



Gregory S. Samorajski, CFA
Chief Executive Officer

Kim Reynolds
Governor

Chris Cournoyer
Lt. Governor

AGENDA

Monday, April 27, 2026

1:00 p.m.

IPERS BENEFITS ADVISORY COMMITTEE

IPERS Board Room or

Conference Telephone # 646-931-3860

Meeting ID: 831-7740-5983#

- 1) Call to Order / 1:00 p.m.
 - a) Roll Call of Members
 - b) Approval of Minutes – March 30, 2026
- 2) CEM Pension Administration Report – Christopher Doll
- 3) Acting CEO Report – Elizabeth Hennessey
- 4) BAC Public Member Representative Update – Matt Carver
- 5) 2026 Legislative Session – Megan Schlesky
- 6) Administrative Rules Review – Andrew Ewing
- 7) Staff Reports
 - a) Member Operations Division Update – Jan Hawkins
 - b) Investment Update – Sriram Lakshminarayanan
 - c) Appeals Report – Andrew Ewing
 - d) Strategy Division Update – Shawna Lode
- 8) Other Business
- 9) Public Comments
- 10) Confirm Next Meeting Date – Monday, August 24, 2026
 - a) Thursday, June 18, 2026 – Investment Board Meeting
 - b) Monday, October 26, 2026 – BAC Meeting



BENEFITS ADVISORY COMMITTEE

MEETING MINUTES

Virtual Meeting

March 30, 2026

The following people attended the IPERS Benefits Advisory Committee (BAC) meeting on Monday, March 30, 2026.

Members of the Benefits Advisory Committee - Present

Matt Carver, Chair	John Hieronymus
Melissa Peterson, Vice Chair	Connie Kuennen
Sue Cave	Tamara Marcus
Len Cockman	Brian McDonough
Todd Copley	Ty Wheeler
Lowell Dauenbaugh	

Members of the Benefits Advisory Committee - Absent

Andrew Hennesy
Steve Hoffman
Nathan Reckman

IPERS Administration and Staff

Greg Samorajski, Chief Executive Officer	Elizabeth Hennessey, General Counsel
Steve Herbert, Chief Benefits Officer	Shawna Lode, Chief Strategy Officer
Melinda McElroy, Executive Assistant	Megan Schlesky, Legislative Liaison
Sriram Lakshminarayanan, CIO	

Call to Order

Matt Carver, chair, called the meeting to order at 1:00 p.m.

Approval of Meeting Minutes

Len Cockman moved to approve the minutes from the February 23, 2026, BAC meeting, and Lowell Dauenbaugh seconded the motion. The motion carried by unanimous voice vote.

CEO Report – Greg Samorajski

Greg Samorajski reported that the Member Service Division is under significant strain as more members are calling than IPERS can accommodate. Weekly call volumes are near 2,500 with a 60–70% answer rate, and counseling appointments are booked into late May or June. Amazon Connect and temporary staff help with routine tasks, but temps cannot handle complex calls. To improve service quality, IPERS plans to request additional, full-time Retirement Benefit Officers during next year’s budget cycle and is currently looking to add positions within this year’s budget.

BAC Public Member Representative Update – Greg Samorajski

Greg Samorajski shared that the working group searching for a public member to serve on the BAC met and developed an initial list of potential candidates. An application has been posted on IPERS’ website. BAC members were encouraged to share the application with any individuals they believe are good candidates.

2026 Legislative Session – Megan Schlesky

Megan Schlesky provided an update on IPERS’ modernization bill, which was amended to remove language requiring digital signatures and added language allowing IPERS to provide a member’s last known city address to the Great Iowa Treasurer Hunt. House File 1023, which would align Protection Occupation members’ benefits with those of Sheriff/Deputy Sheriff members, is not expected to advance until later in the legislative session when property tax policy is discussed.

Administrative Rules – Elizabeth Hennessey

Elizabeth Hennessey reviewed the next set of proposed administrative rule changes, presenting Chapters 8, 13-16, 20-21 and 32. Len Cockman moved to support the rules package as presented, and Lowell Dauenbaugh seconded the motion. The motion carried by unanimous voice vote.

Staff Reports

Member Operations Division Update – Steve Herbert reviewed the member demand measures report through February 2026, and the number of digital retirement applications received through mid-March 2026.

Investment Update – Sriram Lakshminarayanan reported that the IPERS Trust Fund balance is \$48.452 billion and provided a general update on the investment market.

Appeals Report – Elizabeth Hennessey reviewed the Appeal Status report as of March 2026.

Strategy Division Update – Shawna Lode shared several updates, beginning with My Account usage, noting that 42% of IPERS members have logged in. Annual benefit statements for 2025 are now available online, members who have requested paper copies will receive them in late May. She also highlighted recent education efforts, including two March virtual sessions for educators with 885 total attendees. The upcoming IPERS on the Road event in Council Bluffs on April 24-25 will include counseling sessions, an evening presentation and employer education. She concluded by noting that IPERS is moving away from full-day retirement programs and shifting to one-hour sessions.

Other Business

None

Public Comments

None

Future Meeting Dates

The next scheduled BAC meeting is Monday, April 27, 2026. With no additional business to come before the committee, Lowell Dauenbaugh moved to adjourn the meeting, and Melissa Peterson seconded the motion. The motion carried by unanimous voice vote. The meeting adjourned at 1:45 p.m.



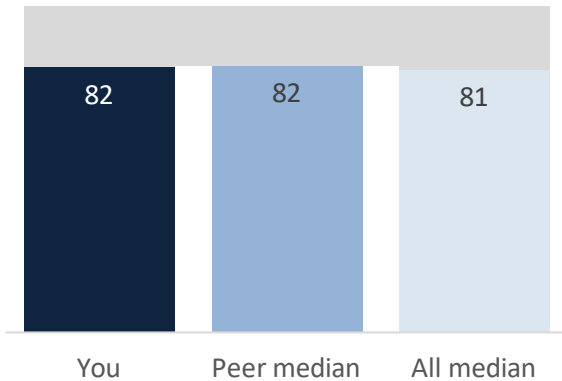
Iowa PERS

CEM Pension Administration Benchmark Report - 2025

April 27, 2026

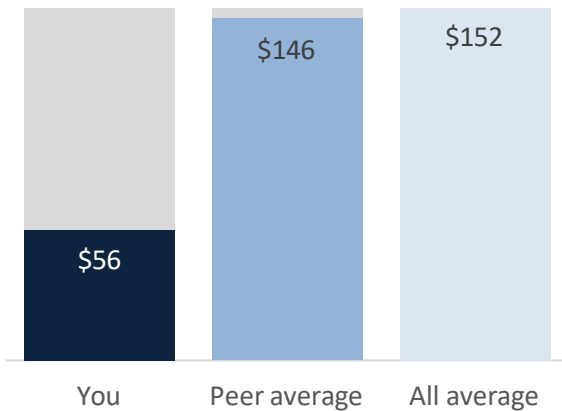
Key takeaways:

Service (score out of 100)



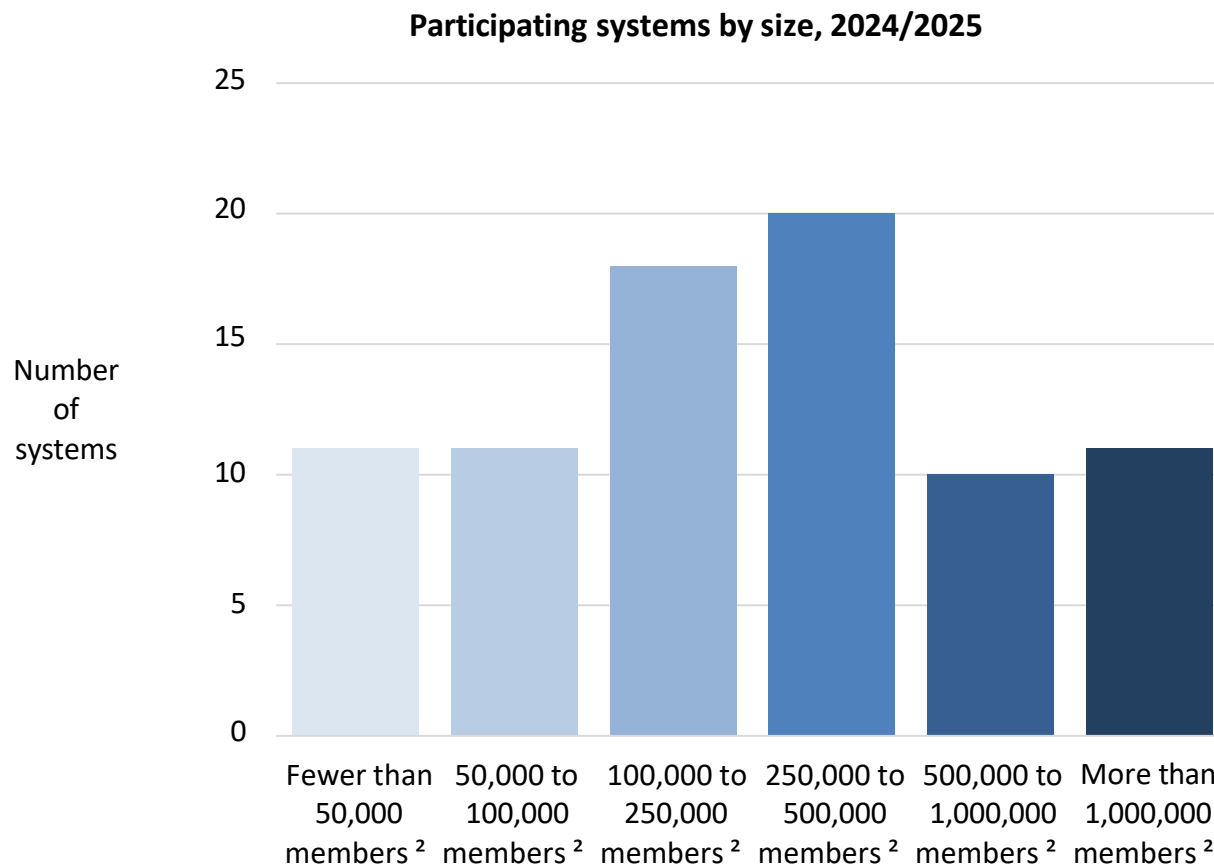
- Your service score was 82. This was equal to the peer median.
- You scored well for service in these areas:
 - Pension inception, secure website: information and functionality, feedback.
- You scored below for service in these areas:
 - Contact center: accessibility and quality, members accessing your secure website.
- Your service score has increased from 63 to 82 between 2018 and 2025.

Total administration costs



- Your total pension administration cost of \$56 per active member and annuitant was \$90 below the peer average of \$146.
- This was mainly driven by fewer front office FTEs and lower support costs per member.
- You were lower cost and higher service than the average participant in the CEM universe.

Insights are based on the 81 global pension systems that participate in the benchmarking subscription¹.



42% American
34 systems



26% Canadian
21 systems



28% British
23 systems



4% Rest of World
3 systems

1. UK and Local Government systems complete a different benchmarking survey. Their data is not included in this report.

2. Members is equal to the number of active members and annuitants.

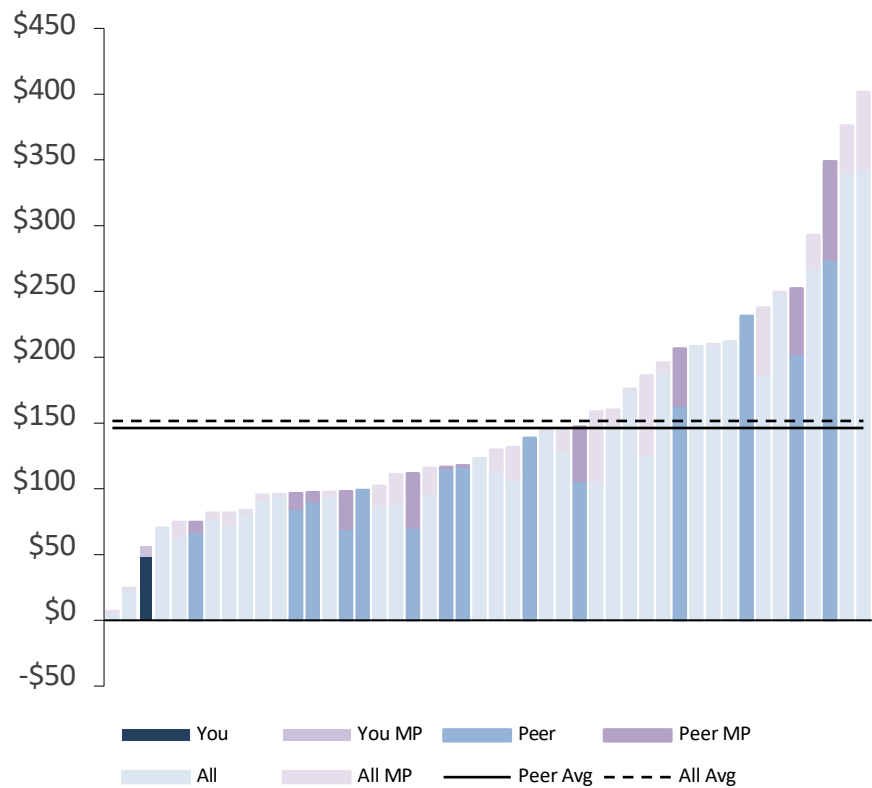
This report compares your pension administration costs and member service to a custom peer group.

Custom Peer Group for Iowa PERS				
#	System	Number of members (in 000s)		
		Active Members	Annuitants	Total ¹
1	Washington State DRS	369	240	608
2	Indiana PRS	253	180	433
3	Arizona SRS	219	180	399
4	Colorado PERA	250	140	390
5	NYCERS	187	182	369
6	Oregon PERS	197	171	368
7	Illinois MRF	193	160	354
8	STRS Ohio	189	158	348
9	Iowa PERS	186	138	324
10	TRS Illinois	174	134	309
11	Kansas PERS	156	118	274
12	NYC TRS	141	122	262
13	University of California RP	157	91	248
14	PSRS PEERS of Missouri	133	113	246
15	TRS Louisiana	98	86	184
	Median	187	140	348
	Average	193	148	341

1. Inactive members are not considered when selecting peers because they are excluded when determining cost per member. They are excluded because they are less costly to administer than active members or annuitants.

Your total pension administration cost of \$56 per active member and annuitant was \$90 below the peer average of \$146.

Pension Administration Cost Per Active Member and Annuitant ¹



Category	\$000s	\$ per Active Member and Annuitant	
		You	Peer Avg
Business-As-Usual Costs	15,613	48	125
Major Project Costs ¹	2,523	8	21
Total Pension Administration	18,136	56	146

We include costs that are directly related to pension administration (e.g., staff costs or third-party costs) plus attributions of governance, financial control, IT, building and utilities, HR, support services and other costs.

The costs associated with investment operations and investment management are specifically excluded.

1. Major project costs are denoted by the lighter shading on the bars. These one-off costs correspond to administration projects only.

Reasons why your total cost per member was \$90 below the peer average:

Reason	You	Peer Avg	Impact \$ per active member and annuitant
1 Fewer front office FTE per 10,000 members	1.3 FTE	3.8 FTE	-\$38
2 Lower third party costs per member in the front office	\$3	\$12	-\$9
3 Lower costs per FTE			
Salaries and Benefits ¹	\$113,237	\$128,637	
Building and Utilities	\$21,940	\$11,540	
HR	\$2,787	\$6,917	
IT Desktop, Networks, Telecom	<u>\$15,215</u>	<u>\$16,689</u>	
Total	\$153,179	\$163,783	-\$6
4 Lower support costs per member (mainly driven by major projects) ²			
Governance and Financial Control	\$5	\$10	
Major Projects	\$8	\$21	
IT Strategy, Database, Applications	\$13	\$22	
IT Security	\$0	\$3	
Actuarial, Legal, Audit, Other	<u>\$7</u>	<u>\$14</u>	
Total	\$33	\$70	-\$37
Total			-\$90

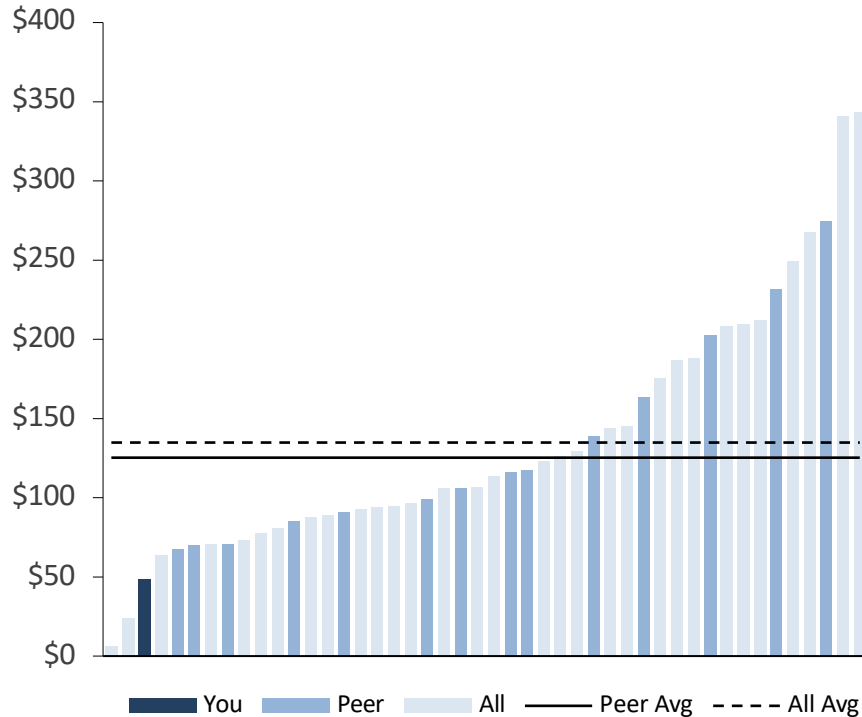
1. 47% of your total salaries and benefits relates to benefits. This compares to a peer average of 30%.

2. To avoid double counting, governance and support costs are adjusted for differences in cost per FTE.

*The sum of the cost impact may not match the total due to rounded values.

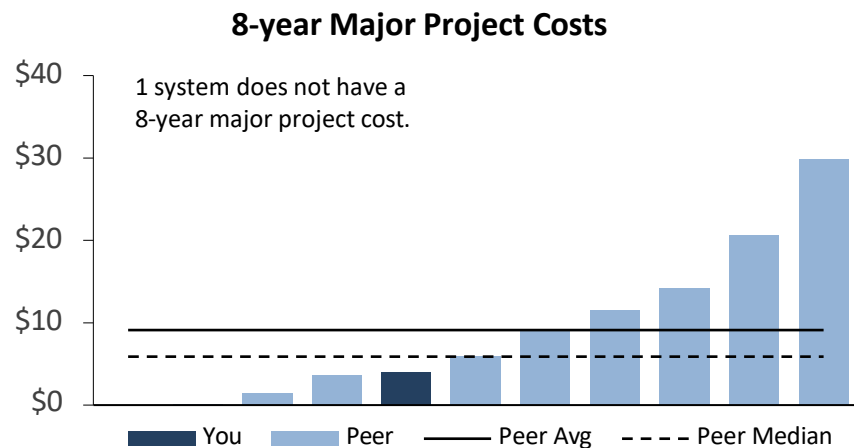
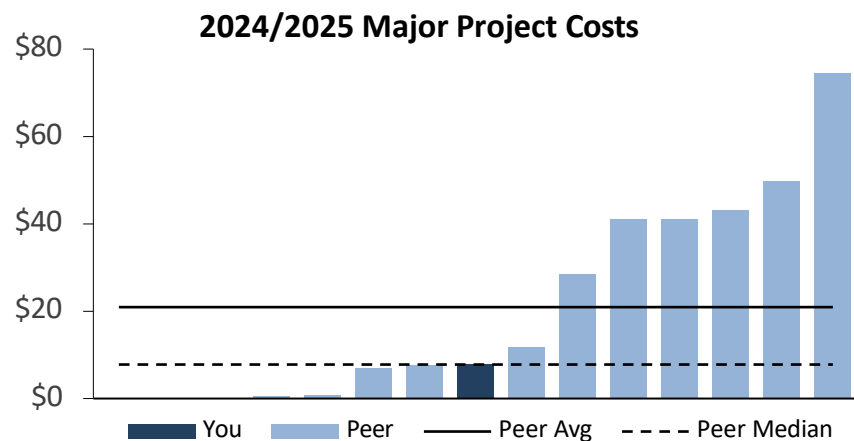
Your Business-As-Usual (BAU) costs of \$48 per active member and annuitant was \$77 below the peer average of \$125.

Business-As-Usual Costs Per Active Member and Annuitant



Category	\$000s You	\$ per Active Member and Annuitant	
		You	Peer Avg
Front office			
Member Transactions	1,828	6	22
Member Communication	2,354	7	20
Collections & Data Maintenance	1,612	5	11
Governance and support			
Governance and Financial Control	1,569	5	11
Information Technology	4,755	15	35
Building	1,390	4	7
HR	177	1	4
Actuarial	234	1	2
Legal	529	2	4
Audit	952	3	3
Other Support Services	213	1	5
Total Pension Administration	15,613	48	125

Your Major Project costs of \$8 per active member and annuitant was \$13 below the peer average of \$21.



1. These costs are averaged over as many years as possible based on the system participation record, with a maximum of 8 years. Systems that have submitted less than 8 years of data are excluded.

Category	Major Project Cost \$000s	\$ per Active Member and Annuitant	
	You	You	Peer Avg
Single year 2024/2025	2,523	8	21
Multi-year average ¹	1,269	4	9

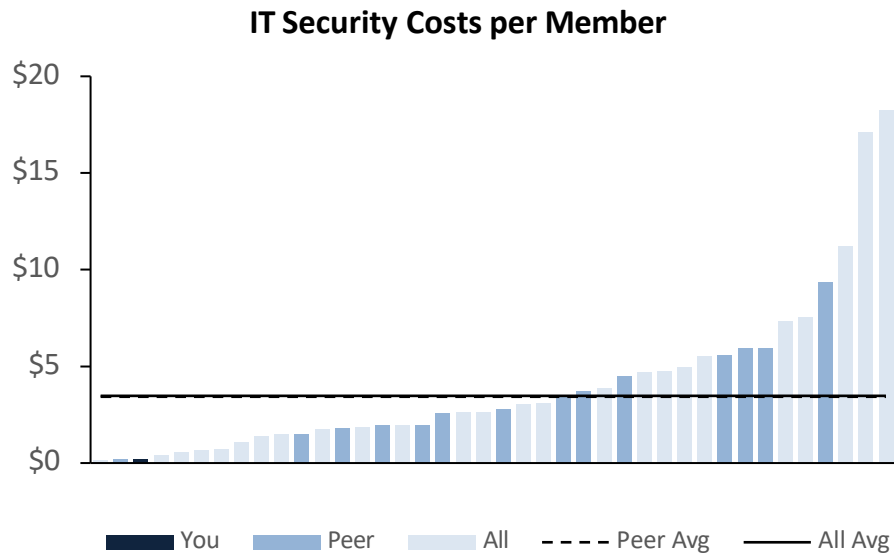
What is included in major project costs:

- One-off costs that were not capitalized.
- Current year amortization on capitalized costs.
- Excluding attributed costs for healthcare, and optional and third-party administered benefits, if applicable.

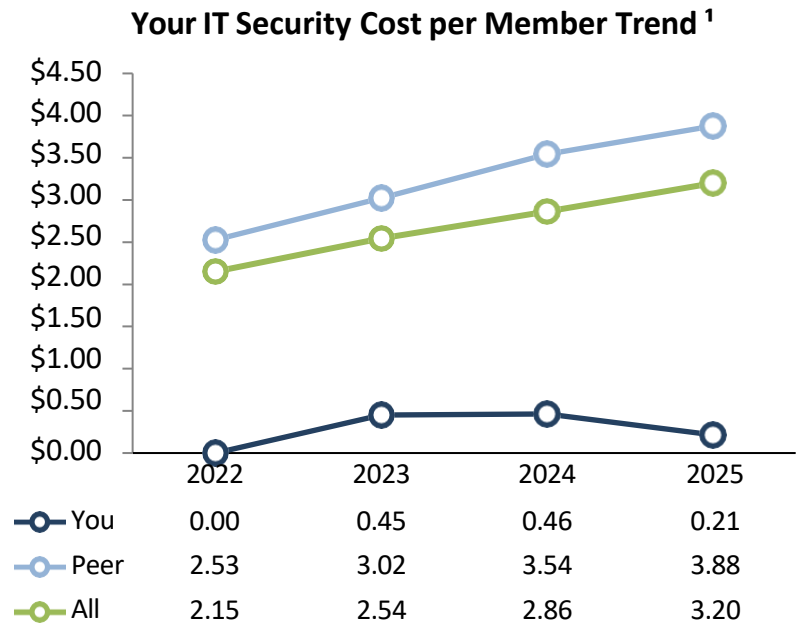
Project costs reported this year by you:

- 2025 Amortization

IT security is an increasing concern for all systems. Your costs and staffing of IT security compare to your peers as follows:



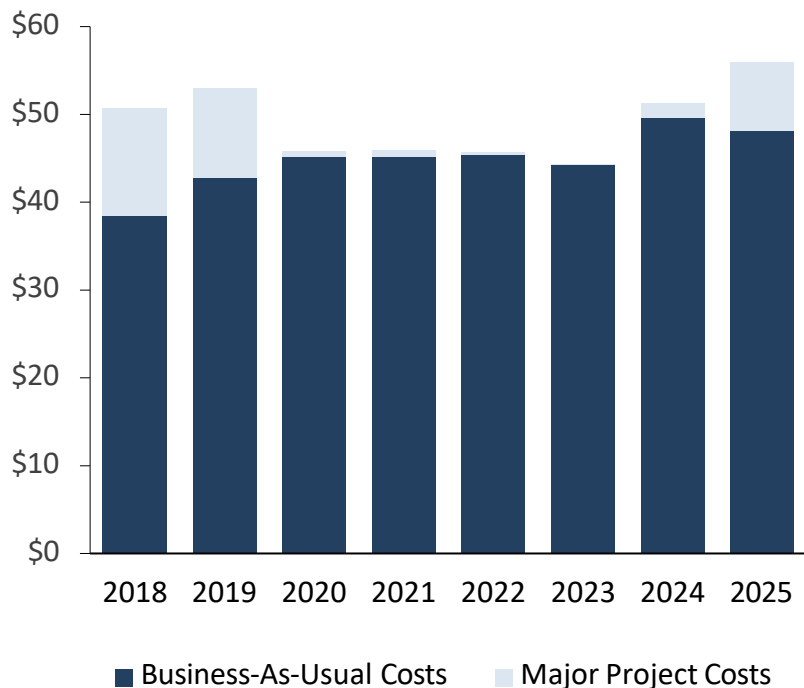
Your IT security cost per member was \$0.21 versus a peer average of \$3.43.



