

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

<p>In the Matter of the Petition for Waiver by:</p> <p>Natalie Harris</p> <p>Petitioner.</p>	<p>ORDER DENYING 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 Behavioral Health Professionals (“Board”) makes the following ruling on the Petition for Waiver submitted by Natalie Harris (“Petitioner”).

FINDINGS OF FACT

1. Petitioner is seeking to be an approved supervisor for applicants completing their postgraduate supervised clinical experience.
2. Petitioner has been licensed as an Iowa independent level social worker since October 2024.
3. Petitioner states in her Petition for Waiver that she seeks to waive 481 IAC 880.7(2)“b” which provides:

880.7(2) Eligible supervisors. A supervisor must satisfy all of the following requirements:
a. Hold an active license as an independent level social worker, mental health counselor, or marital and family therapist in Iowa.
b. Have a minimum of three years of independent practice.
4. Petitioner states there are no social workers available at her agency who meet the board’s requirements.
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 licensee to have a supervisor with a minimum of 3 years of independent clinical experience would not create an undue hardship for the licensee. In person supervision is no longer required, so the petitioner has more options for potential supervisors. Petitioner still has the ability to complete her supervised clinical experience with a supervisor who meets the minimum requirements.

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 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:

13. The public health, safety and welfare will not be afforded by other means if this waiver is granted because the minimum requirements for supervisors ensures the supervisor has gained the necessary experience to be able to provide proper supervision and guidance to the petitioner.

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(2)"b" is DENIED.

Issued November 25, 2025.

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

Aaron Culley
Chairperson
Iowa Board of Behavioral Health Professionals