



# Kansas Register

Kris W. Kobach, Secretary of State

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## State of Kansas

**Board of Technical Professions****Notice of Meetings**

The Kansas State Board of Technical Professions will conduct its Complaint Committee meeting at 2 p.m. Thursday, July 11, and the full board will meet at 10 a.m. Friday, July 12, in Suite 507, Landon State Office Building, 900 S.W. Jackson, Topeka. Both meetings are open to the public. For more information call 785-296-3053.

Jean Boline  
Executive Director

Doc. No. 041667

## State of Kansas

**Department of Administration  
Office of Facilities and  
Procurement Management**

**Request for Bids for Construction Services**

Notice is hereby given for the receipt of subcontractor bids for the KU LEEP 2 — West Campus High-Bay Facility Structural Package, Lawrence, Kansas, Project Number A-012174(b). This project will be delivered under the construction management at-risk statute, K.S.A. 75-37,144. Turner Construction Company is the construction manager.

Subcontractor bids will be received for work as shown on the plans and specifications and specifically in accordance with Turner's published Scopes of Work for each bid package. The project includes building excavation, structural concrete, structural steel and associated scopes to complete the structural package for the High Bay Facility. Special conditions for this project include, but are not limited to, special site conditions for parking and storage, usage and access, working hours, construction schedule requirements and phasing. Subcontractors and suppliers are encouraged to carefully review all of the bidding documents for the unique aspects of the project.

Subcontractor bids will be received until 2 p.m. July 18, 2013, at the office of Turner Construction Company. Fax and email bids will be accepted. Bids shall be directed to Andy Heitmann at [ajheitmann@tcco.com](mailto:ajheitmann@tcco.com) or at Turner Construction Company, 2345 Grand Blvd., Suite 1000, Kansas City, MO 64108, 816-564-0280, fax 816-283-0558. Scope or schedule questions must be submitted to Josh Jones in writing at [jbjones@tcco.com](mailto:jbjones@tcco.com). Bidders not already on the Office of Facilities and Procurement Management's prequalified contractors list shall accompany their bid with a statement of qualifications indicating the organization's history and structure, past experience, claims and lawsuits, and, if applicable, bonding capacity. Alternatively, bidders may submit qualifications on either AIA Document A305 or AGC Document No. 221. Bidders who are not on the Turner Construction Company preapproved bidders list and wish to bid must also complete and submit a Turner Construction Prequalification Statement prior to submitting a bid. The Prequalification Statement is available with the bid documents on Turner's website.

Construction documents, plans, specifications, scopes of work, bid forms/documents and associated information will be available through the online plan-room utilized by Turner Construction for this project at [www.turner-kc.com/KULEEP2](http://www.turner-kc.com/KULEEP2). All subcontract bids must be submitted on the Turner-provided forms with full document acknowledgement and any associated attachments included to be considered for this project.

A pre-bid conference and walk-through will be held at 9 a.m. Tuesday, July 9, at the Turner Construction Site Office located on the KU West Campus, southwest corner of Lot 302 (refer to KU parking map for specific location of Lot 302 at <http://www.parking.ku.edu/map.pdf>).

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

Doc. No. 041678

## State of Kansas

**Department of Administration  
Office of Facilities and  
Procurement Management**

**Notice of Requested Architectural Services**

Notice is hereby given of the commencement of the selection process for architectural services for the replacement of the locking system and control panels in B Cell-house at Lansing Correctional Facility. The project will replace a Norment low-voltage locking system with a new locking system. New control panels, wiring, locking system, gear and motors are required. Cell fronts and housings are to remain. The estimated construction cost is \$1,100,000.

For more information contact Michael Gaito at [MikeG@doc.ks.gov](mailto:MikeG@doc.ks.gov) or 785-296-0883.

To be considered, one (1) PDF file 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 of each proposal. Please include your firm name, agency abbreviation and an abbreviated project name in the title of the PDF document. Proposals should be less than 5MB and follow the current State Building Advisory Commission guidelines, which can be found in Part B — Chapter 2 of the Building Design and Construction Manual at [www.da.ks.gov/fp/manual.htm](http://www.da.ks.gov/fp/manual.htm). Proposals should be sent on a CD, DVD or flash drive along with a transmittal to Barbara Schilling, Office of Facilities and Procurement Management, Suite 700, 800 S.W. Jackson, Topeka, 66612-1216. Proposals sent via email will no longer be accepted and paper copies of the proposals are no longer required. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions call 785-291-3695. The PDF proposal submittals shall be delivered to the attention of Barbara Schilling before 2 p.m. July 12, 2013.

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

Doc. No. 041671

## State of Kansas

**911 Coordinating Council****Notice of Committee Meeting**

The 911 State Grants Review Committee will meet at 10 a.m. Friday, July 12, in Suite 700, First National Center, 1 N. Main, Hutchinson.

Melissa Wangemann  
Kansas Association of Counties  
Local Collection Point Administrator

Doc. No. 041680

## State of Kansas

**Department of Administration  
Office of Facilities and  
Procurement Management**
**Notice of Requested Architectural Services**

Notice is hereby given of the commencement of the selection process for architectural services for a new one-story building in Kechi, Kansas, that will house the Kansas Highway Patrol Troop F and the Kansas Bureau of Investigation in approximately 22,000 square feet. The scope of work includes the proposed office building with a vehicle inspection area and parking lots. Site development also includes extension of gas, water, sewer, electrical and telephone utilities to the proposed building and to a future proposed Kansas Department of Transportation building. The estimated construction cost is \$3,500,000.

For more information contact Sharon Marcum at [SMarcum@khp.ks.gov](mailto:SMarcum@khp.ks.gov) or 785-296-5989.

An architectural program is available at <http://www.da.ks.gov/fp/ArchEngPrograms.htm>.

To be considered, one (1) PDF file 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 of each proposal. Please include your firm name, agency abbreviation and an abbreviated project name in the title of the PDF document. Proposals should be less than 5MB and follow the current State Building Advisory Commission guidelines, which can be found in Part B — Chapter 2 of the Building Design and Construction Manual at [www.da.ks.gov/fp/manual.htm](http://www.da.ks.gov/fp/manual.htm). Proposals should be sent on a CD, DVD or flash drive along with a transmittal to Barbara Schilling, Office of Facilities and Procurement Management, Suite 700, 800 S.W. Jackson, Topeka, 66612-1216. Proposals sent via email will no longer be accepted and paper copies of the proposals are no longer required. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions call 785-291-3695. The PDF proposal submittals shall be delivered to the attention of Barbara Schilling before 2 p.m. July 12, 2013.

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

Doc. No. 041679

## State of Kansas

**Children's Cabinet and Trust Fund****Notice of Meeting**

The Kansas Children's Cabinet and Trust Fund will conduct a board meeting from 9:30 a.m. to 1 p.m. Monday, July 8, in Marvin Auditorium 101-B, Topeka & Shawnee County Public Library, 1515 S.W. 10th Ave., Topeka. The Children's Cabinet's website at [www.kschildrenscabinet.org](http://www.kschildrenscabinet.org) may contain updated information a day before the meeting.

Jim Redmon  
Executive Director

Doc. No. 041674

## State of Kansas

**Department of Administration  
Office of Facilities and  
Procurement Management**
**Notice of Requested "On-Call"  
Civil Engineering Services**

Notice is hereby given of the commencement of the selection process for "on-call" civil engineering services for the Department of Administration, Office of Facilities and Procurement Management. One firm will be selected. The contract will be for three years.

For more information contact George Steele at 785-296-4693. Firms interested in providing these services should be familiar with the requirements that can be found in Part B — Chapter 4 of the Building Design and Construction Manual at the website below.

To be considered, one (1) PDF file 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 of each proposal. Please include your firm name, agency abbreviation and an abbreviated project name in the title of the PDF document. Proposals should be less than 5MB and follow the current State Building Advisory Commission guidelines, which can be found in Part B — Chapter 2 of the Building Design and Construction Manual at [www.da.ks.gov/fp/manual.htm](http://www.da.ks.gov/fp/manual.htm). Proposals should be sent on a CD, DVD or flash drive along with a transmittal to Barbara Schilling, Office of Facilities and Procurement Management, Suite 700, 800 S.W. Jackson, Topeka, 66612-1216. Proposals sent via email will no longer be accepted and paper copies of the proposals are no longer required. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions call 785-291-3695. The PDF proposal submittals shall be delivered to the attention of Barbara Schilling before 2 p.m. July 12, 2013.

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

Doc. No. 041668

## State of Kansas

## Department of Labor

Notice of Maximum and Minimum Weekly  
Unemployment Benefit Amounts

Each year, in accordance with K.S.A. 44-704 of the Kansas Employment Security Law, the maximum and minimum weekly benefit amounts payable to unemployment insurance claimants are recalculated. In SFY 2014, for new claims filed on or after July 1, 2013, and before July 1, 2014, the maximum weekly benefit amount will be \$469 and the minimum weekly benefit amount will be \$117.

Lana Gordon  
Secretary of Labor

Doc. No. 041666

## State of Kansas

Department of Health  
and Environment  
Division of Health Care FinanceNotice of Meetings on the KanCare  
Demonstration Amendment

The state of Kansas, Department of Health and Environment, hereby notifies the public that it intends to seek an amendment to the KanCare Section 1115 demonstration (11-W-00283/7) from the Centers for Medicare & Medicaid Services (CMS). KDHE is providing this abbreviated notice in compliance with CMS requirements in 42 C.F.R. § 431.408(a)(2)(ii).

KDHE plans to request CMS approval for three changes to KanCare, effective January 1, 2014. First, KDHE will ask CMS for approval to provide long-term supports and services (LTSS) to individuals with intellectual or developmental disabilities through the KanCare managed care plans. Under the current waiver, these services are carved out from managed care and paid on a fee-for-service basis. Second, KDHE will ask CMS to approve three new pilot programs designed to support Kansans who might otherwise be enrolled in Medicaid: (1) a Social Security Alternative Pilot; (2) a Supplemental Security Income (SSI) Employment Support Pilot; and (3) a Health Account Pilot. Third, KDHE will ask CMS to postpone implementation of the Delivery System Reform Incentive Payment (DSRIP) Pool of funds by one year, so that it will begin in demonstration year 3 (2015) instead of demonstration year 2 (2014).

The state's full public notice, which describes the proposed amendment in more detail, can be found on the KanCare website at:

[http://www.kancare.ks.gov/download/KanCare\\_1115\\_Amendment\\_Public\\_Notice.pdf](http://www.kancare.ks.gov/download/KanCare_1115_Amendment_Public_Notice.pdf)

The draft KanCare amendment can be viewed directly in Room 900, Landon State Office Building, 900 S.W. Jackson, Topeka, or at the KanCare website at:

[http://www.kancare.ks.gov/download/KanCare\\_1115\\_Amendment\\_Public\\_Comment.pdf](http://www.kancare.ks.gov/download/KanCare_1115_Amendment_Public_Comment.pdf)

KDHE will hold two public meetings to solicit comments on the KanCare amendment:

- July 15 at 2 p.m.  
Wichita State University Metroplex  
Multipurpose Room  
5015 E. 29th St. North, Wichita
- July 16 at 10 a.m.  
Downtown Ramada, Madison Ball Room  
420 S.E. 6th St., Topeka

The state is also making teleconference access available for the July 16 meeting. The participant dial-in number for the event will be 866-491-3158.

Any individual with a disability may request accommodation in order to participate in either meeting. Requests for accommodation should be made at least two working days in advance of the meeting by contacting [KanCare@kdheks.gov](mailto:KanCare@kdheks.gov) or by calling Rita Haverkamp at 785-296-5107.

Comments on this proposed demonstration amendment can be emailed to [KanCare@kdheks.gov](mailto:KanCare@kdheks.gov) or mailed to KDHE-DHCF, Attn: Rita Haverkamp, Room 900, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. KDHE will be accepting public comments until July 29, 2013.

Kari Bruffett, Director  
Division of Health Care Finance

Doc. No. 041673

## State of Kansas

## Children's Cabinet and Trust Fund

## Request for Proposals

The Kansas Children's Cabinet and Trust Fund announces the release of a request for proposals to provide evaluation services. The qualified contract will conduct ongoing, multi-site evaluation of the ECBG program. The Kansas Children's Cabinet and Trust Fund is seeking consultants, consulting firms or organizations with the experience, qualifications and capacity to provide evaluation services of the Kansas Early Childhood Block Grantees. It is anticipated that evaluation activities will include creation of an evaluation plan, data collection and analysis, interpretation of results, report writing and dissemination of results. Preference will be given to those consultants or consulting firms based in Kansas.

The funding period will be from July 30, 2013 to June 30, 2014, with a maximum award amount of \$300,000. These are one-year grants with option of one renewal possible depending on funding and outcomes. Complete proposals include one original and five copies and may be sent to the Kansas Children's Cabinet and Trust Fund, Room 152, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. Proposals must be received not later than 5 p.m. July 11, 2013. A PDF file of the application also is required by the deadline date and may be emailed to [Dyogga.Adegbore@dcf.ks.gov](mailto:Dyogga.Adegbore@dcf.ks.gov).

Jim Redmon  
Executive Director

Doc. No. 041675

## State of Kansas

**Department of Agriculture  
Division of Conservation**

**Notice to Contractors**

Sealed bids for the construction of an 18,540-cubic-yard detention dam, Site 121 in Osage County, will be received by the Salt Creek Watershed Joint District No. 104 at the offices of RHK Enterprises, Inc., 501 Main St., Admire, 66830, 620-528-3710, until 10 a.m. July 17, 2013, and then opened. A site showing will be held at 10 a.m. July 10 at the site. In case of inclement weather, an alternate site showing will be held July 12.

A copy of the invitation for bids and the plans and specifications can be reviewed at and obtained from the office of RHK Enterprises, Inc. The Notice to Proceed is expected to be issued upon signing of contracts.

Greg A. Foley  
Executive Director

Doc. No. 041682

## State of Kansas

**Legislative Division of Post Audit**

**Invitation for Bids**

Sealed bid proposals in response to Legislative Division of Post Audit invitations for bids on audit work will be received until noon Friday, August 2, 2013. The invitations cover the following audit work:

- Statewide audit package, which includes annual financial and compliance audit services for the statewide single audit, annual financial audits of the Kansas Department of Transportation, and annual financial audits of two revolving funds for fiscal years 2014, 2015, 2016 and 2017. This package also includes biennial examinations of the State Treasurer's Office and of the Pooled Money Investment Board for fiscal years 2014 and 2016.
- Kansas Public Employees Retirement System package, which includes annual financial audits for fiscal years 2014 and 2015. This package may include a performance audit in calendar year 2015.
- Kansas Lottery, which includes an annual financial audit for fiscal years 2014 and 2015.
- Kansas Lottery, which includes a performance audit of the Lottery's security.
- Kansas 911 System, which includes a performance audit of the 911 System.

The invitations for bids may be found at Legislative Post Audit's website at [www.kslpa.org](http://www.kslpa.org) or obtained from the Legislative Division of Post Audit, 800 S.W. Jackson, Suite 1200, Topeka, 66612, 785-296-3792.

Scott Frank  
Legislative Post Auditor

Doc. No. 041684

## State of Kansas

**Department of Transportation**

**Public Notice**

In accordance with the requirements of the U.S. Department of Transportation as set forth in 49 CFR, Part 26 as amended, the Kansas Department of Transportation, Office of Contract Compliance, Topeka, hereby notifies the public that it recommends the following Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) goal for applicable professional services and procurement contracts during federal fiscal years (FFY) 2014 through 2016, which begins October 1, 2013, and ends September 30, 2016. The overall total DBE goal for the period is 0.52 percent for Metropolitan planning projects and for Coordinated Transportation District grants that receive federal funding.

Information pertaining to this goal and a description of the background calculations are available for inspection for 30 calendar days following the date of publication of this notice at the Kansas Department of Transportation, Office of Contract Compliance, Suite 350, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3745. Written comments will be accepted on this goal methodology for 45 days from the date of this publication. The comments are for informational purposes only and may be sent to the Office of Contract Compliance at the address above or to the Regional Civil Rights Officer, Federal Transit Administration, Region 7, 901 Locust St., Suite 404, Kansas City, MO 64106.

Mike King  
Secretary of Transportation

Doc. No. 041669

## State of Kansas

**Department of Transportation**

**Notice to Consulting Firms**

The Kansas Department of Transportation is seeking qualified consulting firms prequalified to provide engineering services for the following four projects:

**Project No. 4-85 KA-3230-01**

This project requires qualified consulting firms prequalified in Category 201 - Location and Design Concept Studies/Corridor Studies, Category 211 - Highway Design - Major Facility, and Category 325 - Hydraulic and Hydrologic Studies for engineering services as described below. A PDF (1Mb maximum size) of the interest response must be emailed to David J. Nagy, P.E., assistant to the director of design/contracts engineer, at [DavidN@ksdot.org](mailto:DavidN@ksdot.org). Interest and experience responses are limited to four pages, and the subject line of the reply email and the PDF file name must read "4-85 KA-3230-01-Firm Name." The letter of interest is required and must be received by noon July 5, 2013, for the consulting firm to be considered. Categories may be viewed at [www.ksdot.org/divengdes/prequal](http://www.ksdot.org/divengdes/prequal).

This project will be a multi-phase project starting with a major drainage study of the Gypsum FEMA flood area, public involvement, and estimates/rec-

ommendations for a couple manageable sized projects not in the T-Works Program. The design projects potentially would be the new interchange with I-135; the reconstruction of the existing 9 miles of K-4 roadway to provide shoulders, sight distance and clear zones; and a northeastern route around Gypsum for alternative access.

**Project No. 92-52 KA-3229-01**

This project requires qualified consulting firms prequalified in Category 201 - Location and Design Concept Studies/Corridor Studies for engineering services as described below. A PDF (1Mb maximum size) of the interest response must be emailed to David J. Nagy, P.E., assistant to the director of design/contracts engineer, at DavidN@ksdot.org. Interest and experience responses are limited to four pages, and the subject line of the reply email and the PDF file name must read "92-52 KA-3229-01-Firm Name." The letter of interest is required and must be received by noon July 5, 2013, for the consulting firm to be considered. Categories may be viewed at [www.ksdot.org/divengdes/prequal](http://www.ksdot.org/divengdes/prequal).

This engineering and tolling study project is for the K-92 Centennial Bridge (Br #026) over the Missouri River and the Union Pacific Railroad located in the city of Leavenworth. This project will be an Advance Preliminary Engineering (APE) study on this section of K-92 over the Missouri River. This project will include public involvement and tolling feasibility.

**Project No. 400-11 KA-1005-03**

This project requires qualified consulting firms prequalified in Category 201 - Location and Design Concept Studies/Corridor Studies for engineering services as described below. A PDF (1Mb maximum size) of the interest response must be emailed to David J. Nagy, P.E., assistant to the director of design/contracts engineer, at DavidN@ksdot.org. Interest and experience responses are limited to four pages, and the subject line of the reply email and the PDF file name must read "400-11 KA-1005-03-Firm Name." The letter of interest is required and must be received by noon July 5, 2013, for the consulting firm to be considered. Categories may be viewed at <http://www.ksdot.org/divengdes/prequal/default.asp>.

