



Iowa Board of Pharmacy

JILL STUECKER, MPA, MA
INTERIM EXECUTIVE DIRECTOR

November 7, 2023

Carl Olsen
130 E Aurora Ave
Des Moines, IA 50313
Via email: carl@carl-olsen.com

RE: Petition for Rulemaking

Dear Mr. Olsen,

The Board is in receipt of the Petition for Rulemaking that you submitted on September 26, 2023, for the adoption of rules relating to a religious exception to the Iowa Uniform Controlled Substances Act as well as the three supplemental Briefs in Support of Petition for Rulemaking submitted on October 2, 2023, October 4, 2023, and October 16, 2023.

In accordance with Iowa Code Section 17A.7 and 657 Iowa Administrative Code Chapter 26, the Board **denies** this Petition for Rulemaking and declines to engage in the requested rulemaking at this time. The petition requests that the Board adopt rules to create an application process for a religious exception to the Iowa Uniform Controlled Substances Act. However, the Board does not have statutory authority to promulgate administrative rules affecting religious exceptions to the Iowa Uniform Controlled Substances Act. Accordingly, the Legislature must take specific action to grant the Board rulemaking authority related to religious exceptions to the Iowa Uniform Controlled Substances Act before the Board could adopt any rules to that effect.

In light of the foregoing, the Board declines to engage in rulemaking related to this issue as it does not believe it has the statutory authority to do so. The Board appreciates your work on this issue and the materials that you have provided to the Board.

If you have any questions, please contact Emily DeRonde, General Counsel for the Department, at Emily.DeRonde@dia.iowa.gov or (515) 249-7038.

Sincerely,

Chairperson
Iowa Board of Pharmacy