

BEFORE THE IOWA CHIROPRACTIC BOARD

<p>In the Matter of the Petition for Waiver by:</p> <p>CYNTHIA ARP</p> <p>Petitioner.</p>	<p style="text-align: center;">ORDER GRANTING PETITION FOR WAIVER</p>
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Pursuant to Iowa Code § 17A.9A and 481 Iowa Administrative Code chapter 6, the Iowa Chiropractic Board (“Board”) hereby makes the following ruling on Petition for Waiver submitted by Cynthia Arp (“Petitioner”).

FACTS AND COURSE OF PROCEEDINGS

1. Petitioner is an Iowa licensed chiropractor holding license number A05670.
2. Petitioner has been licensed in Iowa as a chiropractor since October of 1992.
3. On September 17, 2025, Petitioner filed a Petition for Waiver with the Board, seeking a waiver from the requirement that 20 of the 36 required hours of continuing education credit be earned by completing them in-person. *See* 481 Iowa Administrative Code rule 844.3(2)“a”(1).

SUMMARY OF LAW

4. Pursuant to 481 Iowa Administrative Code rule 6.5 (*see also* Iowa Code section 17A.9A(2)), the Board may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the board finds, based on clear and convincing evidence, all of the following:

- a. The application of the rule would impose an undue hardship on the person for whom 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 waiver are not specifically mandated by statute or another provision of law; and
- d. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

5. “The burden of persuasion rests with the [Petitioner] for the waiver of a rule.” Iowa Code section 17A.9A(3).

PETITIONER HAS MET THE CRITERIA TO WAIVE RULE 481-844.3(2)“a”(1).

Upon review of the Petition, the Board finds that Petitioner has satisfied each of the four criteria for waiver of the in-person program requirement in rule 481-844.3(2)“a”(1).

First, 481 Iowa Administrative Code rule 844.3(2)“a”(1) requires an individual to complete 36 hours of continuing education in order to maintain licensure. Further, 20 of those 36 hours are required to be conducted and attended in-person. Petitioner has a lifetime health issue that if exposed to ailments could jeopardize her life. COVID-19 in particular poses serious risks. Thus, the Board finds this does constitute an undue hardship for Petitioner.

Second, the Board finds that granting a waiver would not prejudice the substantial legal rights of any person.


Third, the requirement to attend 20 hours of continuing education in-person is not mandated by statute or another non-waivable provision of law.

Finally, the Petitioner has shown by clear and convincing evidence that waiving the in-person requirement would be adequately compensated in another manner such that the public health, safety, and welfare are adequately protected by a means other than application of the rule. Petitioner will still have to take the 20 hours of continuing education, they will just not be in-person. Additionally, Petitioner has been practicing for over 30 years and has practiced competently.

ORDER

IT IS THEREFORE ORDERED the Petition for Waiver of the requirement of subrule 481-844.3(2)“a”(1) is hereby **GRANTED**. Further, this Petition for Waiver is granted permanently.

Issued October 30, 2025.



Dr. Lauri Wondra, Chair
Iowa Board of Chiropractic