This project is to provide engineering and environmental services for a study of a project which is located from the US-166/US-400 junction, north to the Cherokee/Crawford county line (approximately 22.72 miles) and which will be an Advanced Preliminary Engineering (APE) study of this section of the corridor with public involvement and environmental studies.

**Project No. 435-105 KA-3228-01**

This project requires qualified consulting firms prequalified in Category 211 - Highway Design - Major Facility for engineering services as described below. A PDF (1Mb maximum size) of the interest response must be emailed to David J. Nagy, P.E.,

assistant to the director of design/contracts engineer, at DavidN@ksdot.org. Interest and experience responses are limited to four pages, and the subject line of the reply email and the PDF file name must read "435-105 KA-3228-01-Firm Name." The letter of interest is required and must be received by noon July 5, 2013, for the consulting firm to be considered. Categories may be viewed at <http://www.ksdot.org/divengdes/prequal/default.asp>.

This project is the preliminary engineering review of the impacts on the interchange at I-435/State Avenue from the proposed construction by Unified Government at the intersection of State Avenue/Village West Parkway, just west of the I-435/State Avenue interchange. This will include the impacts on the existing interchange and potentially an investigation of future interchange configurations.

The Consultant Shortlist Committee will select three to five of the most highly qualified firms expressing interest and schedule an individual interview for the project. The consulting firms can more thoroughly discuss their experience related to the project at the interview and will be expected to discuss their approach to this project in detail and the personnel to be assigned to this project.

The Consultant Selection Committee, appointed by the secretary of transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select several firms to perform the professional services required for completing the advertised projects.

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

1. Size and professional qualifications.
2. Experience of staff.
3. Location of firm with respect to project(s).
4. Work load of firm.
5. Firm's performance record.

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

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

For more information contact David Nagy at DavidN@ksdot.org.

Mike King  
Secretary of Transportation

Doc. No. 041655

## State of Kansas

## Department of Transportation

## Notice to Contractors

Electronic copies of the letting proposals and plans are available on the KDOT website at <http://www.ksdot.org/burconsmain/contracts/proposal.asp>. The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the "Bid Holders List," or to be included on the "Non-Bid Holders List" as a subcontractor/supplier. KDOT's approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid not later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject a bid. The secretary of transportation reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2007 edition of the Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction.

KDOT will only accept electronic Internet proposals online using the Bid Express website at <http://www.bidx.com> until 1 p.m. local time on July 17. KDOT will open and read these proposals at the Eisenhower State Office Building, 700 S.W. Harrison, Topeka, at 1:30 p.m. local time on July 17. An audio broadcast of the bid letting is available at <http://www.ksdot.org/burconsmain/audio.asp>.

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

**District One — Northeast**

**Johnson**—56-46 KA-2789-01 — Bridges #269 & #270 on U.S. 56 located 0.83 & 1.11 miles west and north of I-35, bridge overlay. (State Funds)

**Wyandotte**—435-105 KA-3028-01 — I-435 & I-70 interchange upgrade, lighting. (Federal Funds)

**Atchison**—73-3 KA-3332-01 — U.S. 73 on concrete pavement from Atchison to Lancaster, pavement marking, 8.1 miles. (Federal Funds)

**Riley**—177-81 KA-3336-01 — From 4-lane at the Geary/Riley county line to existing concrete pavement near K-18, pavement marking, 6.4 miles. (Federal Funds)

**Geary**—177-31 KA-3337-01 — From .33 mile south of I-70 to the Geary/Riley county line, pavement marking, 1.0 mile. (Federal Funds)

**District Two — North Central**

**Geary**—31 C-4338-01 — 3.0 miles west of Junction City, grading, bridge & surfacing, 0.1 mile. (Federal Funds)

**Jewell**—14-45 KA-3164-01 — Bridge #018 (Lovewell Reservoir) on K-14 about 8 miles north of the east junction of K-14/U.S. 36, bridge repair. (State Funds)

**McPherson**—135-59 KA-3361-01 — I-135, from the county line, north to 1 mile north of I-135/K-260, ultra-thin bonded asphalt surfacing, 6.3 miles. (State Funds)

**Dickinson**—206-21 KA-3368-01 — K-206, from Chapman north 1 mile, 1.5-inch overlay, 0.9 mile. (State Funds)

**District Three — Northwest**

**Russell**—84 K-2834-05 — Wilson State Park-Hell Creek area, state park road. (State Funds)

**Statewide**—106 KA-3363-01 — Sampling at various locations in District Three, milling. (State Funds)

**Norton**—36-69 KA-3364-01 — U.S. 36, just east of U.S. 36/RS-842 junction, east for 4 miles, milling, 4.4 miles. (State Funds)

**District Four — Southeast**

**Montgomery**—166-63 KA-2616-01 — Intersection of U.S. 166/169 and Fourth Street, intersection improvement. (State Funds)

**Allen**—59-1 KA-3160-01 — U.S. 59, bridge located 2.89 miles north of U.S. 54 & bridge just south of the Anderson/Allen county line, bridge repair. (State Funds)

**Franklin**—35-30 KA-3179-01 — Bridge #004 (Tequa Creek) on I-35 about 1 mile east of the Franklin/Osage county line, bridge repair. (State Funds)

**Franklin**—68-30 KA-3182-01 — Bridge #017 on K-68 about 13 miles east of the Franklin/Osage county line, bridge repair. (State Funds)

**Miami**—169-61 KA-3338-01 — U.S. 169 from Osawatomie to Paola, pavement marking, 10.7 miles. (Federal Funds)

**Labette**—50 U-2121-02 — Sidewalk and bike path in Parsons, pedestrian & bicycle paths. (Federal Funds)

**District Five — South Central**

**Reno**—78 K-1802-10 — Cheney State Park, east and west shore area, existing asphalt surfaces, state park road. (State Funds)

**Sedgwick**—54-87 KA-1647-02 — U.S. 54 Central Business District (CBD) Viaduct, bridge repair, 0.1 mile. (State Funds)

**Sumner**—160-96 KA-2620-01 — U.S. 160 from Day Street to high school entrance, milling and overlay, 0.3 mile. (State Funds)

**Sedgwick**—96-87 KA-3317-01 — Multiple bridge locations on K-96, bridge repair. (State Funds)

**District Six — Southwest**

**Statewide**—106 KA-3362-01 — Sampling at various locations in District Six, milling. (State Funds)

Mike King  
Secretary of Transportation

Doc. No. 041647



## State of Kansas

## Department of Corrections

Notice of Hearing on Proposed  
Administrative Regulation

A public hearing will be conducted at 10:30 a.m. Wednesday, August 28, in the Department of Corrections' main conference room, fourth floor, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of a new permanent Kansas Department of Corrections administrative regulation, K.A.R. 44-15-204.

This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed permanent regulation. All interested parties may submit written comments prior to the hearing to Linden G. Appel, Chief Legal Counsel, Kansas Department of Corrections, 4th Floor, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1284. All interested parties will be given a reasonable opportunity at the hearing to present their views orally on the adoption of the proposed regulation. In order to give all parties an opportunity to express their views, it may be necessary to request each participant to limit oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Linden Appel at 785-296-4508 or 785-296-8443 (TDD), fax at 785-296-0014 or email at LindenA@doc.ks.gov.

Handicapped parking is located at the south end of Landon State Office Building, and the north entrance to the building, which is the public access entrance, is accessible to individuals with disabilities.

The regulation is proposed for adoption on a permanent basis. A summary of the proposed regulation and its economic impact follows.

**K.A.R. 44-15-204. Special procedures for sexual abuse grievances; sexual harassment grievances and grievances alleging retaliation for filing same; reports of sexual abuse or sexual harassment submitted by third parties.** This new regulation is designed to aid the Department of Corrections in its efforts to comply with the National Standards promulgated by the Attorney General of the United States pursuant to the Prison Rape Elimination Act of 2003 (or PREA, codified at 42 U.S.C. §15601, et seq.), which are found at 28 CFR Part 115. The particular standard and regulation in question is 28 CFR 115.52, exhaustion of administrative remedies, which prescribes rules governing grievance procedures for airing complaints by prison inmates of sexual abuse and sexual harassment by other inmates, staff members, contract employees and other third parties, as well as complaints of retaliation by staff members for filing of such grievances. Though promulgation of such a grievance procedure is not technically mandated or required by PREA or the National Standards, the secretary of corrections has nonetheless chosen to exercise his discretionary authority under Kansas law to propose adoption of this regulation

encompassing the elements of that standard. It is proposed as a separate, stand-alone regulation pertaining to sexual misbehavior, and because of its specialized nature, it is assigned to the Special Procedures Section of Article 15, Chapter 44 of the Kansas Administrative Regulations.

The regulation first adopts from 28 CFR 115.5 definitions of certain terms dealing with sexual abuse and sexual harassment, including a definition of voyeurism, which when engaged in by staff, contractors or volunteers, is recognized as a form of sexual abuse. It then provides for procedural steps to handle and dispose of such grievances, consisting of a facility-level disposition by the warden of the inmate's assigned facility, and an optional appeal to the secretary of corrections. Important features of the procedure are provisions that stipulate that:

- complaints of sexual abuse, as opposed to complaints of sexual harassment and retaliation, are not subject to the usual requirement of attempting to informally resolve the grievance with members of the inmate's unit team prior to filing it with the warden;
- complaints of sexual abuse, sexual harassment, and retaliation for filing complaints of abuse or harassment, shall not be referred to any staff member(s) who is the subject of the complaint;
- complaints of sexual abuse may include allegations that the abuse perpetrated by another inmate or staff member was the result of neglect or other violation of duty by a staff member;
- complaints of sexual abuse which has not actually occurred yet, but which the inmate alleges to be imminent, are handled in an expedited manner as an "Emergency Sexual Abuse Grievance," according to a special procedure within the regulation;
- complaints made on behalf of an inmate by third parties are to be accepted and handled just as if the inmate complainant had filed the grievance, but the inmate must expressly consent to the filing, and then must directly participate in going forward with the grievance after it is filed; and
- the entire procedure, including disposition of any appeal by the inmate complainant, is to be finished no later than 90 days after the date of initial filing of the grievance, though time spent by the inmate in preparing and submitting an appeal to the secretary of corrections is not counted against that time limit.

No quantifiable economic impact on inmates, the Department of Corrections, any other governmental agency or body, or private individuals in the public is now anticipated as a result of this new regulation.

A complete copy of the proposed permanent regulation and a complete economic impact statement may be obtained by contacting Linden G. Appel at the contact information above from 8 a.m. to 5 p.m. Monday through Friday.

Ray Roberts  
Secretary of Corrections

Doc. No. 041676

State of Kansas

Department for Aging and Disability Services

Notice of Senior Care Act Sliding Fee Scale

Pursuant to K.S.A. 2012 Supp. 75-5933, the secretary for the Department for Aging and Disability Services shall develop a sliding fee scale used for the Kansas Senior Care Act program. The following sliding fee scale will be used for the Senior Care Act program for state fiscal year 2014 effective July 1, 2013:

SCA SLIDING FEE SCALE

Effective 7/1/2013  
FY 2014

Table with 2 main sections: 1 Person Family and 2 Person Family. Each section has columns for INCOME and LIQUID ASSETS. The 1 Person Family section includes income brackets from 0 to 2,059 and asset brackets from 0 to 120,001 and above. The 2 Person Family section includes income brackets from 0 to 2,394 and asset brackets from 0 to 123,501 and above.

SCA SLIDING FEE SCALE

Effective 7/1/2013  
FY 2014

Table with 2 main sections: 3 Person Family and 4 Person Family. Each section has columns for INCOME and LIQUID ASSETS. The 3 Person Family section includes income brackets from 0 to 2,724 and asset brackets from 0 to 127,001 and above. The 4 Person Family section includes income brackets from 0 to 3,064 and asset brackets from 0 to 130,501 and above.

SCA SLIDING FEE SCALE

Effective 7/1/2013  
FY 2014

		LIQUID ASSETS														
5 Person Family		0-24,000	24,001-34,000	34,001-44,000	44,001-54,000	54,001-64,000	64,001-74,000	74,001-84,000	84,001-94,000	94,001-104,000	104,001-114,000	114,001-124,000	124,001-134,000	134,001-and Above	5 Person Family	
INCOME	0 to 2,298	Donation	5	10	15	20	30	40	50	60	70	80	90	100	0 to 2,251	
	2,299 to 2,398	5	10	15	20	30	40	50	60	70	80	90	100	2,252 to 2,351		
	2,399 to 2,498	10	15	20	30	40	50	60	70	80	90	100	100	2,352 to 2,451		
	2,499 to 2,598	15	20	30	40	50	60	70	80	90	100	100	100	2,452 to 2,551		
	2,599 to 2,698	20	30	40	50	60	70	80	90	100	100	100	100	2,552 to 2,651		
	2,699 to 2,798	30	40	50	60	70	80	90	100	100	100	100	100	2,652 to 2,751		
	2,799 to 2,898	40	50	60	70	80	90	100	100	100	100	100	100	2,752 to 2,851		
	2,899 to 2,998	50	60	70	80	90	100	100	100	100	100	100	100	2,852 to 2,951		
	2,999 to 3,098	60	70	80	90	100	100	100	100	100	100	100	100	2,952 to 3,051		
	3,099 to 3,198	70	80	90	100	100	100	100	100	100	100	100	100	3,052 to 3,151		
	3,199 to 3,298	80	90	100	100	100	100	100	100	100	100	100	100	3,152 to 3,251		
	3,299 to 3,398	90	100	100	100	100	100	100	100	100	100	100	100	3,252 to 3,351		
3,399 and Above	100	100	100	100	100	100	100	100	100	100	100	100	100	3,352 and Above		

  

		LIQUID ASSETS														
6 Person Family		0-27,500	27,501-37,500	37,501-47,500	47,501-57,500	57,501-67,500	67,501-77,500	77,501-87,500	87,501-97,500	97,501-107,500	107,501-117,500	117,501-127,500	127,501-137,500	137,501-and Above	6 Person Family	
INCOME	0 to 2,633	Donation	5	10	15	20	30	40	50	60	70	80	90	100	0 to 2,581	
	2,634 to 2,733	5	10	15	20	30	40	50	60	70	80	90	100	2,582 to 2,681		
	2,734 to 2,833	10	15	20	30	40	50	60	70	80	90	100	100	2,682 to 2,781		
	2,834 to 2,933	15	20	30	40	50	60	70	80	90	100	100	100	2,782 to 2,881		
	2,934 to 3,033	20	30	40	50	60	70	80	90	100	100	100	100	2,882 to 2,981		
	3,034 to 3,133	30	40	50	60	70	80	90	100	100	100	100	100	2,982 to 3,081		
	3,134 to 3,233	40	50	60	70	80	90	100	100	100	100	100	100	3,082 to 3,181		
	3,234 to 3,333	50	60	70	80	90	100	100	100	100	100	100	100	3,182 to 3,281		
	3,334 to 3,433	60	70	80	90	100	100	100	100	100	100	100	100	3,282 to 3,381		
	3,434 to 3,533	70	80	90	100	100	100	100	100	100	100	100	100	3,382 to 3,481		
	3,534 to 3,633	80	90	100	100	100	100	100	100	100	100	100	100	3,482 to 3,581		
	3,634 to 3,733	90	100	100	100	100	100	100	100	100	100	100	100	3,582 to 3,681		
3,734 and Above	100	100	100	100	100	100	100	100	100	100	100	100	100	3,682 and Above		

sliding fee scale\Slide06.xls

Questions regarding the sliding fee scale or other facets of the Senior Care Act program may be directed to Lacey Vaughan, Older Americans Act/Senior Care Act program manager, at 785-296-0385.

Shawn Sullivan  
Secretary for Aging  
and Disability Services

Doc. No. 041650

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/](http://www.emporia.edu/busaff/). Additional contact info: phone: 620-341-5145, fax: 620-341-5073, email: [thouse@emporia.edu](mailto: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/purchasing/bids](http://www.fhsu.edu/purchasing/bids). Additional contact info: phone: 785-628-4251, fax: 785-628-4046, email: [purchasing@fhsu.edu](mailto: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](http://www.k-state.edu/purchasing/rfq). Additional contact info: phone: 785-532-6214, fax: 785-532-5577, email: [kspurch@k-state.edu](mailto:kspurch@k-state.edu). Mailing address: Di-

vision of Financial Services/Purchasing, 21 Anderson Hall, Kansas State University, Manhattan, KS 66506.

**Pittsburg State University** – Bid postings: [www.pittstate.edu/office/purchasing](http://www.pittstate.edu/office/purchasing). Additional contact info: phone: 620-235-4169, fax: 620-235-4166, email: [jensch@pittstate.edu](mailto: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](mailto: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](http://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.

Jim Hughes  
Chair of Regents Purchasing Group  
Director of Purchasing  
Pittsburg State University

Doc. No. 040656

## 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:

07/09/2013	EVT0002458	Computer Based — Basic Training
07/12/2013	EVT0002466	Debt Collection Services
07/15/2013	EVT0002463	Noxious Weed Spraying — Osage County
07/16/2013	EVT0002464	HIV Test Kits and Training Materials

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

<http://www.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>

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

Tracy T. Diel, Director  
Procurement and Contracts

Doc. No. 041683

## State of Kansas

**Department for Aging and Disability Services  
Department of Health and Environment  
Division of Health Care Finance**

**Notice of Final Nursing Facility Medicaid Rates  
for State Fiscal Year 2014;**

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

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 for Aging and Disability Services administers the nursing facility program, which includes hospital long-term care units, and the nursing facility for mental health program. The secretary acts on behalf of the Kansas Department of Health and Environment, Division of Health Care Finance (DHCF), the single state Medicaid agency.

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 for the Kansas Department for Aging and Disability Services (KDADS) is publishing the final Medicaid per diem rates for Medicaid-certified nursing facilities for state fiscal year 2014, the methodology underlying the establishment of the final nursing facility rates, and the justifica-

tions for those final rates. KDADS is also 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, 2013.

**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;
2. Attachment 4.19D, Part I, Subpart U

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, 2013. 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 for Aging and Disability Services  
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 pro-

viders 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 assumes 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 in-

flation 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 (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 pre-

*(continued)*

vious 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 5.12b, 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-dependent 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 Global Insight, Nursing Home without Capital Market Basket index.

The IHS Global Insight, Nursing Home without Capital Market Basket 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.

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### 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 Global Insight, Nursing Home without Capital Market Basket 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 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 × \$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 × \$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 reestablished 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 Global Insight, Nursing Home without Capital Market Basket. The providers receive the lower of the inflated property fee or the upper payment limit.

For providers reenrolling 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. 30-10-25).

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 (4.87), 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

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.

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 recognizes 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.

