

BEFORE THE PHARMACY BOARD OF THE STATE OF IOWA

In the Matter of the Petition for Waiver by: Emma McDonald Registration #: 7216 Petitioner.	ORDER GRANTING WAIVER REQUEST
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Pursuant to Iowa Code section 17A.9A and 7 Iowa Administrative Code (“IAC”) 2504, the Iowa Board of Pharmacy (“Board”) makes the following ruling on the Petition for Waiver submitted by Emma McDonald (“Petitioner”).

FINDINGS OF FACT

1. Petitioner has an Iowa pharmacist intern registration that was originally issued on August 27, 2018, was granted previous extensions, and became inactive on August 31, 2026.
2. Due to personal circumstances, Petitioner has been unable to take the NAPLEX and MPJE within the required timeframe and is specifically requesting an extension in order to take the NAPLEX and MPJE.
3. Petitioner is seeking to waive rule 481 IAC 551.2(8)(b): *Incomplete applications*. Applications that remain incomplete after six months from the date of initial board receipt will expire, except that applications for pharmacist licensure will expire:
 - b. After two years for an application for license by examination or score transfer.
4. Petitioner’s licensure application by examination was received by the Board on May 21, 2024, and therefore expired on May 21, 2026.
5. The Board considered the Petition for Waiver at a board meeting on September 16, 2026.

APPLICABLE LAW

6. Pursuant to Iowa Code chapter 17A.9A(2), the Board may in its sole discretion issue a waiver from 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 person who petitions an agency for the waiver of a rule. Iowa Code § 17A.9A(3).
 8. Each petition for a waiver will be evaluated by the agency based on the unique, individual circumstances set out in the petition. Iowa Code § 17A.9A(3).
 9. A waiver, if granted, shall be drafted by the agency so as to provide the narrowest exception possible to the provisions of a rule. Iowa Code § 17A.9A(3).

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. Application of the rule (i.e., not allowing Petitioner extra time to successfully complete the NAPLEX and MPJE) would create an undue hardship on Petitioner as it would not allow her the time necessary to complete the test in light of her personal circumstances.

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 be afforded by other means if this waiver is granted as the Petitioner is still required to pass the NAPLEX and MPJE examinations in order to become a licensed pharmacist. This waiver will simply allow her the opportunity to complete all required examinations for licensure

outside the two-year rule in light of her personal circumstances, and to continue to work with an active internship license.

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 Iowa Code § 17A.9A(2).

ORDER

IT IS THEREFORE ORDERED the Petition for Waiver of 481 Iowa Administrative Code chapter 551.2(8)(b) is GRANTED for ONE (1) YEAR from September 16, 2026 to allow Petitioner to take and pass the NAPLEX and MPJE and to maintain an active internship license during this time.

Issued September 16, 2026.

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

Erik Maki, PharmD
Chairperson
Iowa Board of Pharmacy

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PLEASE NOTE: If you require the assistance of auxiliary aids or services to participate in this matter because of a disability, immediately call 515-281-0233. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942).