

INSPECTIONS AND APPEALS DEPARTMENT[481]

Adopted and Filed

**Rulemaking related to military service, veteran reciprocity,
and spouses of active-duty service members**

The Department of Inspections, Appeals, and Licensing hereby adopts new Chapter 7, “Military Service, Veteran Reciprocity, and Spouses of Active-Duty Service Members,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code sections 272C.4 and 272C.12A.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 272C.4, 272C.12 and 272C.12A and 2023 Iowa Acts, Senate File 514.

Purpose and Summary

This rulemaking adopts new Chapter 7. The chapter applies to licensing programs that became part of the Department following realignment resulting from 2023 Iowa Acts, Senate File 514. The rulemaking aligns with the goals of Executive Order 10 (January 10, 2023) of reducing and simplifying the Iowa Administrative Code and creating unity throughout the agency. Multiple boards under the administrative authority of the Department are in the process of rescinding substantively identical rules in reliance upon the rules herein.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on April 3, 2024, as **ARC 7754C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rulemaking

This rulemaking was adopted by the Department on May 8, 2024.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking 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 rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking will become effective on July 3, 2024.

The following rulemaking action is adopted:

ITEM 1. Adopt the following new 481—Chapter 7:

CHAPTER 7
MILITARY SERVICE, VETERAN RECIPROCITY, AND
SPOUSES OF ACTIVE-DUTY SERVICE MEMBERS

481—7.1(272C) Applicability and definitions. These rules are applicable to any licensing authority under the administrative authority of the department pursuant to Iowa Code chapter 10A unless that licensing authority has separate rulemaking authority and has adopted governing rules. As used in this chapter:

“*Department*” means the department of inspections, appeals, and licensing.

“*License*” means a license, certification, registration, permit, approval, renewal, or other similar authorization issued by a licensing authority authorizing a person to engage in a profession, occupation, or business.

“*Licensing authority*” means a board, a commission, or any other division or entity of the department that has the authority within this state to suspend or revoke a license or deny the renewal or issuance of a license authorizing a person to engage in a business, occupation, or profession pursuant to Iowa Code chapter 272C.

“*Military service*” means honorably serving on federal active duty, state active duty, or national guard duty, as defined in Iowa Code section 29A.1; in the military services of other states, as provided in 10 U.S.C. Section 101(c)(2021); or in the organized reserves of the United States, as provided in 10 U.S.C. Section 10101(2006).

“*Military service applicant*” means an individual requesting credit toward licensure for military education, training, or service obtained or completed in military service.

“*Spouse*” means the spouse of an active-duty member of the military forces of the United States.

“*Veteran*” means an individual who meets the definition of “veteran” in Iowa Code section 35.1(2).

481—7.2(272C) Military education, training, and service credit. A military service applicant may apply for credit for verified military education, training, or service toward any experience or educational requirement for licensure in accordance with Iowa Code chapter 272C by submitting a military service application form to the licensing authority.

7.2(1) The application may be submitted with an application for licensure or examination, or prior to applying for licensure or to take an examination. No fee is required with submission of an application for military service credit.

7.2(2) The applicant shall identify the experience or educational licensure requirement to which the credit would be applied if granted. Credit will not be applied to an examination requirement.

7.2(3) The applicant shall provide documents, military transcripts, a certified affidavit, or forms that verify completion of the relevant military education, training, or service, which may include, when applicable, the applicant’s Certificate of Release or Discharge from Active Duty (DD Form 214) or Verification of Military Experience and Training (VMET) (DD Form 2586).

7.2(4) Upon receipt of a completed military service application, the licensing authority will promptly determine whether the verified military education, training, or service will satisfy all or any part of the identified experience or educational qualifications for licensure.

7.2(5) The licensing authority will grant credit requested in the application in whole or in part if the licensing authority determines that the verified military education, training, or service satisfies all or part of the experience or educational qualifications for licensure.

7.2(6) The licensing authority will inform the military service applicant in writing of the credit, if any, given toward an experience or educational qualification for licensure or explain why no credit was granted. The applicant may request reconsideration upon submission of additional documentation or information.