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PEAK Nursing Home Incentive Program

Level	Title	Required Nursing Home Action	State Action	Per Diem Incentive	Incentive Duration
1	<b>Pursuit of Culture Change</b>	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	<b>Culture Change Achievement</b>	Submits culture change action plan report to KDADS 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, 2014. Subsequent fiscal year following confirmed successful action plan report.
3	<b>Person - Centered Care Home</b>	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	<b>Sustained Person - Centered Care</b>	Earns person-centered care home award two consecutive years or biennially 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 biennially.
5	<b>Person - Centered Care Mentor</b>	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 biennially.

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 co-

operatively 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 de-

terminated 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 3.72, which is 120% of the statewide NFMH median of 3.10. They will receive one point if the ratio is less than 120% of the NFMH median but greater than or equal to 3.41, 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 \$17.56, or 90% of the statewide median of \$19.51.

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 21%, 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 21% 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, NF-MH providers may earn up to two points for their retention rate outcome measure. Providers with staff retention rates at or above 84%, 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% (3.72) of NF-MH median (3.10), or CMI adjusted staffing ratio between 110% (3.41) and 120%	2, or 1
Total occupancy ≤ 90%	1
Operating expenses < \$17.56, 90% of NF-MH median, \$19.51	1
Staff turnover rate ≤ 75th percentile, 21% Staff turnover rate ≤ 50th percentile, 37% Contracted labor < 10% of total direct health care labor costs	2, or 1
Staff retention ≥ 75th percentile, 84% 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.

<u>Total Incentive Points:</u>	<u>Incentive Factor Per Diem:</u>
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.

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

**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.

**A.2 Quality Care Assessment Per Diem Pass-Through**

To compensate providers for increased expenses incurred due to the quality care assessment, a per diem pass-through will be determined and paid to each Medicaid provider. The per diem will be added to the nursing facility Medicaid per diem rate. The quality care assessment pass-through will not be subject to cost center limits or the 85% occupancy rule.

**1) Qualifying Providers**

All providers currently enrolled in the Medicaid program will be eligible for the quality care assessment pass-through per diem.

**2) Per Diem Pass-Through Calculation**

The quality care assessment pass-through per diem will be determined by multiplying the quarterly quality care

*(continued)*

assessment paid by each qualifying provider by four to determine an annualized assessment expense. The annualized assessment expense will be divided by the total resident days from the calendar year cost report preceding the start of the fiscal year. For example, during fiscal year 2014 (July 1, 2013 through June 30, 2014), the resident day total from the calendar year 2012 cost report will be used to determine the per diem pass-through. For providers filing a projected cost report the projected resident day total will be used to initially calculate the pass-through per diem. The per diem pass-through will be adjusted retroactively for an historical cost report covering the projection period.

**II. Final Medicaid Per Diem Rates for Kansas Nursing Facilities**

**A. Cost Center Limitations:** The state used the following cost center limitations in setting rates effective July 1, 2013.

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 rates are based upon each nursing facility's Medicaid average CMI calculated with a cutoff date of April 1, 2013, using the July 1, 2013 Kansas Medicaid/Medikan CMI Table. In Section II.C below, each nursing facility's Medicaid average CMI is listed beside its proposed per diem rate.

**C.** 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.

Facility Name	City	Daily Rate	Medicaid CMI
Village Manor	Abilene	\$158.10	0.8945
Alma Manor	Alma	\$163.19	0.9041
Life Care Center of Andover	Andover	\$154.82	1.1194
Victoria Falls SNF	Andover	\$180.44	0.9643
Anthony Community Care Center	Anthony	\$144.23	1.0367
Medicalodges Health Care Center	Arkansas City	\$164.47	1.0037
Arkansas City Presbyterian Manor	Arkansas City	\$163.29	0.9605
Arma Care Center	Arma	\$135.60	1.1204
Ashland Health Center - LTCU	Ashland	\$169.39	0.9025
Medicalodges Atchison	Atchison	\$173.90	1.0931
Atchison Senior Village	Atchison	\$162.14	0.8915
Dooley Center	Atchison	\$167.04	0.7330
Attica Long Term Care	Attica	\$161.76	0.9871
Atwood Good Samaritan Center	Atwood	\$163.96	0.9392
Lake Point Nursing Center	Augusta	\$145.05	1.0159
Baldwin Care Center	Baldwin City	\$141.95	1.0278
Quaker Hill Manor	Baxter Springs	\$124.05	0.9700
Great Plains of Republic County, Inc.	Belleville	\$179.37	0.9488
Belleville Health Care Center	Belleville	\$131.24	1.0767
Mitchell County Hospital LTCU	Beloit	\$173.78	0.8333
Hilltop Lodge Nursing Home	Beloit	\$152.00	0.9571
Bonner Springs Nursing and Rehabilitation	Bonner Springs	\$142.84	1.0121
Hill Top House	Bucklin	\$159.01	0.9931
Buhler Sunshine Home, Inc.	Buhler	\$164.78	0.9403
Life Care Center of Burlington	Burlington	\$141.05	1.0533
Caney Nursing Center	Caney	\$102.97	0.8769
Eastridge Nursing Home	Centralia	\$178.21	1.0250
Heritage Health Care Center	Chanute	\$132.66	1.0113

Chanute Health Care Center	Chanute	\$158.91	1.0498
Applewood Rehabilitation	Chanute	\$84.09	0.7975
Chapman Valley Manor	Chapman	\$137.95	0.9542
Cheney Golden Age Home Inc.	Cheney	\$149.14	0.9587
Cherryvale Care Center	Cherryvale	\$134.90	0.9941
Chetopa Manor	Chetopa	\$123.38	0.9653
The Shepherd's Center	Cimarron	\$148.80	1.0117
Medicalodges Clay Center	Clay Center	\$173.01	0.9544
Clay Center Presbyterian Manor	Clay Center	\$194.21	1.0792
Clearwater Nursing and Rehabilitation	Clearwater	\$164.26	1.0110
Community Care, Inc.	Clifton	\$120.04	0.8364
Park Villa Nursing Home	Clyde	\$129.56	0.8400
Coffeyville Regional Medical Center	Coffeyville	\$185.34	0.0000
Windsor Place	Coffeyville	\$149.98	1.0362
Medicalodges Coffeyville	Coffeyville	\$166.73	0.9795
Windsor Place at Iola, LLC	Coffeyville	\$155.27	1.0242
Deseret Nursing & Rehab at Colby	Colby	\$168.53	1.2078
Prairie Senior Living Complex	Colby	\$185.27	1.0136
Pioneer Lodge	Coldwater	\$148.00	0.9107
Medicalodges Columbus	Columbus	\$164.50	0.9692
Mt Joseph Senior Village, LLC	Concordia	\$132.22	0.9636
Sunset Home, Inc.	Concordia	\$153.63	1.0643
Spring View Manor	Conway Springs	\$122.51	0.9457
Golden Living Center-Chase Co.	Cottonwood Falls	\$133.69	0.9267
Council Grove Healthcare Center	Council Grove	\$147.05	1.0600
Hilltop Manor	Cunningham	\$127.93	0.9691
Westview of Derby	Derby	\$151.07	1.0552
Derby Health and Rehabilitation	Derby	\$180.67	1.0211
Hillside Village	De Soto	\$150.20	1.0430
Lane County Hospital - LTCU	Dighton	\$171.10	0.9533
Trinity Manor	Dodge City	\$157.26	1.0472
Dodge City Good Samaritan Center	Dodge City	\$154.27	0.9823
Manor of the Plains	Dodge City	\$171.69	1.0925
Medicalodges Douglass	Douglass	\$165.51	0.9381
Golden Living Center-Downs	Downs	\$138.31	0.9482
Country Care Home	Easton	\$144.99	0.9572
Golden Living Center-Parkway	Edwardsville	\$150.08	1.0532
Golden Living Center-Kaw River	Edwardsville	\$170.12	1.0924
Golden Living Center-Edwardsville	Edwardsville	\$132.57	0.8077
Lakepoint Nursing Center-El Dorado	El Dorado	\$141.23	1.0960
Golden Living Center-El Dorado	El Dorado	\$138.14	1.0410
Morton County Hospital	Elkhart	\$150.45	0.9970
Woodhaven Care Center	Ellinwood	\$143.30	1.0379
Ellis Good Samaritan Center	Ellis	\$159.29	0.9900
Good Sam Society-Ellsworth Village	Ellsworth	\$156.60	0.9950
Emporia Presbyterian Manor	Emporia	\$184.70	1.0556
Holiday Resort	Emporia	\$134.69	0.9222
Flint Hills Care Center, Inc.	Emporia	\$118.18	0.9702
Enterprise Estates Nursing Center	Enterprise	\$132.71	0.9689
Golden Living Center-Eskridge	Eskridge	\$113.20	0.7863
Medicalodges of Eudora	Eudora	\$148.46	0.9736
Eureka Nursing Center	Eureka	\$145.58	1.0464
Kansas Soldiers' Home	Fort Dodge	\$174.18	1.0388
Medicalodges Fort Scott	Fort Scott	\$166.09	0.9939
Fort Scott Manor	Fort Scott	\$131.91	0.9953
Fowler Residential Care	Fowler	\$181.12	1.0375
Frankfort Community Care Home, Inc.	Frankfort	\$132.70	0.8760
Golden Living Center-Fredonia	Fredonia	\$139.68	1.0088
Sunset Manor, Inc.	Frontenac	\$130.18	0.9968
Emerald Pointe Health & Rehab Centre	Galena	\$128.25	0.9600
Galena Nursing & Rehab Center	Galena	\$140.60	1.0864
Garden Valley Retirement Village	Garden City	\$161.62	1.0387
Homestead Health & Rehab	Garden City	\$158.05	0.9457
Meadowbrook Rehab Hosp., LTCU	Gardner	\$195.15	1.0830
Medicalodges Gardner	Gardner	\$155.41	0.9765
Anderson County Hospital	Garnett	\$168.87	0.8468
Golden Heights Living Center	Garnett	\$152.93	0.9525
The Heritage	Girard	\$124.79	1.0156
The Nicol Home, Inc.	Glasco	\$130.50	0.7908
Medicalodges Goddard	Goddard	\$174.42	0.9938
Bethesda Home	Goessel	\$173.42	0.9559
Goodland Sherman Co Good Samaritan	Goodland	\$173.02	1.1246
Cherry Village Benevolence	Great Bend	\$131.98	0.8705
Great Bend Health & Rehab Center	Great Bend	\$145.51	1.0131
Halstead Health and Rehab Center	Halstead	\$155.51	1.0426
Haviland Care Center	Haviland	\$78.95	0.7629
Good Samaritan Society-Hays	Hays	\$142.93	0.9469
Via Christi Village-Hays	Hays	\$149.64	0.9600
Haysville Healthcare Center	Haysville	\$156.25	0.9649
Medicalodges Herington	Herington	\$134.86	0.8841
Schowalter Villa	Hesston	\$194.88	1.0071

Maple Heights of Hiawatha	Hiawatha	\$133.11	0.9313	Village Villa	Nortonville	\$135.34	0.9981
Highland Care Center	Highland	\$140.57	1.0838	Logan County Manor	Oakley	\$188.84	1.0192
Dawson Place, Inc.	Hill City	\$164.08	0.9947	Decatur County Hospital	Oberlin	\$156.32	0.8680
Salem Home	Hillsboro	\$169.21	0.9885	Good Samaritan Society-Decatur Co.	Oberlin	\$142.70	0.8433
Parkside Homes, Inc.	Hillsboro	\$159.81	1.0405	Villa St. Francis	Olathe	\$172.30	0.9911
Medicalodges Jackson County	Holton	\$149.09	0.9203	Pinnacle Ridge Nursing and Rehabilitation	Olathe	\$151.32	1.0426
Tri County Manor Living Center, Inc.	Horton	\$110.67	0.9413	Royal Terrace Nursing & Rehab. Center	Olathe	\$149.80	1.0634
Howard Twilight Manor	Howard	\$153.86	1.0773	Good Samaritan Society-Olathe	Olathe	\$165.27	0.9056
Sheridan County Hospital	Hoxie	\$161.67	0.9809	Evergreen Community of Johnson County	Olathe	\$194.10	1.0600
Pioneer Manor	Hugoton	\$174.72	0.8150	Aberdeen Village, Inc.	Olathe	\$183.01	0.9705
Golden Plains Rehabilitation Center	Hutchinson	\$150.11	1.0688	Deseret Nursing & Rehab at Onaga	Onaga	\$130.70	1.1671
Good Sam Society-Hutchinson Village	Hutchinson	\$163.68	0.9344	Peterson Health Care, Inc.	Osage City	\$126.59	0.9504
Hutchinson Care Center	Hutchinson	\$141.34	1.0823	Osage Nursing & Rehab Center	Osage City	\$160.52	1.2425
Wesley Towers	Hutchinson	\$189.35	0.9976	Life Care Center of Osawatomie	Osawatomie	\$153.18	1.0839
Ray E. Dillon Living Center	Hutchinson	\$186.53	1.0007	Parkview Care Center	Osborne	\$131.26	0.8971
Regal Estate	Independence	\$132.99	1.0507	Hickory Pointe Care & Rehab Center	Oskaloosa	\$157.16	1.0093
Montgomery Place Nursing Center, LLC	Independence	\$146.16	0.9850	Deseret Nursing & Rehab at Oswego	Oswego	\$120.81	1.0759
Pleasant View Home	Inman	\$153.88	0.8358	Ottawa Retirement Village	Ottawa	\$130.83	0.9673
Iola Nursing Center	Iola	\$143.71	0.9745	Brookside Manor	Overbrook	\$141.74	0.9756
Hodgeman Co Health Center-LTCU	Jetmore	\$191.41	1.0775	Garden Terrace at Overland Park	Overland Park	\$158.33	1.0534
Stanton County Hospital-LTCU	Johnson	\$180.03	0.9430	Indian Meadows Healthcare Center	Overland Park	\$207.72	1.5300
Valley View Senior Life	Junction City	\$159.04	0.9848	Manorcare Health Services of Overland Park	Overland Park	\$175.20	1.0481
Medicalodges Post Acute Care Center	Kansas City	\$172.10	1.0755	Villa Saint Joseph	Overland Park	\$191.07	1.0141
Kansas City Presbyterian Manor	Kansas City	\$178.37	0.9517	Delmar Gardens of Overland Park	Overland Park	\$172.87	0.9820
Medicalodges Kansas City	Kansas City	\$161.81	0.9744	Overland Park Nursing & Rehab	Overland Park	\$169.46	1.0093
Lifecare Center of Kansas City	Kansas City	\$160.53	1.1462	Indian Creek Healthcare Center	Overland Park	\$177.91	1.0990
Providence Place	Kansas City	\$192.17	1.5150	Village Shalom, Inc.	Overland Park	\$189.13	0.9900
Deseret Nursing & Rehab at Kensington	Kensington	\$128.51	1.1283	Riverview Manor, Inc.	Oxford	\$113.48	0.8430
The Wheatlands	Kingman	\$147.59	1.0259	North Point Skilled Nursing Center	Paola	\$147.89	1.0533
Medicalodges Kinsley	Kinsley	\$187.97	0.9722	Medicalodges Paola	Paola	\$112.26	0.6564
Kiowa Hospital District Manor	Kiowa	\$157.58	0.8367	Elmhaven East	Parsons	\$125.72	0.9781
Rush Co. Memorial Hospital	La Crosse	\$157.08	0.8967	Elmhaven West	Parsons	\$134.11	1.0082
Locust Grove Village	La Crosse	\$154.28	0.9339	Parsons Presbyterian Manor	Parsons	\$174.65	1.0421
High Plains Retirement Village	Lakin	\$191.49	1.0330	Good Samaritan Society-Parsons	Parsons	\$147.86	0.9789
Golden Living Center-Lansing	Lansing	\$161.59	1.1946	Peabody Care Center, LLC	Peabody	\$136.88	1.0344
Twin Oaks Health and Rehab	Lansing	\$199.33	1.1100	Westview Manor of Peabody	Peabody	\$83.91	0.6322
Larned Healthcare Center	Larned	\$146.02	1.0030	Phillips County Retirement Center	Phillipsburg	\$129.55	0.9141
Lawrence Presbyterian Manor	Lawrence	\$169.38	0.8900	Medicalodges Pittsburg South	Pittsburg	\$162.19	0.9444
Brandon Woods at Alvarado	Lawrence	\$170.69	0.9998	Golden Living Center-Pittsburg	Pittsburg	\$132.46	0.9939
Pioneer Ridge Retirement Community	Lawrence	\$167.92	1.0337	Via Christi Village Pittsburg, Inc.	Pittsburg	\$150.17	0.9730
Medicalodges Leavenworth	Leavenworth	\$160.94	0.9309	Rooks County Senior Services, Inc.	Plainville	\$167.51	0.9818
Delmar Gardens of Lenexa	Lenexa	\$141.08	0.9346	Pratt Regional Medical Center	Pratt	\$194.44	1.1663
Lakeview Village	Lenexa	\$197.80	1.1252	Deseret Health & Rehab at Pratt LLC	Pratt	\$132.75	1.1534
Leonardville Nursing Home	Leonardville	\$130.68	0.9588	Prescott Country View Nursing Center	Prescott	\$126.70	0.9786
Wichita County Health Center	Leoti	\$166.40	0.8500	Prairie Sunset Manor	Pretty Prairie	\$149.25	0.8312
Liberal Good Samaritan Center	Liberal	\$160.43	1.0711	Protection Valley Manor	Protection	\$131.35	0.8712
Wheatridge Park Care Center	Liberal	\$162.59	0.9619	Gove County Medical Center	Quinter	\$183.59	0.9415
Lincoln Park Manor, Inc.	Lincoln	\$149.28	1.0764	Grisell Memorial Hospital Dist. #1-LTCU	Ransom	\$166.39	0.9117
Bethany Home Association	Lindsborg	\$171.09	0.8831	Richmond Healthcare and Rehabilitation	Richmond	\$150.81	0.9858
Linn Community Nursing Home	Linn	\$128.11	0.9186	Fountainview Nursing and Rehab Center	Rose Hill	\$153.65	1.1224
Sandstone Heights	Little River	\$201.02	1.2933	Rossville Healthcare & Rehab Center	Rossville	\$138.18	0.9798
Logan Manor Community Health Service	Logan	\$171.44	0.9291	Wheatland Nursing & Rehab Center	Russell	\$146.83	1.1000
Louisburg Care Center	Louisburg	\$148.96	1.0759	Russell Regional Hospital	Russell	\$187.74	0.9757
Good Samaritan Society-Lyons	Lyons	\$151.26	0.9078	Sabetha Nursing Center	Sabetha	\$141.26	0.9874
Meadowlark Hills Retirement Community	Manhattan	\$192.80	1.0193	Apostolic Christian Home	Sabetha	\$137.56	0.9300
Stoneybrook Retirement Community	Manhattan	\$176.70	1.1171	Smokey Hill Rehabilitation Center	Salina	\$128.88	0.9329
Via Christi Village Manhattan, Inc.	Manhattan	\$155.62	0.9838	Kenwood View Nursing Center	Salina	\$141.73	1.0655
Jewell County Hospital	Mankato	\$166.74	0.8560	Windsor Estates	Salina	\$137.82	0.9415
St. Luke Living Center	Marion	\$146.18	0.9038	Pinnacle Park Nursing and Rehabilitation	Salina	\$123.34	0.9047
Riverview Estates, Inc.	Marquette	\$166.03	1.0913	Salina Presbyterian Manor	Salina	\$177.68	0.9544
Cambridge Place	Marysville	\$139.97	0.9700	Holiday Resort of Salina	Salina	\$155.16	1.0430
McPherson Care Center	McPherson	\$131.19	1.1279	Satanta Dist. Hosp. LTCU	Satanta	\$176.42	0.9405
The Cedars, Inc.	McPherson	\$166.84	0.9120	Park Lane Nursing Home	Scott City	\$168.88	0.9248
Meade District Hospital, LTCU	Meade	\$190.08	0.9133	Pleasant Valley Manor	Sedan	\$119.99	0.9296
Trinity Nursing & Rehab Center	Merriam	\$167.87	1.0524	Sedgwick Healthcare Center	Sedgwick	\$170.62	1.0138
Great Plains of Ottawa County, Inc.	Minneapolis	\$157.99	1.1750	Crestview Manor	Seneca	\$116.35	1.0233
Good Samaritan Society-Minneapolis	Minneapolis	\$147.63	0.9674	Life Care Center of Seneca	Seneca	\$130.86	0.9518
Minneola District Hospital - LTCU	Minneola	\$190.14	1.0595	Wallace County Community Center	Sharon Springs	\$165.76	0.9736
Bethel Home, Inc.	Montezuma	\$159.22	0.9261	Shawnee Gardens Nursing Center	Shawnee	\$147.78	1.1467
Moran Manor	Moran	\$127.87	1.0844	Sharon Lane Health Services	Shawnee	\$140.77	0.9704
Pine Village	Moundridge	\$178.05	1.0421	Smith County Memorial Hospital LTCU	Smith Center	\$171.77	0.9058
Moundridge Manor, Inc.	Moundridge	\$155.58	0.8654	Deseret Nursing & Rehab at Smith Center	Smith Center	\$129.30	1.0882
Mt. Hope Nursing Center	Mt. Hope	\$136.02	0.8914	Mennonite Friendship Manor, Inc.	South Hutchinson	\$183.80	1.0222
Villa Maria, Inc.	Mulvane	\$146.13	0.9737				
Golden Living Center-Neodesha	Neodesha	\$134.44	0.9554				
Ness County Hospital Dist.#2	Ness City	\$161.10	0.8638				
Asbury Park	Newton	\$179.38	0.9961				
Kansas Christian Home	Newton	\$167.76	1.0251				
Newton Presbyterian Manor	Newton	\$190.42	1.0205				
Bethel Care Center	North Newton	\$164.95	0.9367				
Andbe Home, Inc.	Norton	\$154.00	0.9826				

