

BEFORE THE IOWA BOARD OF VETERINARY MEDICINE

IN THE MATTER OF THE PETITION
FOR WAIVER BY:

James Hume, DVM
License No. [7896]

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**ORDER ON PETITION
FOR WAIVER**

Pursuant to Iowa Code section 17A.9A and 811 Iowa Administrative Code chapter 14, the Iowa Board of Veterinary Medicine (hereinafter, "Board") makes the following ruling on James Hume's (hereinafter, "Petitioner") Petition for Waiver.

COURSE OF PROCEEDINGS

1. On June 22, 2026, Petitioner filed a petition requesting a waiver of 811 IAC 11.1(1) relating to the limitation on the number of continuing education hours that may be obtained through distance education courses. Specifically, the rule limits the continuing education credit that may be obtained through distance education to thirty hours. Petitioner is requesting a waiver of the rule for the triennial licensing period of July 1, 2023 to June 30, 2026.

2. The Board considered the petition for waiver at its June 25, 2026, meeting.

ALLEGED FACTS

3. Petitioner's request states, in part:

I am requesting that my continuing education may be totally completed remotely (online), due to medical reasons, the resulting financial difficulties and time constraints resulting from surgery and required treatment. I lost a significant amount of time over the last several years due to a heavy load of financial responsibilities, medical treatment, travel and lodging expenses.

SUMMARY OF LAW

4. Iowa Code section 272C.2 requires that the Board adopt rules for continuing education requirements as a condition to license renewal.

5. 811 IAC 11.1(1) provides:

Within the last three licensing years, each licensee is to complete at least 60 hours of continuing education in courses approved by the board as a condition for license renewal.... A maximum of 30 hours during any one triennial license period of continuing education may be achieved by completion of approved distance education courses.

6. Iowa Code section 17A.9A(2) provides:

Upon petition of a person, an agency may in its sole discretion issue a waiver from the requirements of a rule if the agency finds, based on clear and convincing evidence, all of the following:

- a. The application of the rule would pose 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 a waiver are not specifically mandated by statute or another provision of law.
- 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. Iowa Code section 17A.9A(3) provides:

The burden of persuasion rests with the person who petitions an agency for the waiver of a rule.

CRITERIA FOR WAIVER

The application of the rule would create an undue hardship on the person for whom the waiver is requested:

8. Petitioner has presented information that application of the rule would impose an undue hardship. Petitioner has recently dealt with several medical conditions that have impeded his ability to travel to and attend in-person continuing education courses.

The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person:

9. The Board's decision to grant the requested waiver in this case would not prejudice the substantial legal rights of any other person. Petitioner is still required to complete the 60 hours of continuing education required for renewal but has presented sufficient information regarding a medical condition to support the Board allowing an alternative vehicle for obtaining the continuing education.

The provisions of the rule subject to the petition for waiver are not specifically mandated by another provision of law:

10. The provisions of 811 IAC 11.1(1) are not specifically mandated by statute or other provision of law.

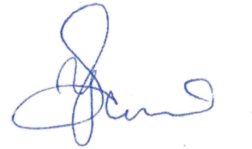
Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested:

11. The public health, safety, and welfare will not be compromised or otherwise placed at risk as a result of the Board's granting a waiver in this case. Petitioner is not seeking an exemption from or reduction in the hours of the required continuing education. Petitioner will still complete the same amount of continuing education hours as all other licensed veterinarians in Iowa, and the Board will still be reviewing Petitioner's coursework to ensure it complies with the requirements in 811 IAC chapter 11.

IT IS THEREFORE ORDERED:

12. The provision of 811 IAC 11.1(1) limiting the maximum distance education hours a licensee may obtain for renewal of a license shall be waived as it relates to Petitioner James Hume. This waiver is only valid for the triennial period of July 1, 2023 to June 30, 2026. All other continuing education requirements under Iowa Code chapter 169 and 811 IAC chapter 11, shall still apply to Petitioner Hume, including, but not limited to, the requirement that all continuing education courses be approved by the Board of Veterinary Medicine.

Dated this 25 day of June, 2026.



BOARD CHAIR