

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

In the Matter of the Petition for Waiver by: Paige Boldt Petitioner.	ORDER DENYING 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 Paige Boldt (“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 September 2023.
3. Petitioner states in her Petition for Waiver that she seeks to waive 481 IAC 880.7(1) “b” which provides:
 - b. Duration.* The supervised clinical experience must be for a minimum of two years.
4. Petitioner is specifically requesting the Board allow her to utilize a time period of seven months in 2024 where applicant practiced at a hospice in Council Bluffs, Iowa which was owned by a Minnesota based company. Petitioner was supervised by a Minnesota licensed LMSW during this 7 month period of time. The supervision was completed virtually and there was no supervision plan in place for this supervision period.
5. The Board considered the Petition for Waiver at a board meeting on November 25, 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 [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).
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. Requiring petitioner to complete the full 2 years of supervision with a qualified supervisor and supervision plan, would not create an undue hardship for her. Petitioner is currently licensed and practicing in Nebraska and may continue that practice while obtaining the remaining 7 months of required supervision for Iowa licensure.

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 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 of 2 years of supervision is found in Iowa Code 154C.3(1)(c)(4). However, the code provision allows the Board to determine the equivalency of the two year period if the applicant has less than two full calendar years of supervision. In this situation, the Board does not find that the petitioner has the

equivalency of 2 years of supervision. She has completed 17 months of supervised clinical experience with an approved supervisor. The additional 7 months she is asking to be counted toward her full two years was not completed under the supervision of an LISW or approved supervisor.

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 not be afforded by other means if this waiver is granted because the supervised clinical experience is necessary to ensure the applicant has the requisite training and experience to practice safely on an independent level.

CONCLUSIONS OF LAW

For the reasons set forth above and upon review of the Petition, the Board finds that Petitioner has not 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 880.7(1)"b" is DENIED.

Issued November 25, 2025.

Aaron L. Culley, LISW

Aaron Culley
Chairperson
Iowa Board of Behavioral Health Professionals