

BEFORE THE IOWA DENTAL BOARD

In the Matter of the Petition for Waiver by: Alexa Orchard Petitioner.	ORDER GRANTING WAIVER
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Pursuant to Iowa Code section 17A.9A and Iowa Administrative Code rule 481—6, the Dental Board (“Board”) makes the following ruling on the Petition for Waiver submitted by Alexa Orchard (“Petitioner”).

FACTS AND COURSE OF PROCEEDINGS

1. Petitioner is a dental assistant and attended a rigorous 15-week program to become competent and certified in Expanded Function Dental Assisting procedures at Central Pennsylvania Institute.
2. The program she attended is substantially similar to the State of Iowa’s EFDA 1 and 2 programs and while not CODA accredited, meets all standards of a CODA approved course.
3. Petitioner seeks to waive Iowa Administrative Code chapter **481 – 577.2(2)** which states:
 - a. Training in Level 2 expanded functions must be completed at the University of Iowa College of Dentistry or another accredited school using curriculum approved by the Board. Before beginning Level 2 training, dental hygienists and dental assistants must complete all prerequisites for the Level 2 training established by the accredited school.
4. Specifically, Petitioner is seeking to waive the requirement that the expanded functions training be completed at the University of Iowa or another accredited school with curriculum approved by the Board.
5. The Board considered the Petition for Waiver at a board meeting on November 7, 2025.

APPLICABLE LAW

6. Pursuant to Iowa Administrative Code chapter 481—6.1(3), 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.
7. “The burden of persuasion rests with the petitioner to demonstrate by clear and convincing evidence that the board should exercise its discretion to grant a waiver from a board rule.” 481 IAC 6.1(8)(b).
8. The Board's rules provide “The final decision on whether the circumstances justify the granting of a waiver is at the discretion of the department upon consideration of all relevant factors. Each petition for a waiver will be evaluated by the department based on the unique, individual circumstances set out in the petition.” 481 IAC 6.1(8)(a).
9. “A waiver, if granted, shall provide the narrowest exception possible to the provisions of a rule.” 481 IAC 6.1(8)(f).

ANALYSIS OF WAIVER CRITERIA

Whether the application of the rule would create an undue hardship on the person for whom the waiver is requested:

10. Application of the rule (requiring the petitioner to complete another EFDA training program after already completing one) would cause undue hardship as this would be untenable in the circumstances.

Whether the waiver from the requirements of the rule in the specific case would prejudice the substantial legal rights of any person:

11. Waiving the requirements of the rule would not prejudice the substantial legal rights of any other person.

Whether the provision of the rule subject to the petition for waiver is not specifically mandated by another provision of law:

12. The requirement found in the Board’s administrative rule is not specifically mandated by statute.

Whether substantially equal protection of the 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:

13. The public health, safety, and welfare will be afforded by other means if this waiver is granted. The petitioner has completed a program that meets all educational requirements as the program in Iowa and is sufficiently equivalent.

PETITIONER HAS MET THE CRITERIA TO WAIVE RULE 481 IAC 577.2(2).

Upon review of the Petition, the Board finds that Petitioner has satisfied the four criteria for waiver of the requirements in 481 IAC 577.2(2).

ORDER

IT IS THEREFORE ORDERED the Petition for Waiver of 481 IAC 577.2(2) is GRANTED with the conditions that 1) she document with a supervising dentist that she has the required experiences for level 2 expanded functions, and 2) she complete the course in which she is currently enrolled.

Issued December 18, 2025.



Dr. James Nemmers, D.D.S.
Chairperson
Iowa Dental Board

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