

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

<p>CARL OLSEN,  Petitioner,  v.  IOWA DEPARTMENT OF HEALTH AND HUMAN SERVICES,  Respondent.</p>	<p>CASE NO. CVCV065114  <b>RESPONDENT'S ANSWER</b></p>
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**COMES NOW** Respondent, the Iowa Department of Health and Human Services (“Department”), and for its Answer to Petitioner’s Petition for Judicial Review, respectfully states:

1. Paragraph 1 does not require a response.
2. Paragraph 2 is admitted.
3. Paragraph 3 is admitted.
4. Paragraph 4 is admitted to the extent that Olsen previously filed a Petition for Declaratory Judgment in *Olsen v. Iowa Department of Public Health*, Polk County No. CVCV062566, which was dismissed on May 3, 2022.
5. Paragraph 5 is admitted to the extent that Olsen has exhausted administrative remedies.
6. Paragraph 6 is admitted with the following addition: “The Iowa Constitution and its federal counterpart recognize Mr. Olsen’s fundamental rights to the free exercise of religion, due process and equal protection, within the bounds of the law.”
7. Paragraph 7 is admitted.

8. Paragraph 8 is denied. Respondent denies that there are any grounds under Iowa Code section 17A.19(10) that would warrant reversal of the Department's Final Order.

9. Paragraph 9 is denied. Respondent denies that there are any grounds under Iowa Code section 17A.19(10) that would warrant reversal of the Department's Final Order.

10. Paragraph 10 is denied. Respondent denies that there are any grounds under Iowa Code section 17A.19(10) that would warrant reversal of the Department's Final Order.

11. Paragraph 11 is denied. Respondent denies that there are any grounds under Iowa Code section 17A.19(10) that would warrant reversal of the Department's Final Order.

12. Paragraph 12 is denied. Respondent denies that there are any grounds under Iowa Code section 17A.19(10) that would warrant reversal of the Department's Final Order.

**WHEREFORE,** Respondent respectfully requests that the Court issue a briefing schedule in this matter, and after review of the briefing, affirm the Department's Final Order, and dismiss the Petition for Judicial Review.

Respectfully submitted,

BRENNA BIRD  
ATTORNEY GENERAL OF IOWA

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ATTORNEYS FOR THE IOWA DEPARTMENT  
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All parties of record served via EDMS  
on March 10, 2023.