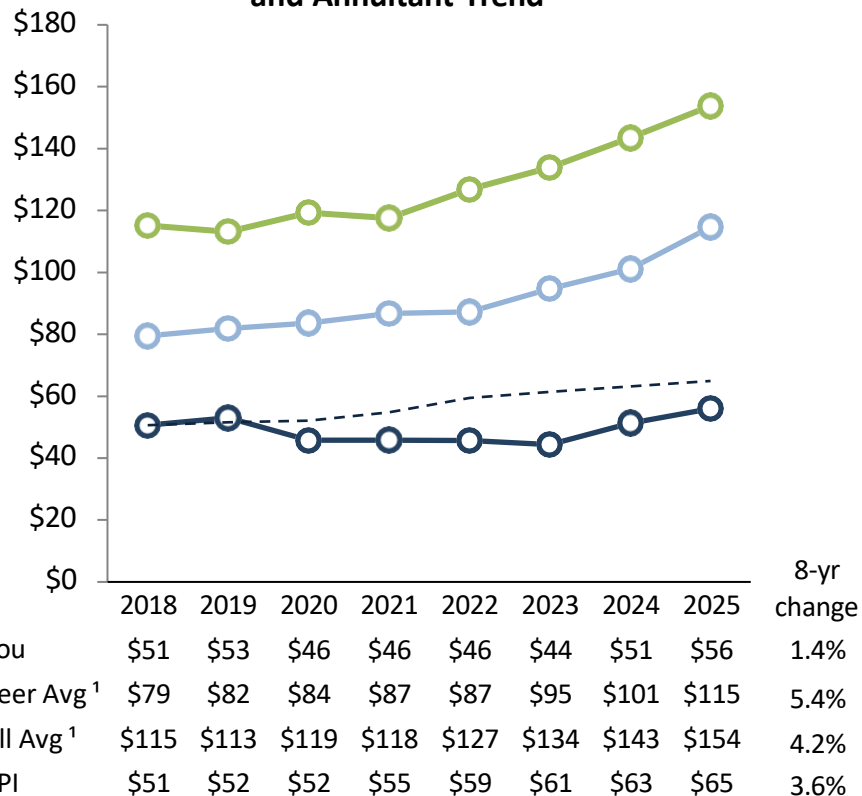
1. Trend analysis is based on systems that have provided 4 consecutive years of data (12 of your 15 peers and 29 of the 46 systems in the universe).

Your total pension administration costs per active member and annuitant increased by 9.1% in the year, and increased by 1.4% per annum over the last 8 years.

Your Pension Administration Cost Per Active Member and Annuitant Trend

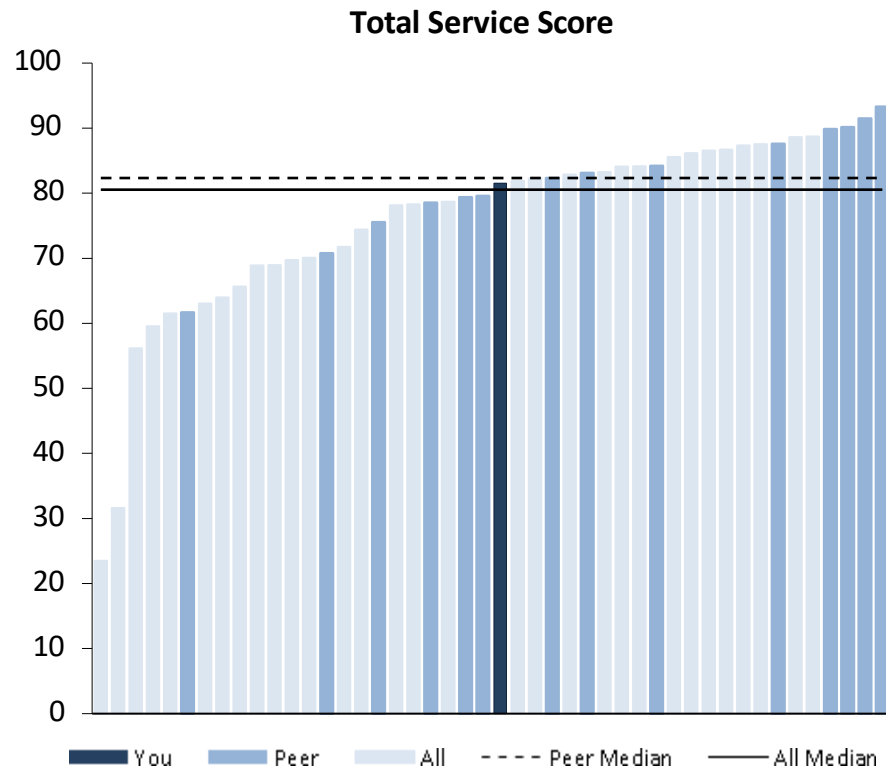


Pension Administration Cost Per Active Member and Annuitant Trend



1. Trend analysis is based on systems that have provided 8 consecutive years of data (11 of your 15 peers and 32 of the 46 systems in the universe).

Your service score was 82. This was equal to the peer median.



Looking at cost in isolation is unhelpful. Context is required, as is a means to measure value for money. CEM believes the right measure is member service, or the service score.

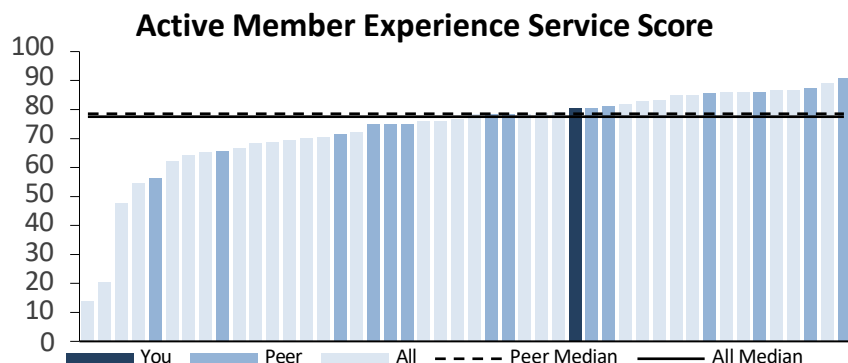
Service is defined from a member's perspective. Higher service means more channels, faster turnaround times, more availability, more choice, better content and higher quality.

Higher service is not necessarily cost-effective. For example, the ability to answer the telephone 24 hours a day is higher service, but not cost effective.

Your total service score is the weighted average of the service scores for each of the four member journeys below.

Service Scores by Journey			
Journey	Weight	You	Peer Median
Active member experience	30%	80	79
Inactive member experience	5%	75	75
Retiring experience	35%	78	81
Annuitant experience	30%	88	90
Total service score	100%	82	82

Your service score for the active member experience of 80 was above the peer median of 79.



Your strengths

Activity	Key drivers
Member Statements	You provide members with comprehensive statements online and by paper. Your online statements are available in real time (Peer avg: 33%).
Personal Information	Your members have a full suite of online tools to manage their personal information, including, the ability to upload documents (Peer avg: 80%) and change communication preferences (Peer avg: 53%).
Salary and Service Credit	Your members have online access to a complete history of salary and service credit and it is current to the most recent pay period. Not all your peers provide this.
Purchases and Transfers-In	Your processing times are quicker than peers. You provide a written service purchase estimate in 5 days (Peer avg: 15 days) and process a transfer-in within 1 month (Peer avg: 2.3 months).

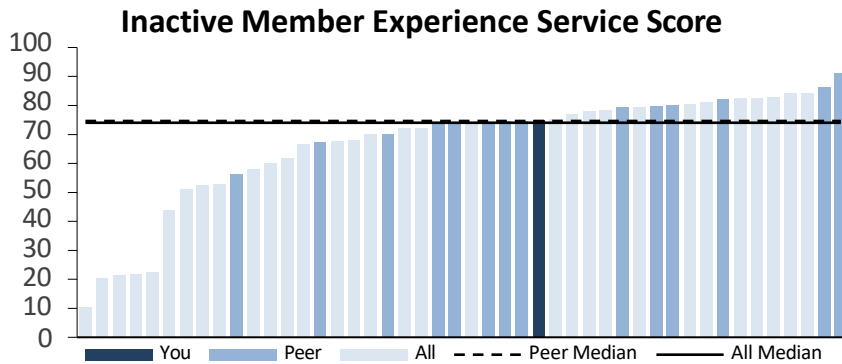
Your opportunities

Activity	Key drivers
Contact Center: Accessibility	Your call wait time was 697 secs (Peer avg: 489 secs) and your undesired call outcomes as a % of total calls were 37% (Peer avg: 12%). 73% of your peers notify the caller of expected wait time/place in the queue.
Contact Center: Call Quality	54% of your calls were resolved during 'first contact' (Peer avg: 87%).
Secure Website: Accessibility	You could not provide a breakdown by member group of who accessed your secure site. However, your total visits suggest that your active members accessed your secure site less than peers.

Activity	Weight	You	Peer Median
Outbound communication	7.5%	43	49
Purchases and Transfers-in	10.0%	54	54
Member statements	12.5%	96	75
Personal information	5.0%	100	90
Salary and service credit information	5.0%	100	100
Secure website accessibility	30.0%	95	98
Contact center: accessibility	7.5%	41	68
Contact center: capability	5.0%	85	88
Contact center: call quality	5.0%	70	87
1-on-1 counseling	5.0%	80	94
Member presentations	2.5%	57	100
Feedback	5.0%	100	85
Active member experience service score	100.0%	80	79

Green and red highlighting shows where your weighted score is 10% higher or 10% lower than the peer median.

Your service score for the inactive member experience of 75 was equal to the peer median of 75.



Activity	Weight	You	Peer Median
Outbound communication	10.0%	15	15
Tracking inactive members	10.0%	57	60
Transfers-out	5.0%	80	80
Personal information	7.5%	100	90
Salary and service credit information	5.0%	100	100
Secure website accessibility	40.0%	88	90
Contact center: accessibility	7.5%	41	68
Contact center: capability	5.0%	85	88
Contact center: call quality	5.0%	70	87
Feedback	5.0%	100	75
Inactive member experience service score	100.0%	75	75

Green and red highlighting shows where your weighted score is 10% higher or 10% lower than the peer median.

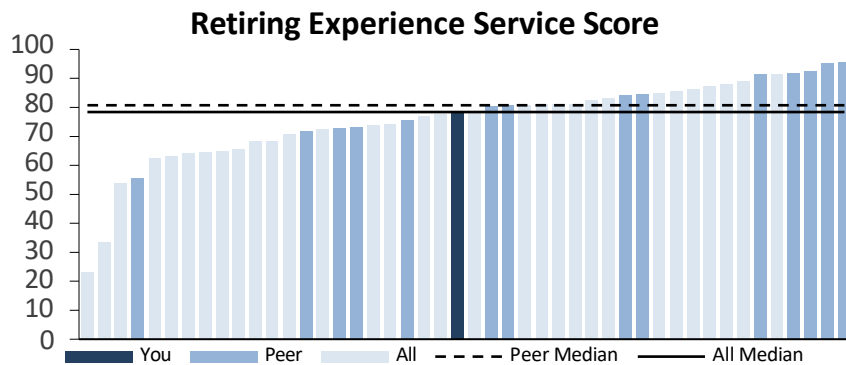
Your strengths

Activity	Key drivers
Transfers-Out	You are able to provide members with a transfer value in real time over the phone (Peer avg: 73%) and you process transfers-out in 30 days (Peer avg: 39 days).

Your opportunities

Activity	Key drivers
Tracking Inactive Members	You do not track the number of inactive members that reached normal retirement age and did not receive benefits as they could not be located and are recorded as 'gone away'. Most of your peers do.
Secure Website: Accessibility	You could not provide a breakdown by member group of who accessed your secure site. However, similar to active members, your total visits suggest that your inactive members accessed your secure site less than peers.

Your service score for the retiring member experience of 78 was below the peer median of 81.



Activity	Weight	You	Peer Median
Outbound communication	7.5%	10	55
Pension estimates: self-service	7.5%	78	84
Pension estimates: assisted service	2.5%	100	86
Retirement applications	7.5%	70	75
Pension inceptions	10.0%	99	95
Disability inceptions	5.0%	100	90
Personal information	2.5%	100	90
Salary and service credit information	2.5%	100	100
Secure website accessibility	20.0%	98	98
Contact center: accessibility	7.5%	41	68
Contact center: capability	5.0%	85	88
Contact center: call quality	5.0%	70	87
1-on-1 counseling	7.5%	80	94
Member presentations	5.0%	57	100
Feedback	5.0%	90	90
Retiring experience service score	100.0%	78	81

Green and red highlighting shows where your weighted score is 10% higher or 10% lower than the peer median.

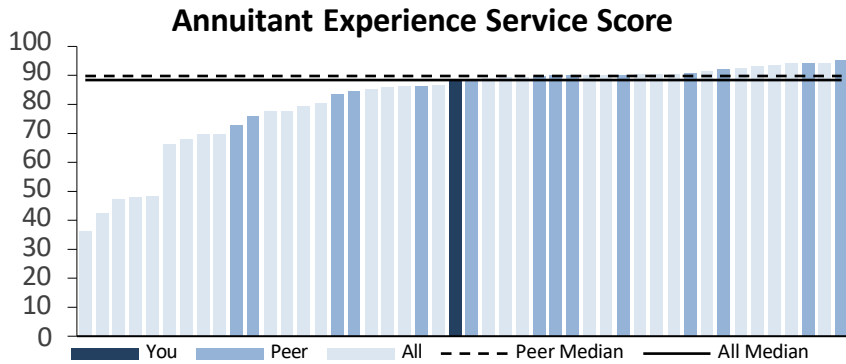
Your strengths

Activity	Key drivers
Pen Est: Assisted Service	You provide same day comprehensive written estimates and you can provide a member with an estimate during a phone call and a 1-on-1 counseling session.
Pension Inceptions	100% of your member (Peer avg: 84%) and survivor (Peer avg: 60%) pensions were set up without a cashflow interruption.
Retirement Applications	Your members can now submit a retirement application online. Some peers have functionality to complete the retirement online with 48% being completed without staff intervention.
Disability Pensions	You return a decision on disability applications within 1 month (Peer avg: 3 months).

Your opportunities

Activity	Key drivers
Outbound Communication	Your peers sent targeted communications to both active (Peer avg: 47%) and inactive (Peer avg: 67%) members approaching retirement.

Your service score for the annuitant experience of 88 was below the peer median of 90.



Activity	Weight	Peer	
		You	Median
Outbound communication	10.0%	58	64
Pension payments	30.0%	98	98
Personal information	5.0%	100	90
Secure website accessibility	32.5%	98	98
Contact center: accessibility	7.5%	41	68
Contact center: capability	5.0%	85	88
Contact center: call quality	5.0%	70	87
Feedback	5.0%	100	100
Annuitant experience service score	100.0%	88	90

Your strengths

Activity

Secure Site:
Functionality

Key drivers

Your annuitants have a full suite of tools to manage their personal information and their pension payments. They can update their banking information, have access to tax receipts, change their beneficiaries, etc. Not all your peers offer such rich functionality.

Feedback

Consistent across all member journeys, you have a robust VoC program, surveying members at key touch points about their experience.

Your opportunities

Activity

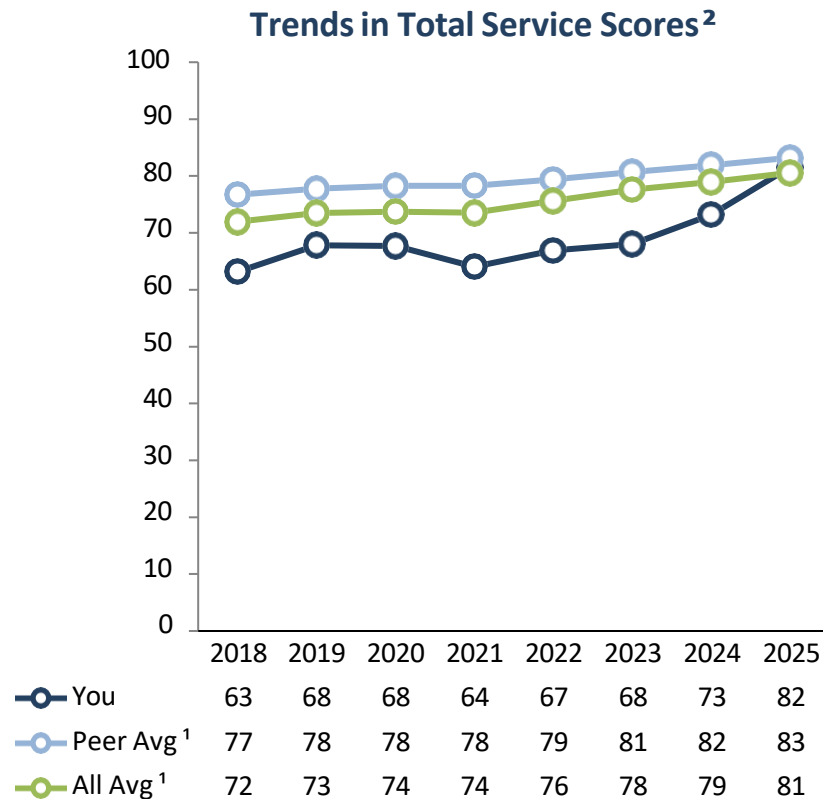
Secure Website:
Accessibility

Key drivers

You could not provide a breakdown by member group of who accessed your secure site. However, similar to previous journeys, your total visits suggest that your annuitants accessed your secure site less than peers.

Green and red highlighting shows where your weighted score is 10% higher or 10% lower than the peer median.

Your service score has increased from 63 to 82 between 2018 and 2025.



1. Trend analysis is based on systems that have provided 8 consecutive years of data (11 of your 15 peers and 32 of the 46 systems in the universe).

2. Historic scores have been restated to reflect changes in methodology. Your historic service scores may differ from previous reports.

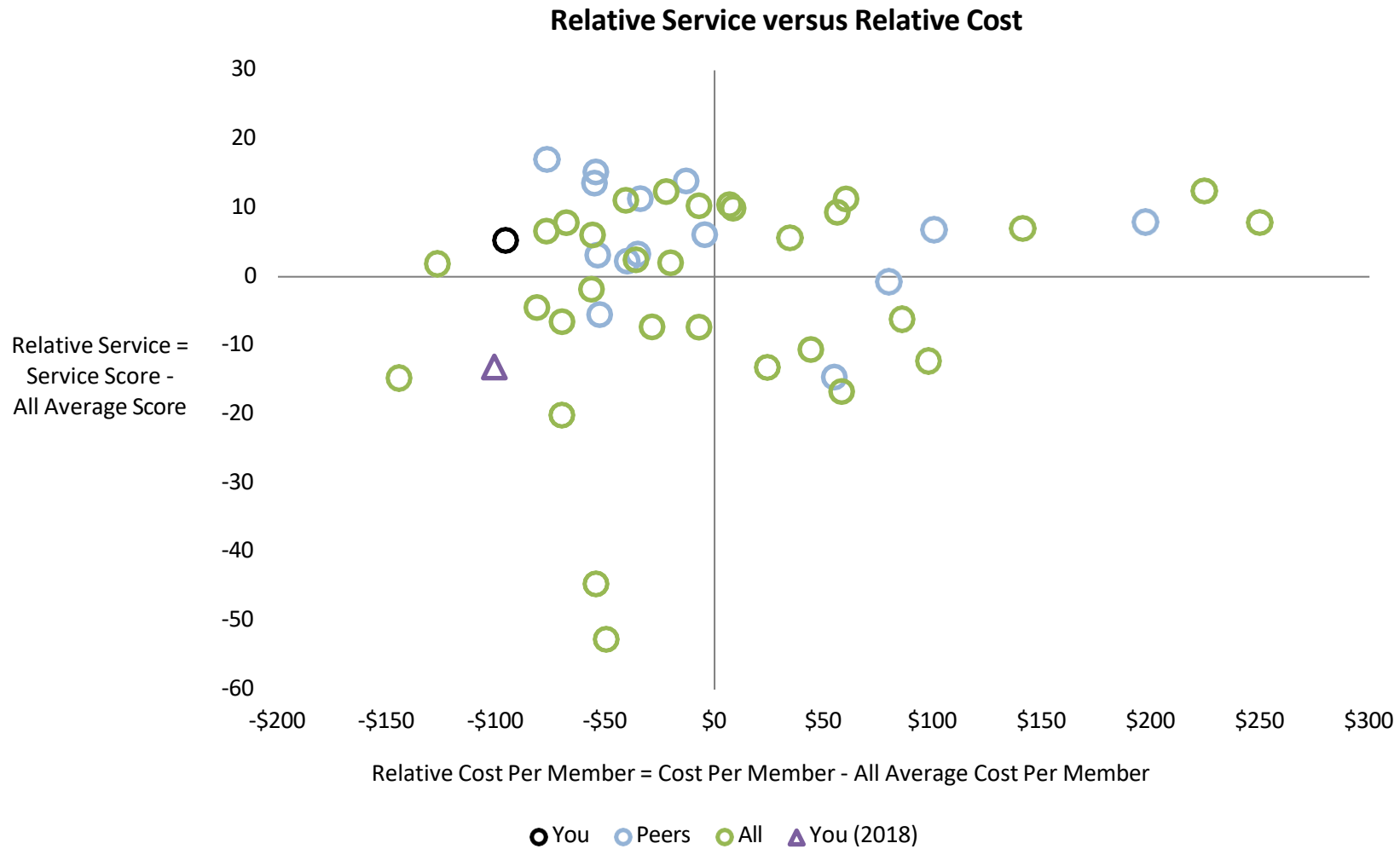
Changes that had a positive impact compared to last year

- Members can now upload documents to your secure site and change their communication preferences.
- The number of unique visits to your secure site increased to 120,023 in 2025 (2024: 75,287).
- Your call center staff now have real time access to member use of digital tools during calls.
- For the eligible members where COLA applies, your written pension estimates now address how the pension benefit is inflation protected.
- Your members can now submit a retirement application online.

Longer term changes

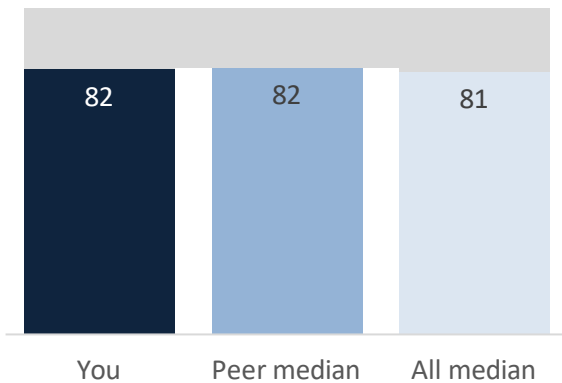
- **Secure Website:** continuing to add functionality and the increase in members accessing your site has had the biggest impact on your service score trend.
- **Contact Center:** call wait times and undesired call outcomes continue to be a challenge. The negative impact has been offset by call coaching and adding capabilities.

You were lower cost and higher service than the average participant in the CEM universe.