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Golden Living Center-Spring Hill	Spring Hill	\$163.33	1.1010
St. Francis Good Samaritan Village	St. Francis	\$161.09	0.9788
Leisure Homestead at St. John	St. John	\$146.54	0.9168
Community Hospital of Onaga, LTCU	St. Marys	\$173.27	0.9122
Prairie Mission Retirement Village	St. Paul	\$144.83	0.9958
Leisure Homestead at Stafford	Stafford	\$137.43	1.0258
Sterling Presbyterian Manor	Sterling	\$170.65	0.8345
Solomon Valley Manor	Stockton	\$160.63	0.9695
Seasons of Life Living Center	Syracuse	\$165.21	0.8245
Tonganoxie Nursing Center	Tonganoxie	\$164.26	1.1533
Brewster Health Center	Topeka	\$177.25	0.8967
Topeka Presbyterian Manor Inc.	Topeka	\$186.67	1.0250
Eventide Convalescent Center, Inc.	Topeka	\$124.73	0.8685
Topeka Community Healthcare Center	Topeka	\$150.34	0.9829
McCrite Plaza Health Center	Topeka	\$156.92	0.9658
Rolling Hills Health Center	Topeka	\$177.96	1.0762
Manorcare Health Services of Topeka	Topeka	\$159.53	1.0259
Westwood Manor	Topeka	\$135.93	1.0000
Aldersgate Village	Topeka	\$185.59	1.0522
Plaza West Care Center, Inc.	Topeka	\$176.61	1.0258
Lexington Park Nursing and Post Acute	Topeka	\$177.65	1.0457
Washburn Community Care Center, LLC	Topeka	\$144.88	0.9110
Brighton Place West	Topeka	\$102.51	0.6974
Countryside Health Center	Topeka	\$121.00	0.7764
Providence Living Center	Topeka	\$95.05	0.7062
Brighton Place North	Topeka	\$93.02	0.6658
Greeley County Hospital, LTCU	Tribune	\$170.82	0.9023
The Legacy at Park View	Ulisses	\$181.48	0.9974
Valley Health Care Center	Valley Falls	\$124.94	0.6261
Trego Co. Lemke Memorial LTCU	WaKeeney	\$184.92	0.9813
Trego Manor	WaKeeney	\$148.46	0.9024
Golden Living Center-Wakefield	Wakefield	\$155.07	0.9696
Wamego Valley Vista Good Samaritan	Wamego	\$166.48	0.9795
The Centennial Homestead, Inc.	Washington	\$128.05	0.9582
Wathena Nursing & Rehab Center	Wathena	\$160.68	1.1391
Coffey County Hospital	Waverly	\$162.15	0.8252
Golden Living Center-Wellington	Wellington	\$128.98	0.9135
Sumner County Care Center	Wellington	\$135.92	1.1078
Wellsville Manor	Wellsville	\$139.49	1.0125
Westy Community Care Home	Westmoreland	\$132.78	0.9805
Wheat State Manor	Whitewater	\$158.91	0.9022
Medicalodges Wichita	Wichita	\$174.10	1.0963
Meridian Nursing & Rehab Center	Wichita	\$129.24	0.9760
Catholic Care Center Inc.	Wichita	\$173.15	0.9860
Kansas Masonic Home	Wichita	\$178.33	1.0713
Homestead Health Center, Inc.	Wichita	\$180.40	0.9975
Deseret Healthcare and Rehab at Woodlawn	Wichita	\$132.77	1.1126
Wichita Presbyterian Manor	Wichita	\$185.56	1.0310
Sandpiper Healthcare and Rehab Center	Wichita	\$145.56	1.0235
Lakepoint Nursing and Rehabilitation	Wichita	\$152.04	0.9766
Manorcare Health Services of Wichita	Wichita	\$167.02	1.1800
College Hill Nursing and Rehab Center	Wichita	\$140.44	0.8763
Deseret Health & Rehab at Seville LLC	Wichita	\$149.37	1.0830
Golden Living Center-Wichita	Wichita	\$146.28	0.8939
The Health Care Center at Larksfield Pl.	Wichita	\$186.52	1.2800
Life Care Center of Wichita	Wichita	\$156.75	1.0679
Via Christi Hope	Wichita	\$135.12	0.0000
Family Health & Rehabilitation Center	Wichita	\$182.38	1.1900
Caritas Center	Wichita	\$159.94	0.7984
Regent Park Rehabilitation and Healthcare	Wichita	\$182.32	0.0000
Avita Health & Rehab at Reeds Cove	Wichita	\$190.26	0.0000
Golden Living Center-Wilson	Wilson	\$152.45	1.2086
Jefferson Co. Memorial Hospital-LTCU	Winchester	\$153.88	0.9437
Winfield Good Samaritan Center	Winfield	\$149.21	0.9821
Cumbernauld Village, Inc.	Winfield	\$162.18	0.8163
Winfield Rest Haven II, LLC.	Winfield	\$161.66	0.9480
Kansas Veterans' Home	Winfield	\$162.46	0.9243
Deseret Health & Rehab at Yates Center	Yates Center	\$134.73	1.0646

### 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 KHPA regulations in K.A.R. Article 30-10 implementing that statute and applicable federal law.
- The state's analyses project that the proposed rates:
  - Would result in payment, in the aggregate of 91.93% 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 \$169.91.
  - Estimated average rate July 1, 2013 \$153.55
  - Average payment rate July 1, 2012 \$150.47

Amount of change	\$3.08
Percent of change	2.04%
- Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase approximately \$11.11 million.
- 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 320 nursing facilities (representing 93% 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;
  - The statewide average occupancy rate for nursing facilities participating in Medicaid is 83.53%;
  - The statewide average Medicaid occupancy rate for participating facilities is 56.65%; and
  - The proposed rates would cover 90.75% of the estimated Medicaid direct health care costs incurred by participating nursing facilities statewide.
- 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. The State's Response to Written Comments on the Published Proposals

The state received one comment to the Notice of Proposed Nursing Facility Medicaid Rates for State Fiscal Year 2014, Methodology for Calculating Proposed Rates, and Rate Justifications; Notice of Intent to Amend the Medicaid State Plan and Request for Comments published in the April 25, 2013, Kansas Register.

**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, 2013.

Shawn Sullivan  
Secretary for Aging and  
Disability Services

Kari Bruffet  
Executive Director  
Division of Health Care Finance

Doc. No. 041665

**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. 2012 Supp. 12-1675(b)(c)(d) and K.S.A. 2012 Supp. 12-1675a(g).

**Effective 6-24-13 through 6-30-13**

Term	Rate
1-89 days	0.10%
3 months	0.05%
6 months	0.09%
1 year	0.15%
18 months	0.26%
2 years	0.38%

Scott Miller  
Director of Investments

Doc. No. 041664

**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-13-159/171**

**Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Brad Klaassen 1164 29th Ave. Canton, KS 67428	NW/4 of Section 01, T20S, R01W, McPherson County	Little Arkansas River Basin

Kansas Permit No. A-LAMP-B005

This is a new permit for a proposed facility for 999 head (999 animal units) of cattle weighing greater than 700 pounds. The proposed facility consists of approximately 7.1 acres of open lot pens and 1.7 acres of feed storage area. Surface runoff will flow across proposed vegetated buffer areas.

Name and Address of Applicant	Legal Description	Receiving Water
Mark Riedy Mark Riedy Feedlot 508 Oat Road Hope, KS 67451	SW/4 of Section 11, T16S, R03E, Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-B034

This is a new permit for an existing feedlot. In addition to the runoff control system the owners will be constructing one additional pen. The capacity of the feedlot will be 600 head (600 animal units) of cattle weighing more than 700 pounds each.

Name and Address of Applicant	Legal Description	Receiving Water
Maurice Feldkamp 2460 F Road Baileyville, KS 66404	NW/4 of Section 01, T02S, R11E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S035

This permit is being modified to expand the facility to 2,200 head (880 animal units) of swine weighing greater than 55 pounds and 1,100 head (110 animal units) of swine weighing 55 pounds or less. The facility will add two finishing buildings with concrete pits.

Name and Address of Applicant	Legal Description	Receiving Water
Chris and Mindy Harting C & M Starters 16799 Road U Norton, KS 67654	SE/4 of Section 11, T04S, R23W, Norton County	Solomon River Basin

Kansas Permit No. A-SONT-C003

Federal Permit No. KS0100625

This is a permit modification and reissuance for an expanding facility with the proposed maximum capacity of 2,200 head (1,100 animal units) of cattle weighing 700 pounds or less. This represents an increase in the permitted animal units from the previous permit. The facility consists of approximately 10 acres of open lot pens, a sediment basin and an earthen retention control structure. Proposed modifications to the facility include the construction of approximately 9.1 acres of open lot pens, a diversion channel, a sediment basin and an earthen retention control structure. A portion of the existing pen area will be abandoned. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Paul Woydziak, Manager Great Bend Feeding, Inc. 355 N.W. 30 Ave. Great Bend, KS 67530	E/2 of Section 10 & All of Section 11, T19S, R14W, Barton County	Upper Arkansas River Basin

Kansas Permit No. A-UABT-C002

Federal Permit No. KS0040576

This is a permit modification and reissuance for an existing facility with the maximum capacity of 35,000 head (35,000 animal units) of cattle weighing greater than 700 pounds. The facility consists of approximately 357 acres of open lot pens and miscellaneous feedlot areas. Surface runoff and process water is collected by 11 sediment basins and 15 earthen waste storage ponds. The facility is proposing to convert two existing waste storage ponds into sediment basins. No

(continued)

other modifications are proposed. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Bruce Livingston LEI River View, LLC 500 4th St. Fairbury, NE 68352	SW/4 of Section 17, T01S, R04E, Washington County	Big Blue River Basin
Kansas Permit No. A-BBWS-H009      Federal Permit No. KS0098612		

This permit is being reissued for a confined animal feeding operation for 3,096 head (1,238.4 animal units) of swine weighing greater than 55 pounds and 4,940 head (494 animal units) of swine weighing less than 55 pounds. This represents an increase in the permitted animal units from the previous permit. The permit contains proposed modifications consisting of modifying parts of the existing farrowing building for a new farrowing room, and construction of a new isolation building with a pull plug manure pit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Matt Peterson C & M Cattle Company 312 DD Ave. Council Grove, KS 66846	SE/4 of Section 27, T17S, R09E, Morris County	Neosho River Basin
Kansas Permit No. A-NEMR-C002      Federal Permit No. KS0091308		

This is a permit modification and reissuance for an existing feedlot with a capacity of 3,000 head (3,000 animal units) of beef cattle weighing more than 700 pounds each and 1,000 head (500 animal units) of beef cattle weighing less than 700 pounds each. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Victor L. Krainbill Krainbill Farms 1727 232nd Road Bern, KS 66408	SW/4 of Section 02, T01S, R13E, Nemaha County	Missouri River Basin
Kansas Permit No. A-MONM-S014		

This permit is being reissued for an existing facility with a maximum capacity of 1,600 head (640 animal units) of swine more than 55 pounds and 800 head (80 animal units) of swine 55 pounds or less, for a total of 720 animal units of swine. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Carl Redden Redden Brothers LLC 7778 E. Hedberg Road Gypsum, KS 67448	NW/4 of Section 16 & NE/4 of Section 17, T16S, R01W, Saline County	Smoky Hill River Basin
Kansas Permit No. A-SHSA-B001		

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 70 head (35 animal units) of cattle 700 pounds or less, for a total of 110 animal units. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Tom Haffner Haffner Feedlot 1909 Sheridan Ave. Hoxie, KS 67740	NW/4 of Section 27, T09S, R28W, Sheridan County	Saline River Basin
Kansas Permit No. A-SASD-B011		

This permit is being reissued for an existing facility with a maximum capacity of 600 head (600 animal units) of cattle more than 700 pounds. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Don Owens Seaboard Foods — Shore #10 2801 Hurliman Road Guymon, OK 73942	NE/4 of Section 12, T30S, R40W, Stanton County	Cimarron River Basin
Kansas Permit No. A-CIST-H002      Federal Permit No. KS0091588		

This permit is being reissued for an existing swine facility for 3,320 head (1,328 animal units) of swine weighing more than 55 pounds and 4,500 head (450 animal units) of swine weighing 55 pounds or less, for a total permitted capacity of 7,820 head (1,778 animal units) of swine. 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
Don Owens Seaboard Foods — Thomason Farms #202, #203, #205 and #207 2801 Hurliman Road Guymon, OK 73942	SW/4 & NW/4 of Section 23 & NW/4, NE/4 & SE/4 of Section 26, T34S, R41W, Morton County	Cimarron River Basin
Kansas Permit No. A-CIMT-H003      Federal Permit No. KS0091928		

This permit is being reissued for an existing swine facility for 43,200 head (17,280 animal units) of swine weighing more than 55 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
N. Terry Nelson Nelson Hog Farm LLC — Site C P.O. Box 8 Long Island, KS 67647	NW/4 of Section 17, T01S, R21W, Norton County	Upper Republican River Basin
Kansas Permit No. A-URNT-H004      Federal Permit No. KS0094111		

This permit is being reissued for an existing facility for 7,680 head (3,072 animal units) of swine weighing more than 55 pounds. There is no change in the permitted animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

**Public Notice No. KS-Q-13-105**

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-g), and Federal Surface Water Criteria:

Name and Address of Applicant	Receiving Stream	Type of Discharge
Herzog Contracting Corporation P.O. Box 1089 St. Joseph, MO 64507	Missouri River via Unnamed Tributary	Pit Dewatering & Stormwater Runoff

Kansas Permit No. I-MO23-PO01      Federal Permit No. KS0002780  
Legal Description: NW¼, S15, T3S, R22E, Doniphan County, KS  
Facility Name: Wathena Quarry

The proposed action consists of reissuing an existing permit for discharge of wastewater during quarry operations. This is a limestone quarrying and crushing operation, which occasionally washes rock. Wash water is treated by two nondischarging ponds in series, since the wash water is recycled. Outfalls 001, 002, 003 and 004 consist of stormwater runoff and quarry pit water. The proposed permit contains generic water-quality language to protect waters of the state.

**Public Notice No. KS-EG-13-004/008**

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

Name and Address of Applicant
Occidental Chemical Corporation 6200 S. Ridge Road Wichita, KS 67277-2283



Facility Location: Lyons, Kansas

Well & Permit Number	Location
Pauly 4-1/KS-03-173-284	NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , S29, T29S, R02W, Sedgwick County, KS
Pauly 4-2/KS-03-173-285	NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , S29, T29s, R02W, Sedgwick County, KS
Pauly 4-3/KS-03-173-286	NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , S29, T29s, R02W, Sedgwick County, KS
Pauly 4-4/KS-03-173-287	NE $\frac{1}{4}$ , NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , S29, T29S, R02W, Sedgwick County, KS
Pauly 4-5/KS-03-173-288	NE $\frac{1}{4}$ , NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , S29, T29S, R02W, Sedgwick County, KS

Facility Description: The proposed action is to issue five new salt-solution mining well permits. The production of brine will be by gallery system. The revision involves drilling and installation of wells by in-line gallery instead of five-spot configuration. An access borehole will be drilled to facilitate the connection of the gallery of wells. The access borehole will be plugged once it is no longer needed for this purpose. Injection is into the Hutchinson Salt member of the Wellington formation. Cavity development shall be no shallower than 250 feet below land surface and not extend into the upper 50 feet of the salt deposit. Fluids to be injected consist of fresh water and saturated brine. The maximum operational injection pressure is not to exceed 130 pounds per square inch at the wellhead. All construction, monitoring and operation of these wells will meet the requirements that apply to Class III injection wells under K.A.R. 28-43-1 through 28-43-11 and the Kansas UIC regulations, K.A.R. 28-46-1 through 28-46-44, and other requirements of KDHE.

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

All comments regarding the draft documents or application notices received on or before July 27 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-13-159/171, KS-Q-13-105, KS-EG-13-004/008) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the secretary of the Department 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. 041677

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, July 11, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFA to issue its Agricultural Development Revenue Bond for the projects numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the KDFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The projects shall be located as shown:

**Project No. 000855 — Maximum Principal Amount: \$255,500.** Owner/Operator: Samuel Stucky. Description: Acquisition of 140 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Samuel Stucky and is located at Section 10, Township 21 South, Range 3 West, McPherson County, Kansas, approximately 6 miles west and 3 miles north of Moundridge on Cheyenne Road.

