Regulatory Analysis

Notice of Intended Action to be published: 801—Chapter 3
"Declaratory Orders"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 17A
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 17A

Public Hearing

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

October 8, 2025 2:30 p.m.	Video call link: meet.google.com/uhs-vqhf-rvz Or dial: 720.500.4559 Conference ID: 117344442

Public Comment

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

Mike Olson
1301 Summit Street
Marshalltown, Iowa 50158
Email: michael.olson@ivh.state.ia.us

Purpose and Summary

This proposed rulemaking is intended to update the reference to the Uniform Rules on Agency Procedure as well as contact information for declaratory orders.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

No costs are associated with this proposed rulemaking.

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

No additional benefits or detriments are associated with this proposed rulemaking.

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:**

There are no quantitative impacts associated with this proposed rulemaking.

- **Qualitative description of impact:**

There are no qualitative impacts associated with this proposed rulemaking.

3. **Costs to the State:**

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

No anticipated implementation or enforcement costs are associated with this proposed rulemaking.

- **Anticipated effect on State revenues:**

No anticipated effects on State revenues are associated with this proposed rulemaking.

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

By updating the reference to Uniform Administrative Rules on Agency Procedure related to declaratory orders, this proposed rulemaking will allow interested parties to access information in the correct location and address inquiries to the correct official. There are no costs associated with this rulemaking to weigh against the benefits.

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

Not applicable.

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

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

There were no alternatives considered.

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

Not applicable.

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?

Not applicable.

Text of Proposed Rulemaking

ITEM 1. Rescind 801—Chapter 3 and adopt the following **new** chapter in lieu thereof:

CHAPTER 3
DECLARATORY ORDERS

The commission hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure related to declaratory orders, which are published at www.legis.iowa.gov/docs/Rules/Current/UniformRules.pdf on the Iowa general assembly's website. References to "the agency" within any uniform rule include the department or the commission as applicable. In lieu of the words "(designate office)" in any uniform rule, insert "the office of the commandant. This office is located at Camp Dodge, Building 3465, 7105 NW 70th Avenue, Johnston, Iowa 50131-1824". In lieu of the words "(designate agency)" in any uniform rule, insert "Iowa commission of veterans affairs" or "Iowa department of veterans affairs" as applicable. In lieu of the words "(AGENCY NAME)" in any uniform rule, insert "IOWA COMMISSION OF VETERANS AFFAIRS" or "IOWA DEPARTMENT OF VETERANS AFFAIRS", as applicable.

801—3.1(17A) Petition for declaratory order. At the end of this rule, insert "The commandant shall notify the chairperson of the commission that the petition has been filed."

801—3.2(17A) Notice of petition. In lieu of the words "___ days (15 or less)", insert "15 days".

801—3.3(17A) Intervention.

3.3(1) In lieu of the words "within ___ days", insert "within 15 days". Strike the words "(after time for notice under X.2(17A))".

801—3.5(17A) Inquiries. In lieu of the words "(designate official by full title and address)", insert "the commandant at Camp Dodge, Building 3465, 7105 NW 70th Avenue, Johnston, Iowa 50131-1824. The telephone number is 515.252.4698".

801—3.6(17A) Service and filing of petitions and other papers.

3.6(2) In lieu of the words "(specify office and address)", insert the current address of the department or the commission, as applicable.

3.6(3) In lieu of the words "(uniform rule on contested cases X.12(17A))", insert "Iowa Code section 17A.9(5)".

801—3.8(17A) Action on petition. Replace all uniform rule text with "Action on the petition will be taken in accordance with Iowa Code section 17A.9(5)."

These rules are intended to implement Iowa Code section 17A.9.