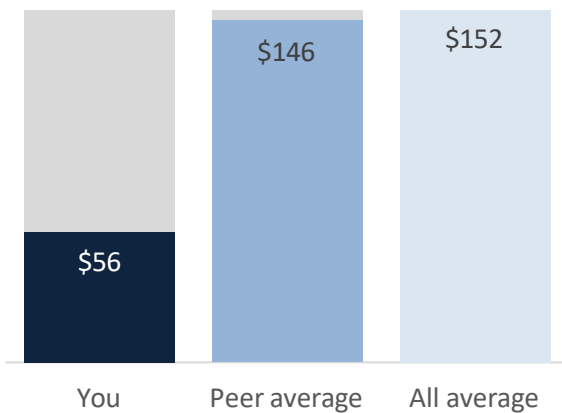
Key takeaways:

Service (score out of 100)



- Your service score was 82. This was equal to the peer median.
- You scored well for service in these areas:
 - Pension inception, secure website: information and functionality, feedback.
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Total administration costs



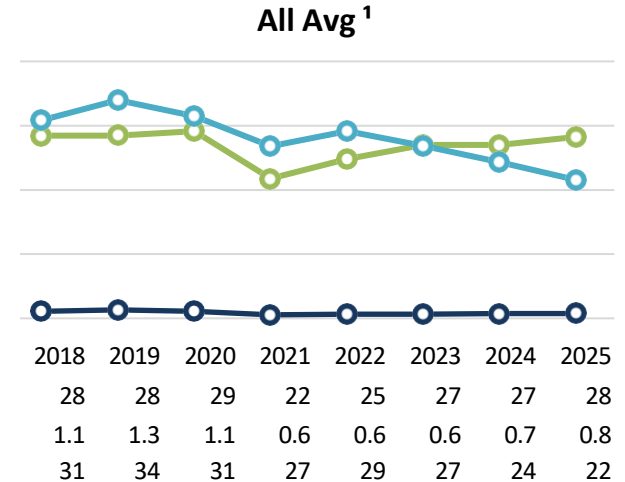
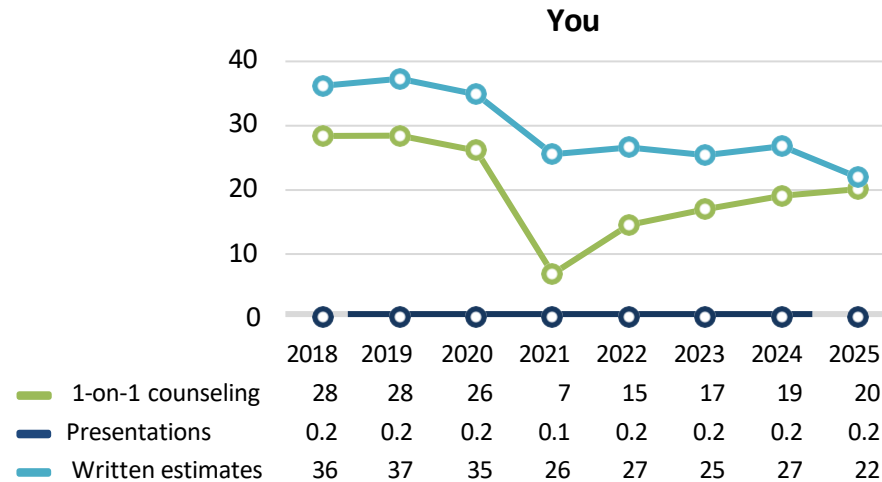
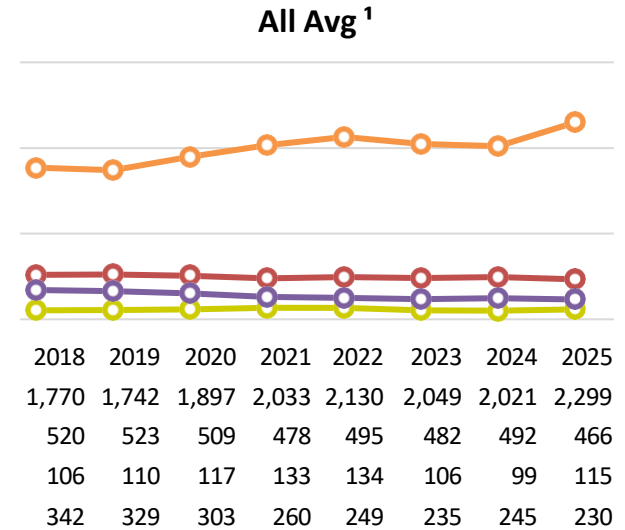
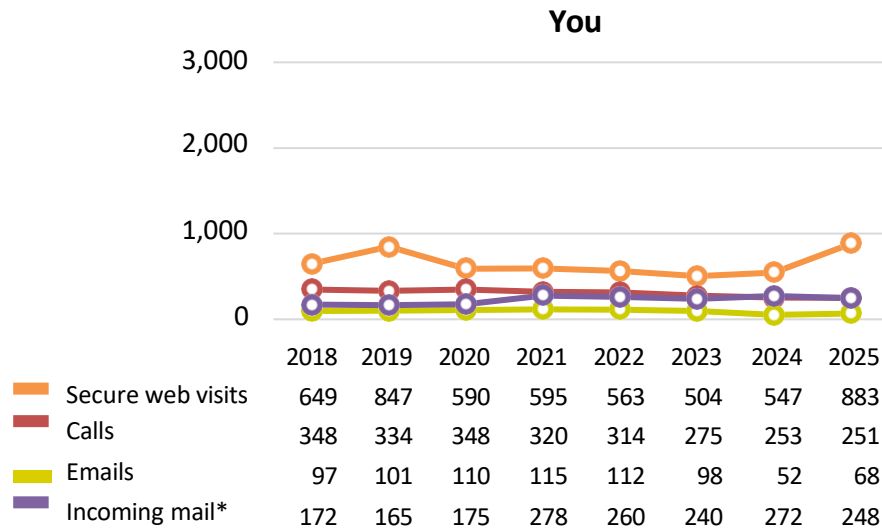
- Your total pension administration cost of \$56 per active member and annuitant was \$90 below the peer average of \$146.
- This was mainly driven by fewer front office FTEs and lower support costs per member.
- You were lower cost and higher service than the average participant in the CEM universe.

Globally, pension funds are adapting to significant industry changes, with digitalization emerging as a key factor influencing these adjustments.

- Cybersecurity and fraud prevention are becoming increasingly important.
- Consolidation and strategic partnerships remain the dominant approach for achieving scale. A few funds are moving in the opposite direction.
- Hybrid work remains the prevailing operating model, though many organizations are now mandating increased in-office attendance.
- One-third of administrators are replacing their core administration system.
- Migration to cloud platforms is accelerating.
- Clean, reliable data continues to be foundational, with its importance increasing as operations become more digital.
- Member expectations continue to rise, with a growing demand for relevant, personalized content delivered across multiple channels.
- Business intelligence capabilities are expanding to enable more insights, better decision-making and greater member engagement.
- Automation is streamlining work, allowing members to complete more tasks independently while reducing processing times.
- AI is entering service operations, but its impact remains incremental, with variable adoption across organizations.
- Call-center performance is declining industry-wide.
- Organizations report that they expect to move more staff into higher-value member support roles, some considering advisory models.

Greater digitalization is the key driver for higher service scores.

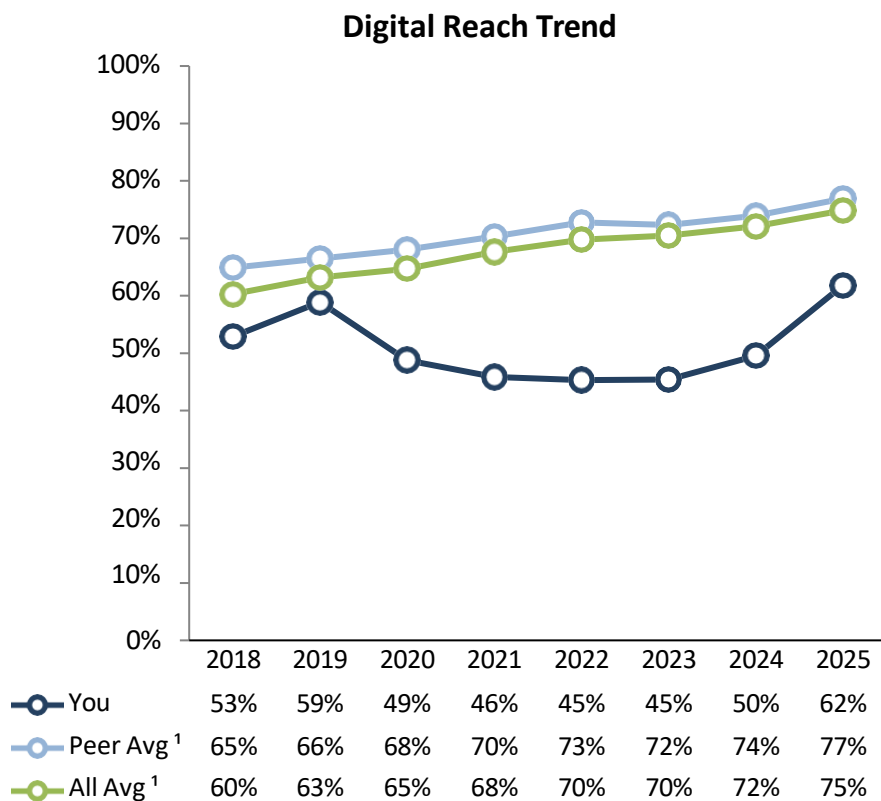
Transactions per 1,000 members



1. Trend analysis is based on 31 systems that provided 8 consecutive years of data.

* Your response to incoming mail was [Unknown]. We use a default (see appendix D).

Between 2018 and 2025 your digital reach increased 2.3% per year. The digital reach of peers with eight consecutive years of data increased by 2.5% per year in the same period.



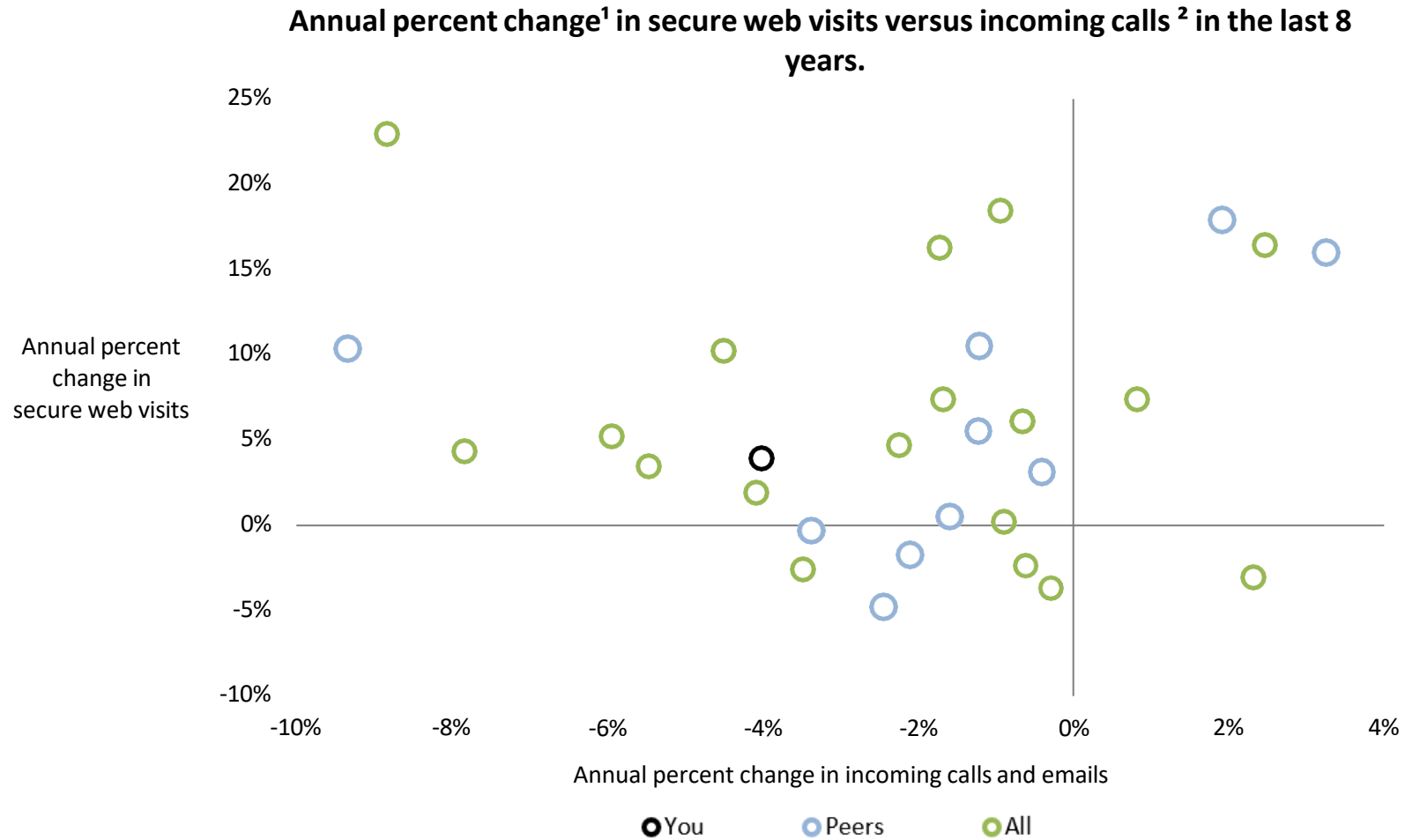
Digital reach measures the proportion of your self-service volumes versus self-service and assisted service transactions, as follows.

Digital reach	
Activity	Volume
Total secure website visits (A)	286,098
Incoming calls (B)	74,181
Incoming emails/secure messages (C)	21,899
Incoming mail (D)	80,452*
Digital reach [A / (A + B + C + D)]	62%

1. Trend analysis is based on systems that have provided 8 consecutive years of data (10 of your 15 peers and 28 of the 46 systems in the universe).

* Your response to incoming mail was [Unknown]. We use a default (see appendix D)

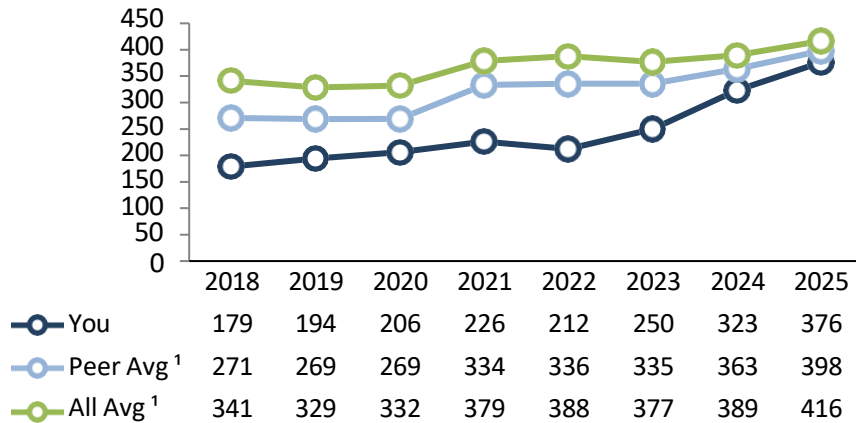
62% of plans with eight consecutive years of data have increased secure web visits while decreasing incoming call and email volumes.



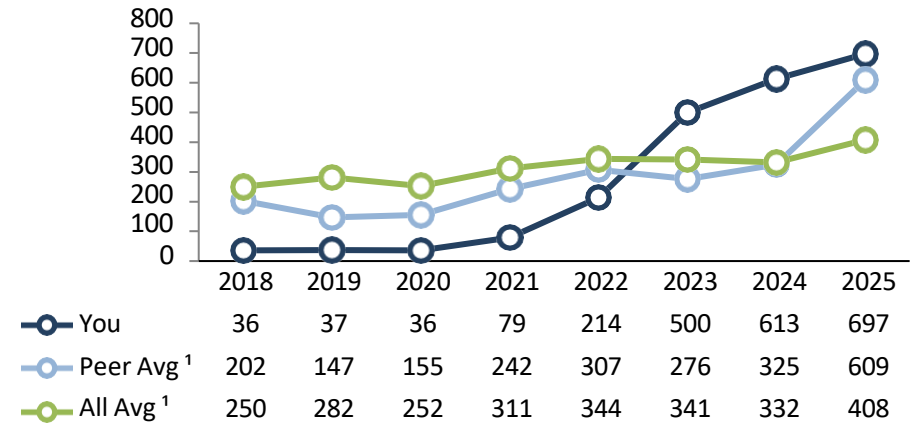
1. Trend analysis is based on systems that have provided 8 consecutive years of data (11 of your 15 peers and 32 of the 46 systems in the universe).
2. Volumes are calculated per 1,000 active members and annuitants.

The nature of member calls has changed in the last eight years.

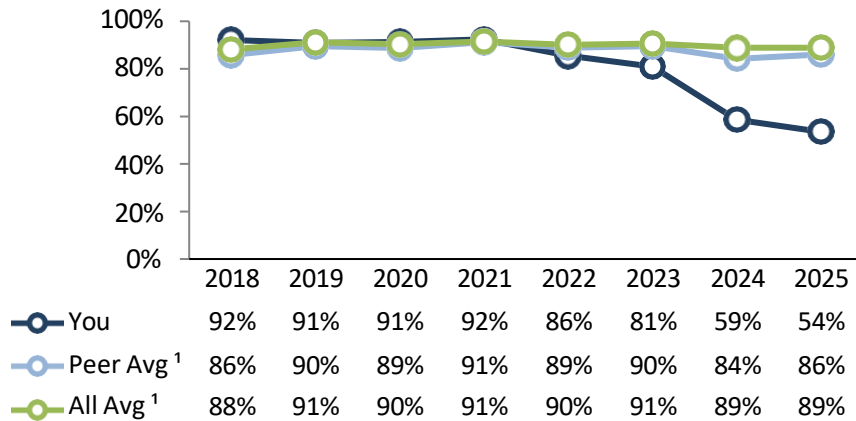
Time on Call, in Seconds



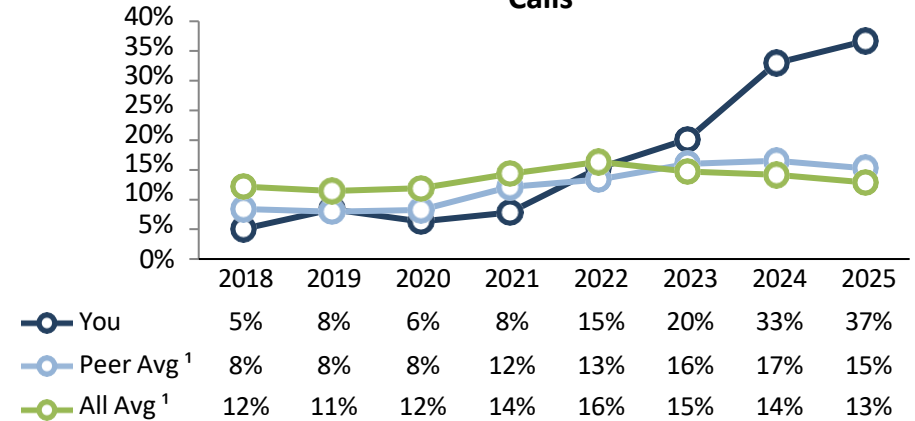
Call Wait Time, in Seconds



Percentage of calls satisfied by the first contact



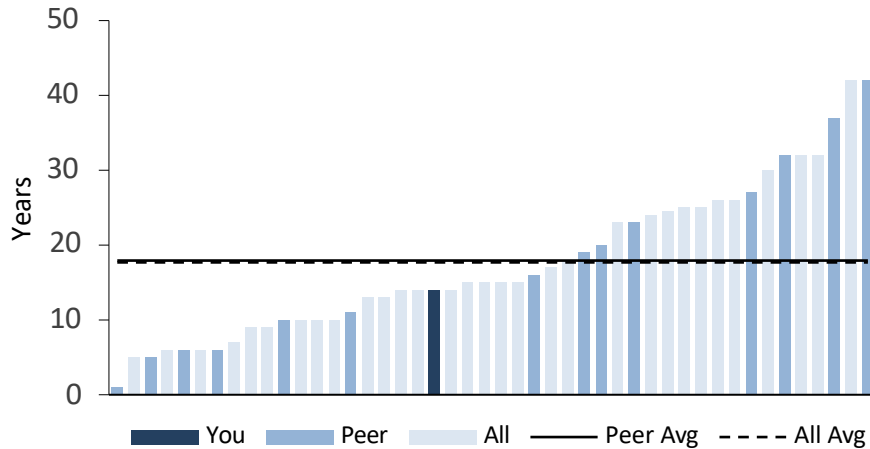
Undesired Call Outcomes as a Percent of Incoming Calls



1. Trend analysis is based on systems that have provided 8 consecutive years of data (11 of your 15 peers and 32 of the 46 systems in the universe).

You are in the preliminary stage of upgrading your existing pension administration system. A total of 15 systems are currently replacing their administration system.

Age of your existing administration system



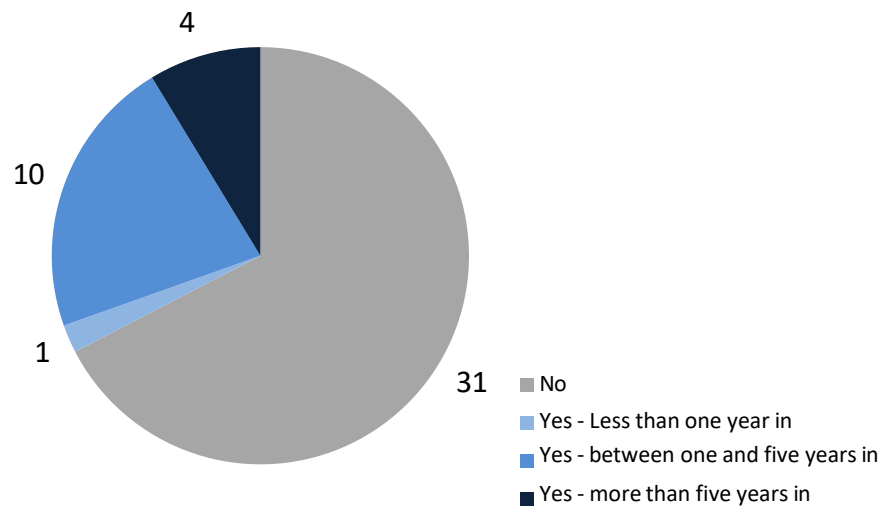
The core pension administration system:

- For 37% of plans, the current system was built in-house.
- For 48% of plans, the current system was built a third-party.
- For 15% of plans, their in-house solution was built by a third-party.

System customization:

- 30% of plans whose current system is third-party, required greater than 90% customization on the third-party solution.
- On average, 58% customization was required on third-party solutions.

Plans replacing their existing system



Plans are approaching AI in a practical and controlled manner.

- Industry sentiment on AI has evolved from enthusiasm to a measured, realistic perspective.
 - Plans prioritize incremental AI enhancements over high-risk, transformative projects.
-

A general industry approach to AI

- Start with contained, low-risk AI use cases to build expertise and reduce potential risks.
- Restricting AI access to verified, authoritative data ensures accuracy, compliance, and reduces misinformation.
- Using cloud platforms, low-code tools, and robotic process automation accelerates AI deployment and scaling.
- Evaluate projected versus actual return on investments.

Where plans see value:

- Staff productivity support (e.g., writing and formatting, meeting transcripts, code reviews, etc.)
- Call transcription, post-call summaries, and quality assessments to reduce handle time and improve depth of quality assurance assessments.
- Document management. Aggregation of internal documents into discrete repositories, with meta data, so staff can easily query these repositories for the data they need.
- Workflow management. Guide workflow within internal systems.

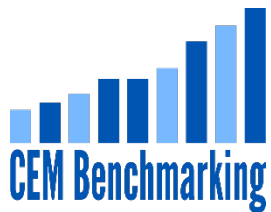
Thank you

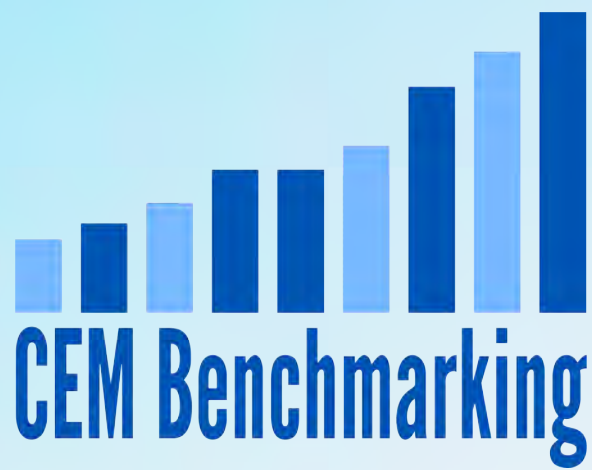


Christopher Doll
Co-Head, Client Coverage

—

ChrisD@cembenchmarking.com
CEMbenchmarking.com





**Benefits Advisory Committee
Legislative Update**

Bill number	Title	Floor	IPERS Impact
SF 2501 (SF 2425, SF 2175) HF 2754 (HF 2713, HSB 735)	A bill for an act relating to education, including by modifying provisions related to charter school approval, contracts, funding, and operations, services provided to charter schools by area education agencies, charter school student participation in extracurricular activities provided by public schools, the Iowa public employees' retirement system,and including effective date and applicability provisions.	H- 53-34 4/16/2026	As amended, Division V codifies charter schools established under Iowa Code 256E subchapter I as covered employers if the charter schools must also meet federal requirements to participate. Charter schools are currently participating in IPERS, none have been turned away for failure to meet IRS requirements.
SF 2479 (SSB 3189) HF 2768 (HSB 771)	Administration & Regulation Budget Bill		Appropriates \$26.3 million from the fund to IPERS for salaries, support, maintenance, and operational purposes. SF 2479 does not include FTEs, HF 2768 includes FTEs (110 for IPERS)
HF 2345	A bill for an act relating to matters under the purview of the Iowa public employees' retirement system, and including effective date provisions.	S-46-0 4/1/2026 H- 86-0 3/5/2026 Signed: 4/16/2026	Provides policy modernization as proposed by IPERS. Amended to strike section 1 (digital signatures), add "city of last known address" to section 2 (Great Iowa Treasure Hunt), and to allow MFPRSI to participate. HF 2345 is effective upon enactment.
HF 1023	A bill for an act relating to benefits for members of the Iowa public employees' retirement system who are employed in a protection occupation.	H- 89-0 4/17/2025 S- 44-0 4/21/2026 (A)	Amends chapter 97B to provide Protection Occupation members with a 1.5% COLA, maximum multiplier of 80%, and contribution rate split 50/50 with employers. Senate floor amendment retained retirement age at 55 and conformed to HF 969 (2025). Enhanced benefits and new contribution rates effective July 1, 2026

MEMORANDUM

Date: April 22, 2026

To: Members of the Benefits Advisory Committee ("BAC")

From: Andrew Ewing, Attorney

Subject: Changes to Iowa Administrative Code 495-Chapters 8, 17, 19, 22, 26, 30, 31, and 33

This memorandum serves to update the BAC and provide additional information regarding the proposed changes to Iowa Administrative Code 495 – Chapters 8 and 22. On January 10, 2023, Governor Reynolds issued Executive Order 10, also known as the "red tape review." The executive order requires all state agencies to complete a comprehensive evaluation and cost benefit analysis of existing rules to evaluate their public benefits, whether the benefits justify the cost, and whether there are less restrictive alternatives to achieve their intended goal. In addition, agencies have been directed to rescind rules that are merely duplicative of statute. IPERS staff reviewed Chapters 8 and 22 and propose the following changes as part of the red tape review analysis. The proposed changes include removing unnecessary language and rescinding rules that are already in Iowa Code 97B.