**Project No. 000860 — Maximum Principal Amount: \$190,355.33.** Owner/Operator: Pat and Stacy Letourneau. Description: Acquisition of 155 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Pat and Stacy Letourneau and is located at Section 13, Arion Township, Cloud County, Kansas, approximately 7 miles south of Concordia on Highway 81 and 2 miles west on Jade Road.

**Project No. 000861 — Maximum Principal Amount: \$176,077.50.** Owner/Operator: Sara J. Graber. Description: Acquisition of 114 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Sara J. Graber and is located at Northeast Quarter, less the Southeast Quarter of said Northeast Quarter and 5.88 acre tract in Section 27, Township 21 South, Range 1 West, McPherson County, Kansas, approximately 6 miles east of Moundridge on Arrowhead.

The bond, when issued, will be a limited obligation of the KDFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the KDFA, nor will it be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

All individuals who appear at the hearing will be given an opportunity to express their views concerning the proposal to issue the bonds to finance the projects, and all written comments previously filed with the KDFA at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603,

(continued)

will be considered. Additional information regarding the projects may be obtained by contacting the K DFA.

Tim Shallenburger  
President

Doc. No. 041681

(Published in the Kansas Register June 27, 2013.)

**Summary Notice of Bond Sale  
City of Garden City, Kansas**

**\$7,792,000\***

**General Obligation Bonds  
Series 2013-A**

**and**

**\$612,000\***

**Taxable General Obligation Bonds  
Series 2013-B**

**Details of the Sale**

Subject to the terms and requirements of the Official Notice of Bond Sale dated June 18, 2013, of the city of Garden City, Kansas, bids to purchase the city's (i) General Obligation Bonds, Series 2013-A, and (ii) Taxable General Obligation Bonds, Series 2013-B, will be received at the City Administrative Center, 301 N. 8th, Garden City, KS 67846, or by telefacsimile at 620-276-1169, until 11 a.m. (CST) Tuesday, July 16, 2013. Bids received will be considered by the governing body at its meeting at 1 p.m. on the sale date.

No oral or auction bids for the 2013-A Bonds or 2013-B Bonds (collectively, the bonds) will be considered, and no bid for less than 100 percent of the total principal amount of the bonds and accrued interest to the date of delivery shall be considered.

**Good Faith Deposit**

Each bidder must submit a good faith deposit in the form of cash, deposited in the city's account by electronic transfer, a certified or cashier's check made payable to the order of the city, or a financial surety bond (all as further described in the Official Notice of Bond Sale), in an amount equal to 2 percent of the principal amount of the bonds.

**Details of the Bonds**

The bonds are dated August 1, 2013, and will be issued as registered bonds in the denomination of \$5,000, or any integral multiple thereof, except for one Series 2013-A bond in the denomination of \$2,000 and one Series 2013-B bond in the denomination of \$5,000 (or such amount added to a \$5,000 integral multiple). Interest on the bonds is payable semiannually on May 1 and November 1 of each year, beginning May 1, 2014. Principal of the bonds becomes due on November 1 in the years and amounts as shown below:

**Maturity Schedule for Series 2013-A Bonds**

Principal Amount*	Maturity Date
\$602,000.00	2014
655,000.00	2015
675,000.00	2016
690,000.00	2017

710,000.00	2018
730,000.00	2019
750,000.00	2020
775,000.00	2021
795,000.00	2022
820,000.00	2023
110,000.00	2024
115,000.00	2025
120,000.00	2026
120,000.00	2027
125,000.00	2028

**Maturity Schedule for Series 2013-B Bonds**

Principal Amount*	Maturity Date
\$47,000.00	2014
55,000.00	2015
55,000.00	2016
60,000.00	2017
60,000.00	2018
60,000.00	2019
65,000.00	2020
65,000.00	2021
70,000.00	2022
75,000.00	2023

**Payment of Principal and Interest**

The Kansas State Treasurer will serve as the bond registrar and paying agent for the bonds.

**Book-Entry Bonds**

The bonds will be issued and registered under a book-entry-only system administered by the Depository Trust Company, New York, New York (DTC).

**Delivery of the Bonds**

The city will prepare the bonds at its expense and will deliver the registered bonds to DTC on or about August 14, 2013.

**Legal Opinion**

The bonds will be sold subject to the legal opinion of Triplett, Woolf & Garretson, LLC, Wichita, Kansas, bond counsel, whose fees will be paid by the city.

**Financial Matters**

The city's current assessed valuation for purposes of calculating statutory debt limitations is \$190,353,970. As of August 1, 2013, the city's total outstanding general obligation debt (including the bonds) is \$42,594,000.

**Additional Information**

For additional information contact the city clerk at the address and telephone number shown below, or the city's financial advisor, Chuck Bouilly, George K. Baum & Co., 100 N. Main, Suite 810, Wichita, KS 67202, 316-264-9351.

City of Garden City, Kansas  
By Celyn N. Hurtado, City Clerk  
City Administrative Center, 301 N. 8th  
Garden City, KS 67846  
620-276-1234

\*Principal amounts subject to change.

Doc. No. 041685

(Published in the Kansas Register June 27, 2013.)

**City of Coffeyville, Kansas  
Coffeyville Municipal Airport**

**Requests for Bids**

Sealed bids subject to the conditions and provisions presented herein will be received at City Hall until 2 p.m. (CDT) Wednesday, July 3, 2013, and then publicly opened and read at the City Commission Room, City Hall, 102 W. 7th St., Coffeyville, 67337, for furnishing all labor, materials and equipment and performing all work necessary for the following:

**AIP Project No.: 3-20-0011-018**

- Airport Drainage Improvements
- Runway 17 Safety Area Grading
- Repair Runway 17 Edge Drains
- Install Erosion Control Devices at Lights

Plans and specifications are on file and may be examined at the office of the city clerk and at the office of the consulting engineers, H.W. Lochner, Inc., 903 E. 104th St., Suite 800, Kansas City, MO 64131-3451. Questions concerning the plans and specifications for this project should be directed to Chris Flageolle, P.E., at H.W. Lochner, Inc. in Kansas City, Missouri, at 816-363-2696.

Drawings, specifications and other related contract information may be ordered online at [www.drexeltech.com](http://www.drexeltech.com) or by contacting Drexel Technologies, Inc., 10840 W. 86th St., Lenexa, KS 66214, 913-371-4430 or fax 913-371-7128. Checks shall be made payable to Drexel Technologies and mailing costs are the responsibility of the purchaser. Drawings, specifications, any addenda and a plan holders list are available at [www.drexeltech.com](http://www.drexeltech.com) by clicking on "eDistribution Plan Room."

Each proposal must be accompanied by a bid guaranty in the amount of 5 percent of the total amount of the bid. The bid guaranty may be by certified check or bid bond made payable to the city of Coffeyville, Kansas.

Bids may be held by the city of Coffeyville for a period not to exceed 90 calendar days from the date of the bid opening for the purpose of evaluating bids prior to award of contract.

The right is reserved, as the city of Coffeyville may require, to reject any and all bids and to waive any informality in the bids received.

This project is subject to the requirements of the Davis-Bacon Act, as amended. The contractor is required to comply with wage and labor provisions and to pay minimum wages in accordance with the schedule of wage rates established by the U.S. Department of Labor.

This project is subject to the requirements of 49 CFR Part 26, Disadvantaged Business Enterprise Participation. The owner has established a contract goal of 4.93 percent participation for small business concerns owned and controlled by qualified disadvantaged business enterprises (DBE). The bidder shall make and document good faith efforts, as defined in Appendix A of 49 CFR Part 26, to meet the established goal.

Award of contract is also subject to the following federal provisions:

- Executive Order 11246 and DOL Regulation 41 CFR Part 60 - Affirmative Action to Ensure Equal Employment Opportunity
- DOL Regulation 29 CFR Part 5 — Davis-Bacon Act
- DOT Regulation 49 CFR PART 29 — Government-wide Debarment and Suspension and Government-wide Requirements for Drug-free Workplace
- DOT Regulation 49 CFR PART 30 — Denial of Public Works Contracts to Suppliers of Goods and Services of Countries that Deny Contracts to Suppliers of Goods and Services of Countries that Deny Procurement Market Access to U.S. Contractors (Foreign Trade Restriction)
- Title 49 United States Code, Chapter 501 — Buy American Preferences

Cindy Price  
City Clerk

Doc. No. 041670

**State of Kansas**

**Kansas Lottery**

**Temporary Administrative Regulations**

**Article 4.—INSTANT GAMES AND DRAWINGS**

**111-4-3251. "Fat Cat Tripler" instant ticket lottery game number 477.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Fat Cat Tripler." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3251.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
1	ONE
2	TWO
3	THREE
4	FOUR
5	FIVE
6	SIX
7	SEVEN
8	EIGHT
9	NINE
Symbol of a cat	WIN3X
Prize Symbols	Captions
FREE	\$1TICKET
\$1. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$3. <sup>00</sup>	THREE\$
\$5. <sup>00</sup>	FIVE\$
\$6. <sup>00</sup>	SIX\$
\$10. <sup>00</sup>	TEN\$
\$15. <sup>00</sup>	FIFTN\$
\$20. <sup>00</sup>	TWENTY
\$30. <sup>00</sup>	THIRTY
\$100	HUNDRED
\$250	TWO-FTY
\$1,000	ONE-THO

(continued)

(c) For this game, a play/prize symbol shall appear in 12 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(f) "Fat Cat Tripler" is a match your numbers game with a tripler feature. A player will scratch the game play area to reveal five play symbols identified as "YOUR NUMBERS" each with an associated prize symbol, plus two play symbols identified as "CAT NUMBERS." If any of the "YOUR NUMBERS" match either of the "CAT NUMBERS," the player wins the prize shown for that matching number. If a "FAT CAT" play symbol is revealed, the player wins triple the prize shown for that symbol.

(g) Each ticket in this game may win up to five times.

(h) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
\$1 FREE TICKET	Free Ticket	90,000 \$0
\$1	\$1	60,000 60,000
\$2	\$2	30,000 60,000
\$3	\$3	3,000 9,000
\$1 (TPL)	\$3	6,000 18,000
\$5	\$5	3,000 15,000
\$1 (TPL) + \$2	\$5	6,000 30,000
(\$1 x 5)	\$5	6,000 30,000
\$6	\$6	3,000 18,000
\$2 (TPL)	\$6	3,000 18,000
\$10	\$10	1,500 15,000
(\$2 x 5)	\$10	4,500 45,000
\$15	\$15	300 4,500
\$5 (TPL)	\$15	900 13,500
(\$5 x 2) + (\$2 x 2) + \$1	\$15	1,800 27,000
\$20	\$20	600 12,000
\$5 (TPL) + \$5	\$20	300 6,000
(\$2 (TPL) x2) + \$1 (TPL) + \$5	\$20	600 12,000
\$30	\$30	60 1,800
\$10 (TPL)	\$30	180 5,400
(\$3 (TPL) x 2) + (\$2 (TPL) x 2)	\$30	960 28,800
(\$6 x 5)	\$30	300 9,000
\$100	\$100	15 1,500
\$30 (TPL) + \$2 (TPL) + (\$1 x 2) + \$2	\$100	60 6,000
\$10 (TPL) + \$20 (TPL) + \$2 (TPL) + (\$2 x 2)	\$100	60 6,000
\$250	\$250	6 1,500
(\$20 (TPL) x 4) + \$10	\$250	24 6,000
\$1,000	\$1,000	3 3,000
\$250 (TPL) + (\$100 x 2) + \$15 (TPL) + \$5	\$1,000	12 12,000
<b>TOTAL</b>	<u>222,180</u>	<u>\$474,000</u>

(j) The odds of winning a prize in this game are approximately one in 4.05. (Authorized by K.S.A. 2012

Supp. 74-8710; implementing K.S.A. 2012 Supp. 74-8710, and K.S.A. 74-8720; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-4-3252. "Color of Money" instant ticket lottery game number 478.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Color of Money." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3252.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
1	ONE
2	TWO
3	THREE
4	FOUR
5	FIVE
6	SIX
7	SEVEN
8	EIGHT
9	NINE
Symbol of a dollar bill	WIN2X

Prize Symbols	Captions
FREE	\$1TICKET
\$1. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$3. <sup>00</sup>	THREE\$
\$4. <sup>00</sup>	FOUR\$
\$5. <sup>00</sup>	FIVE\$
\$10. <sup>00</sup>	TEN\$
\$15. <sup>00</sup>	FIFTN\$
\$20. <sup>00</sup>	TWENTY
\$40. <sup>00</sup>	FORTY
\$100	HUNDRED
\$250	TWO-FTY
\$2,000	TWO-THOU

(c) For this game, a play/prize symbol shall appear in 12 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(f) "Color of Money" is a match your numbers game with a doubler feature. A player will scratch the game play area to reveal five play symbols identified as "YOUR NUMBERS" each with an associated prize symbol, plus two play symbols identified as "WINNING NUMBERS." If any of the "YOUR NUMBERS" match either of the "WINNING NUMBERS," the player wins the prize shown for that matching number. If a "DOLLAR BILL" play symbol is revealed, the player wins double the prize shown for that symbol.

(g) Each ticket in this game may win up to five times.

(h) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
\$1 FREE TICKET	Free Ticket	90,000	\$0
\$1	\$1	57,000	57,000
\$2	\$2	6,000	12,000
\$1 (DBL)	\$2	30,000	60,000
\$4	\$4	6,000	24,000
\$1 (DBL) + (\$1 x 2)	\$4	9,000	36,000
\$5	\$5	3,000	15,000
(\$1 x 5)	\$5	6,000	30,000
\$2 (DBL) + \$1	\$5	3,000	15,000
\$10	\$10	750	7,500
\$5 (DBL)	\$10	1,500	15,000
(\$2 x 5)	\$10	3,750	37,500
\$15	\$15	600	9,000
\$4 (DBL) + (\$2 x 3) + \$1	\$15	1,200	18,000
(\$1 x 3) + \$2 + \$10	\$15	1,200	18,000
\$20	\$20	300	6,000
(\$5 x 3) + \$3 + \$2	\$20	600	12,000
\$5 (DBL) + (\$5 x 2)	\$20	600	12,000
\$40	\$40	60	2,400
(\$5 x 4) + \$10 (DBL)	\$40	720	28,800
(\$10 x 3) + (\$5 x 2)	\$40	720	28,800
\$100	\$100	15	1,500
(\$10 (DBL) x 5)	\$100	75	7,500
\$20 (DBL) + (\$10 x 2) + \$40	\$100	60	6,000
\$250	\$250	3	750
\$100 (DBL) + (\$10 (DBL) x 2) + (\$5 x 2)	\$250	15	3,750
\$2,000	\$2,000	6	12,000
<b>TOTAL</b>		<u>222,174</u>	<u>\$475,500</u>

(j) The odds of winning a prize in this game are approximately one in 4.05. (Authorized by K.S.A. 2012 Supp. 74-8710; implementing K.S.A. 2012 Supp. 74-8710, and K.S.A. 74-8720; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-4-3253. "The Money Game" instant ticket lottery game number 479.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "The Money Game." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3253.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
Symbol of a dollar bill	WIN2X
Prize Symbols	Captions
FREE	\$1TICKET
\$1. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$4. <sup>00</sup>	FOUR\$
\$5. <sup>00</sup>	FIVE\$
\$10. <sup>00</sup>	TEN\$
\$15. <sup>00</sup>	FIFTN\$
\$20. <sup>00</sup>	TWENTY
\$40. <sup>00</sup>	FORTY
\$50. <sup>00</sup>	FIFTY
\$100	HUNDRED
\$250	TWO-FTY
\$500	FIV-HUN
\$4,000	FOUR-THO

(c) For this game, a play/prize symbol shall appear in six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(f) "The Money Game" is a match three of six symbols game or a match two of six symbols with a doubler feature. A player will scratch the game play area to reveal six prize symbols or five prize symbols and one "DOLLAR BILL" play symbol. If three like prize symbols are revealed, the player wins that amount. If two like prize symbols and a "DOLLAR BILL" play symbol are revealed, the player wins double that amount.

(g) Each ticket in this game may win up to one time.

(h) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
\$1 FREE TICKET	Free Ticket	90,000	\$0
\$1	\$1	42,000	42,000
\$2	\$2	9,000	18,000
\$1 (DBL)	\$2	27,000	54,000
\$4	\$4	6,000	24,000
\$2 (DBL)	\$4	9,000	36,000
\$5	\$5	12,000	60,000
\$10	\$10	1,500	15,000
\$5 (DBL)	\$10	4,500	45,000
\$15	\$15	1,500	22,500
\$20	\$20	200	4,000
\$10 (DBL)	\$20	2,800	56,000
\$40	\$40	200	8,000
\$20 (DBL)	\$40	1,000	40,000
\$50	\$50	250	12,500
\$100	\$100	10	1,000
\$50 (DBL)	\$100	50	5,000
\$250	\$250	15	3,750
\$500	\$500	3	1,500
\$250 (DBL)	\$500	12	6,000
\$4,000	\$4,000	5	20,000
<b>TOTAL</b>		<u>207,045</u>	<u>\$474,250</u>

(j) The odds of winning a prize in this game are approximately one in 4.35. (Authorized by K.S.A. 2012 Supp. 74-8710; implementing K.S.A. 2012 Supp. 74-8710, and K.S.A. 74-8720; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-4-3254. "Cosmic Cash" instant ticket lottery game number 480.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Cosmic Cash." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3254.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Game Symbols	Captions
1	ONE

(continued)

2	TWO
3	THREE
4	FOUR
5	FIVE
6	SIX
7	SEVEN
8	EIGHT
9	NINE
Symbol of a flying saucer	WIN

Prize Symbols	Captions
FREE	\$1TICKET
\$1. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$4. <sup>00</sup>	FOUR\$
\$5. <sup>00</sup>	FIVE\$
\$10. <sup>00</sup>	TEN\$
\$15. <sup>00</sup>	FIFTN\$
\$20. <sup>00</sup>	TWENTY
\$40. <sup>00</sup>	FORTY
\$100	HUNDRED
\$250	TWO-FTY
\$2,500	TFV-HUN

(c) For this game, a play/prize symbol shall appear in 14 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(f) "Cosmic Cash" is a symbol match game. A player will scratch the game play area to reveal seven play symbols each with an associated prize symbol. If a "FLYING SAUCER" play symbol is revealed, the player wins the corresponding prize amount.

(g) Each ticket in this game may win up to seven times.

