for the first load only.

(c) In the event that the shuffle machine is inoperable or otherwise unavailable, the cards will be shuffled manually.

(d) After the cards are placed into the shoe, the dealer will draw the first card out of the shoe (the "burn card"), turn it face up on the table, and continue to draw from the shoe, face down, the number of cards equal to the point value of the burn. All cards drawn are discarded (burned). (Authorized by K.S.A. 2010 Supp. 74-8710 and

74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-163. Dealing and calling the game. (a) At the commencement of each round of play, the dealer may announce, "All bets down, no more bets, please" or words of like effect.

(b) The dealer will draw four cards from the shoe face down. The first and third card shall represent the player's hand and will be placed in the appropriate area on the layout. The second and fourth cards drawn shall represent the banker hand and shall be placed on the appropriate area of the layout.

(c) The dealer shall turn over the cards and call the player's hand announcing the total point value of the player's hand.

(d) After calling the player's hand, the dealer will move the banker's hand to the appropriate area on the layout. The dealer will turn over and call the banker's hand, announcing the total point value of the banker's hand.

(e) If either the player's hand or the banker's hand shows a natural 8 or 9, the dealer shall announce, "Player (or banker) wins, natural 8 or 9 over (the losing total)" or words of like effect.

(f) In the event of a tie, the dealer will announce that it is a tie hand and the total point value of the cards in each hand.

(g) If the player is to receive a third card according to the rules of Baccarat, the dealer will announce, "Draw or card for the player" or words of like effect. The dealer then draws a card for the player's hand, turns it over and places it perpendicular and to the right of the player's previous cards. At this time, the dealer announces the total point value of the player's cards.

(h) If the banker hand is required to draw a card according to the rules of Mini-Baccarat, the dealer will announce, "Draw or card for the banker" or words of like effect. The dealer then draws a card for the banker, turns it over and places it perpendicular and to the left of the previous banker's cards. At this time the dealer announces, "Banker (or player) wins" or words of like effect, announcing the winning total over the losing total.

(i) The dealer continues the game until the cut card appears, at which time it will be placed near the discard card/discard rack.

(j) When the cut card appears during a hand, the dealer will announce, "This is the next to the last hand" or words of like effect. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-164. Picking hands up. The dealer will pick up the player hand first, starting with the player hand's third card (if present), then pick up the banker hand last. This will allow the order of the cards drawn to be recreated in the order dealt, if necessary. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-165. Dealer tip policies. (a) A player may place a bet for the dealer on the player or banker.

(continued)

(b) Winning tips may not be parlayed (bet on a subsequent wager).

(c) When a player bet loses, the tip bet also loses.

(d) When paying a winning tip bet, the player's bet will always be paid first.

(e) A winning tip bet can ride at the request of the player, but the winning half must be accepted.

(f) All pushes (ties) will play again, unless the player decides otherwise.

(g) Commissions will not be charged on winning dealer tip bets.

(h) Dealer tips are placed near the player's wager. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

111-401-166. Dragon bonus bet. (a) The dragon bonus bet is an optional side bet with a separate pay table. The pay table shall be posted on the Mini-Baccarat table.

(b) Rules for the optional dragon bonus bet are as follows:

(1) Players must make a standard mini-baccarat wager in order to make a dragon bonus bet.

(2) Dragon bonus bets must be placed within the designated betting area on the game table.

(c) Payouts on the dragon bonus for natural hands shall be as follows:

(1) Natural winners pay 1 to 1;

(2) Natural pushes (ties) neither win nor lose;

(d) Payouts on the dragon bonus for non-natural winning hands shall be as follows:

(1) A hand winning by a total point count of 9 pays odds of 30 to 1;

(2) A hand winning by a total point count of 8 pays odds of 10 to 1;

(3) A hand winning by a total point count of 7 pays odds of 6 to 1;

(4) A hand winning by a total point count of 6 pays odds of 4 to 1;

(5) A hand winning by a total point count of 5 pays odds of 2 to 1.

(6) A hand winning by a total point count of 4 pays odds of 1 to 1.

(e) Procedures for the dragon bonus bet shall be as follows:

(1) Players must make the standard mini-baccarat wager and, if desired, the optional dragon bonus bet before the dealer reveals any of the cards.