Red Tape Review

IPERS deadline to complete the red tape review is December 31, 2026. The BAC has historically reviewed IPERS' administrative rules prior to filing. IPERS's legal department anticipates presenting administrative rule chapters to the BAC for review at the regularly scheduled meetings until all administrative rule chapters have been reviewed. This package includes the following chapters:

1. Chapter 8: "Service Purchases"
2. Chapter 22: "Federal Social Security"

NOTE: The BAC reviewed Chapter 8 as part of its March meeting. After further consideration, IPERS will not seek all changes approved at the March meeting. IPERS will, instead, seek legislative changes, where appropriate, and proposes the following changes included in this Memo.

Formatting and numbering of Chapters 8 and 22 have not been updated but will be prior to filing.

Uniform Rules

In addition, on April 16, 2026, Governor Reynolds signed Senate File 2463, a bill concerning the Uniform Rules on Agency Procedure. This bill amends Iowa Code chapter 17A, the Iowa Administrative Procedures Act, and prescribes uniform rules on agency procedure for those agencies that do not have rules concerning matters as well as rescinds existing administrative rules on matters addressed by the Uniform Rules. In IPERS's case, SF2463 rescinds:

- a. 495 IAC chs. 19, 26, 30, 31, and 33 in their entirety, and
- b. 495 IAC 17.2--17.13 and 17.17.

These rules are not included in IPERS's red tape review, but Senate File 2463 and the Uniform Rules are being provided for your review. At this time, IPERS may file for emergency rulemaking for the approved opt-out provisions, in accordance with Iowa Code section 17A.24(5), which would take effect immediately upon filing with the Legislative Services Agency, and acceptance in RMS. Or, IPERS may follow the normal procedure for emergency rulemaking, which requires ARRC approval.

The Uniform Rules are being provided as adopted and filed in the April 1, 2026, Iowa Administrative Bulletin by the Administrative Rules Coordinator.

Uniform Rules on Agency Procedure Timeline:

- IPERS presented with Administrative Rules Coordinator draft rules on January 28, 2026.
- IPERS participates in follow-up call on draft rules on February 11, 2026. Encouraged to provide "opt-outs" by February 13.
- IPERS provides opt-outs on March 2, 2026. IPERS does not opt-out of Chapters 2500, 2501, or 2502. IPERS proposes new language to Section 2503.8(1)(l), Chapter 2504 concerning waivers from current rule 495 – 33.10(1)-(3), and Chapter 2505 concerning current language in 495 – 17.10(1)-(2), and 17.11(3). IPERS also proposed deleting and adding language to Chapter 2506 concerning statutory mandates.
- On March 16, 2026, the Administrative Rules Coordinator granted requests concerning Rules 2503, 2504, and 2506.27(1). All others denied.
- On March 19 and April 2, IPERS requested an explanation for IPERS's opt-out request denial. IPERS anticipates receiving explanation on April 23, 2026, and will update the BAC accordingly.

CHAPTER 8
SERVICE PURCHASES
[Prior to 11/24/04, see 581—Ch 21]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

495—8.1(97B) Service eligible for purchase.

8.1(1) a. Scope. ~~This section applies to service purchases under Iowa Code section 97B.80C.~~

~~b. Estimates and cost quotes. As set forth in Iowa Code section 97B.80C, IPERS calculates all service purchase estimates and cost quotes shall be calculated at actuarial cost. The following procedures and calculations shall apply:~~

~~c. Service purchase estimate prior to retirement. Upon completing and submitting a service purchase application, IPERS will calculate a written estimate of the cost of purchasing service under Iowa Code section 97B.80C. Members who are vested by service may request a service purchase estimate by completing and submitting a service purchase application. Once the application is submitted, IPERS shall complete a cost estimate. This calculation is an estimate only and is not considered binding. The cost estimate shall be calculated.~~ IPERS calculates the cost estimate as follows:

(1) IPERS will calculate the actuarial cost by capturing the projected baseline benefit attributes at the member's anticipated retirement date without any service purchase quarterly credits including: average salary, years of service, the Option 2 benefit amount, accumulated member contributions and the calculated present-day reserve value. The present-day reserve value is a lump sum value calculated with actuarial tables provided by the system's actuary which represents the lump sum value sufficient to pay the monthly benefits over the member's expected life span.

(2) With each potential purchasable quarterly service credit, IPERS will recalculate the Option 2 benefit amount. A new present-day reserve value will also be calculated. The cost of each quarterly service credit will be the difference between the new reserve amount and the previous one.

~~d. Final service purchase cost quote at retirement. On or before the date that a member's first benefit payment is issued, a member who is vested by service may request a final service purchase cost quote by completing and submitting an application for retirement/disability benefit indicating the member's desire to receive a final service purchase cost quote. After the member submits the completed application has been submitted, IPERS shall generate a final service purchase cost quote once all of the member's wages are submitted to IPERS, which may be after the member's first month of entitlement. The final cost quote shall be~~ calculated as follows:

(1) IPERS will calculate the cost by capturing the baseline benefit attributes at the member's first month of entitlement without any service purchase quarterly credits including: average salary, years of service, the Option 2 benefit amount, accumulated member contributions and the calculated present-day reserve value. The present-day reserve value is a lump sum value calculated with actuarial tables provided by the system's actuary which represents the lump sum value sufficient to pay the monthly benefits over the member's expected life span. With each potential purchasable service credit, IPERS will recalculate the Option 2 benefit amount. A new present-day reserve value will also be calculated. The cost of each purchasable quarter of service credit will be the difference between the new reserve amount and the previous one.

(2) The retired member will have six months from the date in which IPERS generates the final service purchase cost quote to purchase additional service.

(3) If the retired member purchases service within the six-month deadline, the increase in the retirement benefit ~~is shall be~~ made effective with the month of the service purchase payment.

(4) Retired members who do not indicate their desire for a final service purchase cost quote on or before the date their first payment is issued or do not complete the purchase within the six-month

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deadline indicated on the final service purchase cost quote ~~shall not be~~ not eligible to purchase additional credit.

(5) Retired members who selected Option 1 upon retirement may request the lump sum death benefit to be increased to take into account the additional contributions from making a service purchase. If the member requests an increase in the death benefit, the monthly benefit will be reduced to take into account the increased death benefit.

~~_____~~ *ee. Cost adjustments due to changes in the original retirement benefit.* If an error in the service purchase cost is discovered or a retired member's account is adjusted in any manner after a purchase is made, IPERS may rescind the service purchase, make adjustments to the service purchase cost, or adjust the retirement allowance to ensure the member paid the actuarial cost of buying additional service. In the event that a retired member overpays due to an adjustment, IPERS will issue a refund to the retired member directly or to the rollover institution.

8.1(2) Service credit for other public employment.

a. A member may ~~make application to IPERS~~ apply for to purchasing credit for service rendered to another public employer. ~~In order to be eligible, a member must:~~

~~(1) Have been a public employee in a position comparable to an IPERS covered position at the time the application for buy in is processed. Effective July 1, 1990, "public employee" includes a member who had service as a public employee in another state, or for the federal government, or within other retirement systems established in the state of Iowa; and~~

~~(2) Submit verification of service for that other public employer to IPERS. IPERS requires a member to verify service for the other employer.~~

b. A period of service is defined as follows: (1) if a member was continuously employed by an employer, the entire time is one period of employment, regardless of whether a portion or all of the service was covered by one or more retirement systems; and (2) if a member is continuously employed by multiple employers within a single retirement system, the entire service credited by that retirement system is one period of employment. A member with service credit under another public employee retirement system who wishes to transfer only a portion of the service value of the member's public service in another public system to IPERS must provide a waiver of that service time to IPERS together with proof that the other public system has accepted this waiver and allowed partial withdrawal of service credit. Members ~~are allowed to~~ may purchase time credited by the other public employer as a leave of absence in the same manner as other service credit. However, members wishing to receive free credit for military service performed while ~~in the employ of~~ employed by a qualifying non-IPERS covered public employer must purchase the entire period of service encompassing the service time for that public employer or in the other retirement system, excluding the military time. Veterans' credit originally purchased in another retirement system may be purchased in the same manner as other service credit.

8.1(3) IPERS buy-back. Members may buy back previously refunded IPERS service credit under the methodology of subrule 8.1(1).

8.1(4) Veterans' credit. A member may make a service credit purchase for a period of active duty service in the armed forces of the United States if the member produces verification of active duty service in the armed forces of the United States.

8.1(5) Legislative members.

a. *Active members.* Persons who are members of the Seventy-first General Assembly or a succeeding general assembly during any period beginning July 4, 1953, may, upon proof of such membership in the general assembly, make contributions to the system for all or a portion of the period of such service in the general assembly.

b. *Vested or retired former members of the general assembly.*

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Commented [AE1]: Propose deleting and relying on language in Iowa Code section 97B.80C and leaving verification up to IPERS discretion.

(1) The member shall submit to IPERS proof of membership in the general assembly for the period claimed.

(2) Upon determining a member's eligibility and receiving the appropriate contributions from the member, IPERS shall will credit the member with the period of membership service for which contributions are made.

c. *Actuarial cost.* Effective January 1, 2016, the member must be vested by service and must pay 40 percent and the Iowa legislature shall pays 60 percent of the actuarial cost of a service purchase, as certified by IPERS. In calculating the actuarial cost, IPERS shall applies the same actuarial assumptions, procedures and cost methods as those described in subrule 8.1(1).

8.1(6) *Employer-approved leaves of absence.* ~~Members may purchase~~ service credit for employer-approved leaves of absence that begin on or after July 1, 1998, ~~may be purchased.~~

8.1(7) *Service credit for elective coverage positions—coverage not elected.* ~~Members may purchase~~ service credit for periods of time prior to January 1, 1999, when the member was employed in a position for which coverage could have been, ~~but was not, elected, but was not, may be purchased.~~

8.1(8) *Service credit for noncovered public employment in Iowa.* A member who was previously employed in public employment for which optional coverage was not available, such as substitute teaching or other temporary employment, may purchase service credit for such employment subject to the requirements of Iowa Code section 97B.80C. ~~Members may not purchase s~~Service credit ~~may not be purchased~~ under this subrule for periods in which the individual was performing services as an independent contractor.

[ARC 1887C, IAB 2/18/15, effective 3/25/15; ARC 2402C, IAB 2/17/16, effective 3/23/16; ARC 4337C, IAB 3/13/19, effective 4/17/19]
495—8.2(97B) Revocation of service purchase application and refund of amounts paid. A member may revoke a service purchase application and receive a refund without interest of all or a portion of amounts paid to IPERS to buy back prior service credit or to purchase credit for other service pursuant to Iowa Code chapter 97B. The revocation must be made in writing and must be made within 60 days after the date of receipt of such amounts by IPERS. Such refunds shall beare in increments representing one or more quarters. ~~Furthermore, t~~ This rule shall does not limit IPERS' ability to refund service purchase amounts when required in order to meet the provisions of the Internal Revenue Code that apply to IPERS. This rule shall beis effective for revocation requests received by IPERS on or after May 3, 1996.

[ARC 4337C, IAB 3/13/19, effective 4/17/19]

495—8.3(97B) IRC Section 415(n) compliance. Service purchases made under this chapter, including buy-backs and buy-ups, shall not exceed the defined contribution dollar limit then inare subject to the limitations effect underof Internal Revenue Code Section 415(c)(1), per calendar year, as provided under IRC Section 415(n)(2)(B). In addition, the amounts contributed for service purchases under this chapter shall may not exceed the amount required to purchase the service according to the current cost schedules. In implementing these and the other requirements of IRC Section 415(n), IPERS shall uses the following procedures.

8.3(1) If the member's total benefit at retirement passes the fully reduced IRC Section 415(b) dollar limit test, IPERS shall pay the total benefit.

8.3(2) If the member's total benefit at retirement fails the fully reduced IRC Section 415(b) dollar limit test, and the member made one or more service purchases, IPERS shall perform the applicable IRC Section 415 tests, with adjustments for posttax service purchases and other posttax contributions, and pay excess amounts, if any, under a qualified benefits arrangement authorized under Iowa Code section 97B.49I.

8.3(3) IPERS permits the purchase of nonqualified service credit, as defined under IRC Section 415(n). "Nonqualified service" means:

- a. Service that is not qualified service under Iowa Code section 97B.80C; and
- b. Service for which no services were performed; and
- c. Service for which the member is entitled to receive retirement benefits under another retirement plan.

A member must have 20 quarters of existing service to make such a purchase. Nonqualified service credit purchased ~~shall may~~ not exceed 20 quarters. This limit is an aggregate limit that applies to all quarters categorized as nonqualified service credit.

8.3(4) The limitations of this rule ~~shall apply~~ to buy-backs of prior refunds. In addition, the annual limit under this rule ~~shall does~~ not apply to service purchases grandfathered under the provisions of the Iowa Code and Section 1526 of the Taxpayer Relief Act of 1997.

8.3(5) If IPERS adopts rules and procedures permitting service to be purchased on a pretax basis, the amounts contributed will not be combined with posttax service purchases and other posttax contributions in applying the foregoing procedures.

8.3(6) The IRC Section 415(c) limitations ~~shall do~~ not apply to a service purchase that qualifies as a direct rollover from an eligible retirement plan or a direct transfer from a plan qualified under IRC Section 403(b) or 457.

8.3(7) IPERS reserves the right to apply the limitations of IRC Section 415(n) on a case-by-case basis to ensure that such limits are not exceeded.

[ARC 4337C, IAB 3/13/19, effective 4/17/19]

~~495—8.4(97B) Required quarters of wages on file. Rescinded ARC 4337C, IAB 3/13/19, effective 4/17/19.~~

495—8.5(97B) Additional information, procedures and limitations.

8.5(1) Additional service purchase procedures.

a. Service purchase cost quotes for members currently in special service positions ~~shall be are~~ prepared as special service credit.

b. Members covered under another retirement plan. Members who wish to buy service credit for employment that is covered by another retirement plan qualified under IRC Section 401, IRC Section 403 or 457 and similar plans and retirement pay from the United States government for active duty in the armed forces (except retirement pay for nonregular service pursuant to 10 U.S.C. Sections 12731-12739) must waive their right to benefits based on the service credit that is being purchased under IPERS.

c. Effective January 1, 2007, IPERS may, notwithstanding certain provisions of Iowa Code section 97B.82 adopted in order to comply with prior rollover provisions of the Internal Revenue Code, utilize forms and procedures permitting direct rollover service purchases to include after-tax amounts as provided under the applicable rollover provisions of the Internal Revenue Code as amended subsequent to the enactment of Iowa Code section 97B.82.

8.5(2) Additional service purchase limitations.

a. ~~Under no circumstances shall service purchases be~~ Service purchases are not allowed for quarters already on file with IPERS as covered quarters.

b. If a member has requested a service purchase cost quote and, before the six-month expiration has passed, submits another request for a service purchase cost quote for the same or different employer, the new service purchase cost quote will be based on a combination of the two service purchase cost quotes. The latest service purchase cost quote ~~shall supersedes~~ all prior cost quotes provided to the member for the quarters that the member purchases after the issuance of the second cost quote.

c. Self-employed and independent contractor members. Members ~~shall are not be~~ permitted to purchase service credit for periods of self-employment or as an independent contractor.

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8.5(3) Buy-up of service credit through service purchase. Effective July 1, 2008, IPERS members may be allowed to “buy up” service credit. The term “buy up” means to convert regular service credit to special service credit by payment of the actuarial cost pursuant to the requirements of subrule 8.1(1).

a. Mixture of service time. If a member’s service time contains a mixture of regular, protection and sheriff service credit, IPERS ~~shall prepare~~ buy-up cost quotes prior to other service credit purchases and ~~shall process~~ the buy-up as follows:

(1) If the member is currently employed in the sheriff class or retired as a sheriff, the cost quote ~~shall be~~ prepared reflecting a buy-up to sheriff service credit.

(2) If the member is not currently employed in the sheriff class or did not retire as a sheriff, the cost quote ~~is shall be~~ prepared reflecting a buy-up to protection occupation service credit.

b. Wage adjustment after a buy-up. If an employer wage adjustment completely removes a member’s service credit in a buy-up quarter, IPERS ~~shall will~~ correct the service credit and perform the necessary recalculations.

c. IRS limitations. Buy-up service purchases ~~will be~~ aggregated with buy-in and buy-back service purchases during a calendar year and ~~shall cannot~~ exceed the defined contribution dollar limit then in effect under Section 415(c) of the Internal Revenue Code. Amounts that are rolled over from other qualified plans for service purchases are excluded from these limits.

[ARC 1887C, IAB 2/18/15, effective 3/25/15; ARC 4337C, IAB 3/13/19, effective 4/17/19]

495—8.6(97B) Adjustments. If an error in the service purchase cost is discovered or a member’s account is adjusted in any manner after a purchase is made, IPERS may rescind the service purchase, make adjustments to the service purchase cost, or adjust the retirement allowance to ensure the active or retired member is paying the actuarial cost of buying additional service.

[ARC 1887C, IAB 2/18/15, effective 3/25/15]

These rules are intended to implement Iowa Code sections 97B.1A, 97B.1A(13), 97B.1A(20), 97B.43, 97B.80, 97B.80C, and 97B.82.

[Filed 11/5/04, Notice 9/15/04—published 11/24/04, effective 12/29/04]

[Filed 4/7/06, Notice 3/1/06—published 4/26/06, effective 5/31/06]

[Filed 5/3/07, Notice 3/28/07—published 5/23/07, effective 6/27/07]

[Filed emergency 6/25/08—published 7/16/08, effective 6/25/08]

[Filed 8/20/08, Notice 7/16/08—published 9/10/08, effective 10/15/08]

[Filed ARC 1887C (Notice ARC 1800C, IAB 12/24/14), IAB 2/18/15, effective 3/25/15]

[Filed ARC 2402C (Notice ARC 2331C, IAB 12/23/15), IAB 2/17/16, effective 3/23/16]

[Filed ARC 4337C (Notice ARC 4238C, IAB 1/16/19), IAB 3/13/19, effective 4/17/19]

CHAPTER 8
SERVICE PURCHASES
[Prior to 11/24/04, see 581—Ch 21]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

495—8.1(97B) Service eligible for purchase.

8.1(1) *a. Scope.* This section applies to service purchases under Iowa Code section 97B.80C.

b. Estimates and cost quotes. As set forth in Iowa Code section 97B.80C, IPERS calculates all service purchase estimates and cost quotes at actuarial cost.

c. Service purchase estimate prior to retirement. Upon completing and submitting a service purchase application, IPERS will calculate a written estimate of the cost of purchasing service under Iowa Code section 97B.80C. Members who are vested by service may request a service purchase estimate by completing and submitting a service purchase application. Once the application is submitted, IPERS shall complete a cost estimate. This calculation is an estimate only and is not considered binding. IPERS calculates the cost estimate as follows:

(1) IPERS will calculate the actuarial cost by capturing the projected baseline benefit attributes at the member's anticipated retirement date without any service purchase quarterly credits including: average salary, years of service, the Option 2 benefit amount, accumulated member contributions and the calculated present-day reserve value. The present-day reserve value is a lump sum value calculated with actuarial tables provided by the system's actuary which represents the lump sum value sufficient to pay the monthly benefits over the member's expected life span.

(2) With each potential purchasable quarterly service credit, IPERS will recalculate the Option 2 benefit amount. A new present-day reserve value will also be calculated. The cost of each quarterly service credit will be the difference between the new reserve amount and the previous one.

d. Final service purchase cost quote at retirement. On or before the date that a member's first benefit payment is issued, a member who is vested by service may request a final service purchase cost quote by completing and submitting an application for retirement/disability benefit indicating the member's desire to receive a final service purchase cost quote. After the member submits the completed application, IPERS shall generate a final service purchase cost quote once all of the member's wages are submitted to IPERS, which may be after the member's first month of entitlement. The final cost quote is calculated as follows:

(1) IPERS will calculate the cost by capturing the baseline benefit attributes at the member's first month of entitlement without any service purchase quarterly credits including: average salary, years of service, the Option 2 benefit amount, accumulated member contributions and the calculated present-day reserve value. The present-day reserve value is a lump sum value calculated with actuarial tables provided by the system's actuary which represents the lump sum value sufficient to pay the monthly benefits over the member's expected life span. With each potential purchasable service credit, IPERS will recalculate the Option 2 benefit amount. A new present-day reserve value will also be calculated. The cost of each purchasable quarter of service credit will be the difference between the new reserve amount and the previous one.

(2) The retired member will have six months from the date in which IPERS generates the final service purchase cost quote to purchase additional service.

(3) If the retired member purchases service within the six-month deadline, the increase in the retirement benefit is made effective with the month of the service purchase payment.

(4) Retired members who do not indicate their desire for a final service purchase cost quote on or before the date their first payment is issued or do not complete the purchase within the six-month deadline indicated on the final service purchase cost quote are not eligible to purchase additional credit.

(5) Retired members who selected Option 1 upon retirement may request the lump sum death benefit to be increased to take into account the additional contributions from making a service purchase. If the member requests an increase in the death benefit, the monthly benefit will be reduced to take into account the increased death benefit.

e. Cost adjustments due to changes in the original retirement benefit. If an error in the service purchase cost is discovered or a retired member's account is adjusted in any manner after a purchase is made, IPERS may rescind the service purchase, make adjustments to the service purchase cost, or adjust the retirement allowance to ensure the member paid the actuarial cost of buying additional service. In the event that a retired member overpays due to an adjustment, IPERS will issue a refund to the retired member directly or to the rollover institution.

8.1(2) Service credit for other public employment.

a. A member may apply to purchase credit for service rendered to another public employer. IPERS requires a member to verify service for the other employer.

b. A period of service is defined as follows: (1) if a member was continuously employed by an employer, the entire time is one period of employment, regardless of whether a portion or all of the service was covered by one or more retirement systems; and (2) if a member is continuously employed by multiple employers within a single retirement system, the entire service credited by that retirement system is one period of employment. A member with service credit under another public employee retirement system who wishes to transfer only a portion of the service value of the member's public service in another public system to IPERS must provide a waiver of that service time to IPERS together with proof that the other public system has accepted this waiver and allowed partial withdrawal of service credit. Members may purchase time credited by the other public employer as a leave of absence in the same manner as other service credit. However, members wishing to receive free credit for military service performed while employed by a qualifying non-IPERS covered public employer must purchase the entire period of service encompassing the service time for that public employer or in the other retirement system, excluding the military time. Veterans' credit originally purchased in another retirement system may be purchased in the same manner as other service credit.

8.1(3) IPERS buy-back. Members may buy back previously refunded IPERS service credit under the methodology of subrule 8.1(1).

8.1(4) Veterans' credit. A member may make a service credit purchase for a period of active duty service in the armed forces of the United States if the member produces verification of active duty service in the armed forces of the United States.

8.1(5) Legislative members.

a. Active members. Persons who are members of the Seventy-first General Assembly or a succeeding general assembly during any period beginning July 4, 1953, may, upon proof of such membership in the general assembly, make contributions to the system for all or a portion of the period of such service in the general assembly.

b. Vested or retired former members of the general assembly.

(1) The member shall submit to IPERS proof of membership in the general assembly for the period claimed.

(2) Upon determining a member's eligibility and receiving the appropriate contributions from the member, IPERS will credit the member with the period of membership service for which contributions are made.

c. Actuarial cost. Effective January 1, 2016, the member must be vested by service and must pay 40 percent and the Iowa legislature pays 60 percent of the actuarial cost of a service purchase, as certified by IPERS. In calculating the actuarial cost, IPERS applies the same actuarial assumptions, procedures and cost methods as those described in subrule 8.1(1).

Commented [AE1]: Propose deleting and relying on language in Iowa Code section 97B.80C and leaving verification up to IPERS discretion.

8.1(6) *Employer-approved leaves of absence.* Members may purchase service credit for employer-approved leaves of absence that begin on or after July 1, 1998.

8.1(7) *Service credit for elective coverage positions—coverage not elected.* Members may purchase service credit for periods of time prior to January 1, 1999, when the member was employed in a position for which coverage could have been, but was not, elected.

8.1(8) *Service credit for noncovered public employment in Iowa.* A member who was previously employed in public employment for which optional coverage was not available, such as substitute teaching or other temporary employment, may purchase service credit for such employment subject to the requirements of Iowa Code section 97B.80C. Members may not purchase service credit under this subrule for periods in which the individual was performing services as an independent contractor.

[ARC 1887C, IAB 2/18/15, effective 3/25/15; ARC 2402C, IAB 2/17/16, effective 3/23/16; ARC 4337C, IAB 3/13/19, effective 4/17/19]

495—8.2(97B) Revocation of service purchase application and refund of amounts paid. A member may revoke a service purchase application and receive a refund without interest of all or a portion of amounts paid to IPERS to buy back prior service credit or to purchase credit for other service pursuant to Iowa Code chapter 97B. The revocation must be made in writing and must be made within 60 days after the date of receipt of such amounts by IPERS. Such refunds are in increments representing one or more quarters. This rule does not limit IPERS' ability to refund service purchase amounts when required in order to meet the provisions of the Internal Revenue Code that apply to IPERS. This rule is effective for revocation requests received by IPERS on or after May 3, 1996.