(h) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
\$1 FREE TICKET	Free Ticket	90,000	\$0
\$1	\$1	39,000	39,000
\$2	\$2	42,000	84,000
\$4	\$4	3,000	12,000
(\$1 x 4)	\$4	21,000	84,000
\$5	\$5	1,500	7,500
(\$2 x 2) + \$1	\$5	4,500	22,500
(\$1 x 5)	\$5	9,000	45,000
\$10	\$10	750	7,500
(\$2 x 3) + (\$1 x 4)	\$10	3,000	30,000
\$15	\$15	120	1,800
(\$5 x 3)	\$15	681	10,215
(\$1 x 5) + (\$5 x 2)	\$15	1,200	18,000
\$20	\$20	90	1,800
(\$4 x 5)	\$20	480	9,600
(\$4 x 4) + \$2 + (\$1 x 2)	\$20	930	18,600
\$40	\$40	90	3,600
(\$5 x 6) + \$10	\$40	720	28,800

(\$15 x 2) + (\$5 x 2)	\$40	390	15,600
\$100	\$100	6	600
(\$20 x 3) + (\$10 x 4)	\$100	72	7,200
(\$40 x 2) + (\$4 x 5)	\$100	72	7,200
\$250	\$250	3	750
(\$100 x 2) + (\$10 x 5)	\$250	24	6,000
\$2,500	\$2,500	6	15,000
TOTAL		<u>\$218,634</u>	<u>\$476,265</u>

(j) The odds of winning a prize in this game are approximately one in 4.12. (Authorized by K.S.A. 2012 Supp. 74-8710; implementing K.S.A. 2012 Supp. 74-8710, and K.S.A. 74-8720; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-4-3255. "Red, Wild & Blue" instant ticket lottery game number 541.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Red, Wild & Blue." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3255.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRN
14	FRTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EGTN
19	NINTN
20	TWNTY
21	TWYONE
22	TWYTWO
23	TWYTHR
24	TWYFOR
25	TWYFIV
26	TWYSIX
27	TWYSEV
28	TWYEGT
29	TWYNIN
30	THRTY
31	THRONE
32	THRTWO
33	THRTHR
34	THRFOR
WILD	WILD
Symbol of a flag	FLAG
Symbol of fireworks	FREWRK
Symbol of balloons	BALONS
Symbol of a globe	GLOBE

Symbol of a clown  
Symbol of ice cream

CLOWN  
ICECRM

\$2 TPL	\$6	7,200	43,200
\$3 DBL	\$6	7,200	43,200
\$7	\$7	10,000	70,000
\$9	\$9	2,000	18,000
(\$3 x 3)	\$9	2,000	18,000
\$3 + \$6	\$9	2,000	18,000
\$3 TPL	\$9	2,400	21,600
\$18	\$18	1,000	18,000
\$3 TPL + \$6 + \$3	\$18	1,400	25,200
(\$3 x 6)	\$18	1,200	21,600
\$25	\$25	840	21,000
\$9 DBL + \$7	\$25	1,180	29,500
\$50	\$50	140	7,000
(\$6 x 6) + (\$7 x 2)	\$50	140	7,000
(\$3 x 8) + (\$7 x 2) + (\$6 x 2)	\$50	100	5,000
\$25 DBL	\$50	180	9,000
\$75	\$75	60	4,500
\$25 TPL	\$75	80	6,000
(\$3 x 6) + \$6 DBL + (\$6 x 6) + \$9	\$75	80	6,000
\$100	\$100	20	2,000
(\$50 x 2)	\$100	30	3,000
(\$25 x 4)	\$100	30	3,000
\$50 DBL	\$100	40	4,000
\$1,000	\$1,000	8	8,000
(\$7 x 2) + (\$18 x 2) + \$50 DBL + (\$50 x 5) + (\$100 x 3) + \$100 TPL	\$1,000	8	8,000
\$10,000	\$10,000	6	60,000
<b>TOTAL</b>		<u>163,142</u>	<u>\$694,600</u>

(c) For this game, a play/prize symbol shall appear in 40 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(f) "Red, Wild & Blue" consists of three separate play areas. Play area 1 is a key number match game. A player will scratch the play area to reveal three "LUCKY NUMBERS," 12 "YOUR NUMBERS," and 12 prize amounts. If any "YOUR NUMBERS" match any of the "LUCKY NUMBERS," the player wins the prize shown below that number. If the player reveals a red "WILD" symbol, the player wins double the prize shown. If the player reveals a blue "WILD" symbol, the player wins triple the prize shown.

Play area 2 is a match three of six symbols game. A player will scratch the play area to reveal six symbols. If a player gets three like prize amounts, the player wins that amount. If the player gets two like prize amounts plus a red "WILD" symbol, the player wins double that amount. If the player gets two like prize amounts plus a blue "WILD" symbol, the player wins triple that amount.

Play area 3 is a symbol match game. A player will scratch the play area to reveal six symbols and a prize amount. If the player reveals three identical symbols, the player wins that amount. If the player gets three red "WILD" symbols, the player wins double that amount. If the player gets three blue "WILD" symbols, the player wins triple that amount.

(g) Each ticket in this game may win up to 14 times.

(h) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
FREE	Free Ticket	40,000
\$2	\$2	54,000
\$3	\$3	24,000
\$6	\$6	5,800

(j) The odds of winning a prize in this game are approximately one in 3.68. (Authorized by K.S.A. 2012 Supp. 74-8710; implementing K.S.A. 2012 Supp. 74-8710, and K.S.A. 74-8720; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-4-3256. "Cash Frenzy" instant ticket lottery game number 542.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Cash Frenzy." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3256.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
01	ONE
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRN
14	FRTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EGTN
19	NINTN
20	TWNTY

(continued)

21	TWYONE	\$3 DBL	\$6	7,200	43,200
22	TWYTWO	\$7	\$7	10,000	70,000
23	TWYTHR	\$9	\$9	2,000	18,000
24	TWYFOR	(\$3 x 3)	\$9	2,000	18,000
25	TWYFIV	\$3 + \$6	\$9	2,000	18,000
26	TWYSIX	\$3 TPL	\$9	2,400	21,600
27	TWYSEV	\$18	\$18	1,000	18,000
28	TWYEGT	\$3 TPL + \$6 + \$3	\$18	1,400	25,200
29	TWYNIN	(\$3 x 6)	\$18	1,200	21,600
30	THRTY	\$25	\$25	840	21,000
31	THRONE	\$9 DBL + \$7	\$25	1,200	30,000
32	THRTWO	\$50	\$50	140	7,000
33	THRTHR	(\$6 x 6) + (\$7 x 2)	\$50	140	7,000
34	THRFOR	(\$3 x 12) + (\$7 x 2)	\$50	100	5,000
2X	DBL	\$25 DBL	\$50	180	9,000
3X	TPL	\$77	\$77	60	4,620
		\$9 TPL + \$50	\$77	80	6,160
		(\$3 x 7) + \$6 DBL +			
		(\$6 x 5) + (\$7 x 2)	\$77	90	6,930
<b>Prize Symbols</b>	<b>Captions</b>				
FREE	TICKET	\$100	\$100	20	2,000
\$2. <sup>00</sup>	TWO\$	(\$50 x 2)	\$100	26	2,600
\$3. <sup>00</sup>	THR\$	(\$25 x 4)	\$100	26	2,600
\$6. <sup>00</sup>	SIX\$	\$50 DBL	\$100	36	3,600
\$7. <sup>00</sup>	SEV\$	\$1,000	\$1,000	8	8,000
\$9. <sup>00</sup>	NINE\$	(\$25 x 8) + \$50 DBL +			
18. <sup>00</sup>	EIGHTEEN	(\$50 x 2) + (\$100 x 3)			
25. <sup>00</sup>	TWEN-FIV	+ \$100 TPL	\$1,000	8	8,000
50. <sup>00</sup>	FIFTY	\$10,000	\$10,000	6	60,000
77. <sup>00</sup>	SVTSV				
\$100	ONE-HUN				
\$1000	ONETHOU				
\$10000	10-THOU				
		<b>TOTAL</b>		<u>163,160</u>	<u>\$695,110</u>

(c) For this game, a play/prize symbol shall appear in 33 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(f) "Cash Frenzy" is a key number match game with a doubler and a tripler feature. A player will scratch the play area to reveal three "WINNING NUMBERS," 15 "YOUR NUMBERS," and 15 prize amounts. If any "YOUR NUMBERS" match any of the "WINNING NUMBERS," the player wins the prize shown below that number. If the player reveals a "2X" symbol, the player wins double the prize shown. If the player reveals a "3X" symbol, the player wins triple the prize shown.

(g) Each ticket in this game may win up to 15 times.

(h) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
FREE	40,000	\$0
\$2	54,000	108,000
\$3	24,000	72,000
\$6	5,800	34,800
\$2 TPL	7,200	43,200

(j) The odds of winning a prize in this game are approximately one in 3.68. (Authorized by K.S.A. 2012 Supp. 74-8710; implementing K.S.A. 2012 Supp. 74-8710, and K.S.A. 74-8720; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-4-3257. "Cadillac Riches" instant ticket lottery game number 543.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Cadillac Riches." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3257.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRN
14	FRTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EGTN
19	NINTN
20	TWNTY



21	TWYONE
22	TWYTWO
23	TWYTHR
24	TWYFOR
25	TWYFIV
26	TWYSIX
27	TWYSEV
28	TWYEGT
29	TWYNIN
30	THRTY
31	THRONE
32	THRTWO
33	THRTHR
34	THRFOR
Symbol of a tire	WIN
Symbol of a star	STAR
Symbol of a coin	COIN
Symbol of a key	KEY
Symbol of a rainbow	RNBOW
Symbol of the sun	SUN
Symbol of the moon	MOON
MAYBE NEXT TIME	
GOOD LUCK	
<b>Prize Symbols</b>	<b>Captions</b>
FREE	TICKET
10. <sup>00</sup>	TEN\$
15. <sup>00</sup>	FIFTEEN
20. <sup>00</sup>	TWENTY
25. <sup>00</sup>	TWEN-FIV
50. <sup>00</sup>	FIFTY
75. <sup>00</sup>	SVTYFIV
\$100	ONE-HUN
\$500	FIVE-HUN
\$1000	ONETHOU
\$10000	10-THOU
\$75000	75-THOU

(c) For this game, a play/prize symbol shall appear in 30 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 029.

(e) The price of instant tickets sold by a retailer for this game shall be \$10.00 each.

(f) "Cadillac Riches" has four separate play areas. Play area 1 is a key number match game. A player will scratch the play area to reveal two "WINNING NUMBERS" and 10 "YOUR NUMBERS" with a prize amount below each of the "YOUR NUMBERS." If a player matches any of the "YOUR NUMBERS" to any of the "WINNING NUMBERS," the player wins the prize shown below that number. If a player reveals a "TIRE" symbol, the player wins that prize automatically. A player can win up to 10 times in this play area.

Play area 2 is a match three of four. If a player reveals three like prize amounts, the player wins that amount. If a player reveals four like prize amounts, the player wins double the amount. A player can win up to one time in this play area.

Play area 3 is an instant win game. If a player reveals three "STAR" symbols, the player wins \$50 instantly. A player can win up to one time in this play area.

Play area 4 is a bonus play. If a player reveals any prize amount, the player wins that amount. A player can win up to one time in this play area.

(g) Each ticket in this game may win up to 13 times.

(h) Approximately 300,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	15,000	\$0
	\$10	17,000	170,000
\$10	\$10	23,000	230,000
	\$15	8,500	127,500
\$15	\$15	13,500	202,500
\$20	\$20	2,000	40,000
	\$20	2,050	41,000
(\$10 x 2)	\$20	2,500	50,000
\$10 DBL	\$20	3,500	70,000
\$25	\$25	5,000	125,000
\$10 + \$15	\$25	5,000	125,000
\$50	\$50	900	45,000
\$50 (Fast Cash)	\$50	1,100	55,000
\$10 + \$20 + \$10 DBL	\$50	1,000	50,000
(\$10 x 4)	\$50	900	45,000
\$75	\$75	300	22,500
\$25 DBL + \$15 + \$10	\$75	400	30,000
(\$25 x 2)	\$75	400	30,000
\$25	\$75	300	22,500
(\$10 x 6) = \$15	\$75	400	30,000
\$100	\$100	150	15,000
\$50 DBL	\$100	150	15,000
(\$10 x 2) + (\$20 x 2) + \$20 DBL	\$100	150	15,000
(\$20 x 5)	\$100	150	15,000
(\$10 x 10)	\$100	150	15,000
\$500	\$500	20	10,000
(\$100 x 2) + \$100 DBL + (\$50 x 2)	\$500	20	10,000
(\$100 x 5)	\$500	20	10,000
(\$50 x 8) + (\$25 x 4)	\$500	20	10,000
\$10 + (\$20 x 7) + (\$50 x 3) + (\$100 x 2)	\$500	20	10,000
\$1,000	\$1,000	7	7,000
\$500 DBL	\$1,000	7	7,000
(\$50 x 6) + (\$100 x 7)	\$1,000	7	7,000
(\$100 x 2) + (\$50 x 6) + (\$75 x 4) + \$100 DBL	\$1,000	7	7,000
\$10,000	\$10,000	3	30,000
\$75,000	\$75,000	3	225,000
Second-chance drawing prize	\$69,511	<u>1</u>	<u>69,511</u>
<b>TOTAL</b>		<u>103,634</u>	<u>\$1,988,511</u>

(j) The odds of winning a prize in this game are approximately one in 2.89. (Authorized by K.S.A. 2012 Supp. 74-8710; implementing K.S.A. 2012 Supp. 74-8710, and K.S.A. 74-8720; effective, T-111-5-31-13, Feb. 13, 2013.)

**CADILLAC RICHES DRAWING**

**111-4-3258. Name of drawing.** The Kansas lottery shall conduct a drawing entitled "Cadillac Riches Drawing," and will accept entries on and after the day Kansas lottery "Cadillac Riches" instant tickets are first offered  
*(continued)*

for sale to the general public and ending on September 10, 2013, as specified in these rules. The drawing will be held at a time and location designated by the executive director of the Kansas lottery. Rules applicable to this drawing are contained in K.A.R. 111-4-3258 through 111-4-3263 and K.A.R. 111-3-1, *et seq.* (Authorized by and implementing K.S.A. 2012 Supp. 74-8710; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-4-3259. Definitions.** (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Cadillac Riches Drawing" means the act of drawing prizes conducted by the Kansas lottery at the time and date described in these rules in which participants are selected to win various prizes as described in these rules.

(c) "Non-winning ticket" means any valid Kansas lottery "Cadillac Riches" instant game ticket not eligible to win an instant prize under the rules of the "Cadillac Riches" instant game.

(d) "Receptacle" or "drum" means a container in which non-winning Kansas instant game lottery tickets are placed and from which the "Cadillac Riches Drawing" entries are drawn. Receptacles or drums may be sealable and shall be capable of being mixed or rotated for the purpose of ensuring random distribution.

(e) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the receptacle or drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm and looks away from the drawing drum or receptacle while drawing.

(f) "Approximately," when in reference to a specific time, shall mean not before said time listed, but may include a short period thereafter, as determined by the executive director or his designee, to deal with any unforeseen circumstance which might delay said event. (Authorized by and implementing K.S.A. 2012 Supp. 74-8710; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-4-3260. Prize.** (a) The winner drawn in the "Cadillac Riches Drawing" shall receive a 2013 Cadillac SRX along with mandatory federal and state income withholding taxes and other applicable taxes and fees for the vehicle. The Cadillac prize has an approximate value of \$69,511.

(b) All prizes are subject to lottery validation, set-offs and deductions authorized by law.

(c) The Kansas lottery may, at its sole and absolute discretion, substitute a prize of approximate equal value. (Authorized by and implementing K.S.A. 2012 Supp. 74-8710; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-4-3261. Method of entry.** (a) Entry into the "Cadillac Riches Drawing" to be conducted on September 15, 2013, shall be accomplished as follows:

(1) Obtain a valid "Cadillac Riches" Kansas instant lottery ticket;

(2) Determine if the ticket is a winning ticket in accordance with "Cadillac Riches" game rules. If the ticket is a

winning ticket, it is not eligible for the "Cadillac Riches Drawing" and shall be redeemed in accordance with the instant game rules.

(3) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawing and the holder of the ticket may use it to enter the "Cadillac Riches Drawing."

(4) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner. Only one name shall appear on a non-winning ticket entered.

(5) Players may deposit entries for the "Cadillac Riches Drawing" beginning on and after the day Kansas lottery "Cadillac Riches" instant tickets are first offered for sale to the general public at any Kansas lottery event or location at which the lottery has specifically designated a receptacle for deposit of said entries until approximately 5:00 p.m. on September 10, 2013.

(6) Players may also deposit entries for the "Cadillac Riches Drawing" in a receptacle designated for deposit of said entries only at the Kansas lottery selling location at the Kansas state fair in Hutchinson, Kansas, beginning on September 6, 2013, through approximately 6 p.m. on September 15, 2013.

(7) Entries other than those entered at Kansas lottery events or locations as identified in these rules shall be mailed with proper postage to "Cadillac Riches Drawing," P. O. Box 5596, Topeka, Kansas 66605-0596. Mailed entries must be received by the morning mail pickup on Tuesday, September 10, 2013. More than one entry may be mailed in one envelope.

(8) The holder of the ticket is not required to personally attend the "Cadillac Riches Drawing" or be present at the time of the drawing to be determined a winner.

(b) There is no limit on the number of entries a person may make, but a person may only win one time in the drawing.

(c) Only valid non-winning "Cadillac Riches" tickets which are mailed to the "Cadillac Riches Drawing," at the above-stated address with proper postage and received by the morning mail pickup in Topeka, Kansas, on Tuesday, September 10, 2013, and non-winning "Cadillac Riches" tickets entered into any other receptacle designated by the lottery as provided in the rules herein shall be eligible for the drawing. All tickets so mailed or deposited shall be secured by the lottery until the drawing is conducted.

(d) Eligible entrants in the "Cadillac Riches Drawing" must be 18 years of age or older.

(e) Completing the information form on the non-winning ticket and entering the ticket into the drawing constitutes authorization to publicly identify the person whose entry is drawn.

(f) The Kansas lottery shall not be responsible for any lost, destroyed, mutilated, unreadable, or altered ticket entries into the "Cadillac Riches Drawing." Players enter this contest at their own risk. (Authorized by and implementing K.S.A. 2012 Supp. 74-8710; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-4-3262. Selection of winners.** The following process shall be used for the selection of the winners in the "Cadillac Riches Drawing:"

(a) Kansas lottery personnel shall pick up all mail containing "Cadillac Riches Drawing" tickets at the United States Post Office Box 5596, in Topeka, Kansas, with the final pick up at the Topeka post office in the morning mail pickup on Tuesday, September 10, 2013. Following the morning mail pickup on Tuesday, September 10, 2013, the envelopes containing mailed entries will be transported to lottery headquarters and opened by lottery personnel. All mailed entries shall then be transported to the Kansas state fair by lottery personnel and placed in the drawing receptacle or drum designated by the lottery for the "Cadillac Riches Drawing" entries.