(2) The dealer will collect and pay standard wagers first, and then the optional dragon bonus bet of each player before moving to the next player position.

(f) A commission shall not be charged on winning dragon bonus bets. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011.)

Dennis Wilson
Executive Director

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INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2011 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-9-5a	New (T)	V. 30, p. 983
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1-64-1	Revoked	V. 31, p. 171
1-65-1	New	V. 30, p. 44
1-66-1	New	V. 30, p. 44
1-66-2	New	V. 30, p. 45
1-66-3	New	V. 30, p. 45
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1-68-1	New	V. 30, p. 45
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AGENCY 4: DEPARTMENT OF AGRICULTURE

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4-1-5	Amended	V. 30, p. 635
4-1-6	Revoked	V. 30, p. 636
4-1-8	Revoked	V. 30, p. 636
4-1-9	Amended	V. 30, p. 636
4-1-9a	New	V. 30, p. 636

4-1-9b	New	V. 30, p. 637
4-1-11	Revoked	V. 30, p. 637
4-1-13	Amended	V. 30, p. 637
4-1-14	Amended	V. 30, p. 637
4-1-17	Amended	V. 30, p. 638
4-3-47	Amended (T)	V. 30, p. 25
4-3-47	Amended	V. 30, p. 411
4-3-48	Revoked	V. 30, p. 411
4-3-49	Amended	V. 30, p. 1179
4-3-50	Amended	V. 30, p. 411
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5-16-1	Amended	V. 30, p. 1629
5-16-3	Amended (T)	V. 30, p. 1237
5-16-3	Amended	V. 30, p. 1629
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5-16-5	Amended	V. 30, p. 1630
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14-10-7 through 14-10-10	Revoked	V. 31, p. 13
14-10-11	Amended	V. 31, p. 13
14-10-12 through 14-10-15	Revoked	V. 31, p. 13
14-10-16	Amended	V. 31, p. 13
14-10-17	New	V. 31, p. 14
14-10-18	New	V. 31, p. 14
14-13-12	Amended	V. 30, p. 1023

AGENCY 19: GOVERNMENTAL ETHICS COMMISSION

Reg. No.	Action	Register
19-22-1	Amended	V. 30, p. 92
19-23-1	Amended	V. 30, p. 92
19-30-4	Revoked	V. 30, p. 92

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-1-1	Amended	V. 30, p. 46
22-1-2	Amended	V. 30, p. 46
22-1-3	Amended	V. 30, p. 46
22-8-13	Amended	V. 30, p. 47
22-10-3	Amended	V. 30, p. 47
22-11-6	Revoked	V. 30, p. 48
22-11-8	Amended	V. 30, p. 48
22-15-7	Revoked	V. 30, p. 49
22-18-3	Amended	V. 30, p. 49
22-19-2	Amended	V. 30, p. 1024
22-19-3	Revoked	V. 30, p. 1025
22-19-5	Amended	V. 30, p. 1025

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-1-1	Amended	V. 30, p. 915
26-1-5	Amended	V. 30, p. 916

26-1-6	Amended	V. 30, p. 916
26-1-7	Revoked	V. 30, p. 917
26-1-8	New	V. 30, p. 917
26-2-3	Amended	V. 30, p. 917
26-2-9	Revoked	V. 30, p. 918
26-2-10	New	V. 30, p. 919
26-3-1	Amended	V. 30, p. 920
26-3-4	Revoked	V. 30, p. 921
26-4-1	Amended	V. 30, p. 921
26-4-6		
through		
26-4-15	Revoked	V. 30, p. 921
26-4a-1	Revoked	V. 30, p. 921
26-4a-2	New	V. 30, p. 921
26-5-2		
through		
26-5-10	Revoked	V. 30, p. 922
26-8-2	Amended	V. 30, p. 922
26-8-5	Amended	V. 30, p. 922
26-8-8	Amended	V. 30, p. 922
26-9-1	Amended	V. 30, p. 922
26-11-1		
through		
26-11-3	Revoked	V. 30, p. 923
26-42-103	New	V. 30, p. 1349

