

**BEFORE THE SPEECH PATHOLOGY AND AUDIOLOGY  
BOARD OF THE STATE OF IOWA**

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**In the Matter of the  
Petition for Rule Waiver by:**

**MICHAEL DAVIS,**

**Petitioner.**

**ORDER GRANTING WAIVER**

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Pursuant to Iowa Code section 17A.9A and Iowa Administrative Code rule 481—6.5, the Iowa Board of Speech Pathology and Audiology (“Board”) makes the following ruling on the Petition for Waiver submitted by Michael Davis (“Petitioner”).

**FACTUAL BACKGROUND**

1. Petitioner submitted a Petition for Waiver on or about January 21, 2026.
2. Petitioner seeks to waive Iowa Administrative Code rule 481—740.6(3)(a), which specifies that an applicant for temporary clinical licensure must have a plan for supervised clinical experience approved by the Board and that the plan shall include at least nine months of full-time clinical experience or equivalent.
3. At the time Petitioner submitted the Petition for Waiver, rule 481—740.6(3)(a) read:

**481—740.6(3)** The plan for supervised clinical experience must be approved by the board before the applicant starts practice and shall:
  - a. Include at least nine months of full-time clinical experience, or equivalent [...]
4. Petitioner is seeking his Iowa temporary clinical speech pathologist license.
5. Petitioner has presented a plan for supervised clinical experience that will result in completion of 1,260 hours of clinical experience over a period longer than nine months, as he intends to work on a part-time basis while continuing in his current full-time job as a Nursing Home Administrator.
6. The Board considered the Petition for Waiver at its meeting on April 30, 2026.

**APPLICABLE LAW**

7. Pursuant to Iowa Administrative Code chapter 481—6.5, 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.” Iowa Admin. Code r. 481—6.11(2).
9. “The final decision on whether the circumstances justify the granting of a waiver shall be made at the sole discretion of the board, upon consideration of all relevant factors.” Iowa Admin. Code r. 481-6.11(1). “Each petition for a waiver shall be evaluated by the board based on the unique, individual circumstances set out in the petition.” *Id.* at. 481-6.11(5)(a). “A waiver, if granted, shall provide the narrowest exception possible to the provisions of a rule.” *Id.* at. 481-6.11(5)(b).

### 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. The Board finds that application of the rule would create an undue hardship for the Petitioner because completing the hours on a full-time basis would require a reduction in his hours and salary at his current job.

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

11. The Board finds that granting the waiver will 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 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:**

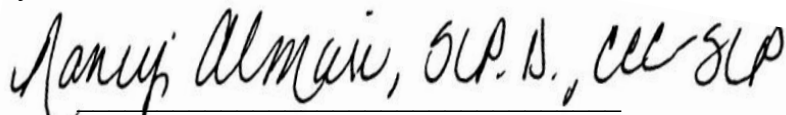
13. The public health, safety, and welfare will not be adversely affected by granting this waiver. The Petitioner has a plan to complete the required number of hours over a longer period of time.

**PETITIONER HAS MET THE CRITERIA TO WAIVE RULE 481—740.6(3)(a).  
THE RULE WAIVER IS GRANTED.**

Upon review of the Petition, the Board finds that Petitioner has satisfied the four criteria for waiver of the educational requirements for licensure.

**IT IS THEREFORE ORDERED** the Petition for Waiver of the requirement to submit a clinical experience plan including nine months of full-time experience under Iowa Administrative Code rule 481—740.6(3)(a) is hereby **GRANTED**. The waiver shall be valid indefinitely.

Issued May 21, 2026.

  
Chair, Iowa Board of Speech Pathology and Audiology