

INSPECTIONS AND APPEALS DEPARTMENT[481]

Adopted and Filed

Rule making related to licensing sanctions

The Inspections and Appeals Department hereby amends Chapter 8, “Licensing Actions for Nonpayment of Child Support and Student Loan Default/Noncompliance with Agreement for Payment of Obligation,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 10A.104.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 272C.4(10).

Purpose and Summary

These amendments implement changes made to Iowa Code section 272C.4(10) resulting from the enactment of 2019 Iowa Acts, Senate File 304. The legislation required the Department to adopt rules to prohibit the suspension or revocation of a license issued to a person who is in default or is delinquent on repayment or a service obligation under federal or state postsecondary educational loans or public or private services-conditional postsecondary tuition assistance solely on the basis of such default or delinquency.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on July 29, 2020, as **ARC 5106C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Department on September 2, 2020.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 481—Chapter 6.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on October 28, 2020.

The following rule-making actions are adopted:

ITEM 1. Amend **481—Chapter 8**, title, as follows:

LICENSING ~~ACTIONS~~ ACTION FOR NONPAYMENT OF CHILD SUPPORT
AND PROHIBITION OF LICENSING ACTION FOR STUDENT LOAN
DEFAULT/NONCOMPLIANCE
WITH AGREEMENT FOR PAYMENT OF OBLIGATION

ITEM 2. Amend **481—8.1(252J)**, implementation sentence, as follows:

~~These rules are~~ This rule is intended to implement Iowa Code chapter 252J.

ITEM 3. Rescind rule 481—8.2(261) and adopt the following new rule in lieu thereof:

481—8.2(272C) Licensing actions against individuals who default or are delinquent on student loan debt or on a related service obligation prohibited. The department shall not deny the issuance or renewal of a license or suspend or revoke a license to a person who is in default or is delinquent on repayment or a service obligation under federal or state postsecondary educational loans or public or private services-conditional postsecondary tuition assistance solely on the basis of such default or delinquency.

This rule is intended to implement Iowa Code section 272C.4.

ITEM 4. Rescind and reserve rule **481—8.3(261)**.

ITEM 5. Rescind **481—Chapter 8**, implementation sentence.

[Filed 9/2/20, effective 10/28/20]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 9/23/20.