

**BEFORE THE NURSING HOME ADMINISTRATOR BOARD
OF THE STATE OF IOWA**

<p>In the Matter of the Petition for Rule Waiver by:</p> <p>Tara Wassell</p> <p>Petitioner.</p>	<p>ORDER GRANTING WAIVER</p>
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Pursuant to Iowa Code section 17A.9A and Iowa Administrative Code rule 481—6.5, the Iowa Board of Nursing Home Administrators (“Board”) makes the following ruling on the Petition for Waiver submitted by Tara Wassell (“Petitioner”).

FACTS AND COURSE OF PROCEEDINGS

1. Petitioner submitted a Petition for Waiver on or about October 7, 2025.
2. Petitioner seeks to waive Iowa Administrative Code rule 481—980.2(3)(a), which requires that an applicant for licensure provide verification of an accredited degree.
3. At the time Petitioner submitted the Petition for Waiver, rule 481—980.2(3)(a) read in part:

481—980.2(155) Requirements for licensure. The following criteria shall apply to licensure:

480—980.2(3) Provide verification of the following:

 - a.* Transcripts verifying a baccalaureate or postbaccalaureate degree sent directly from an accredited college or university[.]
4. Petitioner is seeking a nursing home administrator license in Iowa. She does not possess a degree from an accredited university, but has more than seven years of direct experience as a licensed Nursing Home Administrator in Illinois. She has managed and operated skilled nursing facilities. Petitioner believes that her experience is a relevant and sufficient substitute for the educational requirement in rule.
5. The Board considered the Petition for Waiver at its meeting on October 13, 2025.

APPLICABLE LAW

6. Pursuant to Iowa Administrative Code chapter 481—6.5, 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.” Iowa Admin. Code r. 481—6.11(2).
8. “The final decision on whether the circumstances justify the granting of a waiver shall be made at the sole discretion of the board, upon consideration of all relevant factors.” Iowa Admin. Code r. 481-6.11(1). “Each petition for a waiver shall be evaluated by the board based on the unique, individual circumstances set out in the petition.” *Id.* at. 481-6.11(5)(a). “A waiver, if granted, shall provide the narrowest exception possible to the provisions of a rule.” *Id.* at. 481-6.11(5)(b).

ANALYSIS OF WAIVER CRITERIA

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

9. The Board finds that application of the rule would create an undue hardship for the Petitioner because she would be required to complete further educational requirements.

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

10. The Board finds that Petitioner’s experience working in nursing homes is sufficient to justify waiving the educational requirements for licensure. The Board finds that granting the waiver will not prejudice the substantial legal rights of any person.

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

11. 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:

12. The public health, safety, and welfare will not be adversely affected by granting this waiver. The Board has reason to believe Petitioner has all relevant experience to practice as a nursing home administrator with reasonable skill and safety.

PETITIONER HAS MET THE CRITERIA TO WAIVE RULE 481—980.2(3)(a). THE RULE WAIVER IS GRANTED.

Upon review of the Petition, the Board finds that Petitioner has satisfied the four criteria for waiver of the educational requirements for licensure.

IT IS THEREFORE ORDERED the Petition for Waiver of the requirement to provide verification of an accredited degree for licensure as a Nursing Home Administrator is under Iowa Administrative Code rule 481—902.2(3)(a) is hereby **GRANTED**. The waiver shall be valid indefinitely.

Issued January 5, 2026.

Michael Schueller

Chair, Iowa Board of Nursing Home Administrators