(b) Kansas lottery personnel shall pick up all "Cadillac Riches Drawing" entries deposited at any Kansas lottery event or location, at which the lottery specifically designated a receptacle for deposit of said entries, periodically throughout the drawing. The final pick up at any open receptacles, other than the receptacle(s) at the Kansas state fair, shall be immediately after the close of the Kansas lottery claims centers in Topeka, Kansas, and Great Bend, Kansas, at 5:00 p.m. on September 10, 2013. All entries deposited at a designated receptacle for deposit of said entries, except those entries deposited at the Kansas state fair, shall be transported to lottery headquarters, if necessary, and opened by lottery personnel. All said entries shall then be transported to the Kansas state fair by lottery personnel and placed in the drawing receptacle or drum designated for deposit of said entries by the lottery.

(c) The drawing shall be held at a location determined by the executive director of the Kansas lottery and shall be open to the public with lottery security personnel present. The drawing shall be audio and video taped.

(d) At the drawing on September 15, 2013, lottery security personnel will be present with the person designated by the executive director to perform the drawing. Prior to the drawing, if a drum is used, the drum shall be sealed and the contents mixed by rotating the drum at least 10 times. If a receptacle other than a drum is used, the contents shall be thoroughly mixed with a shovel or by other means.

(e) The designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove one entry ticket from the receptacle or drum, which shall be marked 1. The person whose name appears on the entry drawn shall be the winner of the prize identified in K.A.R. 111-4-3260, subject to validation by the lottery as set forth in these rules.

(f) After the prize entry has been drawn on September 15, 2013, and the entry has been verified as valid, four more valid entries will be drawn, one at a time, which entries drawn will serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, 3A, and 4A. The winner shall have until 5:00 p.m. on the tenth day following mailing of a claim form to the winner to present the fully-executed claim form to lottery headquarters. If the tenth day following the mailing of a claim form to the winner falls on a weekend or holiday, the tenth day shall be extended to the next business day. If a prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the prize will be awarded to the next alternate ticket selected in the order drawn. An al-

ternate winner shall have until 5:00 p.m. on the tenth day following mailing of a claim form to an alternate winner to present the fully-executed claim form to lottery headquarters. If the tenth day following the mailing of a claim form to an alternate winner falls on a weekend or holiday, the tenth day shall be extended to the next business day. If an alternate prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the prize will be awarded to the next alternate ticket selected in the order drawn. The alternate winner process shall be repeated until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

(g) The Kansas lottery security official present shall review each ticket drawn to determine the validity of the entry into the "Cadillac Riches Drawing" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner and the prize won. The prize winner shall be given or sent a prize claim form to be completed and returned as set forth in these rules.

(h) If any entry drawn is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until the required number of apparently eligible selections is obtained.

(i) Only non-winning "Cadillac Riches" instant tickets are eligible for the drawing.

(j) All "Cadillac Riches" tickets remaining in the drum or receptacle after the winners and alternates have been selected, and all entries not received in compliance with these rules shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 2012 Supp. 74-8710; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-4-3263. Certification of drawing.** (a) The "Cadillac Riches Drawing" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery.

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of the prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winner. (Authorized by and implementing K.S.A. 2012 Supp. 74-8710; effective, T-111-5-31-13, Feb. 13, 2013.)

#### Article 5.—MULTI-STATE ONLINE GAMES AND DRAWINGS

##### BUY \$3 WIN ME RUSTLER POWER PLAY GIVEAWAY

**111-5-207. Name of drawing.** The Kansas lottery shall conduct a drawing entitled "Buy \$3 Win Me Rustler Power Play Giveaway," and will accept entries beginning no sooner than the Kansas lottery's start of business day on April 1, 2013, and ending July 13, 2013, as specified in these rules. The drawing will be held at a time and lo-

(continued)

cation designated by the executive director of the Kansas lottery. Rules applicable to this drawing are contained in K.A.R. 111-5-207 through 111-5-212 and K.A.R. 111-6-1 *et seq.* (Authorized by and implementing K.S.A. 2012 Supp. 74-8710; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-5-208. Definitions.** (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the receptacle or drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm and looks away from the drawing drum or receptacle while drawing.

(c) "Buy \$3 Win Me Rustler Power Play Giveaway" means the act of drawing prizes conducted by the Kansas lottery at the time and date described in these rules in which participants are selected to win a prize as described in these rules.

(d) "Entry form" means a form produced automatically by the Kansas lottery selling terminal for a qualified purchase determined by these rules which is eligible for entry into the "Buy \$3 Win Me Rustler Power Play Giveaway."

(e) "Receptacle" or "drum" means a container in which entry forms are placed and from which the "Buy \$3 Win Me Rustler Power Play Giveaway" entries are drawn. Receptacles or drums may be sealable and shall be capable of being mixed or rotated for the purpose of ensuring random distribution.

(f) "Approximately," when in reference to a specific time, shall mean not before said time listed, but may include a short period thereafter, as determined by the executive director or his designee, to deal with any unforeseen circumstance which might delay said event. (Authorized by and implementing K.S.A. 2012 Supp. 74-8710; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-5-209. Prize.** (a) One grand prize will be given away at the "Buy \$3 Win Me Rustler Power Play Giveaway," which will be conducted on July 13, 2013. The winner of the grand prize package shall receive a Rustler 120 utility vehicle from New Holland along with mandatory federal and state income withholding taxes and any other applicable taxes and fees. The grand prize of the "Buy \$3 Win Me Rustler Power Play Giveaway" is valued at approximately \$20,000.

(b) The prize is subject to lottery validation, set-offs and deductions authorized by law.

(c) The Kansas lottery may, at its discretion, substitute a prize of approximate equal value. (Authorized by and implementing K.S.A. 2012 Supp. 74-8710; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-5-210. Method of entry.** (a) Entry into the "Buy \$3 Win Me Rustler Power Play Giveaway" to be conducted on July 13, 2013, shall be accomplished as follows:

(1) A Kansas lottery player shall purchase a single Kansas lottery online Powerball ticket with the Power Play option included. Minimum purchase amount is \$3.

(2) Following the purchase identified in subsection (a)(1) above, an entry form to be used for the "Buy \$3 Win Me Rustler Power Play Giveaway" shall be dispensed automatically from the Kansas lottery selling terminal. The retail clerk selling the ticket shall give the entry form to the Kansas lottery player.

(3) The Kansas lottery player shall complete the required information on the entry form in a legible manner and enter the form into the "Buy \$3 Win Me Rustler Power Play Giveaway." Only one name shall appear on an entry form.

(4) Players may deposit entries for the "Buy \$3 Win Me Rustler Power Play Giveaway" at any Kansas lottery event or location at which the lottery has specifically designated a receptacle for deposit of said entries until approximately 5:00 p.m. on July 9, 2013.

(5) Players may also deposit entries for the "Buy \$3 Win Me Rustler Power Play Giveaway" at the 3i Show in Dodge City, Kansas, at which the lottery has specifically designated a receptacle for the deposit of said entries until approximately 4 p.m., July 13, 2013.

(6) Entries other than those entered at Kansas lottery events or locations as identified hereinabove shall be mailed with proper postage to "Buy \$3 Win Me Rustler Power Play Giveaway," P. O. Box 1453, Great Bend, Kansas 67530-1453. Mailed entries must be received by morning mail pickup on Tuesday, July 9, 2013. More than one entry may be mailed in one envelope.

(7) The holder of the entry form is not required to personally attend the "Buy \$3 Win Me Rustler Power Play Giveaway" or be present at the time of the drawing to be determined a winner. All eligible entries received by mail or other methods will be securely transported to a drawing location designated in K.A.R. 111-5-211 by lottery security personnel, and included in the drawing of July 13, 2013.

(b) There is no limit on the number of entries a person may make, but a person may only win one time in the drawing.

(c) Only valid entries which are mailed to the "Buy \$3 Win Me Rustler Power Play Giveaway," at the above-stated address with proper postage and received by the morning mail pickup in Great Bend, Kansas, on Tuesday, July 9, 2013, and entries deposited into any other receptacle designated by the lottery as provided in the rules herein shall be eligible for the drawing. All entries so mailed or deposited shall be secured by the lottery until the drawing is conducted.

(d) Eligible entrants in the "Buy \$3 Win Me Rustler Power Play Giveaway" must be 18 years of age or older.

(e) Completing the information on the entry form and entering the entry form into the drawing constitutes authorization to publicly identify the person whose entry is drawn.

(f) The Kansas lottery shall not be responsible for any lost, destroyed, or altered entries into the "Buy \$3 Win Me Rustler Power Play Giveaway." (Authorized by and implementing K.S.A. 2012 Supp. 74-8710; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-5-211. Selection of winners.** The following process shall be used for the selection of the winners in the "Buy \$3 Win Me Rustler Power Play Giveaway:"

(a) Kansas lottery personnel shall pick up all mail containing "Buy \$3 Win Me Rustler Power Play Giveaway" entries at the United States Post Office Box 1453, in Great Bend, Kansas, with the final pick up at the Great Bend post office in the morning mail pickup on Tuesday, July 9, 2013. Following the morning mail pickup on Tuesday, July 9, 2013, the envelopes containing mailed entries will be transported to the regional lottery office in Great Bend, Kansas, and opened by lottery personnel. All mailed entries shall then be placed in the drawing receptacle or drum along with all entries deposited into any other receptacle designated by the lottery.

(b) The drawing shall be held at a location determined and announced by the executive director of the Kansas lottery and shall be open to the public with lottery security personnel present. The drawing shall be audio and video taped.

(c) At the drawing on July 13, 2013, lottery security personnel will be present with the person designated by the executive director to perform the drawing. Prior to the drawing, if a drum is used, the drum shall be sealed and the contents mixed by rotating the drum at least 10 times. If a receptacle other than a drum is used, the contents shall be thoroughly mixed with a shovel or by other means.

(d) The designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove one entry from the receptacle or drum. The person whose name appears on the entry drawn shall be the winner of the grand prize identified in these rules.

(e) After the grand prize entry has been drawn on July 13, 2013, and the entry has been verified as valid, five more valid entries will be drawn, one at a time, which entries drawn will serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, and 5A. The winner shall have until 5:00 p.m. on the thirtieth day following mailing of a claim form to the winner to present the fully-executed claim form to lottery headquarters. If the thirtieth day following the mailing of a claim form to the winner falls on a weekend or holiday, the thirtieth day shall be extended to the next business day. If the grand prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the grand prize will be awarded the next alternate winner, in the order drawn. The alternate winner shall have until 5:00 p.m. on the thirtieth day following mailing of a claim form to the winner to present the fully-executed claim form to lottery headquarters. If the thirtieth day following the mailing of a claim form to an alternate winner falls on a weekend or holiday, the thirtieth day shall be extended to the next business day. If an alternate winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the grand prize will be awarded the next alternate winner, in the order drawn, until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

(f) The Kansas lottery security official present shall review each entry drawn to determine the validity of the entry into the "Buy \$3 Win Me Rustler Power Play Give-

away" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner and the prize won. The prize winner shall be given or sent a prize claim form to be completed and returned as set forth in these rules.

(g) If any entry drawn is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until the required number of apparently eligible selections is obtained.

(h) Only qualified entry forms identified in K.A.R. 111-5-210(a)(2) are eligible for entry into this drawing.

(i) All "Buy \$3 Win Me Rustler Power Play Giveaway" entries remaining in the drum or receptacle on July 13, 2013, after the winner and alternates have been selected, and all entries not received in compliance with these rules, shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 2012 Supp. 74-8710; effective, T-111-5-31-13, Feb. 13, 2013.)

**111-5-212. Certification of drawing.** (a) The "Buy \$3 Win Me Rustler Power Play Giveaway" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery.

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of the prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winner. (Authorized by and implementing K.S.A. 2012 Supp. 74-8710; effective, T-111-5-31-13, Feb. 13, 2013.)

#### Article 17.—SPECIFIC ONLINE DRAWING RULES

**111-17-8. Kansas Speedway second-chance online event drawing.** (a) The Kansas lottery shall conduct a second-chance online event drawing entitled "Kansas Speedway Drawing." The Kansas lottery will accept online entries into the drawing beginning at midnight March 28, 2013, and ending at noon on August 27, 2013. The drawing will be announced with at least 24 hours advanced notice via the lottery's website, and other social media forums such as Facebook and Twitter. The drawings will be conducted sometime after entry into the drawing has closed, but before noon on August 30, 2013.

(b) The specific ticket eligible for entry into this second-chance online event drawing shall be the \$5 Kansas lottery instant ticket named Kansas Speedway, game number 483.

(c) The Kansas lottery shall award 40 VIP race weekend prize packages for two to players who entered the "Kansas Speedway Drawing" using the \$5 Kansas lottery instant ticket named Kansas Speedway, game number 483. Each VIP racing weekend prize package shall consist of two tickets for the races at the Kansas Speedway on October 5 and 6, 2013; one double occupancy hotel room for the evenings of October 4 and 5, 2013; transportation between the hotel and the Kansas Speedway; food and other

(continued)

amenities at the Kansas lottery hospitality chalet at the Kansas Speedway; \$400 cash; and state and federal mandatory income withholding taxes. Each VIP racing week-end prize package is valued at approximately \$4,445.

(d) There will be one drawing held to select winners of prizes. The drawing shall select 100 entrants. The first 40 entrants drawn in this drawing shall be awarded prizes identified in subsection (c). The next 60 entrants drawn in this drawing (identified as numbers 41 through 100) will be used as alternate winners, if necessary, in the order drawn.

(e) A winner of a prize shall be notified via email that he or she has won a prize. The winner shall be instructed how to verify his or her personal identification.

(f) A winner shall be sent a claim form via U. S. mail at the time the winner is notified he or she has won a prize.

(g) A player who is among the first 40 winners selected in this drawing to receive a prize must return his or her completed claim form, and original non-winning ticket entered into the online event drawing and must be received by the Kansas lottery within 14 days following the date of the online event drawing. A player who is among the entrants selected as alternate winners in this drawing to receive a prize and as identified in subsection (d) must return his or her completed claim form, and original non-winning ticket entered into the online event drawing within 14 days following the date the alternate winner was sent a claim form via U. S. mail.

(h) Completed claim forms and non-winning ticket(s) can be mailed by the winner via U.S. Mail to: Kansas lot-

tery, 128 North Kansas Avenue, Topeka, Kansas 66603, or the winner can deliver the completed claim form and non-winning ticket to the Kansas lottery claims center in Topeka, Kansas.

(i) If a player fails to answer any email, respond to any request for information, or fill out any forms required by the Kansas lottery within the time allotted in the winner's notification of winning a prize, said win shall be forfeited and the prize awarded to another alternate winner.

(j) Each person who enters a lottery Kansas Speedway ticket, game number 483, agrees to release Kansas Speedway Corporation, its parent and affiliated companies, the Kansas lottery and their respective officers, directors, employees, agents, and sponsors from liability of any kind or nature for any loss, claims, damages, or injuries of any kind associated with participation in the drawing or with acceptance and use of any prize.

(k) In the event any race in the prize package awarded for this drawing is postponed, changed, or canceled in whole or in part, no cash prize substitutions or other compensation shall be provided.

(l) Rules applicable to this online event drawing are contained in K.A.R. 111-17-8 and K.A.R. 111-16-1 *et seq.* (Authorized by K.S.A. 2012 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2012 Supp. 74-8710; effective, T-111-5-31-13, Feb. 13, 2013.)

Dennis Taylor  
Executive Director

Doc. No. 041651

**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 2012 Supplement of the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-64-1	Revoked	V. 31, p. 171

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-15-4	Amended	V. 31, p. 570
4-15-5	Amended	V. 31, p. 301
4-15-6	Amended	V. 31, p. 301
4-15-7	Amended	V. 31, p. 570
4-15-8	Amended	V. 31, p. 570
4-15-9	Amended	V. 31, p. 571
4-15-9a	New	V. 31, p. 571
4-15-10	Amended	V. 31, p. 571
4-15-13	Amended	V. 31, p. 572
4-16-1a	Amended	V. 32, p. 408
4-16-1c	Amended	V. 32, p. 409
4-16-7a	Amended	V. 32, p. 410
4-16-306	New	V. 32, p. 410
4-17-1a	Revoked	V. 32, p. 411

4-17-1c	Revoked	V. 32, p. 411
4-17-300	Revoked	V. 32, p. 411
4-17-302 through 4-17-305	Revoked	V. 32, p. 411
4-27-2 through 4-27-5	Amended	V. 32, p. 93, 94
4-27-8 through 4-27-12	Amended	V. 32, p. 95-100
4-27-15 through 4-27-18	Amended	V. 32, p. 100-104
4-27-20	Amended	V. 32, p. 104
4-27-21	Amended	V. 32, p. 104
4-28-1	Amended	V. 32, p. 105
4-28-2	Amended	V. 32, p. 349
4-28-3	Revoked	V. 31, p. 1276
4-28-4	Revoked	V. 31, p. 1276
4-28-5	Amended	V. 32, p. 105
4-28-6	Amended (T)	V. 31, p. 998
4-28-6	Amended	V. 32, p. 499
4-28-7	Revoked	V. 31, p. 1277
4-28-8	Amended	V. 32, p. 349
4-28-9 through 4-28-16	Revoked	V. 32, p. 349
4-28-18 through 4-28-22	Revoked	V. 32, p. 105
4-28-23	Amended	V. 32, p. 105
4-28-24 through 4-28-30	Revoked	V. 32, p. 106
4-28-31	New (T)	V. 31, p. 998
4-28-31	New	V. 31, p. 1277
4-28-32	New	V. 32, p. 106
4-28-33	New	V. 32, p. 499
4-28-34	New	V. 32, p. 500

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

Reg. No.	Action	Register
5-9-3	Amended	V. 31, p. 773
5-16-1	Amended	V. 32, p. 566
5-16-2	Revoked	V. 32, p. 566
5-16-3	Amended	V. 32, p. 566
5-16-4	Amended	V. 32, p. 567
5-16-5	Revoked	V. 32, p. 567
5-16-6	Amended	V. 32, p. 567
5-16-7	Amended	V. 32, p. 567

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-23-4	Amended	V. 31, p. 197
7-23-14	New	V. 31, p. 197
7-36-7	New	V. 31, p. 198
7-36-8	New	V. 31, p. 199
7-46-1	New	V. 31, p. 199
7-46-2	New	V. 31, p. 199
7-46-3	New	V. 31, p. 200

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

Reg. No.	Action	Register
11-12-1 through 11-12-7	Amended	V. 32, p. 501-503

**AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

Reg. No.	Action	Register
14-13-1	Amended (T)	V. 31, p. 1356
14-13-1	Amended	V. 32, p. 148
14-13-2	Amended	V. 32, p. 149
14-13-3	Revoked	V. 32, p. 150

14-13-4		
through		
14-13-10	Amended	V. 32, p. 150, 151
14-13-11	Revoked	V. 32, p. 152
14-13-13	Amended (T)	V. 31, p. 1357
14-13-13	Amended	V. 32, p. 152
14-13-15	Amended	V. 32, p. 153
14-13-16	New (T)	V. 31, p. 1358
14-13-16	New	V. 32, p. 407
14-13-17	New (T)	V. 31, p. 1359
14-13-17	New	V. 32, p. 408
14-13-18	New	V. 32, p. 408
14-16-25	Amended	V. 31, p. 1427

