

PROFESSIONAL LICENSING AND REGULATION BUREAU[193]

Notice of Intended Action

**Proposing rulemaking related to licensure by verification or work experience
and providing an opportunity for public comment**

The Professional Licensing and Regulation Bureau hereby proposes to rescind Chapter 14, “Alternative Paths to Licensure,” and to adopt a new Chapter 14, “Licensure by Verification or Work Experience,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 272C.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 272C.

Purpose and Summary

These proposed rules provide alternative pathways for licensure. The alternative options streamline the process for individuals who are licensed in another state to be licensed in Iowa. The requirements set out in these rules ensure licensees have proper skills to practice. The rules provide for certain criteria to be assessed, including prior discipline, proof of residency, and work experience, in order to protect the public.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, there is a potential positive impact on jobs because individuals who may have been ineligible for licensure may be eligible for licensure.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department of Inspections, Appeals, and Licensing for a waiver of the discretionary provisions, if any, pursuant to 481—Chapter 6.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking. Written or oral comments in response to this rulemaking must be received by the Department no later than 4:30 p.m. on February 14, 2024. Comments should be directed to:

Lori SchraderBachar
Iowa Department of Inspections, Appeals, and Licensing
6200 Park Avenue, Suite 100
Des Moines, Iowa 50321
Phone: 515.725.9030
Email: lori.schraderbachar@dia.iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

February 13, 2024 11:30 a.m.	6200 Park Avenue, Suite 100 Des Moines, Iowa Video call link: meet.google.com/zuu-vunu-dcc
February 14, 2024 11:30 a.m.	6200 Park Avenue, Suite 100 Des Moines, Iowa Video call link: meet.google.com/zuu-vunu-dcc

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 193—Chapter 14 and adopt the following **new** chapter in lieu thereof:

CHAPTER 14

LICENSURE BY VERIFICATION OR WORK EXPERIENCE

193—14.1(272C) Definitions.

“*Board*” means an examining board or commission as defined in 193—Chapter 1.

“*Issuing jurisdiction*” means any state, commonwealth, or municipality; the District of Columbia; or other insular territory of the United States.

“*License*” or “*licensure*” means any license, registration, certificate, or permit that may be granted by an examining board or commission as defined in 193—Chapter 1.

193—14.2(272C) Licensure by verification. Licensure by verification is available in accordance with the following:

14.2(1) Eligibility. A person may seek licensure by verification if the person is licensed in at least one other jurisdiction that has a scope of practice substantially similar to that of Iowa.

14.2(2) Board application. The applicant needs to submit the following:

- a. A completed application for licensure by verification.
- b. Payment of the application fee.
- c. Completed fingerprint cards and a signed waiver form to facilitate a national criminal history background check, if required for initial licensure by the board.
- d. A verification form completed by the licensing authority in the jurisdiction that issued the applicant's license, verifying that the applicant's license in that jurisdiction complies with the requirements of Iowa Code section 272C.12. The completed verification form needs to be sent directly from the licensing authority to the board.
- e. A copy of the complete criminal record, if the applicant has a criminal history.
- f. A copy of relevant disciplinary documents, if another jurisdiction has taken disciplinary action against the applicant.
- g. Copies of relevant laws setting forth the scope of practice in the other state.

14.2(3) Applicants with prior discipline. If another jurisdiction has taken disciplinary action against an applicant, the board will determine whether the cause for the disciplinary action has been corrected and the matter has been resolved. If the board determines the disciplinary matter has not been resolved, the board will neither issue a license nor deny the application for licensure until the matter is resolved. A person who has had a license revoked, or who has voluntarily surrendered a license, in another jurisdiction is ineligible for licensure by verification.

14.2(4) Applicants with pending licensing complaints or investigations. If an applicant is currently the subject of a complaint, allegation, or investigation relating to unprofessional conduct pending before any regulating entity in another jurisdiction, the board will neither issue a license nor deny the application for licensure until the complaint, allegation, or investigation is resolved.

14.2(5) Determination by board. The board will make the determination of whether to issue a license under this rule based on information supplied by the applicant in the application and on such additional information as the board may acquire, including information or verification from other jurisdictions.

193—14.3(272C) Applicants with work experience in jurisdictions without licensure requirements.

14.3(1) Work experience. An applicant for initial licensure who has relocated to Iowa from another jurisdiction that did not need a professional license to practice in the profession may be considered to have met any educational and training requirements if the person has at least three years of work experience with a scope of practice substantially similar to that of the profession for which a license in Iowa is sought. The three years of work experience needs to be within the four years preceding the date of application for initial licensure. The applicant will need to satisfy all other requirements, including passing any required examinations, to receive a license.

14.3(2) Required documentation. An applicant who wishes to substitute work experience in lieu of satisfying applicable education or training requirements carries the burden of providing all of the following by submitting relevant documents as part of a completed license application:

- a. Proof of Iowa residency, which may include:
 - (1) Residential mortgage, lease, or rental agreement;
 - (2) Utility bill;
 - (3) Bank statement;
 - (4) Paycheck or pay stub;
 - (5) Property tax statement;
 - (6) A document issued by the federal or state government; or
 - (7) Any other board-approved document that reliably confirms Iowa residency.
 - b. Proof of three or more years of work experience within the four years preceding the application for licensure, which may include:
 - (1) A letter from the applicant's prior employer documenting the dates of employment;
 - (2) Paychecks or pay stubs;
 - (3) If self-employed, business documents filed with the secretary of state; or
 - (4) Any other board-approved evidence of sufficient work experience.
 - c. Proof that the work experience was in a practice with a scope of practice substantially similar to that for the license sought in Iowa, which includes:
 - (1) A written statement by the applicant detailing the scope of practice; and
 - (2) Business or marketing materials detailing the services provided.
- These rules are intended to implement Iowa Code chapter 272C.