501—6.6(17A,80B,80D) Issuance of investigatory subpoenas.

6.6(1) *Issuance.* The director may issue investigatory subpoenas on behalf of the council, in accordance with the provisions of Iowa Code section 17A.13, for evidence that is necessary for the council to decide whether to initiate a contested case proceeding.

6.6(2) *Contents of subpoena.* Each subpoena will contain:

a. The name and address of the person to whom the subpoena is directed;

b. A description of the books, papers, records, or other real evidence requested;

c. The date, time, and location for production or inspection and copying;

d. The deadline for a motion to quash or modify the subpoena to be filed;

e. The signature, address, and telephone number of the director;

f. The date of issuance;

g. A return of service.

6.6(3) *Motion to quash or modify.* A person can challenge the subpoena by filing a motion to quash that describes the legal justification for the motion and includes a legal brief or factual affidavits within 14 days after service of the subpoena.

6.6(4) *Timely filing of motion.* Upon receipt of a timely filed motion to quash or modify a subpoena, the council will issue a decision. The council may quash or modify the subpoena, deny the motion, or issue an appropriate protective order.

6.6(5) *Judicial review.* If the person contesting the subpoena is not the person under investigation, the council's decision is final for purposes of judicial review. If the person contesting the subpoena is the person under investigation, the council's decision is not final for purposes of judicial review until either:

a. The person is notified that the investigation has been concluded with no formal action, or

b. There is a final decision in the contested case.

This rule is intended to implement Iowa Code sections 17A.13, 80B.11(1)*"h,"* 80B.13(9), 80B.13A, and 80D.4A.

[**ARC 0732D**, IAB 11/11/26, effective 1/1/27]