**AGENCY 16: ATTORNEY GENERAL**

Reg. No.	Action	Register
16-12-1		
through		
16-12-10	New (T)	V. 31, p. 1359-1365
16-12-1		
through		
16-12-10	New	V. 32, p. 23-29

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

Reg. No.	Action	Register
17-11-18	Amended	V. 32, p. 372

**AGENCY 20: CRIME VICTIMS COMPENSATION BOARD**

Reg. No.	Action	Register
20-2-5	Revoked	V. 31, p. 1031
20-3-1	Revoked	V. 31, p. 1031
20-3-2	Revoked	V. 31, p. 1031

**AGENCY 22: STATE FIRE MARSHAL**

Reg. No.	Action	Register
22-25-1	New	V. 31, p. 973
22-25-2	New	V. 31, p. 974

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

Reg. No.	Action	Register
28-19-350	Amended	V. 31, p. 1507
28-19-735	Amended	V. 31, p. 1508
28-19-750	Amended	V. 31, p. 1509
28-19-750a	Amended	V. 31, p. 1509
28-21-2	Revoked	V. 32, p. 106
28-21-4	Revoked	V. 32, p. 106
28-21-5	Revoked	V. 32, p. 106
28-23-1	Revoked	V. 32, p. 106
28-23-2	Revoked	V. 32, p. 106
28-23-3	Revoked	V. 32, p. 106
28-23-6	Revoked	V. 32, p. 106
28-23-7	Revoked	V. 32, p. 106
28-23-11	Revoked	V. 32, p. 106
28-23-12	Revoked	V. 32, p. 106
28-23-13	Revoked	V. 32, p. 106
28-29-300	Amended	V. 31, p. 1509
28-29-330		
through		
28-29-333	New	V. 31, p. 1510
28-30-2		
through		
28-30-6	Amended	V. 32, p. 522-525
28-31-10	Amended	V. 31, p. 196
28-31-260b	New	V. 32, p. 415
28-31-268	Amended	V. 32, p. 416
28-32-13	Amended	V. 32, p. 208
28-35-147a	Amended	V. 32, p. 260
28-35-600		
through		
28-35-608	New	V. 31, p. 90-93
28-54-1		
through		
28-54-5	Amended	V. 31, p. 280-282
28-56-1		
through		
28-56-10	New	V. 31, p. 708-711
28-56-2	Amended	V. 31, p. 1528
28-75-100	New	V. 32, p. 23

**AGENCY 30: DEPARTMENT FOR CHILDREN AND FAMILIES (FORMERLY DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES)**

Reg. No.	Action	Register
30-46-10	Amended (T)	V. 31, p. 887
30-46-10	Amended	V. 31, p. 1126

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-20	Amended	V. 32, p. 183
40-1-37	Amended	V. 31, p. 887
40-1-48	Amended	V. 31, p. 887
40-2-14a	Amended	V. 32, p. 183
40-4-42c	Amended	V. 31, p. 170
40-5-7	Revoked	V. 31, p. 114

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-5-115	Amended	V. 32, p. 58
44-6-101	Amended	V. 32, p. 58
44-6-114e	Amended	V. 32, p. 60
44-6-115a	Amended	V. 32, p. 64
44-6-115b	Amended	V. 32, p. 65
44-6-115c	Amended	V. 32, p. 66
44-6-125	Amended	V. 32, p. 67
44-6-127	Amended	V. 32, p. 68
44-6-134	Amended	V. 32, p. 69
44-6-135	Amended	V. 32, p. 69
44-6-135a	Amended	V. 32, p. 70
44-6-138	Amended	V. 32, p. 70
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
51-9-17	Amended	V. 32, p. 88

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-9-105	Amended	V. 32, p. 411
60-9-106	Amended	V. 32, p. 412
60-9-107	Amended	V. 32, p. 413
60-11-101	Amended	V. 31, p. 572
60-11-102	Amended	V. 31, p. 573
60-11-103	Amended	V. 31, p. 573
60-11-104	Amended	V. 31, p. 574
60-11-104a	Amended	V. 31, p. 574
60-11-105	Amended	V. 31, p. 574
60-11-106	Amended	V. 31, p. 575
60-11-107	Amended	V. 31, p. 575
60-11-113	Amended	V. 31, p. 575
60-11-116	Amended	V. 31, p. 575
60-11-118	Amended	V. 31, p. 576
60-11-119	Amended	V. 31, p. 576
60-11-120	Amended	V. 31, p. 576
60-11-121	Amended	V. 31, p. 576
60-12-106	Amended	V. 32, p. 414
60-13-112	Amended	V. 31, p. 576
60-16-102	Amended	V. 31, p. 577
60-16-103	Amended	V. 31, p. 577

60-16-104	Amended	V. 31, p. 578
60-17-101	Amended	V. 31, p. 580
60-17-104	Amended	V. 31, p. 580
60-17-105	Amended	V. 31, p. 581
60-17-110	Amended	V. 31, p. 581
60-17-111	Amended	V. 31, p. 581

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-20-30	New (T)	V. 31, p. 1049

**AGENCY 69: BOARD OF COSMETOLOGY**

Reg. No.	Action	Register
69-12-3	Amended	V. 31, p. 1314
69-13-4	New	V. 31, p. 1314

**AGENCY 71: KANSAS DENTAL BOARD**

Reg. No.	Action	Register
71-3-9	Amended	V. 32, p. 1504

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-1-4	Amended	V. 31, p. 607
74-2-7	Amended	V. 31, p. 607
74-4-3a	Amended	V. 31, p. 608
74-4-7	Amended	V. 31, p. 608
74-4-8	Amended	V. 31, p. 609
74-4-10	Amended	V. 31, p. 610
74-5-2	Amended	V. 31, p. 610
74-5-101	Amended	V. 31, p. 611
74-5-202	Amended	V. 31, p. 612
74-5-302	Revoked	V. 31, p. 612
74-11-6	Amended	V. 31, p. 612

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-3-1200		
through		
82-3-1223	New	V. 31, p. 1472-1490

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-3-8a	Amended	V. 32, p. 11
88-29-1	Amended	V. 32, p. 43
88-29-5	Amended	V. 31, p. 381
88-29-6	Amended	V. 31, p. 382
88-29-7	Amended	V. 32, p. 44
88-29-7a	Amended	V. 31, p. 382
88-29-8	Amended	V. 32, p. 44
88-29-8a	Amended	V. 32, p. 45
88-29-8b	Amended	V. 32, p. 45
88-29-8c	Amended	V. 32, p. 46
88-29-10	Amended	V. 31, p. 382
88-29-11	Amended	V. 31, p. 1246
88-29a-1	New	V. 32, p. 46
88-29a-2	New	V. 32, p. 47
88-29a-5	Amended	V. 31, p. 383
88-29a-6	Amended	V. 31, p. 384
88-29a-7	Amended	V. 32, p. 47
88-29a-7a	Amended	V. 31, p. 385
88-29a-8	Amended	V. 32, p. 48
88-29a-8c	Amended	V. 32, p. 48
88-29a-10	Amended	V. 31, p. 385
88-29a-11	Amended	V. 31, p. 387
88-29a-18	Amended	V. 31, p. 388
88-29a-19	Amended	V. 31, p. 389
88-29b-1		
through		
88-29b-7	New	V. 32, p. 49-53
88-29b-7a	New	V. 32, p. 54
88-29b-8	New	V. 32, p. 54
88-29b-8a	New	V. 32, p. 54
88-29b-8b	New	V. 32, p. 54
88-29b-8c	New	V. 32, p. 55
88-29b-9	New	V. 32, p. 55
88-29b-10	New	V. 32, p. 56

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-209	Amended	V. 31, p. 974
91-42-1	New	V. 32, p. 317

(continued)

91-42-2 New V. 32, p. 317

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-28a-5	Amended	V. 31, p. 323
100-28a-10	Amended	V. 31, p. 324

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-6-1	Revoked	V. 31, p. 114
102-6-2	Revoked	V. 31, p. 114
102-6-4	Revoked	V. 31, p. 114
102-6-5	Revoked	V. 31, p. 114
102-6-8	Revoked	V. 31, p. 114
102-6-9	Revoked	V. 31, p. 114
102-6-9a	Revoked	V. 31, p. 114
102-6-10	Revoked	V. 31, p. 114
102-6-11	Revoked	V. 31, p. 114
102-6-12	Revoked	V. 31, p. 114

**AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES**

Reg. No.	Action	Register
105-3-2	Amended (T)	V. 31, p. 1002
105-3-2	Amended	V. 31, p. 1313
105-7-1		
through		
105-7-4	Amended	V. 31, p. 1427, 1428
105-7-6	Amended	V. 31, p. 1428
105-7-8	Revoked	V. 31, p. 1428
105-11-1	Amended	V. 31, p. 1428

**AGENCY 106: COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING (FORMERLY LAW ENFORCEMENT TRAINING COMMISSION)**

Reg. No.	Action	Register
106-1-1		
through		
106-1-8	Revoked (T)	V. 31, p. 1002
106-1-1		
through		
106-1-8	Revoked	V. 31, p. 1221
106-2-1	New (T)	V. 31, p. 1002
106-2-1	New	V. 31, p. 1221
106-2-2	New (T)	V. 31, p. 1003
106-2-2	New	V. 31, p. 1221
106-2-2a	New (T)	V. 31, p. 1003
106-2-2a	New	V. 31, p. 1221
106-2-3	New (T)	V. 31, p. 1004
106-2-3	New	V. 31, p. 1223
106-2-4	New (T)	V. 31, p. 1005
106-2-4	New	V. 31, p. 1223
106-3-1		
through		
106-3-6	New (T)	V. 31, p. 1005, 1006
106-3-1		
through		
106-3-6	New	V. 31, p. 1223, 1224
106-4-1	New (T)	V. 31, p. 1006
106-4-1	New	V. 31, p. 1224

**AGENCY 107: LAW ENFORCEMENT TRAINING CENTER**

Reg. No.	Action	Register
107-1-1		
through		
107-1-5	Revoked (T)	V. 31, p. 1007
107-1-1		
through		
107-1-5	Revoked	V. 31, p. 1225
107-2-1	Revoked (T)	V. 31, p. 1007
107-2-1	Revoked	V. 31, p. 1225
107-3-1	Revoked (T)	V. 31, p. 1007
107-3-1	Revoked	V. 31, p. 1226

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

Reg. No.	Action	Register
109-1-1	Amended	V. 32, p. 226
109-1-1a	Revoked	V. 32, p. 229
109-2-5	Amended	V. 32, p. 612
109-3-3	New	V. 31, p. 246

109-3-4	New	V. 31, p. 247
109-3-5	Amended	V. 31, p. 1295
109-5-1c	New	V. 31, p. 247
109-5-3	Amended	V. 32, p. 230
109-5-5	Amended	V. 32, p. 231
109-5-7c	New (T)	V. 31, p. 245
109-5-7c	New	V. 31, p. 497
109-7-1	Amended	V. 31, p. 248
109-8-2	New	V. 31, p. 225
109-10-1c	New	V. 31, p. 225
109-11-1	Revoked	V. 32, p. 231
109-11-3	Revoked	V. 32, p. 231
109-11-4	Revoked	V. 32, p. 231
109-11-4a	New	V. 31, p. 225
109-11-5	Revoked	V. 32, p. 231
109-11-6	Revoked	V. 32, p. 231
109-13-1	Amended	V. 31, p. 248
109-15-1	Amended	V. 32, p. 231

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 Kansas Register. A list of regulations filed from December 1, 2009 through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 Kansas Register. The following regulations were filed after December 22, 2011:

Reg. No.	Action	Register
111-2-270		
through		
111-2-276	New	V. 31, p. 114-116
111-2-277		
through		
111-2-282	New	V. 31, p. 582, 583
111-2-283		
through		
111-2-286	New	V. 31, p. 648
111-2-287	New	V. 31, p. 1428
111-2-288	New	V. 31, p. 1428
111-2-289		
through		
111-2-293	New	V. 32, p. 126-128
111-2-294	New	V. 32, p. 278
111-2-295	New	V. 32, p. 278
111-2-296	New	V. 32, p. 297
111-2-297	New	V. 32, p. 297
111-2-298		
through		
111-2-305	New	V. 32, p. 321-324
111-4-3135	New	V. 31, p. 116
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
111-4-3159		
through		
111-4-3162	New	V. 31, p. 583-587
111-4-3163		
through		
111-4-3171	New	V. 31, p. 613-617
111-4-3172		
through		
111-4-3181	New	V. 31, p. 649-656
111-4-3182		
through		
111-4-3196	New	V. 31, p. 1429-1441
111-4-3197		
through		
111-4-3203	New	V. 31, p. 1468-1470
111-4-3204		
through		
111-4-3211	New	V. 31, p. 1541-1547

111-4-3212		
through		
111-4-3216	New	V. 32, p. 128-131
111-4-3217		
through		
111-4-3223	New	V. 32, p. 153-159
111-4-3224	New	V. 32, p. 278
111-4-3225	New	V. 32, p. 298
111-4-3226	New	V. 32, p. 299
111-4-3227		
through		
111-4-3232	New	V. 32, p. 324-327
111-4-3233		
through		
111-4-3236	New	V. 32, p. 350
111-4-3237		
through		
111-4-3250	New	V. 32, p. 585-594
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
111-5-82	Amended	V. 31, p. 657
111-5-83	Amended	V. 31, p. 657
111-5-194	Amended	V. 31, p. 359
111-5-200	New	V. 31, p. 360
111-5-201		
through		
111-5-206	New	V. 31, p. 618, 619
111-7-249		
through		
111-7-254	New	V. 32, p. 300-302
111-7-255		
through		
111-7-260	New	V. 32, p. 353, 354
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
111-9-178	New	V. 31, p. 1442
111-9-179	New	V. 31, p. 1442
111-9-180	New	V. 31, p. 1470
111-9-181	New	V. 31, p. 1471
111-9-182	New	V. 32, p. 132
111-9-183	New	V. 32, p. 133
111-9-184	New	V. 32, p. 354
111-9-185	New	V. 32, p. 355
111-9-186	New	V. 32, p. 594
111-9-187	New	V. 32, p. 594
111-15-1	Amended	V. 32, p. 280
111-15-2	Amended	V. 32, p. 280
111-15-3	Amended	V. 32, p. 280
111-15-5	Amended	V. 32, p. 281
111-15-6	Amended	V. 32, p. 281
111-17-3	New	V. 31, p. 279
111-17-4	New	V. 31, p. 619
111-17-5	New	V. 32, p. 159
111-17-6	New	V. 32, p. 282
111-17-6a	New	V. 32, p. 328
111-17-7	New	V. 32, p. 595
111-201-14	Amended	V. 31, p. 361
111-301-6	Amended	V. 31, p. 658
111-301-32		
through		
111-301-44	New	V. 31, p. 1443-1446
111-401-1		
through		
111-401-50	New	V. 31, p. 389-407
111-401-30	Amended	V. 31, p. 1548
111-401-51		
through		
111-401-118	New	V. 31, p. 427-449
111-401-119		
through		
111-401-166	New	V. 31, p. 528-552
111-401-167		
through		
111-401-171	New	V. 32, p. 160-162
111-401-172		
through		
111-401-177	New	V. 32, p. 302-305
111-401-178		
through		
111-401-194	New	V. 32, p. 329-334



111-501-9	Amended	V. 31, p. 124
111-501-12	Amended	V. 31, p. 659
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
111-501-61	Amended	V. 31, p. 1549
111-501-82 through 111-501-102	New	V. 31, p. 620-628
111-501-103 through 111-501-117	New	V. 32, p. 162-167
111-501-118	New	V. 32, p. 306
111-501-119	New	V. 32, p. 167
111-501-120	New	V. 32, p. 167
111-501-121	New	V. 32, p. 167

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

Reg. No.	Action	Register
115-1-1	Amended	V. 31, p. 1365
115-2-1	Amended	V. 32, p. 318
115-2-2	Amended	V. 31, p. 1368
115-2-3	Amended	V. 32, p. 482
115-4-2	Amended	V. 31, p. 425
115-4-4	Amended	V. 32, p. 319
115-4-4a	Amended	V. 32, p. 320
115-4-11	Amended	V. 32, p. 483
115-4-15	New	V. 31, p. 1368
115-7-3	Amended	V. 31, p. 1370

115-7-10	Amended	V. 31, p. 1370
115-8-1	Amended	V. 31, p. 1370
115-8-2	Amended	V. 31, p. 953
115-8-19	Amended	V. 31, p. 1371
115-8-23	New	V. 31, p. 953
115-8-24	New	V. 31, p. 954
115-9-8	Amended	V. 32, p. 89
115-14-1 through 115-14-6	Revoked	V. 31, p. 1142
115-14-8	Revoked	V. 31, p. 1142
115-14-9	Revoked	V. 31, p. 1142
115-14-10	Revoked	V. 31, p. 1142
115-14-11 through 115-14-15	New	V. 31, p. 1142-1151
115-14-14	Amended	V. 32, p. 90
115-17-6 through 115-17-9	Amended	V. 31, p. 954, 955
115-18-1	Amended	V. 31, p. 1152
115-18-7	Amended	V. 32, p. 320
115-18-18	Amended	V. 31, p. 1371
115-18-22	New	V. 31, p. 1371
115-20-7	Amended	V. 31, p. 956

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-2-2	Amended	V. 31, p. 1066
117-2-2a	Amended	V. 31, p. 1067
117-3-2	Amended	V. 31, p. 1067
117-3-2a	Amended	V. 31, p. 1068

117-4-2	Amended	V. 31, p. 1069
117-4-2a	Amended	V. 31, p. 1070
117-5-2	Amended	V. 31, p. 1070
117-5-2a	Amended	V. 31, p. 1071
117-7-1	Amended	V. 32, p. 226
117-8-1	Revoked	V. 31, p. 1071
117-20-1 through 117-20-7	New (T)	V. 31, p. 997
117-20-1	New	V. 31, p. 1248
117-20-2	New	V. 31, p. 1248
117-20-3	New	V. 32, p. 89
117-20-4	New	V. 31, p. 1248
117-20-5	New	V. 31, p. 1248
117-20-6	New	V. 31, p. 1248
117-20-7	New	V. 32, p. 89

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

Reg. No.	Action	Register
129-5-1	Amended	V. 31, p. 1248

**AGENCY 130: HOME INSPECTORS REGISTRATION BOARD**

Reg. No.	Action	Register
130-2-1	Amended	V. 31, p. 224

**AGENCY 132: KANSAS 911 COORDINATING COUNCIL**

Reg. No.	Action	Register
132-2-1	New	V. 31, p. 223
132-3-1	New	V. 31, p. 1540
132-4-1	New	V. 31, p. 224

**Kansas Register**  
**Secretary of State**  
**1st Floor, Memorial Hall**  
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