

### **Regulatory Analysis**

Notice of Intended Action to be published: 481—Chapter 880  
“Behavioral Health Professionals Licensing”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 147H.1, 147I.1, 154C, 154D, 272C.3, and 272C.10

State or federal law(s) implemented by the rulemaking: Iowa Code chapters 17A, 147, 154C, 154D, and 272C and sections 147H.1 and 147I.1

#### *Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held as follows:

March 10, 2026  
9:30 a.m.

6200 Park Avenue  
Des Moines, Iowa  
[Google Meet](#)  
PIN: 145 727 636#  
Or dial: +1 321.252.4092

Virtual participation information will be available on the Department of Inspections, Appeals, and Licensing’s website prior to the hearing.

#### *Public Comment*

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Venus Vendoures Walsh  
Department of Inspections, Appeals, and Licensing  
6200 Park Avenue  
Des Moines, Iowa 50321  
Phone: 515.242.6529  
Email: [venus.vendoures-walsh@dia.iowa.gov](mailto:venus.vendoures-walsh@dia.iowa.gov)

#### *Purpose and Summary*

The proposed amendments define the requirements for participation in the Professional Counselors Licensure Compact, commonly known as the Counseling Compact; define participation in the Social Work Licensure Compact; add background check requirements for all existing mental health counselor license holders; add background check requirements for all social workers; add background check requirements during license reactivation when a license has been inactive for two or more years and the licensee cannot provide evidence of active practice in another state; add a fee for the issuance of a compact privilege to practice in Iowa; and waive the compact privilege fee for an active-duty military member or spouse.

#### *Analysis of Impact*

- 1. Persons affected by the proposed rulemaking:**
  - **Classes of persons that will bear the costs of the proposed rulemaking:**

There is no direct cost to the general public, but there is a cost to the applicant or licensee since complying with the minimum requirements to enter into the compact are at the expense of the applicant or licensee.

- **Classes of persons that will benefit from the proposed rulemaking:**

The benefits achieved justify the costs. These minimum requirements for compact privilege holders ensure that practitioners are competent to practice. Without having an established threshold for entry into the professions of mental health counseling and social work, individuals who are not appropriately trained could harm the public. The Behavioral Health Board believes the benefits achieved by background checks and fees for these professions justify the costs because the background checks and fees ensure that Iowans are treated by competent and qualified practitioners with knowledge of topics pertinent to the professions to ensure the safety and welfare of the public. These proposed amendments highlight the need for privilege holders to understand and follow Iowa's laws and rules while serving Iowans.

**2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

Educational institutions provide training for mental health counselors and/or social workers. Additional private industries and educational institutions provide examinations and materials for preparation for the examination. Compact privilege fees are \$60. Privileges expire at the time the home state license expires.

- **Qualitative description of impact:**

Establishing minimum requirements for compact privileges ensures safety for the compact privilege holder and consumer. The cost of inaction would increase the potential for injury to the public by a compact privilege holder who is not qualified to perform work in the field.

**3. Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

Costs to the agency are the staff time needed to manage Board activities. This includes a new background check process; database updates and initial implementation of the Counseling Compact and Social Worker Licensure Compact; database maintenance; and education of the public, licensees, and privilege holders. Compact privilege holders are subject to the laws and rules of Iowa and may be investigated or disciplined by the Board. Consent agreements and discipline imposed by the Board are monitored by office staff.

An executive officer supports the full scope of this work at 0.50 full-time equivalent (FTE) position. This includes reviews at the time of initial application and reactivation and during reinstatement.

- **Anticipated effect on State revenues:**

Costs associated with implementing these proposed amendments will be offset by the fees collected by compact privilege holders.

**4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

The Board believes all current requirements ensure public safety and ensure minimum competency.

**5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The Board has not identified a more cost-effective alternative for compliance with Iowa Code section 147H.1, which outlines Iowa's role as a Counseling Compact member state, and Iowa Code section 147I.1, which outlines Iowa's role as a Social Work Licensure Compact member state.

**6. Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

The agency currently supports multiple compacts. Adding the Counseling Compact and the Social Work Licensure Compact to the database ensures public safety, minimum competence of the compact privilege holder and compliance with Iowa Code sections 147H.1 and 147I.1.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

The Board has not identified a more cost-effective alternative to the current internal process utilized for licensure review and compliance audits. The Board believes all current requirements ensure public safety and ensure a minimum competency of care is provided to Iowans. These proposed amendments provide consistency related to the licensure of mental health counselors and social workers across the United States, and membership in each compact requires the uniform licensure of these providers. The Department continues to assess and implement opportunities to increase efficiencies and standardize board processes across all professional licensing boards. These proposed amendments support this effort.

