



Iowa Department of **INSPECTIONS & APPEALS**

KIM REYNOLDS, GOVERNOR
ADAM GREGG, LT. GOVERNOR

LARRY JOHNSON, JR., DIRECTOR

June 5, 2023

Lydia Olson-Kelley, Administrator
Chatham Oaks Residential Care Facility
4515 Melrose Ave
Iowa City, IA 52246

Dear Ms. Olson-Kelley

I am writing in response to your request received on June 1, 2023 to extend your current waiver regarding Iowa Administrative Code Chapter 57.19. This rule states:

481—57.19(135C) Drugs.

57.19(3) Drug administration—authorized personnel.

c. The person shall be a licensed nurse or primary care provider or shall have successfully completed a department-approved medication aide course and passed a department-approved medication aide challenge examination administered by an area community college. (II, III)

Your facility currently has a waiver in place for this rule until June 30, 2023 to allow medication managers to administer medications. The facility continues to try and recruit licensed nurses and certified medication aides (CMAs) but have been unsuccessful due to the lack of CMAs in the area as well as ongoing staffing shortages.

After careful review of this waiver request, it has been concluded that:

- Application of the rule would pose an undue hardship on the facility.
- Waiver from this rule does not prejudice the substantial legal rights of any person.
- The rule is not specifically mandated by statute.
- Waiver from this rule does not affect public health, safety and welfare.

This waiver request is **GRANTED**. Your current waiver ends on June 30, 2023. This waiver will be extended an additional 6 months until **December 31, 2023** to allow the facility time to adequately certify and train an appropriate number of staff to consistently meet the requirement. Please keep in mind that waivers to administrative rules may be rescinded at any time should the rights, health, safety, or welfare of residents be compromised.

If you have any questions regarding these issues, please contact Deb Dixon at (515) 281-7624 or by e-mail at deb.dixon@dia.iowa.gov.

Sincerely,

Larry Johnson, Director