[ARC 4337C, IAB 3/13/19, effective 4/17/19]

495—8.3(97B) IRC Section 415(n) compliance. Service purchases made under this chapter, including buy-backs and buy-ups, are subject to the limitations of Internal Revenue Code Section 415(c)(1), per calendar year, as provided under IRC Section 415(n)(2)(B). In addition, the amounts contributed for service purchases under this chapter may not exceed the amount required to purchase the service according to the current cost schedules. In implementing these and the other requirements of IRC Section 415(n), IPERS uses the following procedures.

8.3(1) If the member's total benefit at retirement passes the fully reduced IRC Section 415(b) dollar limit test, IPERS shall pay the total benefit.

8.3(2) If the member's total benefit at retirement fails the fully reduced IRC Section 415(b) dollar limit test, and the member made one or more service purchases, IPERS shall perform the applicable IRC Section 415 tests, with adjustments for posttax service purchases and other posttax contributions, and pay excess amounts, if any, under a qualified benefits arrangement authorized under Iowa Code section 97B.49I.

8.3(3) IPERS permits the purchase of nonqualified service credit, as defined under IRC Section 415(n). "Nonqualified service" means:

- a. Service that is not qualified service under Iowa Code section 97B.80C; and
- b. Service for which no services were performed; and
- c. Service for which the member is entitled to receive retirement benefits under another retirement plan.

A member must have 20 quarters of existing service to make such a purchase. Nonqualified service credit purchased may not exceed 20 quarters. This limit is an aggregate limit that applies to all quarters categorized as nonqualified service credit.

8.3(4) The limitations of this rule applies to buy-backs of prior refunds. In addition, the annual limit under this rule does not apply to service purchases grandfathered under the provisions of the Iowa Code and Section 1526 of the Taxpayer Relief Act of 1997.

8.3(5) If IPERS adopts rules and procedures permitting service to be purchased on a pretax basis, the amounts contributed will not be combined with posttax service purchases and other posttax contributions in applying the foregoing procedures.

8.3(6) The IRC Section 415(c) limitations do not apply to a service purchase that qualifies as a direct rollover from an eligible retirement plan or a direct transfer from a plan qualified under IRC Section 403(b) or 457.

8.3(7) IPERS reserves the right to apply the limitations of IRC Section 415(n) on a case-by-case basis to ensure that such limits are not exceeded.

[ARC 4337C, IAB 3/13/19, effective 4/17/19]

495—8.5(97B) Additional information, procedures and limitations.

8.5(1) *Additional service purchase procedures.*

a. Service purchase cost quotes for members currently in special service positions are prepared as special service credit.

b. Members covered under another retirement plan. Members who wish to buy service credit for employment that is covered by another retirement plan qualified under IRC Section 401, IRC Section 403 or 457 and similar plans and retirement pay from the United States government for active duty in the armed forces (except retirement pay for nonregular service pursuant to 10 U.S.C. Sections 12731-12739) must waive their right to benefits based on the service credit that is being purchased under IPERS.

c. Effective January 1, 2007, IPERS may, notwithstanding certain provisions of Iowa Code section 97B.82 adopted in order to comply with prior rollover provisions of the Internal Revenue Code, utilize forms and procedures permitting direct rollover service purchases to include after-tax amounts as provided under the applicable rollover provisions of the Internal Revenue Code as amended subsequent to the enactment of Iowa Code section 97B.82.

8.5(2) *Additional service purchase limitations.*

a. Service purchases are not allowed for quarters already on file with IPERS as covered quarters.

b. If a member has requested a service purchase cost quote and, before the six-month expiration has passed, submits another request for a service purchase cost quote for the same or different employer, the new service purchase cost quote will be based on a combination of the two service purchase cost quotes. The latest service purchase cost quote supersedes all prior cost quotes provided to the member for the quarters that the member purchases after the issuance of the second cost quote.

c. Self-employed and independent contractor members. Members are not permitted to purchase service credit for periods of self-employment or as an independent contractor.

8.5(3) *Buy-up of service credit through service purchase.* Effective July 1, 2008, IPERS members may be allowed to “buy up” service credit. The term “buy up” means to convert regular service credit to special service credit by payment of the actuarial cost pursuant to the requirements of subrule 8.1(1).

a. *Mixture of service time.* If a member’s service time contains a mixture of regular, protection and sheriff service credit, IPERS prepares buy-up cost quotes prior to other service credit purchases and processes the buy-up as follows:

(1) If the member is currently employed in the sheriff class or retired as a sheriff, the cost quote is prepared reflecting a buy-up to sheriff service credit.

(2) If the member is not currently employed in the sheriff class or did not retire as a sheriff, the cost quote is prepared reflecting a buy-up to protection occupation service credit.

b. *Wage adjustment after a buy-up.* If an employer wage adjustment completely removes a member’s service credit in a buy-up quarter, IPERS will correct the service credit and perform the necessary recalculations.

c. IRS limitations. Buy-up service purchases are aggregated with buy-in and buy-back service purchases during a calendar year and cannot exceed the defined contribution dollar limit then in effect under Section 415(c) of the Internal Revenue Code. Amounts that are rolled over from other qualified plans for service purchases are excluded from these limits.

[ARC 1887C, IAB 2/18/15, effective 3/25/15; ARC 4337C, IAB 3/13/19, effective 4/17/19]

495—8.6(97B) Adjustments. If an error in the service purchase cost is discovered or a member's account is adjusted in any manner after a purchase is made, IPERS may rescind the service purchase, make adjustments to the service purchase cost, or adjust the retirement allowance to ensure the active or retired member is paying the actuarial cost of buying additional service.

[ARC 1887C, IAB 2/18/15, effective 3/25/15]

These rules are intended to implement Iowa Code sections 97B.1A, 97B.1A(13), 97B.1A(20), 97B.43, 97B.80, 97B.80C, and 97B.82.

[Filed 11/5/04, Notice 9/15/04—published 11/24/04, effective 12/29/04]

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[Filed emergency 6/25/08—published 7/16/08, effective 6/25/08]

[Filed 8/20/08, Notice 7/16/08—published 9/10/08, effective 10/15/08]

[Filed ARC 1887C (Notice ARC 1800C, IAB 12/24/14), IAB 2/18/15, effective 3/25/15]

[Filed ARC 2402C (Notice ARC 2331C, IAB 12/23/15), IAB 2/17/16, effective 3/23/16]

[Filed ARC 4337C (Notice ARC 4238C, IAB 1/16/19), IAB 3/13/19, effective 4/17/19]

CHAPTER 22
FEDERAL SOCIAL SECURITY

[Prior to 1/7/04, see 581—Ch 22]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

495—22.1(97C) General. ~~The order to~~ extend to the employees of the state of Iowa and its political subdivisions, agencies and instrumentalities the basic protections accorded by the old-age and survivors system embodied in Title II of the federal Social Security Act, on July 1, 1953, the state of Iowa signed a Section 218 Agreement with the Social Security Administration. That Section 218 Agreement, as implemented in Iowa Code chapter 97C, provides Social Security mandates and federal Social Security coverage for most Iowa public employees.

495—22.2(97C) Pre-January 1, 1987, duties. Prior to January 1, 1987, the agency had substantial responsibilities for administering withholding, depositing and reporting requirements for Social Security and Medicare taxes, including audit, tax collection, and dispute resolution responsibilities. Effective January 1, 1987, those responsibilities were mostly transferred to the federal Internal Revenue Service. Accordingly, the agency will assist employers with respect to wage reports, tax collections and adjustments only for the period prior to January 1, 1987.

495—22.3(97C) Post-January 1, 1987, duties.

22.3(1) The agency's responsibilities under the Section 218 Agreement are to administer and maintain the Section 218 Agreement by:

a. Maintaining physical custody of the master Section 218 Agreement, modifications, dissolutions, consolidations and intrastate and interstate coverage agreements.

b. Preparing Section 218 Agreement modifications to include additional covered employers, following the employer's submission of an IPERS Status Report form indicating the employer should be covered under the Iowa Public Employees' Retirement System.

c. Preparing Section 218 Agreement modifications to include additional coverage groups of employees when appropriate.

d. Preparing Section 218 Agreement modifications to remove covered employers, coverage groups, and to correct errors in prior modifications.

e. Providing advice on Section 218 Agreement optional exclusions applicable to Iowa employers and employees and advice on Iowa Code chapter 97C.

f. Providing the Social Security Administration with notice and supporting evidence of the legal dissolution or consolidation of covered entities.

g. Assisting with referenda for Social Security and Medicare coverage as set forth in Iowa Code chapter 97C.

h. Assisting in the resolution of coverage and taxation questions associated with the Section 218 Agreement and modifications.

i. Negotiating with the Social Security Administration to resolve contribution payment and wage reporting issues concerning wages paid before January 1, 1987.

j. Advising covered employers on Social Security and Medicare tax and withholding issues.

k. Serving as a bridge between covered employers and the Social Security Administration and the IRS by obtaining clarifications of laws, regulations and other appropriate information from other State Social Security administrators, the Social Security Administration, and the Internal Revenue Service.

22.3(2) IPERS ~~shall have no responsibility~~ is not responsible for Social Security and Medicare matters involving non-Section 218 Agreement employers and employees.

495—22.14(97C) Reports. To assist IPERS in fulfilling its responsibilities hereunder, all covered employers ~~shall~~must provide such reports as IPERS may reasonably require. This reporting requirement is in addition to and does not supersede any federal reporting or other obligations imposed on covered employers in order for them to comply with the current and future withholding, reporting and submission of Social Security and Medicare taxes.

495—22.25(97C) Conflict of laws. In the event of any conflict between Iowa Code chapter 97C, these rules, and the provisions of the Social Security Act, ~~the provisions of the Social Security Act~~, as amended, ~~shall be controlling~~.

These rules are intended to implement Iowa Code chapter 97C.

[Filed 10/28/75, Notice 9/22/75—published 11/17/75, effective 12/23/75]

[Filed 7/19/79, Notice 6/13/79—published 8/8/79, effective 9/12/79]

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[Filed 9/24/82, Notice 8/18/82—published 10/13/82, effective 11/17/82]

[Filed 11/18/83, Notice 10/12/83—published 12/7/83, effective 1/11/84]

[Filed 4/17/87, Notice 3/11/87—published 5/6/87, effective 6/10/87]

[Filed 12/17/03, Notice 11/12/03—published 1/7/04, effective 2/11/04]

[Filed 4/7/06, Notice 3/1/06—published 4/26/06, effective 5/31/06]

CHAPTER 22
FEDERAL SOCIAL SECURITY

[Prior to 1/7/04, see 581—Ch 22]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

495—22.1(97C) General. To extend to the employees of the state of Iowa and its political subdivisions, agencies and instrumentalities the basic protections accorded by the old-age and survivors system embodied in Title II of the federal Social Security Act, on July 1, 1953, the state of Iowa signed a Section 218 Agreement with the Social Security Administration. That Section 218 Agreement, as implemented in Iowa Code chapter 97C, provides Social Security mandates and federal Social Security coverage for most Iowa public employees.

495—22.2(97C) Pre-January 1, 1987, duties. Prior to January 1, 1987, the agency had substantial responsibilities for administering withholding, depositing and reporting requirements for Social Security and Medicare taxes, including audit, tax collection, and dispute resolution responsibilities. Effective January 1, 1987, those responsibilities were mostly transferred to the federal Internal Revenue Service. Accordingly, the agency will assist employers with respect to wage reports, tax collections and adjustments only for the period prior to January 1, 1987.

495—22.3(97C) Post-January 1, 1987, duties.

22.3(1) The agency's responsibilities under the Section 218 Agreement are to administer and maintain the Section 218 Agreement by:

a. Maintaining physical custody of the master Section 218 Agreement, modifications, dissolutions, consolidations and intrastate and interstate coverage agreements.

b. Preparing Section 218 Agreement modifications to include additional covered employers, following the employer's submission of an IPERS Status Report form indicating the employer should be covered under the Iowa Public Employees' Retirement System.

c. Preparing Section 218 Agreement modifications to include additional coverage groups of employees when appropriate.

d. Preparing Section 218 Agreement modifications to remove covered employers, coverage groups, and to correct errors in prior modifications.

e. Providing advice on Section 218 Agreement optional exclusions applicable to Iowa employers and employees and advice on Iowa Code chapter 97C.

f. Providing the Social Security Administration with notice and supporting evidence of the legal dissolution or consolidation of covered entities.

g. Assisting with referenda for Social Security and Medicare coverage as set forth in Iowa Code chapter 97C.

h. Assisting in the resolution of coverage and taxation questions associated with the Section 218 Agreement and modifications.

i. Negotiating with the Social Security Administration to resolve contribution payment and wage reporting issues concerning wages paid before January 1, 1987.

j. Advising covered employers on Social Security and Medicare tax and withholding issues.

k. Serving as a bridge between covered employers and the Social Security Administration and the IRS by obtaining clarifications of laws, regulations and other appropriate information from other State Social Security administrators, the Social Security Administration, and the Internal Revenue Service.

22.3(2) IPERS is not responsible for Social Security and Medicare matters involving non-Section 218 Agreement employers and employees.

495—22.1(97C) Reports. To assist IPERS in fulfilling its responsibilities hereunder, all covered employers must provide such reports as IPERS may reasonably require. This reporting requirement is in addition to and does not supersede any federal reporting or other obligations imposed on covered employers in order for them to comply with the current and future withholding, reporting and submission of Social Security and Medicare taxes.

495—22.2(97C) Conflict of laws. In the event of any conflict between Iowa Code chapter 97C, these rules, and the provisions of the Social Security Act, as amended, control.

These rules are intended to implement Iowa Code chapter 97C.

[Filed 10/28/75, Notice 9/22/75—published 11/17/75, effective 12/23/75]

[Filed 7/19/79, Notice 6/13/79—published 8/8/79, effective 9/12/79]

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[Filed 11/18/83, Notice 10/12/83—published 12/7/83, effective 1/11/84]

[Filed 4/17/87, Notice 3/11/87—published 5/6/87, effective 6/10/87]

[Filed 12/17/03, Notice 11/12/03—published 1/7/04, effective 2/11/04]

[Filed 4/7/06, Notice 3/1/06—published 4/26/06, effective 5/31/06]

ARC 0190D**ADMINISTRATIVE RULES COORDINATOR[7]****Adopted and Filed****Rulemaking related to uniform rules on agency procedure**

The Administrative Rules Coordinator (ARC) hereby adopts new Chapter 2500, “Uniform Rules on Agency Procedure Definitions,” Chapter 2501, “Agency Procedure for Rulemaking,” Chapter 2502, “Petitions for Rulemaking,” Chapter 2503, “Declaratory Orders,” Chapter 2504, “Rule Waivers,” Chapter 2505, “Fair Information Practices,” and Chapter 2506, “Contested Cases,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code section 17A.24.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 17A.24.

Purpose and Summary

This rulemaking updates the uniform rules on agency procedure.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on February 4, 2026, as **ARC 0037D**. This rulemaking was also adopted and filed emergency and published in the Iowa Administrative Bulletin as **ARC 0038D** on the same date.

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on March 4, 2026. A public hearing was held on the following dates:

- March 24, 2026

No one attended the public hearing. No public comments were received. Changes to the uniform rules have been made based upon agency feedback.

Adoption of Rulemaking

This rulemaking was adopted by the ARC on March 16, 2026.

Fiscal Impact

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

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

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 ARC for a waiver of the discretionary provisions, if any, pursuant to Chapter 2504 and Iowa Code section 17A.9A.

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).

Effective Date

This rulemaking will become effective on May 6, 2026, at which time the Adopted and Filed Emergency rulemaking is hereby rescinded.

The following rulemaking action is adopted:

ITEM 1. Rescind 7—Chapter 2500 and adopt the following **new** chapter in lieu thereof:

CHAPTER 2500
UNIFORM RULES ON AGENCY PROCEDURE DEFINITIONS

7—2500.1(17A) Definitions. As used in this chapter and 7—Chapters 2501 through 2506:

“Agency” means the same as defined in Iowa Code section 17A.2 and means the agency on which these rules are imposed pursuant to Iowa Code section 17A.24.

“Agency’s address” means the agency’s physical or mailing address as listed on the agency’s website.

“Agency’s email” means the agency’s general contact email as listed on the agency’s website.

“Agency’s telephone number” means the agency’s telephone number as listed on the agency’s website.

This rule is intended to implement Iowa Code chapter 17A.

ITEM 2. Rescind 7—Chapter 2501 and adopt the following **new** chapter in lieu thereof:

CHAPTER 2501
AGENCY PROCEDURE FOR RULEMAKING

7—2501.1(17A) Rulemaking procedure. The agency will comply in all material respects with the rulemaking obligations established in Iowa Code chapter 17A, as may be amended from time to time by the general assembly, as well as any other guidance issued by the governor or general assembly. All future amendments to Iowa Code chapter 17A that impact the rulemaking process are incorporated herein by reference as of the effective date of any such change.

This rule is intended to implement Iowa Code chapter 17A.

ITEM 3. Rescind 7—Chapter 2502 and adopt the following **new** chapter in lieu thereof:

CHAPTER 2502
PETITIONS FOR RULEMAKING

7—2502.1(17A) Requesting rules be made. Any person may file a petition for rulemaking with the agency by submitting an original petition for rulemaking to the agency at the agency’s address or to the agency’s email. The petition is considered filed when received at either address. The agency will provide the petitioner with a file-stamped copy of the petition upon request. The agency can only accept petitions that are typewritten or legibly handwritten in ink. Petitioners are also obligated to submit the petition so that it substantially conforms to the following:

[AGENCY NAME]	
Petition by [name of petitioner] for the [adoption, amendment, or rescission] of rules relating to [state subject matter].	PETITION FOR RULEMAKING

Petitioners are obligated to provide the following information in the petition:

1. A statement of the specific rulemaking request from the petitioner that includes the text or a summary of the proposed rule or requested change to a rule. If the petition requests to change or rescind a rule, the petitioner is also directed to identify the rule by number and the language that the petitioner requests be changed or removed.

2. A citation to any law the petitioner believes supports the petitioner's request for the agency's ability to make or change the requested rule.

3. A summary of the petitioner's arguments in support of the action urged in the petition.

4. A summary of any data supporting the action urged in the petition.

5. The names and addresses of other persons, or a description of any group of persons, known by petitioner to be affected by or interested in the proposed request for changing or removing the rule.

6. Any request for a meeting provided for by rule 7—2502.3(17A) if desired.

2502.1(1) The petitioner is obligated to ensure the petition includes:

a. The signature of petitioner or petitioner's representative;

b. The date of signature;

c. The name, mailing address, email, and telephone number of the petitioner and petitioner's representative; and

d. Contact information for the person (petitioner or petitioner's representative) to whom the agency should direct communications concerning the petition.

2502.1(2) The agency may deny a petition if it does not substantially conform to requirements above.

7—2502.2(17A) Briefs. The petitioner may attach a brief to the petition in support of the petition. The agency may also request briefing concerning the petition.

7—2502.3(17A) Consideration by the agency.

2502.3(1) Within 14 days after the filing of a petition, the agency will submit a copy of the petition and any accompanying brief to the administrative rules coordinator and to the administrative rules review committee. Upon request by the petitioner, the agency will schedule an informal meeting with the petitioner to discuss the petition. The agency may request that the petitioner submit additional information or argument in support of the petition. The agency may request and receive comments from any person regarding the petition.

2502.3(2) Within 60 days after the filing of the petition, or a longer period if agreed to by the petitioner, the agency will provide its decision in writing regarding the petitioner's request. The agency may deny the petition and notify petitioner of its decision and the specific reasons for the denial, or the agency may grant the petition and notify petitioner that it has started rulemaking proceedings based upon the petitioner's request. The petitioner is considered properly notified of the denial or granting of the petition on the date when the agency mails or delivers by electronic means the notification to petitioner.

2502.3(3) Denial of a petition because it does not substantially conform to the requirements does not prevent the petitioner from filing a new petition.

These rules are intended to implement Iowa Code section 17A.7(1).

ITEM 4. Rescind 7—Chapter 2503 and adopt the following **new** chapter in lieu thereof:

CHAPTER 2503
DECLARATORY ORDERS

7—2503.1(17A) Petition for declaratory order.

2503.1(1) Any person may file a petition with the agency requesting that the agency issue a declaratory order in accordance with Iowa Code section 17A.9. The petition can only be reviewed by the agency if the agency has the authority to consider the petition. Petitioners seeking a declaratory order are obligated to file the petition at the agency's address or agency's email. The petition is considered filed when received at either address. The agency will provide the petitioner with a file-stamped copy of the

petition upon request. The agency can only accept petitions that are typewritten or legibly handwritten in ink. Petitioners are also obligated to submit the petition so that it substantially conforms to the following:

[AGENCY NAME]

Petition by [name of petitioner] for a declaratory order on [cite provisions of law involved].	PETITION FOR DECLARATORY ORDER
------------------------------------------------------------------------------------------------------	--------------------------------

Petitioners are obligated to provide the following information in the petition:

1. A clear and concise statement of all facts the petitioner believes relevant to the order requested.
2. A citation to and the language of the specific statutes, rules, policies, decisions, or orders the petitioner is affected by or has concerns about and any other relevant law.
3. A concise statement of the questions petitioner wants answered.
4. The petitioner's proposed answers to the questions, as well as any support for the proposed answers.
5. The reasons the petitioner is requesting the declaratory order and an explanation of why the petitioner is interested in the outcome.
6. A statement explaining whether the petitioner is currently a party to another proceeding involving the questions at issue and whether, to the petitioner's knowledge, those questions have been decided by, are pending determination by, or are under investigation by any agency or court of law.
7. The names and addresses of other persons, or a description of any group of persons, known by petitioner to be affected by or interested in the questions presented in the petition.
8. Any request by petitioner for a meeting with the agency to discuss the petition.

2503.1(2) The petitioner is obligated to ensure the petition includes:

- a. The signature of petitioner or petitioner's representative;
- b. The date of signature;
- c. The name, mailing address, email, and telephone number of the petitioner and petitioner's representative; and
- d. Contact information for the person (petitioner or petitioner's representative) to whom the agency should direct communications concerning the petition.

7—2503.2(17A) Notice of petition. The petitioner is obligated to serve the petition on interested parties in accordance with rule 7—2503.5(17A). Within 15 days after receipt of a petition for a declaratory order, the agency will give notice of the petition to all persons not served by the petitioner to the extent required by applicable law. The agency may also give notice to any other persons.

7—2503.3(17A) Intervention.

2503.3(1) A person who qualifies under the law as an intervenor may intervene in a proceeding for a declaratory order by filing a petition for intervention within 30 days of the notice provided in accordance with rule 7—2503.2(17A).

2503.3(2) If a person files a petition for intervention before a proceeding for a declaratory order concludes, the agency has discretion to allow the person to intervene.

2503.3(3) An intervenor seeking to intervene in a petition for declaratory order is obligated to file the petition for intervention at the agency's address or agency's email. The petition for intervention is considered filed when received at either address. The agency will provide the intervenor with a file-stamped copy of the petition upon request. The agency can only accept petitions for intervention that are typewritten or legibly handwritten in ink. Intervenors are also obligated to submit the petition so that it substantially conforms with the following:

[AGENCY NAME]

Petition by [name of original petitioner]
for the [adoption, amendment, or rescission]
of rules relating to [state subject matter].

PETITION FOR INTERVENTION

1. Facts supporting the intervenor's standing and qualifications for intervention.
2. The answers urged by the intervenor to the question or questions presented and a summary of the reasons urged in support of those answers.
3. Reasons for requesting intervention and disclosure of the intervenor's interest in the outcome.
4. Whether the intervenor is currently a party to any proceeding involving the questions at issue and whether, to the intervenor's knowledge, those questions have been decided by, are pending determination by, or are under investigation by any agency or court of law.
5. The names and addresses of any additional persons, or a description of any additional class of persons, known by the intervenor to be affected by or interested in the questions presented.
6. Whether the intervenor consents to be bound by the determination of the matters presented in the declaratory order proceeding.

2503.3(4) The intervenor is obligated to ensure the petition for intervention includes:

- a. The signature of intervenor or intervenor's representative;
- b. The date of signature;
- c. The name, mailing address, email, and telephone number of the intervenor and intervenor's representative; and
- d. Contact information for the person (intervenor or intervenor's representative) to whom the agency should direct communications concerning the petition for intervention.

7—2503.4(17A) Briefs. A petitioner or intervenor may file a brief in support of the position urged. The agency may request a brief from a petitioner, an intervenor, or any other person concerning the questions raised.

7—2503.5(17A) Filing and service of petitions and other papers.

2503.5(1) *Filing—when required.* All petitions for declaratory orders, petitions for intervention, briefs, or other papers in a proceeding for a declaratory order will be filed with the agency at the agency's address or agency's email.

2503.5(2) *When service required.* Except where otherwise provided by law, a person filing a petition for declaratory order, petition for intervention, brief, or other paper in a proceeding for a declaratory order is obligated to concurrently serve the document on each party to the proceeding and on all other persons identified in the petition for declaratory order or petition for intervention as affected by or interested in the questions presented. If the petitioner lacks sufficient information to effectuate service, the petitioner will notify the agency, and the agency will thereafter attempt to effectuate service on the interested person.

2503.5(3) *Method of service, time of filing, and proof of mailing or electronic delivery.* Rule 7—2506.12(17A) governs the method of service, time of filing, and proof of mailing or electronic delivery.

7—2503.6(17A) Consideration by the agency.

2503.6(1) *Meeting with the agency.* A meeting that is requested under subrule 2503.1(1) may involve one or more members of the agency and one or more members of staff of the agency.

2503.6(2) *Public comments.* The agency may solicit comments from any person on the questions raised in the petition. Any person may submit comments to the agency on the questions raised in the petition.

7—2503.7(17A) Action on petition. The chief executive of the agency or that person's designee will review the petition for declaratory order and take action on the petition in accordance with the statutory provisions and the timelines set forth in Iowa Code section 17A.9(5) and 17A.9(8).

