

193G—1.8(544C,17A) Waivers.

1.8(1) Persons who wish to seek waivers from board rules should consult the uniform rules for the bureau at 193—Chapter 5.

1.8(2) In addition to the provisions of 193—Chapter 5, the following shall apply for interim rulings:

a. The board chairperson, or the vice-chairperson if the chairperson is not available, may rule on a petition for waiver when it would not be timely to wait for the next regularly scheduled board meeting for a ruling from the board.

b. The board administrator, upon receipt of a petition that meets all applicable criteria established in 193—Chapter 5, shall present the request to the board chairperson or vice-chairperson along with all pertinent information regarding established precedent for granting or denying such requests.

c. The chairperson or vice-chairperson shall reserve the right to hold an electronic meeting of the board, pursuant to Iowa Code section 21.8, when prior board precedent does not clearly resolve the request, input of the board is deemed required, and the practical result of waiting until the next regularly scheduled meeting would be a denial of the request due to timing issues.

d. A waiver report shall be placed on the agenda of the next regularly scheduled board meeting and recorded in the minutes of the meeting.

e. Subrule 1.8(2) on interim rulings does not apply if the waiver was filed in a contested case.

[ARC 3024C, IAB 4/12/17, effective 5/17/17; ARC 5568C, IAB 4/21/21, effective 5/26/21]