*Small Business Impact*

**If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:**

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

**If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?**

These proposed amendments relate to public safety concerns that are present whether the business is a small business or a large organization. These proposed amendments are meant to ensure public safety in terms of licensing requirements for mental health counselors and social workers. To exempt a small business from adhering to these proposed amendments would jeopardize any member of the public who sought services from that small business. The risk to the public is greater than the potential harm or cost to the small business.

*Text of Proposed Rulemaking*

ITEM 1. Amend rule 481—880.1(148,154B,154C,154D), introductory paragraph, as follows:

**481—880.1(148,154B,154C,154D) Definitions.** For purposes of these rules, the following definitions shall apply:

ITEM 2. Adopt the following new definitions of “DCI,” “Department,” “FBI” and “NACES” in rule **481—880.1(148,154B,154C,154D)**:

“DCI” means the Iowa division of criminal investigation.

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

“FBI” means the Federal Bureau of Investigation.

“NACES” means the National Association of Credential Evaluation Services.

ITEM 3. Amend paragraph **880.2(1)“b”** as follows:

b. The applicant for a mental health counseling license shall submit ~~two completed fingerprint cards and a signed waiver form~~ required waivers and fingerprints pursuant to the board-approved process to facilitate a national criminal history background check by the ~~Iowa division of criminal~~

~~investigation (DCI) and the Federal Bureau of Investigation (FBI). The cost of the criminal history background check by the DCI and the FBI shall be assessed to the applicant.~~

ITEM 4. Reletter paragraphs **880.2(7)“b”** to **880.2(7)“g”** as **880.2(7)“c”** to **880.2(7)“h”**.

ITEM 5. Adopt the following **new** paragraph **880.2(7)“b”**:

*b.* The applicant for a social worker license shall submit required waivers and fingerprints pursuant to the board-approved process to facilitate a national criminal history background check by the DCI and the FBI. The cost of the criminal history background check by the DCI and the FBI shall be assessed to the applicant.

ITEM 6. Amend relettered paragraph **880.2(7)“c”** as follows:

*c.* No application will be considered by the board until official copies of academic transcripts have been received by the board except as provided in paragraph ~~880.2(7)“g.”~~ 880.2(7)“h.”

ITEM 7. Amend relettered paragraph **880.2(7)“h”** as follows:

*h.* In lieu of the requirements in paragraphs ~~880.2(7)“b”~~ 880.2(7)“c” and ~~“e,” “d,”~~ the board will accept the ASWB Social Work Registry verification of academic transcripts and verification of licensure in other states.

ITEM 8. Amend paragraph **880.4(5)“c”** as follows:

*c.* Foreign-trained social workers shall provide an equivalency evaluation of their educational credentials by International Education Research Foundation, Inc., Credentials Evaluation Service, P.O. Box 3665, Culver City, California 90231-3665, telephone 310.258.9451, website [www.ierf.org](http://www.ierf.org) or email at [info@ierf.org](mailto:info@ierf.org); ~~or~~ obtain a certificate of equivalency from the Council on Social Work Education, 1701 Duke Street, Suite 200, Alexandria, Virginia 22314-3457, telephone 703.683.8080, website [www.cswe.org](http://www.cswe.org); ~~or obtain a certificate of equivalency from an evaluation service with membership in NACES at www.naces.org or a credential evaluation service approved by the board.~~ The professional curriculum must be equivalent to that stated in these rules. The applicant shall bear the expense of the curriculum evaluation.

ITEM 9. Adopt the following **new** paragraph **880.10(2)“c”**:

*c.* Compact eligibility review. This rule applies to mental health counselor licensees who were licensed prior to enactment of this rule unless this was completed at the time of initial licensure. In order to complete the compact eligibility review, at or prior to the licensee’s next renewal, the licensee must submit required waivers and fingerprints pursuant to the board-approved process to facilitate a national criminal history background check. The cost for the evaluation of the fingerprint packet and the DCI and the FBI criminal history background checks will be assessed to the applicant. The board may withhold issuing a license pending receipt of a report from the DCI and the FBI.

ITEM 10. Rescind rule 481—880.14(17A,147,272C) and adopt the following **new** rule in lieu thereof:

**481—880.14(17A,147,272C) License reactivation for mental health counselors, marital and family therapists, psychologists, and social workers.** To apply for reactivation of an inactive license, a licensee shall:

**880.14(1)** Submit a reactivation application.

**880.14(2)** Pay the reactivation fee that is due as specified in 481—Chapter 507.

**880.14(3)** Provide verification of license from the jurisdiction in which the applicant has been most recently licensed, sent directly from the jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification directly from the jurisdiction’s board office if the verification provides:

*a.* Licensee’s name;

*b.* Date of initial licensure;

- c. Current licensure status; and
- d. Any disciplinary action taken against the license.