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-27	New	V. 30, p. 111
28-1-30	New	V. 30, p. 369
28-1-31	New	V. 30, p. 370
28-1-32	New	V. 30, p. 370
28-4-93	New	V. 31, p. 80
28-4-113	Amended	V. 31, p. 80
28-4-114	Amended	V. 31, p. 81
28-4-114a	New	V. 31, p. 83
28-4-115	Amended	V. 31, p. 83
28-4-115a	New	V. 31, p. 85
28-4-116	Amended	V. 31, p. 86
28-4-116a	New	V. 31, p. 87
28-4-120	Revoked	V. 31, p. 88
28-4-121	Revoked	V. 31, p. 88
28-4-428a	New	V. 31, p. 88
28-4-440	Amended	V. 31, p. 89
28-16-28g	Amended	V. 30, p. 1023
28-19-645a	New (T)	V. 30, p. 232
28-19-645a	New	V. 30, p. 1181
28-29-1a	New	V. 30, p. 1541
28-31-1	Revoked	V. 30, p. 414
28-31-2	Revoked	V. 30, p. 414
28-31-3	Revoked	V. 30, p. 414
28-31-4	Amended	V. 30, p. 414
28-31-5	Revoked	V. 30, p. 415
28-31-6	Amended	V. 30, p. 415
28-31-7	Revoked	V. 30, p. 415
28-31-8	Revoked	V. 30, p. 415
28-31-8b	Revoked	V. 30, p. 415
28-31-9	Revoked	V. 30, p. 415
28-31-10	Amended	V. 31, p. 196
28-31-12	Amended	V. 30, p. 416
28-31-13	Amended	V. 30, p. 417
28-31-14	Revoked	V. 30, p. 417
28-31-15	Revoked	V. 30, p. 417
28-31-16	Revoked	V. 30, p. 417
28-31-100	New	V. 30, p. 417
28-31-100a	New	V. 30, p. 418
28-31-100d	New	V. 30, p. 418
28-31-100e	New	V. 30, p. 419
28-31-100f	New	V. 30, p. 420
28-31-100p	New	V. 30, p. 420
28-31-100q	New	V. 30, p. 420
28-31-100r	New	V. 30, p. 420
28-31-100s	New	V. 30, p. 421
28-31-124	New	V. 30, p. 422
28-31-124a	New	V. 30, p. 423
28-31-124b	New	V. 30, p. 423
28-31-124c	New	V. 30, p. 423
28-31-124d	New	V. 30, p. 424
28-31-124e	New	V. 30, p. 424
28-31-260	New	V. 30, p. 425
28-31-260a	New	V. 30, p. 426
28-31-261	New	V. 30, p. 426
28-31-261a	New	V. 30, p. 427
28-31-262	New	V. 30, p. 427
28-31-262a	New	V. 30, p. 427
28-31-263	New	V. 30, p. 428
28-31-263a	New	V. 30, p. 429
28-31-264	New	V. 30, p. 429