7.2(7) An applicant who is aggrieved by the licensing authority's decision may request a contested case hearing. A request for a contested case shall be made within 30 days of issuance of the licensing authority's decision. Unless the licensing authority has adopted rules governing contested case hearings under the jurisdiction of that licensing authority, the provisions of 481—Chapter 9 apply, except that no fees or costs will be assessed against the applicant in connection with a contested case conducted pursuant to this subrule.

7.2(8) The licensing authority will grant or deny the military service application prior to ruling on the application for licensure. The applicant will not be required to submit any fees in connection with the licensure application unless the licensing authority grants the military service application. If the licensing authority does not grant the military service application, the applicant may withdraw the licensure application or request that the application be placed in pending status for up to one year or as mutually agreed. The withdrawal of a licensure application does not preclude subsequent applications supported by additional documentation or information.

481—7.3(272C) Veteran and active-duty military spouse reciprocity.

7.3(1) A veteran or spouse with an unrestricted professional license in another jurisdiction may apply for licensure in Iowa through reciprocity in accordance with Iowa Code chapter 272C. A veteran or spouse must pass any examinations required for licensure to be eligible for licensure through reciprocity and will be given credit for examinations previously passed when consistent with the licensing authority's laws and rules on examination requirements. A fully completed application for licensure submitted by a veteran or spouse under this subrule will be given priority and will be expedited.

7.3(2) Such an application shall contain all of the information required of all applicants for licensure who hold unrestricted licenses in other jurisdictions and who are applying for licensure by reciprocity, including but not limited to completion of all required forms, payment of applicable fees, disclosure of criminal or disciplinary history, and, if applicable, a criminal history background check. The applicant will use the same forms as any other applicant for licensure by reciprocity and shall additionally provide such documentation as is reasonably needed to verify the applicant's status as a veteran under Iowa Code section 35.1(2) or as a spouse.

7.3(3) Upon receipt of a fully completed licensure application, the licensing authority will promptly determine if the scope of practice of the jurisdiction where the veteran or spouse is licensed is substantially equivalent to the scope of practice in Iowa. The licensing authority shall make this determination based on information supplied by the applicant and such additional information as the licensing authority may acquire from the applicable jurisdiction.

7.3(4) The licensing authority will promptly grant a license to the applicant if the applicant is licensed in the same or similar profession in another jurisdiction whose scope of practice is substantially equivalent to the scope required in Iowa unless the applicant is ineligible for licensure based on other grounds, including, for example, the applicant's disciplinary history or criminal background.

7.3(5) If the licensing authority determines that the scope of practice in the jurisdiction in which the applicant is licensed is not substantially equivalent to the scope of practice in Iowa, the licensing authority will promptly inform the applicant of the additional education or training required for licensure in Iowa. Unless the applicant is ineligible for licensure based on other grounds, such as disciplinary history or criminal background, the following will apply:

a. If the applicant has not passed the required examination(s) for licensure, the applicant may not be issued a temporary license but may request that the licensure application be placed in pending status for up to one year or as mutually agreed to provide the applicant with the opportunity to satisfy the examination requirements.

b. If additional education or training is required, the applicant may request that the licensing authority issue a temporary license for a specified period of time during which the applicant will

successfully complete the necessary education or training. The licensing authority will issue a temporary license for a specified period of time upon such conditions as the licensing authority deems reasonably necessary to protect the health, welfare, or safety of the public unless the licensing authority determines that the deficiency is of a character by which public health, welfare, or safety will be adversely affected if a temporary license is granted.

c. If a request for a temporary license is denied, the licensing authority shall issue an order fully explaining the decision and shall inform the applicant of the steps the applicant may take to receive a temporary license.

d. If a temporary license is issued, the application for full licensure will be placed in pending status until the necessary education or training has been successfully completed or the temporary license expires, whichever occurs first. The licensing authority may extend a temporary license on a case-by-case basis for good cause.

7.3(6) An applicant who is aggrieved by the licensing authority's decision to deny an application for a reciprocal license or a temporary license or is aggrieved by the terms under which a temporary license will be granted may request a contested case hearing as set forth in subrule 7.2(7).

These rules are intended to implement Iowa Code sections 272C.4, 272C.12, and 272C.12A.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 5/29/24.