**880.14(4)** For mental health counseling and marriage and family therapy licenses, a licensee shall:

- a. Provide verification of a current active license in another jurisdiction at the time of application, or
- b. Provide verification of completion of continuing education taken within two years prior to the application for reactivation.

(1) If the license has been inactive for less than five years, the applicant must submit verification of 40 hours of continuing education.

(2) If the license has been inactive for more than five years, the applicant must submit verification of 80 hours of continuing education.

c. If the mental health counseling license has been inactive for two or more years and the licensee cannot provide verification of active practice, consisting of a minimum of 2,080 hours, in another state or jurisdiction during the two years preceding an application for reactivation, submit required waivers and fingerprints pursuant to the board-approved process to facilitate a national criminal history background check. The cost for the evaluation of the fingerprint packet and the DCI and the FBI criminal history background checks will be assessed to the licensee. The board may withhold reactivation of a license pending receipt of a report from the DCI and the FBI.

**880.14(5)** For psychology licenses, provide verification of a current active license in another jurisdiction at the time of application or verification of completion of continuing education taken within two years of the application. If the license has been inactive for less than five years, the applicant must submit verification of 40 hours of continuing education, and if the license has been inactive for more than five years, the applicant must submit verification of 80 hours of continuing education.

**880.14(6)** For social work licenses, provide:

a. Verification of completion of 27 hours of continuing education within two years of application for reactivation or verification of active practice, consisting of a minimum of 2,080 hours, in another state or jurisdiction during the two years preceding an application for reactivation.

b. If the license has been on inactive status for more than five years, the verification in paragraph 880.14(6) “a” and one of the following:

(1) Verification of passing the ASWB examination within the last five years at the appropriate or higher level as follows:

1. Bachelor-level social worker—the bachelor’s level examination;
2. Master-level social worker—the master’s level examination; or
3. Independent-level social worker—the clinical level examination.

(2) Verification of continued social work practice at the appropriate or higher level in another state for a minimum of two years immediately preceding the application for reactivation.

(3) If the social work license has been inactive for two or more years and the licensee cannot provide verification of active practice, in accordance with subparagraph 880.14(6) “b”(2) in another state or jurisdiction during the two years preceding an application for reactivation, required waivers and fingerprints pursuant to the board-approved process to facilitate a national criminal history background check. The cost for the evaluation of the fingerprint packet and the DCI and the FBI criminal history background checks will be assessed to the applicant. The board may withhold issuing a license pending receipt of a report from the DCI and the FBI.

ITEM 11. Amend rule 481—880.18(147) as follows:

**481—880.18(147) Professional counselor licensing compact.** The rules of the Counseling Compact Commission are incorporated by reference. A mental health counselor may engage in the practice of licensed mental health counseling in Iowa without a license issued by the board if the individual has a current compact privilege to practice in Iowa issued by the counseling compact. The state fee

for issuance of a compact privilege to practice in Iowa shall be \$60, which will be collected by the counseling compact. The state fee for issuance of a compact privilege to practice in Iowa shall be waived for an active-duty military member or spouse of an individual who is an active-duty military member. A mental health counselor who practices mental health counseling in Iowa using a compact privilege is subject to the rules governing licensees in this chapter and in 481—Chapters 880, 882, and 884. Complaints, investigations, and disciplinary proceedings involving a compact privilege shall be handled in accordance with Iowa Code chapters 17A, 147H, and 272C and 481—Chapters 503, 504, and 506.

This rule is intended to implement Iowa Code chapter 147H.

ITEM 12. Renumber rule **481—880.19(154D)** as **481—880.20(154D)**.

ITEM 13. Adopt the following **new** rule 481—880.19(147):

**481—880.19(147) Professional social worker licensing compact (SWLC).** The rules of the SWLC are incorporated by reference. A social worker may engage in the practice of licensed social work in Iowa without a license issued by the board if the individual has a current compact privilege to practice in Iowa issued by the social work licensure compact. The state fee for issuance of a compact privilege to practice in Iowa shall be \$60, which will be collected by the social work licensure compact. The state fee for issuance of a compact privilege to practice in Iowa shall be waived for an active-duty military member or spouse of an individual who is an active-duty military member. A social worker who practices social work in Iowa using a compact privilege is subject to the rules governing licensees in this chapter and in 481—Chapters 880, 882, and 884. Complaints, investigations, and disciplinary proceedings involving a compact privilege shall be handled in accordance with Iowa Code chapters 17A, 147I, and 272C and 481—Chapters 503, 504, and 506.

This rule is intended to implement Iowa Code chapter 147I.