28-31-264a	New	V. 30, p. 431
28-31-265	New	V. 30, p. 432
28-31-265a	New	V. 30, p. 433
28-31-266	New	V. 30, p. 433
28-31-267	New	V. 30, p. 434
28-31-267a	New	V. 30, p. 434
28-31-268	New	V. 30, p. 434
28-31-270	New	V. 30, p. 434
28-31-270a	New	V. 30, p. 435
28-31-273	New	V. 30, p. 436
28-31-279	New	V. 30, p. 436
28-31-279a	New	V. 30, p. 437
28-34-126	New (T)	V. 30, p. 1000
28-34-126	New	V. 30, p. 1471
28-34-127	New (T)	V. 30, p. 1000
28-34-127	New	V. 30, p. 1472
28-34-129		
through		
28-34-144	New (T)	V. 30, p. 1000-1006
28-34-129		
through		
28-34-144	New	V. 30, p. 1472-1478
28-35-135l	Amended	V. 30, p. 195
28-35-135t	Amended	V. 30, p. 196
28-35-135w	Amended	V. 30, p. 197
28-35-175a	Amended	V. 30, p. 198
28-35-178b	Amended	V. 30, p. 198
28-35-178e	Amended	V. 30, p. 200
28-35-178j	Amended	V. 30, p. 201
28-35-180b	Amended	V. 30, p. 201
28-35-181a	Amended	V. 30, p. 203
28-35-181e	Revoked	V. 30, p. 203
28-35-181j	Amended	V. 30, p. 203
28-35-181m	Amended	V. 30, p. 204
28-35-181o	Amended	V. 30, p. 205
28-35-192b	Amended	V. 30, p. 206
28-35-192c	Amended	V. 30, p. 206
28-35-192d	Revoked	V. 30, p. 207
28-35-192e	Amended	V. 30, p. 207
28-35-192g	Amended	V. 30, p. 207
28-35-194a	Amended	V. 30, p. 207
28-35-212a	Amended	V. 30, p. 208
28-35-216a	Amended	V. 30, p. 209
28-35-225b	New	V. 30, p. 210
28-35-231c	Amended	V. 30, p. 210
28-35-242	Amended	V. 30, p. 210
28-35-264	Amended	V. 30, p. 210
28-35-334	Amended	V. 30, p. 211
28-35-346	Amended	V. 30, p. 212
28-35-411	Amended	V. 30, p. 212
28-35-600		
through		
28-35-608	New	V. 31, p. 90-93
28-38-18	Amended	V. 30, p. 1346
28-39-169a	Amended	V. 30, p. 1346
28-39-169b	Amended	V. 30, p. 1347
28-39-169c	Amended	V. 30, p. 1348
28-53-1	Amended	V. 30, p. 463
28-53-2	Amended	V. 30, p. 463
28-53-4	Amended	V. 30, p. 463
28-54-1		
through		
28-54-5	Amended	V. 31, p. 280-282
28-61-2	Amended	V. 30, p. 336
28-61-3	Amended	V. 30, p. 337
28-61-4	Amended	V. 30, p. 337

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-22	Amended	V. 30, p. 722
40-1-37	Amended	V. 30, p. 193
40-3-33	Revoked	V. 30, p. 232
40-4-42c	Amended	V. 31, p. 170
40-5-7	Revoked	V. 31, p. 114
40-10-16	New	V. 30, p. 556

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-5-115	Amended	V. 31, p. 301
44-9-101	Amended	V. 31, p. 302
44-9-105	Amended	V. 31, p. 303
44-9-107	New	V. 31, p. 304
44-9-501		
through		
44-9-504	New	V. 31, p. 304, 305
44-11-111	Amended	V. 31, p. 193
44-11-113	Amended	V. 31, p. 194

44-11-119	Amended	V. 31, p. 195
44-11-121	Amended	V. 31, p. 195
44-11-123	Amended	V. 31, p. 195
44-11-127	Amended	V. 31, p. 195
44-11-129	Amended	V. 31, p. 196
44-11-132	Amended	V. 31, p. 196

AGENCY 45: PRISONER REVIEW BOARD

Reg. No.	Action	Register
45-100-1	Revoked	V. 31, p. 306
45-500-1		
through		
45-500-4	Revoked	V. 31, p. 306

AGENCY 51: DEPARTMENT OF LABOR—DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-3-8	Amended	V. 30, p. 1649
51-7-8	Amended	V. 30, p. 1541
51-9-7	Amended	V. 30, p. 1577

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-6	Amended	V. 30, p. 1215
63-4-1	Amended	V. 30, p. 1215
63-6-2	Amended	V. 30, p. 1215
63-6-3	Amended	V. 30, p. 1216
63-7-1	Amended	V. 30, p. 1216
63-7-2	Amended	V. 30, p. 1217
63-7-6	Amended	V. 30, p. 1217
63-7-7	Amended	V. 30, p. 1217
63-7-9	New	V. 30, p. 1218
63-7-10	New	V. 30, p. 1218
63-7-11	New	V. 30, p. 1218

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-7-1	Amended	V. 30, p. 1681
66-9-7	Amended	V. 30, p. 1681
66-10-1	Amended	V. 30, p. 1681
66-10-3	Amended	V. 30, p. 1681
66-12-1	Amended	V. 30, p. 1681

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-2-22	Amended	V. 30, p. 537
68-20-10a	Amended	V. 30, p. 538
68-20-24	New (T)	V. 30, p. 357
68-20-25	New (T)	V. 30, p. 357
68-20-26	New (T)	V. 30, p. 357
68-20-27	New (T)	V. 30, p. 357
68-20-28	New (T)	V. 30, p. 635
68-20-29	New (T)	V. 30, p. 635
68-21-2	Amended	V. 30, p. 370
68-22-1		
through		
68-22-5	New	V. 30, p. 1515

