

**BEFORE THE BOARD OF BEHAVIORAL HEALTH PROFESSIONALS OF
THE STATE OF IOWA**

In the Matter of the Petition for Waiver by: Heather Edrozo Petitioner.	ORDER GRANTING WAIVER REQUEST
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Pursuant to Iowa Code section 17A.9A and Iowa Administrative Code (“IAC”) rule 481—6, the Iowa Board of Behavioral Health Professionals (“Board”) makes the following ruling on the Petition for Waiver submitted by Heather Edrozo (“Petitioner”).

FINDINGS OF FACT

1. Petitioner is seeking to obtain her license as an Iowa licensed mental health counselor.
2. Petitioner has been licensed as an Iowa temporary mental health counselor since January 2023.
3. Petitioner has been under supervision since January 2023. Petitioner’s practices in an agency with only one supervisor available.
4. Petitioner’s supervisor will be unavailable for supervision for a number of months due to medical illness. Petitioner’s office had an additional licensed professional who passed unexpectedly in the past year.
5. Petitioner states in her Petition for Waiver that she seeks to waive 481 IAC 880.19 which provides:

A temporary licensee shall engage only in the practice of marital and family therapy or mental health counseling as part of an agency or group practice with oversight over the temporary licensee. The agency or group practice shall have at least one independently licensed mental health provider. A temporary licensee shall not practice as a solo practitioner or solely with other temporary licensees.

6. Petitioner is specifically requesting the Board allow her to continue to practice without day to day supervision while the supervisor may be absent for a period of time to address her medical condition. Petitioner is requesting this waiver while she completes the final requirements for her full mental health counselor license.
7. The Board considered the Petition for Waiver at a board meeting on January 27, 2026.

APPLICABLE LAW

8. 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.
9. “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).
10. 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).
11. “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:

12. Absent this waiver petitioner would be unable to practice, negatively impacting her livelihood as well as the ability for clients to continue to receive uninterrupted services. The petitioner's practice is in a rural area with limited access to other providers. The petitioner has been subjected to several unexpected issues throughout her supervision, none of which were caused by petitioner.

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

13. 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:

14. 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:

15. The public health, safety, and welfare will be afforded by other means if this waiver is granted because petitioner has completed her postdoctoral hours and has adequately provided services to clients for several years. While the waiver would allow petitioner to continue to see client's without direct supervision each day, the petitioner will still have supervision and consultation available for her as needed. This waiver is only for the short period of time while her supervisor completes necessary medical treatment.

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 880.19 is GRANTED.

Issued January 27, 2026.

Aaron L. Culley, L.I.S.W.

Aaron Culley
Chairperson
Iowa Board of Behavioral Health Professionals