

BEFORE THE BOARD OF NURSING OF THE STATE OF IOWA

<p>In the Matter of the Petition for Waiver by:</p> <p>University of Iowa-College of Nursing</p> <p>Petitioner.</p>	<p>ORDER GRANTING WAIVER REQUEST</p>
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Pursuant to Iowa Code section 17A.9A and Iowa Administrative Code (“IAC”) rule 481—6, the Iowa Board of Nursing (“Board”) makes the following ruling on the Petition for Waiver submitted by University of Iowa-College of Nursing (“Petitioner”).

FINDINGS OF FACT

1. Petitioner is seeking to allow an Associate Professor, without a nursing degree, be able to teach in the College of Nursing program.
2. Petitioner states in the Petition for Waiver that it seeks to waive 481 IAC 616.11(2) which provides:

A faculty member who teaches nursing shall meet the following requirements:

- a. Current licensure as a registered nurse in Iowa or a multistate license according to the current nurse licensure compact contained in Iowa Code chapter 152E prior to teaching.
- b. Two years of experience in clinical nursing.
- c. Academic qualifications:
 - (1) If employed on or before July 1, 1992, the individual is considered adequately prepared as long as that faculty member remains in that position.
 - (2) A faculty member who was hired to teach in a prelicensure registered nurse program shall have at least a baccalaureate degree with a major in nursing or an applicable field at the time of hire. This person shall make annual progress toward the attainment of a master’s or doctoral degree with a major in nursing or an applicable field. At least one degree shall be in nursing. 1. Applicable fields include but are not limited to education, anthropology, gerontology, counseling, psychology, sociology, health education, health administration, and public health. A person who wishes to fulfill this requirement with education in an applicable field not listed may petition the board for a determination of applicability. 2. The date of hire is the first day of employment with compensation at a particular nursing education program. 3. “Annual progress” means a minimum of one course per year taken as part of an organized plan of study. A written plan of study shall be kept in the employee’s file.
 - (3) A faculty member who was hired to teach after July 1, 1992, in a practical nursing

program or at the first level of an associate degree nursing program with a ladder concept shall have a baccalaureate or higher degree in nursing or an applicable field at the time of hire.

- (4) A registered nurse hired to teach in a master's program shall hold a master's or doctoral degree with a major in nursing at the time of hire. A registered nurse teaching in a population focus shall hold a master's degree with a major in nursing, advanced level certification by a national professional nursing organization approved by the board in the population focus area in which the individual teaches, and current licensure as an advanced registered nurse practitioner according to the laws of the state(s) in which the individual teaches. Faculty preparation at the doctoral or terminal degree level should be consistent with the mission of the program.
 - (5) A faculty member hired only to teach in the clinical setting shall be exempt from subparagraphs 2.11(2)"c"(1) and "c"(2) if the faculty member is closely supervised to ensure proper integration of didactic content into the clinical setting. If hired after July 1, 1992, a faculty member hired to teach only in the clinical setting shall have a baccalaureate degree in nursing or an applicable field or shall make annual progress toward the attainment of such a degree.
3. Petitioner has an Associate Professor, Dr. Hadlandsmyth, who has specialized expertise in clinical health psychology, specifically pain management. The University would like to allow Dr. Hadlandsmyth to teach psychology courses in the College of Nursing for both direct admit nursing students and pre-requisite nursing students.
 4. Dr. Hadlandsmyth does not have a nursing license, but she does have a psychology degree. The University intends for her to teach psychology courses within the College of Nursing. She will also work along side nursing professors doing research on coping with pain throughout the lifespan.
 5. Petitioner is specifically requesting the Board allow Dr. Hadlandsmyth to be faculty at the University of Iowa-College of Nursing and teach nursing students without having licensure as a nurse.
 6. The Board considered the Petition for Waiver at a board meeting on January 14, 2026.

APPLICABLE LAW

7. 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.
8. “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).
9. The Board's rules provide “The final decision on whether the circumstances justify the granting of a waiver is at the discretion of the [board] upon consideration of all relevant factors. Each petition for a waiver will be evaluated by the [board] based on the unique, individual circumstances set out in the petition.” 481 IAC 6.1(8)(a).
10. “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:

11. Absent this waiver petitioner would be unable to utilize Dr. Hadlandsmyth’s specialized expertise to teach students as part of the nursing school curriculum. This would require petitioner to hire additional faculty, specifically for the college of nursing even though the University already has Dr. Hadlandsmyth as faculty for the university.

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

12. Waiving the requirements of the rule would not prejudice the substantial legal rights of any person. Dr. Hadlandsmyth has specific expertise in the area of pain management and clinical health psychology. Dr. Hadlandsmyth, does not have a nursing license, but is similarly qualified to teach nursing students in the area of expertise.

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

13. 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:

14. The public health, safety, and welfare will be afforded by other means if this waiver is granted because petitioner has vetted the candidate to ensure Dr. Hadlandsmyth has the requisite knowledge to teach the nursing students within the nursing college.

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 IAC 481—6.1(3).

ORDER

IT IS THEREFORE ORDERED the Petition for Waiver of 481 IAC 616.11(2) is GRANTED.

Issued January 14, 2026.



Jackie Barber, Board Chair
Iowa Board of Nursing