

BEFORE THE PHARMACY BOARD OF THE STATE OF IOWA

<p>In the Matter of the Petition for Waiver by:</p> <p>Emma Hepworth Registration #: 7216</p> <p>Petitioner.</p>	<p>ORDER GRANTING WAIVER REQUEST</p>
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Pursuant to Iowa Code section 17A.9A and 481 Iowa Administrative Code (“IAC”) 6, the Iowa Board of Pharmacy (“Board”) makes the following ruling on the Petition for Waiver submitted by Emma Hepworth (“Petitioner”).

FINDINGS OF FACT

1. Petitioner has an Iowa pharmacist intern registration that was originally issued on August 27, 2018, was granted a previous extension, and became inactive on December 31, 2025.
2. Petitioner is seeking to waive the rule that an internship registration will expire one year following graduation from a college of pharmacy, pursuant to 481 IAC 551.6(2).
3. Petitioner is specifically requesting her internship license be granted an extension in order to pass the MPJE due to significant personal stress that has made it impracticable to complete the tests within the typical timeline.
4. The Board considered the Petition for Waiver at a board meeting on January 6, 2025.

APPLICABLE LAW

5. 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.

6. “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).
7. 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).
8. “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:

9. Application of the rule (i.e. allowing Petitioner’s internship license to expire before she can successfully complete the MPJE) would create an undue hardship on Petitioner as it would not allow her the time necessary to complete the test in light of her personal circumstances.

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

10. Waiving the requirements of the rule would 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 be afforded by other means if this waiver is granted as the Petitioner is still required to pass the MPJE examination in order to become a licensed pharmacist. This waiver will simply allow her the opportunity to pass the examination outside the one-year rule in light of her personal circumstances.

CONCLUSIONS OF LAW

For the reasons set forth above and upon review of the Petition, the Board finds that Petitioner has satisfied the four criteria for waiver set forth in 481 IAC 6.1(3).

ORDER

IT IS THEREFORE ORDERED the Petition for Waiver of 481 Iowa Administrative Code chapter 551.6(2) is GRANTED until August 1, 2026 to allow Petitioner to take and pass the MPJE by that date.

Issued January 30, 2026.



Erik Maki, PharmD
Chairperson
Iowa Board of Pharmacy

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