

**BEFORE THE HEARING AID SPECIALIST
BOARD OF THE STATE OF IOWA**

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

IAN ANDERSON,

Petitioner.

ORDER GRANTING WAIVER

Pursuant to Iowa Code section 17A.9A and Iowa Administrative Code rule 7—2504.4(4), the Iowa Board of Hearing Aid Specialists (“Board”) makes the following ruling on the Petition for Waiver submitted by Ian Anderson (“Petitioner”).

FACTUAL BACKGROUND

1. Petitioner submitted a Petition for Waiver on or about August 28, 2026.
2. Petitioner seeks to waive Iowa Administrative Code rule 481—2060.3(1)(a), which specifies a supervisor must hold an active hearing aid specialist license for 24 months prior to being allowed to supervise a temporary hearing aid specialist permit holder.
3. At the time Petitioner submitted the Petition for Waiver, rule 481—2060.3(1)(a) read:

481—2060.3(154A) Supervision requirements.
2060.3(1) The supervisor(s) of temporary permit holders will:
 - a. Have a current hearing aid specialist license valid for the preceding 24 months;
[...]
4. On August 14th, Petitioner received his Iowa hearing aid specialists license # 134325.
5. Petitioner held an active hearing aid specialist license # 2075-60 in Wisconsin since May 16, 2024, totaling 27 months of active licensure.
6. The Department considered the Petition for Waiver on September 9, 2026.

APPLICABLE LAW

7. Pursuant to Iowa Code 17A.9A(2) and Iowa Administrative Code rule 7—2504.4, the Department may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the Department 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 petitioner bears the burden of persuasion to show by clear and convincing evidence all factors provided in Iowa Code section 17A.9A(2).” Iowa Admin. Code r. 7—2504.1(2)..
9. “Each petition for a waiver shall be evaluated by the agency based on the unique, individual circumstances set out in the petition.” Iowa Code 17A.9A(3). “A waiver, if granted, shall provide the narrowest exception possible to the provisions of a rule. ” *Id.* . **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 Department finds that application of the rule would create an undue hardship for the Petitioner because it would prevent him from supervising and training temporary licensees even though he has over 27 months of experience performing hearing aid specialist scope of practice in another state.

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

11. The Department 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 taken steps to comply with the current laws and rules.

**PETITIONER HAS MET THE CRITERIA TO WAIVE RULE 481—2060.3(1)(a). THE
RULE WAIVER IS GRANTED.**

Upon review of the Petition, the Department finds that Petitioner has satisfied the four criteria for waiver of the licensure requirements to supervise a temporary licensee.

IT IS THEREFORE ORDERED the Petition for Waiver of the requirement to have a current hearing aid specialist license valid for the preceding 24 months under Iowa Administrative Code rule 481—2060.3(1)(a) is hereby **GRANTED**. The waiver shall be valid indefinitely.

Issued _____ September 17 _____, 2026.

A handwritten signature in black ink, appearing to read 'A. Baack', is written over a horizontal line.

Interim Director, Aaron Baack