BEFORE THE IOWA BOARD OF VETERINARY MEDICINE

IN THE MATTER OF THE PETITION FOR WAIVER BY:	)	
	)	**ORDER ON PETITION**
Taryn Pesek, RVT	)	**FOR WAIVER**
License No. AT-1370	)	

Pursuant to Iowa Code section 17A.9A and 7 Iowa Administrative Code chapter 2504, the Iowa Board of Veterinary Medicine (hereinafter, "Board") makes the following ruling on Taryn Pesek's (hereinafter, "Petitioner")[1] Petition for Waiver.

COURSE OF PROCEEDINGS

1. On November 17, 2026, Petitioner filed a petition requesting a waiver of 811 IAC 8.8(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 fifteen hours. Petitioner is requesting a waiver of the rule for the triennial licensing period of January 1, 2024 to December 31, 2026.

2. The Board considered the petition for waiver at its November 19, 2026, meeting.

ALLEGED FACTS

3. Petitioner's request states, in part, that they are a Registered Veterinary Technician ("RVT") who recently graduated and was licensed in 2024, and would need twenty hours of continuing education to renew their RVT license. Petitioner has obtained fifteen hours of distance or online continuing education hours, but, due to medical circumstances, Petitioner is unable to complete the remaining five hours of continuing education in-person.

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 8.8(1) provides:

> In order to renew a certificate of registration, each credentialed veterinary technician completes, triennially, at least 30 hours of continuing education in courses approved by the board. … A maximum of 15 hours during any one

[1] While Petitioner is in the process of changing their last name from Pesek to Granillo, Petitioner is currently registered as an RVT as "Taryn Pesek."

triennial may be achieved by the completion of approved distance education courses.

6. 811 IAC 8.8(2) provides:

Each credentialed veterinary technician obtains the 30 credit hours between January 1 of the first year of the triennium and December 31 of third year of the triennium. Continuing education credits in excess of 30 hours for the triennium may be carried over to the next triennial period, but the total number of credits carried over cannot exceed 10 hours.

If a recent graduate is credentialed during the first year of the triennium, the person will complete 20 hours of continuing education for the first certificate of registration renewal.

7. 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.

8. 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:

9. Petitioner has presented information that application of the rule would impose an undue hardship. Petitioner has encountered medical circumstances that impedes her 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:

10. 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 20 hours of continuing education required for renewal but has presented sufficient information regarding medical circumstances 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:

11. The provisions of 811 IAC 8.8(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:

12. 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 similarly situated RVTs in Iowa, and the Board will still be reviewing Petitioner's coursework to ensure it complies with the requirements in 811 IAC chapter 8.

IT IS THEREFORE ORDERED:

13. The provision of 811 IAC 8.8(1) limiting the maximum distance education hours a licensee may obtain for renewal of a license shall be waived as it relates to Petitioner Taryn Pesek. This waiver is only valid for the triennial period of January 1, 2024 to December 31, 2026. All other continuing education requirements under Iowa Code chapter 169 and 811 IAC chapter 8, shall still apply to Petitioner, including, but not limited to, the requirement that all continuing education courses be approved by the Board of Veterinary Medicine.

Dated this 19 day of November, 2026.



BOARD CHAIR