

BEFORE THE IOWA BOARD OF NURSING

IN THE MATTER OF THE PETITION)
FOR WAIVER BY:)

Waiver # 2024-01-NE

* The University of Iowa College of Nursing)

ORDER GRANTING WAIVER OF RULE 2.11(2)

)
*Represented by
Dr. Sandra Daack-Hirsch, PhD, RN, FAAN)

Pursuant to Iowa Code § 17A.9A and 655 Iowa Administrative Code chapter 2, the Iowa Board of Nursing (Board) makes the following ruling on *The University of Iowa College of Nursing's Petition for Waiver.

COURSE OF PROCEEDINGS

- On September 28, 2023 the board received Petitioner's petition of rule 2.11(2)"a".
- On November 8, 2023 the board considered the Petition during its conference call meeting. Petitioner representative attended the meeting.

FINDINGS OF FACTS

- Current licensure as a registered nurse in Iowa or compact state is a requirement prior to teaching in a nursing program.
- There are very few nurses at present with the content expertise to teach at the graduate level in Health Informatics and Health Systems Administration/Executive Leadership programs.
- The diversity of expertise of the faculty hired will provide the graduate level nursing student a perspective outside the profession to provide a enriched experience within the aforementioned content.
- Dr. Charise Madlock-Brown holds a PhD in Health Informatics and is a content expert in this field. Her work encompasses the exploration of social determinants of health, health disparities, multimorbidity, and illuminating crucial insights that foster equitable health care practices.
- Dr. Brianne Bakken is a PharmD and holds a Masters of Health Administration. This expertise is aligned with the curriculum of Health Systems: Administration/Executive Leadership program. Quals and why they need to consider

SUMMARY OF LAW

- The Board of Nursing is tasked with approving nursing programs and determine that there are adequate resources to conduct a sound education program. Iowa Code § 152.5.
- The Board requires faculty to hold a current license as a registered nurse in Iowa or a compact state prior to teaching. 655 Iowa Administrative Code chapter 2 2.11(2) “a”.
- The Board may, in its sole discretion, issue an order waiving in whole or in part the requirements of a rules only if the Board finds, based upon clear and convincing evidence, all of the following:
 - a. The application of the rule would pose an undue hardship on the program for which the waiver is requested;
 - b. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
 - c. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
 - d. Substantially equal protection of public health, safety or welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.
- Iowa Code § 17A.9A (2).

ORDER:

The Board GRANTS Petition for Waiver requested to waive rule 2.11(2) “a”, from The University of Iowa College of Nursing. This will authorize the faculty mentioned within this order to teach within the graduate level nursing programs according to their content expertise without holding a registered nurse license.

Dated this 8th day of November, 2023.



Amber Mahrt, MSN, RN
Chairperson
Iowa Board of Nursing

Waiver template