7—2503.8(17A) Refusal to issue order.

2503.8(1) The agency will not issue a declaratory order if Iowa Code section 17A.9(1) does not allow it to. The agency may refuse to issue a declaratory order when:

- a. The petition does not substantially comply with the requirements of rule 7—2503.1(17A).
- b. The petition does not contain facts sufficient to demonstrate that the petitioner will be aggrieved or adversely affected if the agency does not issue an order.
- c. The agency does not have jurisdiction over the questions presented in the petition.
- d. The questions presented by the petition are also presented in a current rulemaking, contested case, or other agency or judicial proceeding that may definitively resolve them.
- e. The questions presented by the petition would more properly be resolved in a different type of proceeding or by another body with jurisdiction over the matter.
- f. The facts or questions presented in the petition are unclear, overbroad, insufficient, or otherwise inappropriate as a basis upon which to issue an order.
- g. There is no need to issue an order because a change in circumstances has eliminated the need to answer the questions raised in the petition.
- h. Instead of being based upon facts calculated to aid in the planning of future conduct, the petition is based upon previous conduct or seeks to challenge an agency decision already made.
- i. The requested order would necessarily determine the legal rights, duties, or responsibilities of other persons who have not joined in the petition, intervened separately, or filed a similar petition and whose position on the questions presented may fairly be presumed to be adverse to that of petitioner.
- j. The petitioner requests the agency to determine whether a statute is unconstitutional on its face.
- k. The petition seeks interpretation of a rule or statute that the agency does not have the authority to interpret.

2503.8(2) A refusal to issue a declaratory order will indicate the specific grounds for the refusal and constitutes final agency action on the petition.

2503.8(3) Refusal to issue a declaratory order under this rule does not prevent the filing of a new petition that seeks to eliminate the grounds for the refusal to issue an order.

7—2503.9(17A) Copies of orders. The agency will promptly mail to or email the original petitioner and all intervenors a copy of each order issued in response to a petition for a declaratory order.

7—2503.10(17A) Effect of a declaratory order.

2503.10(1) *Withdrawal.* The petitioner may voluntarily withdraw a petition by notifying the agency in writing at any time before the order is issued. The petitioner shall not withdraw a petition after the order is issued. A declaratory order, once issued, shall not be rescinded by the agency and cannot be withdrawn by the petitioner.

2503.10(2) *Binding effect.* A declaratory order has the same status and binding effect as a final order issued in a contested case proceeding. It is binding on the agency, the petitioner, and any intervenors (who consent to be bound) and is applicable only in circumstances where the relevant facts and the law involved are indistinguishable from those on which the order was based. As to all other persons, a declaratory order serves only as precedent and is not binding on the agency. The issuance of a declaratory order constitutes final agency action on the petition.

These rules are intended to implement Iowa Code section 17A.9.

ITEM 5. Rescind 7—Chapter 2504 and adopt the following **new** chapter in lieu thereof:

CHAPTER 2504
RULE WAIVERS

7—2504.1(17A) Application.

2504.1(1) Any person may submit a petition to waive, in whole or in part, any rule in the agency’s jurisdiction by submitting the petition to the agency.

2504.1(2) The petitioner bears the burden of persuasion to show by clear and convincing evidence all the factors provided in Iowa Code section 17A.9A(2).

2504.1(3) A petitioner seeking to have a rule waived is obligated to file the petition for waiver at the agency’s address or agency’s email. The petition for waiver is considered filed when received at either address. The agency will provide the petitioner with a file-stamped copy of the petition upon request. The agency can only accept petitions for waiver that are typewritten or legibly handwritten in ink. Petitioners are also obligated to submit the petition so that it substantially conforms with the following:

BEFORE THE [INSERT NAME OF AGENCY]	
Petition by [name of petitioner] for the waiver of [rule citation] related to [state subject matter].	PETITION FOR WAIVER

1. The petitioner’s name, mailing address, email, and telephone number or, if applicable, petitioner’s representative.
2. A description and citation of the rule(s) that are the subject of the petition.
3. The specific waiver requested, including the scope and duration of the waiver.
4. All relevant facts and reasons the petitioner believes justify the waiver, including specific information satisfying the requirements of subrule 2504.1(2).
5. If applicable, the case number of any contested case related to the petition.
6. If applicable, a history of all previous contacts between the petitioner and the agency that may relate to or be affected by the rule(s) that are the subject of the petition.
7. If known, information about the agency’s treatment of other persons in similar circumstances.
8. If known, the name and contact information of any person who would be adversely affected or disadvantaged if the agency waives the rule.
9. If applicable, signed releases from any person with knowledge relevant to the petition.
10. An attestation that all information in the petition is true and accurate.
11. A dated signature by the petitioner or, if applicable, petitioner’s representative.

7—2504.2(17A) Filing and service of petitions and other papers.

2504.2(1) *Filing—when required.* All petitions for waiver, petitions for intervention, briefs, or other papers in a proceeding for a waiver will be filed with the agency at the agency’s address or agency’s email.

2504.2(2) *When service required.* Except where otherwise provided by law, a person filing a petition for waiver, petition for intervention, brief, or other paper in a proceeding for a waiver is obligated to concurrently serve the document on each party to the proceeding and on all other persons identified in the petition for waiver or petition for intervention as affected by or interested in the questions presented. If the petitioner lacks sufficient information to effectuate service, the petitioner will notify the agency and the agency will thereafter attempt to effectuate service on the interested person.

2504.2(3) *Method of service, time of filing, and proof of mailing or electronic delivery.* Rule 7—2506.12(17A) governs the method of service, time of filing, and proof of mailing or electronic delivery.

7—2504.3(17A) Evaluation.

2504.3(1) The agency may notify the petitioner of the receipt of the petition.

2504.3(2) The agency will evaluate the petition in accordance with Iowa Code section 17A.9A. The agency may request additional information from the petitioner or any person as part of its evaluation of the petition.

a. Additional information will be obtained by an evidentiary hearing consistent with Iowa Code chapter 17A if:

- (1) The petition was filed with a request for a contested case;
- (2) An evidentiary hearing is required by any law; or
- (3) The agency requests an evidentiary hearing.

b. If an evidentiary hearing is not required, the agency's request for additional information may be informal.

7—2504.4(17A) Issuance.

2504.4(1) The agency will issue a written decision granting or denying the petition.

2504.4(2) After issuing a decision, the agency will index, file, make publicly available, and transmit its decision as required by Iowa Code section 17A.9A(4).

2504.4(3) If the agency does not issue a decision on a petition for waiver within 180 days from the date of its receipt by the agency, the petition is deemed denied.

2504.4(4) If the agency grants a petition in whole or in part, the waiver granted will comply with the requirements of Iowa Code section 17A.9A(3), including content, duration, conditions, and renewability.

7—2504.5(17A) Remedies.

2504.5(1) With appropriate notice, the agency may withdraw, cancel, or modify any waiver granted under this rule if the agency issues a written order finding one or more of the following:

- a.* The petitioner withheld or misrepresented material facts in the petition;
- b.* The waiver no longer adequately protects the public health, safety, and welfare;
- c.* The waiver may burden the substantial rights of any person; or
- d.* The petitioner has not complied with any of the waiver conditions imposed by the agency.

2504.5(2) A petitioner aggrieved by any final order of the agency may seek judicial review in accordance with Iowa Code chapter 17A.

These rules are intended to implement Iowa Code section 17A.9A.

ITEM 6. Rescind 7—Chapter 2505 and adopt the following **new** chapter in lieu thereof:

CHAPTER 2505
FAIR INFORMATION PRACTICES

7—2505.1(17A,22) Definitions. As used in this chapter:

“Confidential record” means a record that is not available for examination under applicable law.

“Lawful custodian” means the same as defined in Iowa Code section 22.1.

“Personally identifiable information” means information contained in a record that is about or pertains to an individual that identifies or that could be used to identify an individual.

“Public records” means the same as defined in Iowa Code section 22.1.

7—2505.2(17A,22) Statement of policy. The purpose of this chapter is to facilitate broad public access to public records. The chapter also seeks to facilitate sound agency determinations with respect to the handling of confidential records and the implementation of the fair information practices Act. This agency is committed to the policies set forth in Iowa Code chapter 22; agency staff are obligated to cooperate with members of the public in implementing the provisions of that chapter. To the extent an exemption to the release of a requested public record exists in the Iowa Code, whether based on confidentiality or otherwise, the Iowa Code provision governs. To the extent the Iowa Code does not exempt the release of such a record, the administrative rules govern.

7—2505.3(17A,22) Requests for access to records.

2505.3(1) *Location of record.* A request for access to public records should be directed to the agency's address, the agency's email, or the agency's office where the record is kept. Agency staff will promptly forward public records requests to the lawful custodian when such a request is misdirected.

2505.3(2) *Office hours.* The agency is obligated to provide access to the public records it maintains during its regular office hours. The agency will post the schedule of these office hours on the agency's website to facilitate access to public records.

2505.3(3) *Request for access.* Requests for access to public records maintained by the agency shall be made, whenever possible, by email. Otherwise, requests can be made in writing, in person, by telephone using the agency's telephone number, or through other electronic means made available by the agency. Requests should identify the particular public records sought by name or description in order to facilitate identification of relevant public records. Requests should include the name, address, email, and telephone number of the person requesting the information. A member of the public need not give a reason for requesting public records. For public records requests that involve searches of electronic stores of information, the agency may condition the search on the requester providing search terms for the search.

2505.3(4) *Response to requests.* Access to public records will be provided promptly upon request unless the size or nature of the request requires additional time to complete. If the size or nature of the request causes a delay in compliance, the lawful custodian will comply with the request as soon as feasible. Access to public records may be delayed for one of the purposes authorized by Iowa Code section 22.8(4) or 22.10(4). The lawful custodian will promptly give notice to the requester of the reason for any delay in access to public records and an estimate of the length of that delay and, upon request, will promptly provide that notice to the requester in writing.

The agency that maintains a record claimed to be a public record may deny access to the record only if a denial is appropriate under Iowa Code sections 22.8(4) and 22.10(4) or based on a reasonable belief that the record is a confidential record or that its disclosure is prohibited by a court order. In addition, access to confidential records is generally not allowed. However, access may be allowed pursuant to the provisions of rule 7—2505.4(17A,22), as well as other applicable provisions of law.

2505.3(5) *Security of record.* No person may, without permission from the lawful custodian, search or remove any public record from the agency's files. Examination and copying or transmission of agency public records will be supervised by the lawful custodian or that person's designee. Public records will be protected from damage and disorganization.

2505.3(6) *Copying.* Electronic copies of records will be provided in response to a public records request whenever possible. When physical paper copies are demanded by a requester, a reasonable number of such physical copies of a public record may be made in the agency's office. If photocopy equipment is not available in the office where a public record is kept, the lawful custodian will permit its examination in that office and arrange to have copies promptly made elsewhere.

2505.3(7) *Fees.*

a. When charged. The agency may charge fees in connection with the examination or copying of public records only if the fees are allowed under the law. To the extent permitted by applicable law, the payment of fees may be waived when the imposition of fees is inequitable or when a waiver is in the public interest. The determination of whether to waive fees is in the sole discretion of the agency.

b. Fees and costs. The agency may charge for the actual cost of producing public records. These charges may include the actual cost of making photocopies, the actual cost of media necessary to convey electronic copies of public records, and the actual costs of mailing public records. Pricing schedules for these actual costs will be prominently posted on the agency's website. The agency may also charge for the expense associated with supervising and searching for public records. These hourly charges will be based on the actual hourly rate of the person performing the task. The agency will ensure that the employee rate charged is as low as possible based on the circumstances. The agency may impose hourly charges only after the first three hours of labor, which will be provided at no cost to the requester. For any additional review by the agency to address questions of confidentiality, the agency may charge the requester the actual hourly rate of the attorney performing the review, although the first three hours of the attorney's time will be provided at no cost to the requester.

c. Advance payment. When the estimated total fee exceeds \$250, the agency may require an advance payment from the requester to cover all or a part of the estimated fee before proceeding with the work of gathering and reviewing potentially relevant records. If a requester has an unpaid balance from a previous records request, the agency may require the requester to pay both the unpaid balance and the current estimate, regardless of value, before proceeding with the review of public records.

7—2505.4(17A,22) Access to confidential records. If the agency reasonably believes that a record is or may be confidential, the following procedures apply to requests for access to the record and are in addition to other rules specified for access to public records.

2505.4(1) Support for claimed access. The agency may require a person requesting access to a potentially confidential record to provide proof of identity as well as proof of the person's authority to secure access to the record. The lawful custodian may also compel the requester to submit the request in writing and sign a certified statement or affidavit that the requester is entitled to access the record.

2505.4(2) Notice to subject of record. Before releasing a potentially confidential record, an agency may make reasonable efforts to notify the confidentiality claimant or any person whose information is in the records that may be subject to a claim of confidentiality. A "confidentiality claimant" is a person who has claimed confidentiality of a record or whose personally identifiable information is in a record.

2505.4(3) Injunction—notice to the confidentiality claimant. If practical and in the public interest, the lawful custodian may delay release for a reasonable period of time and notify the confidentiality claimant of the person's right to seek an injunction under Iowa Code section 22.8. Any notice provided to the confidentiality claimant in this regard will identify the time allowed the confidentiality claimant to seek an injunction. Failure to file an injunction after notice constitutes waiver of the confidentiality claim.

2505.4(4) Request denied—notice to the requester. When the lawful custodian denies a request for access to a potentially confidential record, the lawful custodian will promptly notify the requester. Written notification of the denial will be provided upon request, and this notification will include the name and title or position of the lawful custodian, as well as the legal reason for the denial and a brief explanation.

2505.4(5) Request granted. When the lawful custodian grants a request for access to a potentially confidential record, the lawful custodian will notify the person granted access of any lawful limitations the custodian imposes on that person's examination and copying of the record.

2505.4(6) Redactions. The lawful custodian may but is not compelled to redact confidential information from a document so that nonconfidential portions of the record can be provided to a requester. If the requester receives a redacted record and later requests access to the unredacted version of the record, the custodian may deny the request or notify the confidentiality claimant so the claimant may seek an injunction under subrule 2505.4(3).

2505.4(7) Timing of decision. The lawful custodian may decide whether a record is confidential at any time.

7—2505.5(17A,22) Requests for treatment of a record as a confidential record and its withholding from examination. Requests to the agency to treat a record as confidential will be addressed in accordance with the following rules. The lawful custodian may treat a record as a confidential record and withhold it from examination only in accordance with applicable law.

2505.5(1) Persons who may request. Persons who believe they may be harmed by a potential disclosure of a record may request that the lawful custodian declare the record as confidential.

2505.5(2) Request. Any person may submit a request to treat a record as confidential. To be valid, the request will:

- a. Be in writing,
- b. Be filed with the lawful custodian,
- c. Explain the legal and factual reasons the record should be confidential,
- d. Include the requester's contact information, and
- e. Be accompanied by a redacted copy of the record.

The lawful custodian may also require a signed statement or affidavit supporting the confidentiality claim. If the request for confidentiality is for a specific period of time, the requester is also obligated to identify the time frame.

2505.5(3) Failure to request. The lawful custodian may treat a record as confidential even if no person files a request to treat the record as confidential. However, the agency has discretion to determine whether voluntary submission of an unredacted record to the agency, such as in the context of a bidder submitting an unredacted bid in response to a procurement, constitutes waiver of any argument that the person may have had that the record is in fact confidential.

7—2505.6(17A,22) Procedure by which additions, dissents, or objections may be entered into certain records. Unless prohibited by law, a person may file a request with the lawful custodian to review, and have a written statement of additions, dissents, or objections entered into, a record containing personally identifiable information pertaining to that person. The requester must send the request and written statement of additions, dissents, or objections to the lawful custodian or to the agency at the agency's address or agency's email. The request must be dated and signed by requester and the requester's representative, if any, and must include the current address, email, and telephone number of the requester and the requester's representative, if any. A person who is a subject of such a record shall not alter the original record and shall not expand the official record of any agency proceeding, except as set forth in this rule. An agency's need to preserve the original record as required by applicable law is a valid reason for denying a request to modify the agency's records.

7—2505.7(17A,22) Consent to disclosure by the subject of a confidential record. To the extent permitted by law, a person who is the subject of a confidential record may have the portion of the record concerning that person disclosed to a third party. A request for such a disclosure must be in writing, identify the particular record or records to disclose, identify the person or class of persons to whom the record may be disclosed, and state when and where the disclosure should be made. The lawful custodian may require the requester and, where applicable, the person to whom the record is to be disclosed to provide proof of identity and may, when necessary, impose additional obligations for special classes of records. Except where legally prohibited, a request by a person's attorney is presumed to be a request by the person to disclose records about that person to the attorney. The attorney making such request may be required to show proof of representation.

7—2505.8(17A,22) Notice to suppliers of information. When the agency requests a person to supply information about that person, the agency will notify the person of the use that will be made of the information, which persons outside the agency might routinely be provided this information, which parts of the requested information are mandatory and which are optional, and the consequences of a failure to provide the information requested. This notice may be given in a manner that the agency in its discretion deems appropriate to adequately notify the person in accordance with this rule.

These rules are intended to implement Iowa Code chapters 17A and 22.

ITEM 7. Rescind 7—Chapter 2506 and adopt the following **new** chapter in lieu thereof:

CHAPTER 2506 CONTESTED CASES

7—2506.1(17A) Scope and applicability. This chapter applies to contested case proceedings conducted by the agency, including vendor appeals.

7—2506.2(17A) Definitions. Except where otherwise specifically defined by law:

“*Contested case*” means a proceeding defined by Iowa Code section 17A.2(5) and includes any matter defined as a no factual dispute contested case under Iowa Code section 17A.10A.

“*Issuance*” means the date of mailing or electronic filing of a decision or order or date of delivery if service is by other means unless another date is specified in the order.

“Party” means each person named or admitted as a party or properly seeking and entitled as of right to be admitted as a party.

“Presiding officer” means the person designated pursuant to Iowa Code section 17A.11.

“Proposed decision” means the presiding officer’s recommended findings of fact, conclusions of law, decision, and order in a contested case in which the agency did not preside.

7—2506.3(17A) Time obligations.

2506.3(1) Time is computed as provided in Iowa Code section 4.1(34).

2506.3(2) For good cause, the presiding officer may extend or shorten the time to take any action, except when prohibited by statute. Except for good cause stated in the record, before extending or shortening the time to take any action, the presiding officer will afford all parties an opportunity to be heard or to file written arguments.

7—2506.4(17A) Electronic requests for contested case proceeding.

2506.4(1) A person entitled to a contested case proceeding shall, whenever possible, electronically file written request for such a proceeding within the time specified by the governing rules or statutes or, if no rule or statute sets such a time, the time set by the agency.

2506.4(2) The request for a contested case proceeding must state the name, email, and address of the requester and identify the specific agency action disputed. Where the requester is represented by an attorney, the request must identify the law or precedent requiring or authorizing the holding of a contested case proceeding and include a short and plain statement of the issues of material fact in dispute.

7—2506.5(17A) Notice of hearing.

2506.5(1) *Delivery.* The agency will deliver notice of a hearing. Delivery shall, whenever possible, be effectuated through electronic means. Otherwise, delivery can be effectuated by:

- a. Personal service as provided in the Iowa Rules of Civil Procedure; or
- b. Certified mail, return receipt requested; or
- c. First-class mail; or
- d. Publication as provided in the Iowa Rules of Civil Procedure.

2506.5(2) *Contents.* The notice of hearing must state:

- a. The time, place, and nature of the hearing;
- b. The legal authority and jurisdiction under which the hearing is to be held;
- c. The particular sections of the statutes and rules involved;
- d. Briefly and plainly, the matters asserted. If a party cannot state the matters in detail when the notice is served, the party may limit the initial notice to a statement of the issues involved but must supplement it with a more definite and detailed statement if requested by another party;
- e. All parties, including the name, address, and telephone number of the person who will advocate for each party;
- f. The procedural rules governing conduct of the contested case proceeding;
- g. The procedural rules governing informal settlement, which can occur at any time;
- h. The identity of the presiding officer, if known, or, if not, a description of who will serve as presiding officer; and
- i. The deadline to request under Iowa Code section 17A.11 and rule 7—2506.6(17A) that the presiding officer be an administrative law judge.

7—2506.6(17A) Presiding officer.

2506.6(1) Any party that wants an administrative law judge employed by the department of inspections, appeals, and licensing to serve as the presiding officer must file a request. The deadline for that request is 20 days after service of a notice of hearing that identifies someone other than an administrative law judge as the presiding officer.

2506.6(2) The agency or its designee may deny the request for any of the reasons set forth in Iowa Code section 17A.11(1)“a.”

2506.6(3) The agency or its designee is obligated to issue a written ruling specifying the grounds for its decision within 20 days after a request for an administrative law judge is filed.

2506.6(4) Except as otherwise prohibited by law, all final rulings by an administrative law judge acting as presiding officer are subject to appeal to the agency. A party is obligated to seek any available appeal to the agency in order to exhaust available administrative remedies.

2506.6(5) Except as otherwise set forth in law, heads of agencies and members of governmental agencies, when reviewing a proposed decision upon appeal to the agency, have the powers and duties of this chapter applicable to presiding officers.

7—2506.7(17A) Waiver of procedures. Unless otherwise prohibited by law, the parties in a contested case proceeding may waive any portion of this chapter. However, the agency in its discretion may refuse to give effect to such a waiver when it deems the waiver to be inconsistent with the public interest.

7—2506.8(17A) Telephone proceedings. The presiding officer may resolve preliminary procedural motions by telephone or videoconference in which all parties have an opportunity to participate. Other telephone proceedings may be held with the consent of all parties. The presiding officer will determine the location of the parties and witnesses for telephone hearings. The convenience of the witnesses or parties, as well as the nature of the case, must be considered when a location is chosen.

7—2506.9(17A) Disqualification.

2506.9(1) A presiding officer or other person must withdraw from participation in the making of any proposed or final decision in a contested case if that person:

- a. Has a personal bias or prejudice concerning a party or a representative of a party;
- b. Has personally investigated, prosecuted, or advocated in connection with that case, the specific controversy underlying that case, another pending factually related contested case, or a pending factually related controversy that may culminate in a contested case involving the same parties;
- c. Is subject to the authority, direction or discretion of any person who has personally investigated, prosecuted, or advocated in connection with that contested case, the specific controversy underlying that contested case, or a pending factually related contested case or controversy involving the same parties;
- d. Has acted as counsel to any person who is a private party to that proceeding within the past two years;
- e. Has a personal financial interest in the outcome of the case or any other significant personal interest that could be substantially affected by the outcome of the case;
- f. Has a spouse or relative within the third degree of relationship who is:
 - (1) A party to the case or an officer, director or trustee of a party;
 - (2) An attorney in the case;
 - (3) Known to have an interest that could be substantially affected by the outcome of the case; or
 - (4) Likely to be a material witness in the case; or
- g. Has any other legally sufficient cause to withdraw from participation in the decision making in that case.

2506.9(2) The term “personally investigated” means taking affirmative steps to interview witnesses directly or to obtain documents or other information directly. The term does not include general direction and supervision of assigned investigators, unsolicited receipt of information relayed to assigned investigators, review of another person’s investigative work product in the course of determining whether there is probable cause to initiate a proceeding, or exposure to factual information while performing other agency functions, including fact gathering for purposes other than investigation of the matter that culminates in a contested case. If the presiding officer in the case has received factual information relevant to the merits of a contested case before being assigned as the presiding officer, the presiding officer is obligated to disclose that information to the parties to the extent required by Iowa Code section 17A.17(3) and subrules 2506.9(3) and 2506.23(9).

2506.9(3) A party that believes a presiding officer is disqualified must file a motion supported by an affidavit in accordance with Iowa Code section 17A.17(7). The motion must be filed as soon as practicable after the reason alleged in the motion becomes known to the party.

a. If a party during the course of the hearing becomes aware of evidence of bias or other grounds for disqualification, the party may move for disqualification at that time but must establish the grounds introducing the evidence into the record.

b. If disqualification is required, the presiding officer or other person is obligated to withdraw. If withdrawal is not required, the presiding officer will enter an order to that effect. A party asserting disqualification may seek an interlocutory appeal under rule 7—2506.25(17A) and seek a stay under rule 7—2506.29(17A).

7—2506.10(17A) Consolidation—severance.

2506.10(1) Consolidation. The presiding officer may consolidate matters at issue in two or more contested case proceedings if:

- a.* The matters involve common parties or common questions of fact or law;
- b.* Consolidation would expedite and simplify consideration of the issues involved; and
- c.* Consolidation would not adversely affect the rights of any of the parties to those proceedings.

2506.10(2) Severance. The presiding officer may, for good cause shown, order any contested case or portion of a contested case severed.

7—2506.11(17A) Pleadings.

2506.11(1) Filing requirements. Filing requirements may be imposed by rule, by the notice of hearing, or by order of the presiding officer.

2506.11(2) Petition.

a. Any necessary petition in a contested case proceeding will be filed within 20 days of delivery of the notice of hearing or subsequent order of the presiding officer unless otherwise ordered.

b. A petition will state in separately numbered paragraphs the following:

- (1) The persons or entities on whose behalf the petition is filed;
- (2) The particular provisions of statutes and rules involved;
- (3) The relief demanded and the facts and law relied upon for such relief; and
- (4) The name, address, email, and telephone number of the petitioner and the petitioner's attorney, if any.

2506.11(3) Answer. A party against whom a petition is filed must file an answer within 20 days of service of the petition unless otherwise ordered. A party may instead move to dismiss or apply for a more definite and detailed statement when appropriate.

a. An answer must state on whose behalf it is filed and specifically admit, deny, or otherwise answer all material allegations of the pleading to which it responds. It must state all facts deemed to show an affirmative defense and contain as many additional defenses as the pleader may claim.

b. An answer must state the name, address, email, and telephone number of the person filing the answer, the person or entity on whose behalf it is filed, and the attorney representing that person, if any.

c. Any allegation in the petition not denied in the answer is considered admitted. If a defense could have been raised in the answer but was not, the presiding officer may refuse to consider it if doing so would prejudice any party.