AGENCY 70: BOARD OF VETERINARY MEDICAL EXAMINERS

Reg. No.	Action	Register
70-7-1	Amended	V. 31, p. 14

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-4-1	Amended	V. 30, p. 1680

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-2-1	Amended	V. 30, p. 1048
81-5-21	New	V. 30, p. 1049
81-20-1	Revoked	V. 30, p. 866
81-20-2	Revoked	V. 30, p. 866
81-22-1	Amended	V. 30, p. 866
81-22-2	Revoked	V. 30, p. 866
81-23-1	Revoked	V. 30, p. 867
81-23-2	Revoked	V. 30, p. 867
81-24-1	Revoked	V. 30, p. 867
81-25-1	Revoked	V. 30, p. 867
81-25-2	Revoked	V. 30, p. 867
81-25-3	Revoked	V. 30, p. 867
81-26-3	Revoked	V. 30, p. 867
81-28-1	Revoked	V. 30, p. 867
81-28-2	Revoked	V. 30, p. 867

(continued)

81-30-1 Revoked V. 30, p. 867

AGENCY 82: STATE CORPORATION COMMISSION

Table with 3 columns: Reg. No., Action, Register. Rows include 82-4-1, 82-4-2a, 82-4-3a, 82-4-3f, 82-4-3g, 82-4-3i, 82-4-6d, 82-4-8a, 82-4-20, 82-11-4, 82-11-10, 82-12-7.

AGENCY 88: BOARD OF REGENTS

Table with 3 columns: Reg. No., Action, Register. Rows include 88-28-1, 88-28-6, 88-28-6, 88-29-1, 88-29-3, 88-29-7, 88-29-7, 88-29-7a, 88-29-8, 88-29-8c, 88-29-9, 88-29-12, 88-29-10, 88-29-18, 88-29-19, 88-29-5, 88-29-6, 88-29-7, 88-29-7a, 88-29-8, 88-29-8c, 88-29-9, 88-29-10, 88-29-11, 88-29-18, 88-29-19, 88-30-1.

AGENCY 91: DEPARTMENT OF EDUCATION

Table with 3 columns: Reg. No., Action, Register. Rows include 91-1-200 through 91-1-204, 91-1-230, 91-1-231, 91-1-232, 91-1-235, 91-1-236.

AGENCY 92: DEPARTMENT OF REVENUE

Table with 3 columns: Reg. No., Action, Register. Rows include 92-12-66a, 92-19-3, 92-19-3a, 92-19-3b, 92-19-3c, 92-19-10, 92-19-16a, 92-19-16b, 92-19-40, 92-19-42, 92-19-49b, 92-19-55b, 92-19-59, 92-19-73.

AGENCY 94: COURT OF TAX APPEALS

Table with 3 columns: Reg. No., Action, Register. Rows include 94-3-2, 94-5-8.

AGENCY 100: BOARD OF HEALING ARTS

Table with 3 columns: Reg. No., Action, Register. Rows include 100-28a-5, 100-28a-10.

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Table with 3 columns: Reg. No., Action, Register. Rows include 102-5-3, 102-6-1, 102-6-2, 102-6-4, 102-6-5, 102-6-8, 102-6-9, 102-6-9a, 102-6-10, 102-6-11, 102-6-12, 102-7-1, 102-7-1, 102-7-2, 102-7-2, 102-7-3, 102-7-3, 102-7-4, 102-7-4, 102-7-4, 102-7-4a, 102-7-4a, 102-7-4b, 102-7-5, 102-7-5, 102-7-6, 102-7-6, 102-7-6, 102-7-7, 102-7-7, 102-7-7, 102-7-7a, 102-7-7a, 102-7-8, 102-7-8, 102-7-9, 102-7-9, 102-7-9, 102-7-10, 102-7-10, 102-7-11, 102-7-11, 102-7-11a, 102-7-11a, 102-7-12, 102-7-12, 102-7-12.

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Table with 3 columns: Reg. No., Action, Register. Rows include 105-4-2, 105-4-2, 105-4-3, 105-4-3, 105-11-1, 105-11-1.

