

# APPEAL BOARD, STATE[543]

## Adopted and Filed Emergency

### Rulemaking related to modifications of the uniform rules on Agency Procedure

The State Appeal Board hereby adopts new Chapter 2506, "Contested Cases," Iowa Administrative Code.

#### *Legal Authority for Rulemaking*

This rulemaking is adopted under the authority provided in Iowa Code chapter 17A.

#### *State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code chapter 17A.

#### *Purpose and Summary*

This amendment modifies the Uniform Rules on Agency Procedure related to contested cases (7—Chapter 2506) to ensure that claims governed by Iowa Code chapter 669 (Iowa Tort Claims Act) are governed by the administrative procedures of the Iowa Tort Claims Act and not the contested case provisions of 7—Chapter 2506.

#### *Reason for Adoption of Rulemaking Without Prior Notice and Opportunity for Public Participation*

Pursuant to Iowa Code section 17A.4(3), the Board finds that notice and public participation are unnecessary or impractical because statute so provides. 2026 Iowa Acts, Senate File 2463, section 5, authorizes emergency rulemaking to provide for additions, exceptions, or amendments to the Uniform Rules On Agency Procedure.

#### *Reason for Waiver of Normal Effective Date*

Pursuant to Iowa Code section 17A.5(2)"b"(1)(a), the Board also finds that the normal effective date of this rulemaking, 35 days after publication, should be waived and the rulemaking made effective June 30, 2026, because 2026 Iowa Acts, Senate File 2463, section 5, authorizes emergency rulemaking for the purpose stated above.

The new Uniform Rules on Agency Procedure are effective as of January 13, 2026, which means there is an inconsistency between the contested case provisions of the Uniform Rules and the procedure laid out under the Iowa Tort Claims Act. Earlier adoption of this rulemaking will allow the Board to ensure any claim coming before the State Appeal Board has clear direction as to the appropriate procedural requirements.

#### *Adoption of Rulemaking*

This rulemaking was adopted by the Board on xxxxxxxx.

#### *Concurrent Publication of Notice of Intended Action*

In addition to its adoption on an emergency basis, this rulemaking has been initiated through the normal rulemaking process and is published herein under Notice of Intended Action as ARC xxxxxxxx to allow for public comment.

#### *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 Board for a waiver of the discretionary provisions, if any, pursuant to 7—2504.

*Review by Administrative Rules Review Committee*

The ARRC, 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 ARRC'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 became effective on **xxxxxx**.

The following rulemaking action is adopted:

Item 1. Adopt the following **new** 543—Chapter 2506:

CHAPTER 2506

CONTESTED CASES

The Uniform Rules on Agency Procedure, 7—Chapters 2500 through 2506, are rules generally applicable to agencies pursuant to Iowa Code section 17A.24. Additions, exceptions, or amendments to the corresponding chapter are below.

**543—2506.1(17A) Scope and applicability.** 7—Chapter 2506 applies to contested case proceedings conducted by the agency, including vendor appeals. However, 7—Chapter 2506 does not apply to the extent that a claim being addressed by the agency is governed by Iowa Code chapter 669.