2506.11(4) Amendment. Any notice of hearing, petition, or other charging document may be amended before a responsive pleading has been filed. Amendments to pleadings after a responsive pleading has been filed and to an answer may be allowed with the consent of the other parties or in the discretion of the presiding officer who may impose terms or grant a continuance.

7—2506.12(17A) Electronic service and filing of pleadings and other papers.

2506.12(1) Filing and service electronically. Every pleading, motion, document, or other paper that is filed or served shall be executed electronically whenever possible. Filing or service by a non-electronic method can only be upon a showing to the presiding officer of undue hardship to use email.

2506.12(2) When service mandated. Except where otherwise provided by law, every pleading, motion, document, or other paper filed in a contested case proceeding and every paper relating to discovery in such a proceeding must be served upon each of the parties of record to the proceeding, including the person designated as advocate or prosecutor for the state or the agency. Service must be

at the same time as filing. Except for the original notice of hearing and an application for rehearing, as described in Iowa Code section 17A.16(2), the party filing a document is responsible for service on all parties.

2506.12(3) Service—how made. Service upon a party represented by an attorney will be made upon the attorney unless otherwise ordered. Service shall be made electronically or, to the extent permitted in subrule 2506.12(1), by mailing a hard copy to the person's last-known address. Service by mail is complete upon mailing, except where otherwise specifically provided by statute, rule, or order.

2506.12(4) Filing—when mandated. After the notice of hearing, all pleadings, motions, documents or other papers in a contested case proceeding must be filed with the agency at the agency's address or agency's email. All pleadings, motions, documents or other papers that need to be served upon a party must be filed with the agency at the same time they are served.

2506.12(5) Filing—when made. Except where otherwise provided by law, a document is deemed filed at the time it is submitted to the department of inspections, appeals, and licensing electronic filing system, submitted to a separate agency electronic filing system, delivered to the agency's address or agency's email, delivered to an established courier service for immediate delivery to that office, or mailed by first-class mail or state interoffice mail to that office, so long as there is proof of mailing.

2506.12(6) Copies by email. Whenever possible, the parties shall provide opposing parties copies of all filings by email.

2506.12(7) Proof of mailing. In circumstances where non-electronic service is approved by the presiding officer, a proof of mailing is required, which includes either a legible United States Postal Service postmark on the envelope, a certificate of service, or a certification in substantially the following form:

I certify under penalty of perjury under the laws of Iowa that, on (date of mailing), I mailed copies of (describe document) addressed to the agency at the agency's address, and to the names and addresses of the parties listed below by depositing the same in (method of delivery).

(Date) (Signature)

7—2506.13(17A) Discovery.

2506.13(1) Discovery procedures applicable in civil actions are applicable in contested cases. Unless lengthened or shortened by these rules or by order of the presiding officer, time periods for compliance with discovery are as set forth in the Iowa Rules of Civil Procedure. No new discovery under Iowa Rules of Civil Procedure 1.509, 1.510, and 1.512 may be served within 40 days of the scheduled hearing. All discovery must be completed no later than ten days before the scheduled hearing.

2506.13(2) Parties must not file motions relating to discovery unless they have first in good faith attempted to resolve the issue with the opposing party. A party filing a discovery motion must certify, under penalty of perjury, that it has made that good-faith attempt. Lack of such a certificate constitutes sufficient grounds for denying the motion.

2506.13(3) Unless shortened in accordance with subrule 2506.13(1), a discovery motion is ripe for ruling by the presiding officer ten days after the motion is filed. Opposing parties may file a response within that time. The presiding officer may order argument or rule on the parties' filings.

2506.13(4) Evidence obtained in discovery may be used in the contested case proceeding if that evidence would otherwise be admissible in that proceeding.

7—2506.14(17A) Subpoenas.

2506.14(1) Issuance.

a. A presiding officer must issue a subpoena upon a party's written request. Unless there is good cause, a party must request a witness subpoena at least three days before the scheduled hearing. The request will include the name, address, email, and telephone number of the requesting party.

b. Except as otherwise set forth by law, parties are responsible for serving their own subpoenas and for paying witness fees and mileage expenses. Subpoenas that do not include the required witness fees and mileage expenses are not valid.

2506.14(2) *Motion to quash or modify.* The presiding officer may quash or modify a subpoena in accordance with the Iowa Rules of Civil Procedure. A motion to quash or modify a subpoena will be set for argument promptly.

7—2506.15(17A) Motions.

2506.15(1) Motions are not required to be in a particular form. However, prehearing motions are to be in writing, state the grounds for relief, and state the relief sought.

2506.15(2) Any party may file a written response to a motion within ten days after the motion is served unless the time period is extended or shortened by rules of the agency or the presiding officer. The presiding officer may consider a failure to respond within the time period in ruling on a motion.

2506.15(3) The presiding officer may schedule oral argument on any motion.

2506.15(4) Unless there is good cause, motions pertaining to the hearing, except motions for summary judgment, must be filed and served at least ten days before the date of hearing. This time may be lengthened or shortened by rule of the agency or an order of the presiding officer.

2506.15(5) Motions for summary judgment.

a. Iowa Rules of Civil Procedure 1.981 through 1.983 govern motions for summary judgment, except where they conflict with this rule or legal requirements governing contested case proceedings.

b. Motions for summary judgment must be filed and served at least 45 days before the scheduled hearing date. Any party resisting the motion then has 15 days to file and serve a resistance. The time fixed for hearing or nonoral submission will be not less than 20 days after the filing of the motion. The presiding officer may by order change any of these deadlines. An order rendering summary judgment on all issues in a contested case is subject to rehearing pursuant to rule 7—2506.28(17A) and appeal pursuant to rule 7—2506.27(17A).

7—2506.16(17A) Prehearing conference.

2506.16(1) Any party may request a prehearing conference. A written request for prehearing conference or an order for prehearing conference on the presiding officer's own motion will be filed not less than seven days before the hearing date. A prehearing conference will be scheduled not less than three business days before the hearing date. The presiding officer may change these deadlines for good cause.

2506.16(2) Witness and exhibit lists.

a. Each party will bring to the prehearing conference a final list of:

(1) The witnesses whom the party anticipates will testify at hearing. Unless there is good cause for the omission, the presiding officer may exclude the testimony of unlisted witnesses; and

(2) Exhibits that the party anticipates will be introduced at hearing. Unless there is good cause for the omission, the presiding officer may exclude unlisted, non-rebuttal exhibits.

b. Witness or exhibit lists may be amended subsequent to the prehearing conference within the time limits established by the presiding officer at the prehearing conference. Any such amendments are to be served on all parties.

2506.16(3) The parties at a prehearing conference may:

a. Stipulate to law or fact;

b. Stipulate to the admissibility of exhibits;

c. Identify matters that the parties intend to request be officially noticed;

d. Consider any additional matters that will expedite the hearing.

2506.16(4) Prehearing conferences will be conducted by telephone unless otherwise ordered. Parties are obligated to exchange and receive witness and exhibit lists before the conference.

7—2506.17(17A) Continuances. Applications for continuances can be made to the presiding officer.

2506.17(1) A written application for a continuance will:

a. Be made at the earliest possible time and no less than seven days before the hearing, except in case of unanticipated emergencies;

b. State the specific reasons for the request; and

c. Be signed by the requesting party or the party's representative.

No application for continuance will be made or granted without notice to all parties, except in an emergency where notice is not feasible. The agency may waive notice of such requests for a particular case or an entire class of cases.

2506.17(2) In determining whether to grant a continuance, the presiding officer may consider:

- a. Prior continuances;
- b. The interests of all parties;
- c. The likelihood of informal settlement;
- d. The existence of an emergency;
- e. Any objection;
- f. Any applicable time obligations;
- g. The existence of a conflict in the schedules of counsel, parties, or witnesses;
- h. The timeliness of the request; and
- i. Other relevant factors.

The presiding officer may order a party to furnish evidence of facts supporting or opposing the request.

7—2506.18(17A) Withdrawals. A party requesting a contested case proceeding may withdraw that request only in accordance with agency rules. Unless otherwise provided, a withdrawal will be with prejudice.

7—2506.19(17A) Intervention.

2506.19(1) *Motion.* A motion for leave to intervene in a contested case proceeding must state the grounds for the proposed intervention, the position and interest of the proposed intervenor, and the possible impact of intervention on the proceeding. The proposed intervenor must attach a proposed answer or petition in intervention, as appropriate, to the motion. Any party may file a response within 14 days of service of the motion to intervene unless the time period is extended or shortened by the presiding officer.

2506.19(2) *When filed.* A motion for leave to intervene must be filed as early as possible to avoid prejudice on existing parties or the conduct of the proceeding and, at any rate, before the prehearing conference, if any, or at least 20 days before the date scheduled for hearing. Later motions must show good cause for being untimely. Unless inequitable or unjust, an intervenor is bound by any agreement, arrangement, or other matter previously raised in the case. Requests by untimely intervenors for continuances that would delay the proceeding will ordinarily be denied.

2506.19(3) *Grounds for intervention.* The proposed intervenor must show that:

- a. Intervention would not unduly prolong the proceedings or otherwise prejudice the rights of existing parties;
- b. It is likely to be aggrieved or adversely affected by a final order in the proceeding; and
- c. Its interests are not adequately represented by existing parties.

2506.19(4) *Effect of intervention.* A person granted leave to intervene is a party to the proceeding. If appropriate, the presiding officer may order consolidation of the petitions and briefs of different parties whose interests are aligned with each other and limit the number of representatives allowed to participate actively in the proceedings. The order granting intervention may limit the issues the intervenor is allowed to raise or otherwise condition the intervenor's participation in the proceeding.

7—2506.20(17A) Hearing procedures.

2506.20(1) The presiding officer presides at the hearing and may rule on motions, impose obligations to submit briefs, issue a proposed decision, and issue orders and rulings to ensure the orderly conduct of the proceedings.

2506.20(2) All objections must be made timely and stated on the record.

2506.20(3) Parties have the right to participate or to be represented in all hearings or prehearing conferences related to their case. Partnerships, corporations, limited-liability companies, and associations may be represented by any member, officer, director, or duly authorized agent. Any party may be represented by an attorney or another person authorized by law. An attorney admitted pro hoc vice in

accordance with the Iowa rules of court to practice in an agency administrative action in accordance with Iowa Court Rule 31.14 is obligated to have an in-state attorney present at every interaction with the presiding officer.

2506.20(4) Subject to terms and conditions prescribed by the presiding officer, parties have the right to introduce evidence on issues of material fact, cross-examine witnesses present at the hearing as necessary for a full and true disclosure of the facts, present evidence in rebuttal, and submit briefs and engage in oral argument.

2506.20(5) The presiding officer will maintain the decorum of the hearing and may refuse to admit or may expel anyone whose conduct is disorderly.

2506.20(6) Witnesses may be sequestered during the hearing.

2506.20(7) The presiding officer must conduct the hearing in the following manner:

a. The presiding officer will give an opening statement briefly describing the nature of the proceedings;

b. The parties will be given an opportunity to present opening statements;

c. Parties will present their cases in the sequence determined by the presiding officer;

d. Each witness will be sworn or affirmed by the presiding officer or the court reporter and be subject to examination and cross-examination. The presiding officer may limit questioning in a manner consistent with law;

e. When all parties and witnesses have been heard, parties may be given the opportunity to present final arguments.

7—2506.21(17A) Evidence.

2506.21(1) The presiding officer will rule on admissibility of evidence as provided in Iowa Code section 17A.14 and may, where appropriate, take official notice of facts in accordance with all applicable legal obligations.

2506.21(2) Stipulation of facts is encouraged. The presiding officer may make a decision based on stipulated facts.

2506.21(3) Evidence in the proceeding will be confined to the issues identified at the prehearing conference or in the notice of hearing, as appropriate. A party may waive its right to prehearing notice. The presiding officer may, for good cause, expand the issues to be considered and admit evidence on those issues. In that case, a party that objects to the expansion is, upon timely request, entitled to a continuance sufficient to amend pleadings and to prepare on the additional issue.

2506.21(4) The presiding officer will not rule on the admissibility of an exhibit until opposing parties have had an opportunity to examine it. Parties should ordinarily furnish copies of exhibits to opposing parties before a hearing to prevent unnecessary delay during the hearing. All exhibits admitted into evidence will be appropriately marked and made part of the record.

2506.21(5) Any party may object to specific evidence or request limits on the scope of any examination or cross-examination. Each objection must be accompanied by a brief statement of the grounds upon which it is based. The objection, the ruling on the objection, and the reasons for the ruling will be noted in the record. The presiding officer may rule on the objection when it is made or may reserve a ruling until the written decision.

2506.21(6) Whenever evidence is ruled inadmissible, the party offering that evidence may submit an offer of proof on the record. The party making the offer of proof for excluded oral testimony will briefly summarize the testimony or, with permission of the presiding officer, present the testimony. If the excluded evidence is a document or exhibit, it will be marked as part of an offer of proof and inserted in the record.

7—2506.22(17A) Default.

2506.22(1) If a party does not appear or participate in a contested case proceeding after proper notice, the presiding officer may render a default or proceed with the hearing and render a decision in the absence of the party.

2506.22(2) Where appropriate, any party may move for default against a party who has requested the contested case proceeding and has not filed a necessary pleading or has not appeared after proper service.

2506.22(3) Default decisions and decisions rendered on the merits after a party has not appeared or participated are final agency actions from which a party may appeal under rule 7—2506.27(17A). A party against whom such a decision has been rendered may file a motion to vacate within 15 days, or other period specified by statute, after the date of notification or mailing of the decision. A motion to vacate must state all facts that establish good cause for that party's non-appearance or non-participation. Each such fact must be supported by at least one sworn affidavit of a person with personal knowledge, which affidavit must be attached to the motion.

2506.22(4) The time for further appeal of a decision is stayed while a timely motion to vacate is pending.

2506.22(5) A presiding officer may grant a motion to vacate only if it is timely and establishes good cause for the movant's non-appearance or non-participation. The burden of proof as to good cause is on the moving party. Opposed parties have ten days to respond to a motion to vacate. If the response includes a request to do so, an opposing party may conduct discovery into the issue of good cause and present evidence on that issue before the presiding officer decides the motion.

2506.22(6) "Good cause" for purposes of this rule has the same meaning as "good cause" for setting aside a default judgment under Iowa Rule of Civil Procedure 1.977.

2506.22(7) A decision denying a motion to vacate is subject to further appeal within the time limit allowed for further appeal of a decision on the merits in the contested case proceeding. A decision granting a motion to vacate is subject to interlocutory appeal by the adverse party pursuant to rule 7—2506.25(17A).

2506.22(8) If a motion to vacate is granted, and no timely interlocutory appeal has been taken, the presiding officer will issue another notice of hearing and the contested case will proceed accordingly.

2506.22(9) A default decision may award any relief consistent with the request for relief made in the petition and embraced in its issues.

2506.22(10) A default decision may provide either that the default decision is to be stayed pending a timely motion to vacate or that the default decision is to take effect immediately, subject to a request for stay under rule 7—2506.29(17A).

7—2506.23(17A) Ex parte communication.

2506.23(1) Improper communications. Except as specifically allowed by law, no party, representative of a party, or person with a direct or indirect interest in a case may communicate, directly or indirectly, with the presiding officer, or vice versa, regarding the case or a pending factually related case. These communications are allowed only if all parties have been notified of the intention to communicate and have an opportunity to participate. This does not prohibit persons jointly assigned such tasks from communicating with each other. However, the presiding officer may communicate with members of the agency and may seek the advice or help of persons regarding the matter. This can include persons with whom the presiding officer is prohibited from communicating in another case, as long as the presiding officer's communications with that person are not regarding that other case or a case factually related to it.

2506.23(2) Written, oral, or other forms of communication are "ex parte" if made without notice and opportunity for all parties to participate.

2506.23(3) These prohibitions start when the notice of hearing is issued and continue for as long as the case is pending.

2506.23(4) To avoid banned ex parte communications, notice is to be given in a manner reasonably calculated to give all parties a fair opportunity to participate. Notice of written communications will be provided in compliance with rule 7—2506.12(17A) and may be supplemented by telephone, fax, email or other means of notification. Where permitted, oral communications may be initiated through conference telephone call including all parties or their representatives.

2506.23(5) Persons who jointly act as presiding officer in a pending contested case may communicate with each other without notice or opportunity for parties to participate.

2506.23(6) The administrator or other persons may be present in deliberations or otherwise advise the presiding officer without notice or opportunity for parties to participate as long as they are not disqualified from participating in the making of a proposed or final decision and they comply with subrule 2506.23(1).

2506.23(7) Communications with the presiding officer involving uncontested scheduling or procedural matters do not need notice or opportunity for parties to participate. Parties should notify other parties prior to initiating such contact with the presiding officer when possible and must notify other parties when seeking to continue hearings or other deadlines.

2506.23(8) Disclosure of banned communications. A presiding officer who receives a banned ex parte communication while a contested case is pending must first determine whether the communication is so prejudicial that the presiding officer should be disqualified. If so, the presiding officer will enter into the record, sealed by a protective order, a copy of any banned written communication, all written responses to the communication, a written summary of the substance of any banned oral or other communication, all responses made, and the identity of each person from whom the presiding officer received a banned ex parte communication. If the presiding officer determines that disqualification is not warranted, the presiding officer will enter these documents into the record and serve them upon all parties. Any party desiring to rebut the banned communication will be allowed the opportunity to do so upon written request filed within ten days after notice of the communication.

2506.23(9) Promptly after being assigned to serve as presiding officer at any stage in a contested case proceeding, a presiding officer must disclose to all parties material factual information received through ex parte communication before the assignment began. The presiding officer does not need to disclose this information if it has already been, or shortly will be, disclosed under Iowa Code section 17A.13(2) or through discovery or if it is contained in an investigative report or similar document that has been or shortly will be given to the parties.

2506.23(10) The presiding officer may render a proposed or final decision imposing appropriate sanctions for violations of this rule including default, a decision against the offending party, censure, or suspension or revocation of the privilege to practice before the agency. Violation of ex parte communication obligations by agency personnel will be reported to the chief executive of the agency or that person's designee for possible sanctions including censure, suspension, dismissal, or other disciplinary action.

7—2506.24(17A) Recording costs. Upon reasonable request, the agency is obligated to provide a copy of the whole or any portion of the record at cost. The cost of preparing a copy of the record or of transcribing the hearing record will be paid by the requesting party. A party that requests that a hearing be recorded by certified shorthand reporter rather than by electronic means is responsible for making such arrangements and paying associated costs unless otherwise provided by applicable law.

7—2506.25(17A) Interlocutory appeals. Upon written request of a party or on its own motion, the agency may review an interlocutory order. In determining whether to do so, the agency must weigh the extent to which the granting of the interlocutory appeal would expedite final resolution of the case and the extent to which review of that interlocutory order by the agency at the time it reviews the proposed decision of the presiding officer would provide an adequate remedy. A request for interlocutory review must be filed by the earliest of 14 days after the challenged order is issued, the deadline for complying with the order, or the date of hearing.

7—2506.26(17A) Final decision.

2506.26(1) When the agency presides over receiving evidence at the hearing, its decision is a final decision.

2506.26(2) When the agency does not preside over receiving evidence, the presiding officer will issue a proposed decision. The proposed decision becomes the final decision of the agency without

further proceedings unless there is an appeal of the proposed decision to the agency, or review of the proposed decision on the agency's own motion, in accordance with rule 7—2506.27(17A).

7—2506.27(17A) Appeals and review.

2506.27(1) *Appeal by party.* Any adversely affected party may appeal a proposed decision to the agency within 30 days after the decision is issued.

2506.27(2) *Review.* The agency may initiate review of a proposed decision on its own motion at any time within 30 days following the issuance of such a decision.

2506.27(3) *Notice of appeal.* An appeal of a proposed decision is initiated by filing a timely notice of appeal with the agency. The notice of appeal is to be signed by the appealing party or a representative of that party and contain a certificate of service. The notice will specify:

- a. The parties initiating the appeal;
- b. The proposed decision or order appealed from;
- c. The specific findings or conclusions to which exception is taken and any other exceptions to the decision or order;
- d. The relief sought; and
- e. The grounds for relief.

2506.27(4) *Requests to present additional evidence.* A party may request to submit additional evidence. The request must be filed with the notice of appeal, if by an appealing party, or within 14 days of service of the notice of appeal, if by a non-appealing party. The agency will take additional evidence only if the party establishes that the evidence is material, that good cause existed for its not being presented at the hearing, and that the party has not waived the right to present the evidence. The agency may remand a case to the presiding officer to take additional evidence or may itself preside at the taking of additional evidence.

2506.27(5) *Scheduling.* The agency will issue a schedule for consideration of the appeal.

2506.27(6) *Briefs and arguments.* Unless otherwise ordered, within 20 days of the notice of appeal or order for review, each appealing party may file exceptions and briefs. Within 20 days thereafter, any party may file a responsive brief. Briefs will include any applicable legal authority and specify relevant portions of the record in that proceeding. Written requests to present oral argument will be filed with the briefs. The agency may resolve the appeal on the briefs or provide an opportunity for oral argument. The agency may shorten or extend the briefing period as appropriate.

7—2506.28(17A) Applications for rehearing.

2506.28(1) *By whom filed.* Any party to a contested case proceeding may file an application for rehearing from a final order.

2506.28(2) *Content of application.* The application for rehearing must identify on whose behalf it is filed, the portion of the decision the party wants reconsidered, the specific grounds for rehearing, whether the party wants to proceed on the record or to submit additional evidence, and the relief sought.

2506.28(3) *Time of filing.* The deadline to file an application for rehearing is 20 days after the final decision is issued.

2506.28(4) *Notice to other parties.* A copy of the application will be timely mailed or emailed by the applicant to all parties of record not joining therein. If the application does not contain a certificate of service, the agency will serve copies on all parties.

2506.28(5) *Disposition.* A party need not respond to an application for rehearing unless the government entity requests a response. An application for a rehearing is deemed denied if it is not granted within 20 days of its filing or, if a response is filed, within 20 days of the filing of a response. An application for rehearing is optional; a party need not file an application to exhaust available administrative remedies. The filing of an application for rehearing shall toll the time period for appeal in rule 7—2506.27(17A).

7—2506.29(17A) Stays of agency actions.

2506.29(1) *When available.*

a. Any party may petition the agency to stay the effect of an order, or for other temporary remedies, pending review of the order by the agency. The petition must be filed with the notice of appeal and must state the reasons justifying a stay or other temporary remedy. The agency may rule on the stay or authorize the presiding officer to do so.

b. Any party may petition the agency for a stay, or other temporary remedies, pending judicial review of all or part of that proceeding. The petition must state the reasons justifying a stay or other temporary remedy.

2506.29(2) *When granted.* The presiding officer or agency will consider the factors listed in Iowa Code section 17A.19(5)“c” when deciding whether to grant the stay or other temporary remedy.

2506.29(3) *Vacation.* The presiding officer or agency may vacate a stay or other temporary remedy on the motion of the agency or any other party.

7—2506.30(17A) Contested cases involving no factual dispute. If the parties agree that no dispute of material fact exists, they may present all evidence, by stipulation or as otherwise agreed, without an evidentiary hearing. In such a situation, the parties should, as soon as practicable, jointly submit a proposed schedule for submitting the record and briefs and, if necessary, holding oral argument. If the parties cannot agree to a schedule, any party may file and serve a motion for summary judgment.

7—2506.31(17A) Emergency adjudicative proceedings.

2506.31(1) *Necessary emergency action.* To the extent necessary to prevent or avoid immediate danger to the public health, safety, or welfare and, consistent with the Constitution and other provisions of law, the agency may issue an emergency adjudicative order in compliance with Iowa Code section 17A.18A. The order must be in writing and may suspend a license in whole or in part, order that any continuing activity stop, order someone to act, or require other action within the jurisdiction of the agency. Before issuing an emergency adjudicative order, the agency must consider factors such as:

a. Whether there has been a sufficient factual investigation to ensure that it is proceeding on the basis of reliable information;

b. Whether the specific circumstances that pose immediate danger to public health, safety, or welfare have been identified and determined to be continuing;

c. Whether the person subject to the proposed emergency adjudicative order may continue to engage in other activities without posing immediate danger to public health, safety, or welfare;

d. Whether imposition of monitoring obligations or other interim safeguards would be sufficient to protect the public health, safety, or welfare; and

e. Whether the specific action contemplated by the agency is necessary to avoid immediate danger.

2506.31(2) *Issuance of order.*

a. An emergency adjudicative order must contain findings of fact and conclusions of law to justify the determination of an immediate danger in the agency’s decision to take immediate action.

b. The emergency adjudicative order will be immediately delivered to persons obligated to comply with the order by one or more of:

(1) Personal delivery;

(2) First-class or certified mail to the last address on file with the agency; or

(3) Fax. Fax may be used as the sole method of delivery if the person to whom the order applies has filed a written request that agency orders be sent by fax and has provided a fax number for that purpose.

c. To the practicable degree, the agency is obligated to select the procedure for providing written notice that best ensures prompt, reliable delivery.

2506.31(3) *Oral notice.* Unless the emergency adjudicative order is served by personal delivery on the same day that it is issued, the agency is obligated to make reasonable immediate efforts to contact the people to whom the order applies by telephone.

2506.31(4) *Completion of proceedings.*

a. After the issuance of an emergency adjudicative order, the agency will proceed as quickly as feasible to complete any proceedings that would be needed if the matter did not involve an immediate danger.

b. An emergency adjudicative order must include, or be accompanied by, a notice of the date by which agency proceedings are scheduled for completion. When an agency has issued an emergency adjudicative order, the agency or a presiding officer may continue contested case proceedings only in compelling circumstances upon application in writing.