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Table with 3 columns: Reg. No., Action, Register. Rows include 108-1-1, 108-1-3, 108-1-4.

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Table with 3 columns: Reg. No., Action, Register. Rows include 109-1-1, 109-1-1a, 109-1-1a, 109-1-2, 109-2-1, 109-2-2, 109-2-4, 109-2-5, 109-2-6, 109-2-8, 109-2-10a, 109-2-11, 109-2-12, 109-2-13, 109-3-3, 109-3-4, 109-3-5, 109-5-1, 109-5-1, 109-5-1a, 109-5-1a.

Table with 3 columns: Reg. No., Action, Register. Rows include 109-5-1b, 109-5-1b, 109-5-1c, 109-5-1d, 109-5-1d, 109-5-1e, 109-5-1e, 109-5-1f, 109-5-1f, 109-5-5, 109-5-7a, 109-5-7a, 109-5-7b, 109-5-7b, 109-5-7c, 109-5-7c, 109-5-7d, 109-5-7d, 109-7-1, 109-8-1, 109-8-1, 109-8-2, 109-9-1, 109-9-4, 109-10-1a, 109-10-1a, 109-10-1b, 109-10-1b, 109-10-1c, 109-10-1c, 109-10-1d, 109-10-1d, 109-10-1e, 109-10-1e, 109-10-1f, 109-10-1f, 109-10-1g, 109-10-1g, 109-10-3, 109-10-5, 109-10-6, 109-10-6, 109-11-1a, 109-11-1a, 109-11-3a, 109-11-3a, 109-11-4a, 109-11-6a, 109-11-6a, 109-13-1, 109-15-1, 109-15-2.

AGENCY 110: DEPARTMENT OF COMMERCE

Table with 3 columns: Reg. No., Action, Register. Rows include 110-4-1 through 110-4-5, 110-21-1 through 110-21-5, 110-22-1 through 110-22-5, 110-22-1 through 110-22-6.

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 Kansas Register. A list of regulations filed from December 1, 2009 through Dec. 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 Kansas Register. The following regulations were filed after Dec. 22, 2011:

Table with 3 columns: Reg. No., Action, Register. Rows include 111-2-270 through 111-2-276, 111-4-3135.

111-4-3136	New	V. 31, p. 121
111-4-3137		
through		
111-4-3142	New	V. 31, p. 274-278
111-4-3144		
through		
111-4-3158	New	V. 31, p. 345-354
111-5-23		
through		
111-5-28	Amended	V. 31, p. 355-358
111-5-31	Amended	V. 31, p. 359
111-5-33	Amended	V. 31, p. 279
111-5-194	Amended	V. 31, p. 359
111-5-200	New	V. 31, p. 360
111-9-174	New	V. 31, p. 122
111-9-175	New	V. 31, p. 123
111-9-176	New	V. 31, p. 124
111-9-177	New	V. 31, p. 360
111-17-3	New	V. 31, p. 279
111-201-14	Amended	V. 31, p. 361
111-401-1		
through		
111-401-50	New	V. 31, p. 389-407
111-401-51		
through		
111-401-118	New	V. 31, p. 427-449
111-501-9	Amended	V. 31, p. 124
111-501-14		
through		
111-501-26	New	V. 31, p. 124-129
111-501-35		
through		
111-501-81	New	V. 31, p. 129-146

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-100-2	Amended	V. 30, p. 1605
112-101-6	Amended	V. 30, p. 290
112-101-8	Amended	V. 30, p. 1605
112-102-2	Amended	V. 30, p. 1605
112-102-8	Amended	V. 30, p. 290
112-102-10	Amended	V. 30, p. 1605
112-103-2	Amended	V. 30, p. 291
112-103-4	Amended	V. 30, p. 292
112-103-5	Amended	V. 30, p. 292
112-103-8	Amended	V. 30, p. 292
112-103-11	Amended	V. 30, p. 1605
112-103-15	Amended	V. 30, p. 292
112-104-1	Amended	V. 30, p. 293
112-104-5	Amended	V. 30, p. 1606
112-104-6	Amended	V. 30, p. 1606

