

BEFORE THE PHARMACY BOARD OF THE STATE OF IOWA

In the Matter of the Petition for Waiver by: Walgreens Central Fill 10695 Winnetka Ave. N. #190 Brooklyn Park, MN 55445 Lic. 5897 599 S. Schmidt Rd., Suite A Bolingbrook, IL 60440 Lic. 5544 2601 S. Hughes Rd., Suite 103 Liberty, MO 64068 Lic. 5543 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 Walgreens Central Fill for their locations in Brooklyn Park, Minnesota, Bolingbrook, Illinois, and Liberty, Missouri (“Petitioner”).

FINDINGS OF FACT

1. Petitioner has an Iowa nonresident pharmacy license for each of their central fill locations in Brooklyn Park, Minnesota, Bolingbrook, Illinois, and Liberty, Missouri.
2. Petitioner seeks to waive 481 IAC 552.20(2)(b), which provides: *Pharmacist verification of AMDS-dispensed drugs.*
 - b. Except as provided in paragraph 552.20(3) “b,” a pharmacist will document final verification of any medication manipulated by the AMDS (such as counting or packaging) prior to dispensing to a patient.
3. Petitioner is specifically seeking to be permitted to not have a pharmacist verify the product being dispensed from an automated medication distribution system (AMDS) when the products have already been verified by a pharmacist prior to being sealed with a tamper-resistant seal and placed in the automation device.
4. Petitioner has previously obtained this waiver for each location:

- a. Brooklyn Park: waiver approved May 8, 2025 and approved for two years from the date of Iowa licensure (license issued 9/2/2025)
 - b. Bolingbrook: waiver currently set to expire November 1, 2026
 - c. Liberty: waiver currently set to expire November 1, 2026
5. Petitioner is now seeking to renew the waivers, extend each waiver for an additional three (3) years from the date of the September Board meeting, and to align the expiration dates of all three waivers so they share a common renewal cycle.
6. The Board considered the Petition for Waiver at a board meeting on September 16, 2026.

APPLICABLE LAW

7. 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.
8. The burden of persuasion rests with the person who petitions an agency for the waiver of a rule. Iowa Code § 17A.9A(3).
9. 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).
10. 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:

11. Application of the rule would create an undue hardship on Petitioner as it would require a pharmacist to verify each of the products dispensed by the AMDS after

they have already been verified by a pharmacist.

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

12. 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:

13. 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:

14. The public health, safety, and welfare will be afforded by other means if this waiver is granted as the product is verified by a pharmacist before being placed in a container with a tamper-resistant seal and the pharmacy is utilizing an automated closed-loop system prescription filling workflow that includes the use of scanning technologies and pharmacists' verification of drug product loaded into the AMDS. Extending the waiver to three years for each of the three locations will not affect the public health, safety, and welfare.

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 552.20(2)(b) is GRANTED for three (3) years from September 16, 2026 for each of the three licensee locations.

Issued September 16, 2026.



Erik Maki, PharmD
Chairperson
Iowa Board of Pharmacy

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