7—2506.32 to 2506.100 Reserved.

7—2506.101(17A) Definitions for vendor appeals of contested cases. As used in this chapter, unless the context otherwise dictates:

“*Agency*” means the agency when purchasing goods or services through a competitive solicitation.

“*Award*” means the decision to select a vendor for a contract or purchase.

“*Vendor*” means any vendor who has submitted a bid or proposal in response to a competitive solicitation issued by an agency.

7—2506.102(17A) Vendor appeal process. Rules 7—2506.101(17A) through 7—2506.105(17A) govern appeals of the agency’s decisions regarding competitive solicitations for goods or services. These rules supplement standard contested case rules and control to the extent inconsistent with standard contested case rules. Not complying with these vendor appeal rules in any material respect will result in dismissal of the appeal and constitute a failure to exhaust administrative remedies.

2506.102(1) Notice of intent to appeal. A vendor who is aggrieved by the agency’s issuance of a notice of intent to award following a competitive solicitation may appeal that notice of intent to award. The deadline for the vendor to submit a notice of intent to appeal is five days following issuance of the notice of intent to award. Late notices of intent to appeal will not be accepted.

2506.102(2) Initial disclosures. When an agency receives the vendor’s notice of intent to appeal, the agency will respond by providing the public version of the winning vendor’s proposal as submitted by the vendor during the solicitation process. In addition, the agency will provide all evaluation committee materials, documentation, analysis, and results. If requested by the vendor, the agency will also send the public versions of losing bids or proposals as those public copies were submitted during the solicitation process. The vendor is not entitled to any additional discovery, materials, or information unless the proceedings advance past the first-tier review stage.

2506.102(3) Notice of appeal. Following receipt of the initial disclosures, the vendor may file a formal appeal within either the time frame identified in the solicitation document or, if no time frame is identified, five days from the award. If the vendor does not file a formal appeal in a timely manner, the appeal is waived. The vendor is obligated to plead with particularity; notice pleading is inadequate. At minimum, the formal appeal will include:

a. The vendor’s contact information, including contact information for the individual filing the notice of appeal, the individual’s association with the appealing vendor, and a showing of the individual’s authority to appeal on behalf of the appealing vendor;

b. Details of the award decision the vendor is challenging;

c. Why and how the vendor is aggrieved by the decision;

d. The legal and factual reasons for the vendor’s appeal, including references to the relevant grounds of appeal as set forth in Iowa Code section 17A.19(10); and

e. The relief the vendor is seeking.

2506.102(4) Appeal bond—notice of appeal, first-tier review. At the same time the vendor submits the notice of appeal, the appealing vendor must submit to the agency an appeal bond to the extent required in the solicitation document. An agency has discretion to require a bond in an amount up to 5 percent of the value of the contract that is the subject of the appeal, including all extension years available under the contract awarded. If the vendor does not submit the appeal bond, the agency will dismiss the appeal. The vendor forfeits the appeal bond if its claims are determined to be unreasonable, frivolous, or for purposes of delaying the award, in which case the vendor will also be ordered to pay all costs of the appeal of the agency and any intervening party. Those costs include but are not limited to the costs of the process, hearing costs, expert witness fees, and attorney’s fees and costs. The appealing vendor may be disqualified from future competitive solicitations in accordance with applicable rules

addressing vendor disqualification through debarment or suspension if the appeal is determined to be unreasonable, frivolous, or for the purpose of delay. Awarded costs may be extracted from the appeal bond.

2506.102(5) *Public records.*

a. To ensure fair evaluation of proposals and to make the vendor appeal process more efficient, solicitation-related information, such as proposals and evaluation materials, will remain confidential and will not be released to the public until the notice of intent to award is issued or any vendor appeals are fully and finally resolved, whichever comes later. Materials released in accordance with these vendor appeal rules or in a formal sealed bidding process controlled by Iowa Code section 72.3 are exceptions to this temporary prohibition on the release of confidential information.

b. By submitting materials for the bidding process, a vendor agrees that submitted documents and information can be shared with third parties, including competitors, in the event of an appeal. However, the agency will share confidential or proprietary information during an appeal process only in accordance with a protective order acceptable to the agency. Without a protective order, the agency will make available only to litigants copies of proposals from which confidential and proprietary information have been redacted, and then to non-litigants only after finalization of the award process or all vendor appeals, whichever comes later.

c. A vendor's notice of appeal is a public document available for public inspection. If the vendor believes the notice contains any confidential information, the vendor must, when it submits the notice of appeal, explain why the notice should remain confidential. The vendor must also submit a redacted version of the notice of appeal so that the public and other vendors submitting proposals in response to the solicitation can view nonconfidential portions of the notice of appeal.

2506.102(6) *Notice to winning vendor and intervention.* Once the agency receives the notice of appeal, the issuing officer for the solicitation will notify the winning vendor. The winning vendor may intervene in the appeal by submitting a notice of intervention no later than five days after receiving the notice.

2506.102(7) *Initial disclosures to intervenors.* The agency will send the intervening vendor the same public documents sent to the appellant.

2506.102(8) *Waiver.* To facilitate an orderly and timely resolution of vendor appeals, claims are waived in each of these instances:

a. A vendor did not raise during the solicitation process, such as through a question-and-answer period, an issue that could have been addressed during that process;

b. The issue is not raised in the original notice of appeal; and

c. An argument that could have been raised at an earlier stage of the appeal was not raised at that earlier stage.

7—2506.103(17A) Vendor appeal stages.

2506.103(1) *First-tier review.* Once the appeal is filed and any responses are received, the agency will review the case internally and issue a decision upholding, changing, or reversing the original award decision. The agency's decision is final unless the appealing vendor requests a second-tier review within the time frame identified in the solicitation document for seeking second-tier review or, if no time frame is so identified, five days from the issuance of the first-tier review. Failure to seek a second-tier review constitutes waiver of any right to seek a second-tier review and failure to exhaust administrative remedies.

2506.103(2) *Second-tier review.*

a. *Appeal hearing.* A vendor aggrieved by an agency's first-tier review may seek a second-tier review by filing a notice seeking second-tier review with the agency within five days of issuance of the first-tier review decision. The second-tier review request must comply with subrule 2506.102(3), except that it must refer to the first-tier review decision instead of the award decision. Upon receipt of a vendor's request for a second-tier review, the agency will schedule a hearing before an administrative law judge from the department of inspections, appeals, and licensing. The second-tier review hearing

will be held within 60 days after the request for a second-tier review, subject to good cause exceptions as set forth in subrule 2506.3(2).

b. Appeal security. At the same time as it submits a second-tier review request, the appealing vendor must submit an additional appeal bond to the extent required in the solicitation document. An agency has discretion to require a second bond in an amount up to 10 percent of the value of the contract that is the subject of the appeal, including all extension years available under the contract awarded. If the vendor does not satisfy the bond requirement, the agency will dismiss the second-tier review. The appeal bond will be forfeited if the vendor's claims are determined to be unreasonable, frivolous, or for purposes of delaying the award.

c. Discovery. Any party may seek reasonable discovery of information directly relevant to the issues that are the subject of the appeal. Overly broad or burdensome discovery requests are not allowed. Discovery issued to the agency is limited to events occurring at the agency that relate to the solicitation process. Issues not subject to discovery include the agency's existing relationships with other bidders. As a condition of requesting a second-tier review, the appellant is obligated to promptly respond to discovery requests made by any party defending the award. Any party defending the award may seek discovery from appellant of any matters that could affect the fairness of the solicitation process, including whether the appellant failed to disclose information relevant to the award process that would have resulted in its disqualification or that appellant engaged in previously unreported inappropriate contact that would have resulted in its disqualification. An appellant that would have been disqualified is not prejudiced by the award decision and lacks standing to challenge it. Confidential or proprietary information may be shared by the parties to the appeal in accordance with a protective order acceptable to the agency. All discovery requests will be made no later than five days after the request for a second-tier review is submitted. Parties must completely respond or object to discovery requests within 30 days of receipt. A party that objects to discovery requests must submit its objection to the requesting parties within ten days of receiving the discovery requests. Sanctions will be imposed for abuse of the discovery process, potentially including adverse inferences and dismissal of the appeal.

d. Witnesses and exhibits. At least ten days before the hearing, the parties will contact each other to discuss proposed witnesses and exhibits. Final witness and exhibit lists will be exchanged no later than seven days before the hearing.

e. Second-tier hearing and decision. The hearing will be transcribed by a court reporter arranged and paid for by the parties with the costs shared equally unless all parties to an appeal and the presiding officer agree to an alternative approach to record the proceeding. In the event the presiding officer orders post-hearing briefing, the following post-hearing schedule applies unless the parties agree to and the presiding officer orders a different schedule:

- (1) Any appellant post-hearing brief is due ten days after the presiding officer closes the record;
- (2) Any appellee or intervenor post-hearing brief is due ten days after receiving the appellant's brief, if any; and
- (3) Any appellant reply brief is due ten days after receiving the appellee or intervenor post-hearing brief.

Following the close of post-hearing briefing, the administrative law judge will issue a proposed decision, which will become the final agency decision unless a party seeks a third-tier review.

2506.103(3) Third-tier review and decision. A party aggrieved by an agency's second-tier review may seek a third-tier review by filing a notice seeking third-tier review with the agency. The deadline to file this notice is five days after the proposed decision on the second-tier review is issued. The third-tier review request must comply with subrule 2506.102(3), except that it must refer to the second-tier review decision instead of the award decision. The party appealing must submit the entire record from the second-tier review, including any transcripts or recordings, at its own cost. Any non-appealing party may file a response to the request. No additional briefing or argument is allowed at the third-tier review stage absent an agency's request. The agency will thereafter expeditiously issue the final agency decision, which will constitute final agency action on the matter.

7—2506.104(17A) Standards and remedies for vendor appeals.

2506.104(1) *Standard of review.* In all stages of the vendor appeal, the standard of review will be whether the solicitation process substantially complied with the legally binding procedures applicable to the award process at issue and, if not, whether there is prejudice to the nonprevailing vendor because:

- a. The noncompliance demands a conclusion that the award process was not conducted fairly, openly, or objectively, and
- b. Compliance with the legally binding procedure would have resulted in a different outcome.

For purposes of this rule, “legally binding procedure” means those procedures mandated by statute or administrative rule or expressly set forth in the text of the competitive solicitation. Agency guidance that is not in statute, administrative rule, or the text of the solicitation, including but not limited to training materials and procedural manuals, does not constitute legally binding procedure.

2506.104(2) *Burdens.* The appealing vendor bears the burden of proof and the burden of producing evidence in support of its allegations.

2506.104(3) *Standard of proof and prejudice to vendor.* The vendor must prove both noncompliance and prejudice by clear and convincing evidence.

2506.104(4) *Remedies available.* If the solicitation process is found to be unfair or noncompliant with legally binding procedures, the remedy will be narrowly tailored and specifically designed to remediate the specific noncompliance. Wholesale remedies invalidating or voiding solicitations will be avoided unless no other conceivable measure could remediate the noncompliance. Possible remedies may include but are not necessarily limited to remand to the agency with directions to remedy the specific noncompliance and reissue the award if the agency determines the contract is still necessary to meet the agency’s needs or objectives or, if remediation of the noncompliance is not possible, voiding the notice of intent to award with directions to the agency to proceed in the state’s best interests, which may include canceling the solicitation.

2506.104(5) *Authority over award decisions.* All final award decisions will be made by the agency. An administrative law judge’s authority is limited to affirming the agency’s action or remanding the issue to the agency for further consideration through a proposed decision. An administrative law judge lacks jurisdiction to compel the issuance of an award to a vendor other than a vendor awarded a contract by the agency.

2506.104(6) *Issues not for consideration.* The following types of challenges are not a basis for a vendor appeal. An attempted appeal that fits within one of the following categories will be dismissed:

- a. Any claim related to existing contract administration. The administration of an existing contract is within the discretion of the agency. Disputes between a vendor and the agency are resolved in accordance with dispute-resolution clauses in a contract and not through a vendor appeal process.
- b. Any claim of a subcontractor of an aggrieved vendor. Only vendors who submitted a bid or proposal in response to a solicitation have standing to appeal a notice of intent to award.
- c. Any claim related to alternative procurement processes, such as purchase orders, statements of work, or other transactional documents executed under an existing contract, including such orders made under master agreements. Vendor appeals are allowed only in response to competitive solicitations and no other forms of state purchases.
- d. Any claim related to suspensions or debarments of vendors.

7—2506.105(17A) Stay of agency action.

2506.105(1) *When a vendor can request a stay.* A vendor appealing a notice of intent to award may request a stay of the award process by filing a request for stay with the notice of appeal. In requesting the stay of agency action, the vendor is obligated to submit an additional bond equal to 120 percent of the value of the contract at issue, including any extension years available under the awarded contract. This bond is in addition to other appeal bonds as set forth in this chapter. If the appealing vendor does not submit a sufficient bond with its request for stay, its request for stay will be denied and the issue of stay of agency action will be considered waived. If no stay is sought or the issue is deemed waived, the agency will proceed with the contract award and contract execution consistent with the notice of intent to award. The vendor forfeits the appeal bond if its claims are determined to be unreasonable, frivolous, or for purposes of delaying the award, in which case the vendor will also be ordered to pay all costs of

the appeal of the agency and any intervening party. Those costs include but are not limited to the costs of the process, hearing costs, expert witness fees, and attorney's fees and costs. Awarded costs may be extracted from the appeal bond. If a stay is not granted and the ultimate award to the incoming awardee overturned in an administrative appeal or on judicial review, the contracted vendor will be entitled to payment for goods and services rendered under the contract and the agency may continue the contract with the awarded vendor until a replacement vendor is under contract.

2506.105(2) *When the stay is granted.* The agency will consider factors set forth in Iowa Code section 17A.19(5)“c” in deciding whether to grant the stay. The agency's decision on whether to grant a stay will be made by the chief executive of the agency and will constitute final agency action on the request for stay for purposes of Iowa Code chapter 17A.

2506.105(3) *When the stay is vacated.* Any stay imposed on an award may be vacated upon application of the agency or another interested party upon a showing of good cause.

7—2506.106(17A) Federal funds.

2506.106(1) Rules 7—2506.101(17A) through 7—2506.105(17A) do not apply where they conflict with a governing federal regulation or would jeopardize the receipt of federal funds.

2506.106(2) If the attorney general determines that any portion of rules 7—2506.101(17A) through 7—2506.105(17A) would cause the federal government to deny funds or services that would otherwise be available to an agency of this state, that portion will be suspended for that agency but only to the extent necessary to prevent denial of the federal funds or services.

These rules are intended to implement Iowa code chapter 17A.

[Filed 3/16/26, effective 5/6/26]

[Published 4/1/26]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 4/1/26.

ARC 0176D

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Rulemaking related to juvenile court services directed programs

The Department of Health and Human Services hereby rescinds Chapter 151, “Juvenile Court Services Directed Programs,” and adopts a new Chapter 151, “Juvenile Court-Ordered Services,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code section 232.191.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 232.191.

Purpose and Summary

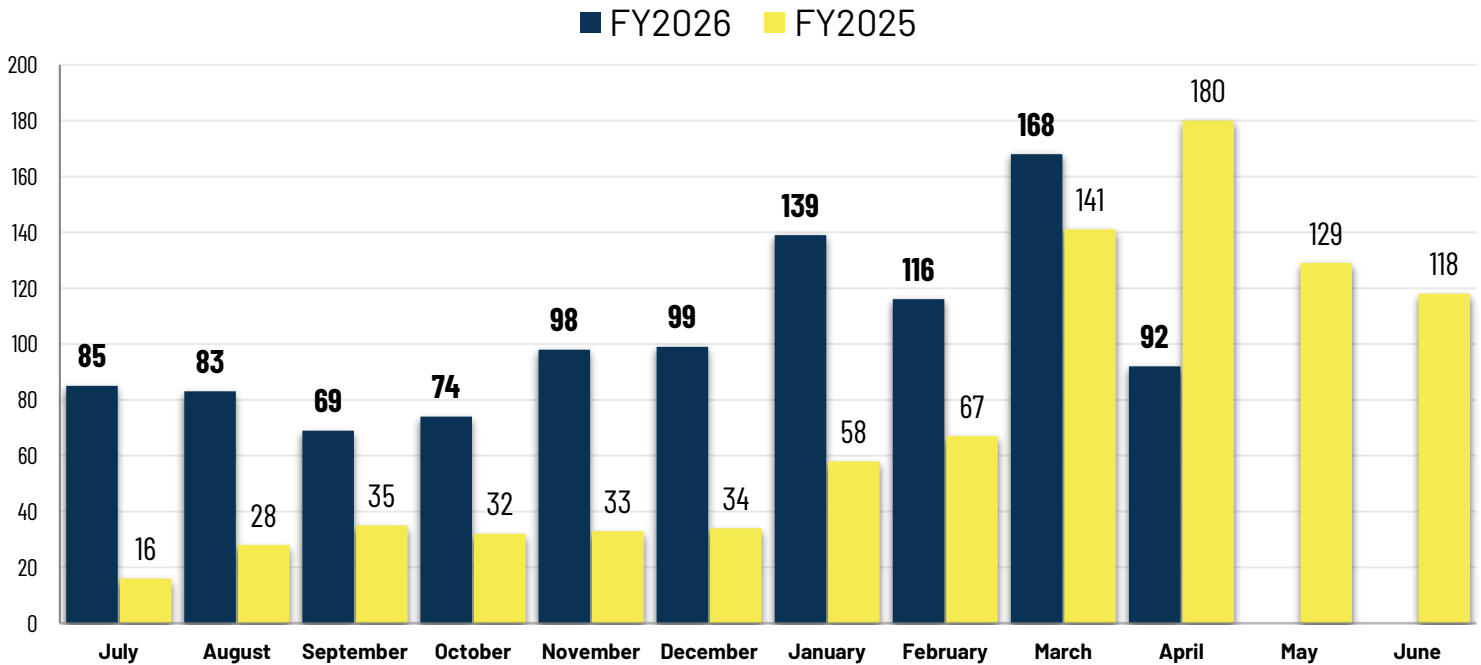
This chapter was reviewed as a part of the Red Tape Review process laid out in Executive Order 10. As a result of this review, restrictive terms were removed, areas that were duplicative were combined or eliminated, and editorial updates were made to processes and procedures to ensure they reflect current policies and procedures. These rules prescribe services for eligible children for reimbursement from funds appropriated specifically for juvenile court services directed programs. The rules establish the criteria for the allocation of funds and the procedures for administration, application, eligibility, appeals, service delivery, and billing and payment. These rules also prescribe the joint responsibilities of the chief

**MEMBER DEMAND MEASURES MARCH 2026**

Benefits Counseling	Current Period	Same Month Last Year	Fiscal Year-to-Date 2026	Fiscal Year-to-Date 2025
Number counseled at IPERS office (including walk-ins)	306	202	1736	884
Number counseled throughout the state	110	91	894	767
Number of Estimates Prepared	2139	2122	17334	17450
Active Death Benefits				
Number of Reported Active Deaths	51	83	526	477
Amount Paid in Active Death Benefits	\$1,515,206.40	\$2,250,414.52	\$15,124,817.74	\$12,430,031.38
Number of Beneficiaries Paid	24	69	280	277
Average Active Death Benefit Paid	\$63,133.60	\$32,614.70	\$54,017.21	\$44,873.76
Retired Death Benefits				
Number of Reported Retiree Deaths	440	547	3507	3511
Amount Paid in Retiree Death Benefits	\$2,153,454.87	\$2,084,824.06	\$12,582,373.19	\$12,507,788.14
Number of Beneficiaries Paid	237	300	1392	1489
Average Retiree Death Benefit Paid	\$9,086.31	\$6,949.41	\$9,039.06	\$8,400.13
Retirement Benefits				
Amount Paid in IPERS Retirement Benefits	\$234,744,296.20	\$226,464,333.78	\$2,102,264,179.52	\$2,027,072,013.33
Number of IPERS Retirees	140229	138076	N/A	N/A
Number of IPERS Disability Retirements	3895	3978	N/A	N/A
Number of New Retirees Added to Payroll	311	305	4121	3995
Average Monthly Benefit	\$1,674.01	\$1,640.14	N/A	N/A
Average Years of Service for IPERS Retirees	22.75	22.75	22.77	22.77
Refunds				
IPERS Refunds Requests Paid	387	384	4354	4019
Total Paid as Refunds (Not Including Supplementals)	\$6,084,725.64	\$4,588,348.40	\$65,264,617.09	\$52,725,475.47
Average Years of Service for Refund Requests	4.56	3.97	4.42	4.26
Average Refund Paid	\$15,722.81	\$11,948.82	\$14,989.58	\$13,119.05
Amount of Supplemental Refunds	\$136,860.92	\$6,671.55	\$555,443.61	\$920,911.98
Number of Retired Re-employed Refunds	189	248	736	689
Amount of Retired Re-employed Refunds	\$1,055,625.50	\$1,751,809.46	\$8,221,022.03	\$8,349,193.35
Service Purchases				
Paid Service Purchases	2	1	46	42
Totals Paid in Service Purchases	\$28,116.52	\$46,331.87	\$2,720,711.85	\$2,609,756.64
Average Years of Service Purchased	1.38	5	3.93	4.14
Average Service Purchase	\$14,058.26	\$46,331.87	\$59,145.91	\$62,137.06
Miscellaneous Information				
Phone calls logged by staff	10,665	8,229	72,280	63,068
Statement of Account requests	35	14	264	288
Direct deposit additions/changes	1706	1602	12,993	11,812
Out of office presentations	2	4	24	38
Number of attendees (out of office presentations)	537	134	1530	1792
Actuarial Equivalent Claimants	25	50	315	399
Gross Actuarial Equivalent Totals Paid	\$61,577.60	\$139,529.02	\$842,043.18	\$945,887.65
Age 70 Notifications	990	912	8288	7893
Retirees with Adjustments	257	305	2523	2187
Number of emails received	1914	2584	15,938	16,592

IPERS ONLINE REITERMENT APPLICATIONS THROUGH APRIL 15, 2026

Digital Retirement Applications Submitted by Month vs Previous FY



The bar chart above shows the number of unique individuals who submitted an online retirement application each month, by fiscal year. The data is updated as of April 15, 2026.

Month	FY2026 Submissions	FY2025 Submissions	FY Change
July	85	16	↑ 69
August	83	28	↑ 55
September	69	35	↑ 34
October	74	32	↑ 42
November	98	33	↑ 65
December	99	34	↑ 65
January	139	58	↑ 81
February	116	67	↑ 49
March	168	141	↑ 27

The table above compares the online retirement applications of each month from July 2025 through March 2026 versus the same month of the previous year. In the first nine full months of FY2026, there were more than double the number of online retirement applications (931) compared to the same timeframe in FY2025 (444).

April 2026 Appeal Status Report for Benefits Advisory Committee

595-26	Member appealing FME	Appeal received 01/07/2026. Acknowledgment letter sent 01/07/2026. FAD issued 01/30/2026 denying appeal. Appeal of FAD received 02/18/2026 and transmitted to DIAL on 02/19/2026. Hearing held 03/23/2026. Proposed decision affirming IPERS issued 03/26/2026. Member has 30 days to appeal to EAB.
597-26	Member appealing denial of disability benefits	Appeal received 01/26/2026. Acknowledgment letter sent 02/03/2026. FAD issued 02/25/2026 denying appeal. No further appeal. DONE.
598-26	Member appealing retirement irrevocable once first monthly benefit received	Appeal received 03/18/2026. Acknowledgment letter sent 03/19/2026. Letter sent to member on 04/09/2026.
599-26	Member appealing retired reemployed earnings limit violation.	Appeal received on 04/06/2026. Acknowledgement letter sent 04/08/2026.

IPERS' Appeal Process. An IPERS member or beneficiary can appeal a decision that impacts their rights. Typically, an **initial appeal** is filed after IPERS makes an “**initial agency decision**” on some matter. Pursuant to Iowa Code chapter 97B, each **initial appeal** is routed through an **internal review** process. During this **internal review**, IPERS’ staff conduct a thorough review of the facts and law surrounding the **initial appeal**. Frequently, this review includes gathering additional information and may include further discussions with the appellant. Once the **initial review** is finished, a **Final Agency Determination (FAD)** is issued. The **FAD** can affirm, modify, or rescind the **initial agency decision**. The **FAD** is sent to the appellant who has the opportunity to appeal the **FAD**. If the **FAD** is appealed, IPERS transfers the case to the **Department of Inspections, Appeals, & Licensing** for assignment of an administrative law judge to hold a **contested case hearing**. After the **contested case hearing** is held and the administrative law judge issues a **proposed agency decision**, IPERS or the appellant can appeal the **proposed agency decision** to the **Employment Appeal Board (EAB)**. The **EAB** reviews the records and **proposed agency decision**. The **EAB** issues its own opinion that can affirm, deny, or modify the **proposed agency decision**. If IPERS or the appellant are unsatisfied with the **EAB’s** decision, then a **Petition for Judicial Review** can be filed. Ultimately, IPERS or the appellant can appeal all the way to the **Iowa Supreme Court**.

2026

BAC Meetings

JANUARY						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

FEBRUARY						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

MARCH						
S	M	T	W	T	F	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

APRIL						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY						
S	M	T	W	T	F	S
				1	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JUNE						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

JULY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

SEPTEMBER						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

OCTOBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVEMBER						
S	M	T	W	T	F	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

DECEMBER						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

January

1/26/26 - BAC Meeting

February

2/23/26 - BAC Meeting

March

3/30/26 - BAC Meeting

April

4/27/26 - BAC Meeting

August

8/24/26 - BAC Meeting

October

10/26/26 - BAC Meeting

December

12/4/26 - Investment Board & BAC Mtg

(Actuarial Valuation Presentation)