112-104-8	Amended	V. 30, p. 294
112-104-13	Amended	V. 30, p. 295
112-104-14	Amended	V. 30, p. 297
112-104-15	Amended	V. 30, p. 297
112-104-16	Amended	V. 30, p. 298
112-104-32	Amended	V. 30, p. 300
112-104-42	New	V. 30, p. 1608
112-105-1	Amended	V. 30, p. 301
112-105-2	Amended	V. 30, p. 301
112-105-3	Amended	V. 30, p. 301
112-106-1	Amended	V. 30, p. 301
112-106-2	Amended	V. 30, p. 303
112-106-5	Amended	V. 30, p. 303
112-106-6	Amended	V. 30, p. 304
112-107-3	Amended	V. 30, p. 304
112-107-5	Amended	V. 30, p. 307
112-107-10	Amended	V. 30, p. 308
112-107-21	Amended	V. 30, p. 309
112-107-22	Amended	V. 30, p. 310
112-108-18	Amended	V. 30, p. 311
112-108-23	Amended	V. 30, p. 1609
112-108-36	Amended	V. 30, p. 312
112-108-55	Amended	V. 30, p. 313
112-110-1	Amended	V. 30, p. 1611
112-110-3	Amended	V. 30, p. 313
112-110-14	Amended	V. 30, p. 1612
112-112-1	Amended	V. 30, p. 314
112-112-3	Amended	V. 30, p. 314
112-112-4	Amended	V. 30, p. 314
112-112-7	Amended	V. 30, p. 315
112-112-9	Amended	V. 30, p. 315

AGENCY 115: DEPARTMENT OF WILDLIFE, PARKS, AND TOURISM

Reg. No.	Action	Register
115-1-1	Amended	V. 30, p. 943
115-2-2	Amended	V. 30, p. 1665
115-2-3	Amended	V. 30, p. 1466
115-2-3a	Revoked	V. 30, p. 1180
115-4-2	Amended	V. 31, p. 425
115-4-4	Amended	V. 31, p. 426
115-4-4a	Amended	V. 31, p. 427
115-4-6b	New	V. 30, p. 332
115-4-11	Amended	V. 30, p. 332
115-5-1	Amended	V. 30, p. 944
115-5-2	Amended	V. 30, p. 945
115-7-3	Amended	V. 30, p. 1665
115-7-6	Amended	V. 30, p. 1665
115-7-9	Amended	V. 30, p. 536
115-7-10	Amended	V. 30, p. 1665
115-8-1	Amended	V. 30, p. 1467
115-8-6	Amended	V. 30, p. 1665

115-8-9	Amended	V. 30, p. 1467
115-8-10	Amended	V. 30, p. 1468
115-8-12	Amended	V. 30, p. 1666
115-8-13	Amended	V. 30, p. 1180
115-16-3	Amended	V. 30, p. 1180
115-16-5	Amended	V. 30, p. 334
115-17-1	Amended	V. 30, p. 1468
115-17-2	Amended	V. 30, p. 1468
115-17-2a	New	V. 30, p. 1469
115-17-3	Amended	V. 30, p. 1469
115-17-4	Amended	V. 30, p. 1470
115-17-5	Amended	V. 30, p. 1470
115-17-10	Amended	V. 30, p. 1470
115-17-11	Amended	V. 30, p. 1470
115-17-12	Amended	V. 30, p. 1471
115-30-13	New	V. 30, p. 1666

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-7-1	Amended	V. 30, p. 92

AGENCY 120: KANSAS HEALTH POLICY AUTHORITY (FORMERLY HEALTH CARE DATA GOVERNING BOARD)

Reg. No.	Action	Register
120-1-2	Revoked	V. 30, p. 1024

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

Reg. No.	Action	Register
129-5-1	Amended	V. 31, p. 171
129-10-31	New	V. 30, p. 92

AGENCY 130: HOME INSPECTORS REGISTRATION BOARD

Reg. No.	Action	Register
130-2-1	Amended (T)	V. 30, p. 1629
130-2-1	Amended	V. 31, p. 224

AGENCY 131: COMMITTEE ON SURETY BONDS AND INSURANCE

Reg. No.	Action	Register
131-1-1	New	V. 30, p. 195

AGENCY 132: KANSAS 911 COORDINATING COUNCIL

Reg. No.	Action	Register
132-2-1	New	V. 31, p. 223
132-4-1	New	V. 31, p. 224

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