

## INTERIOR DESIGN EXAMINING BOARD [193G]

### Adopted and Filed

Pursuant to the authority of 2005 Iowa Code Supplement section 544C.3, the Interior Design Examining Board hereby adopts new Chapter 1, "Description of Organization," and new Chapter 2, "Registration."

Chapter 1 provides structure and organization for the Board and Chapter 2 includes transition rules for applicants to register as interior designers through June 30, 2007.

Notice of Intended Action was published in the Iowa Administrative Bulletin on August 16, 2006, as **ARC5311B**

A public hearing on these proposed rules was held September 15, 2006 at 9:00 a.m. in the Second Floor Conference Room, Professional Licensing and Regulation Bureau, 1920 S.E. Hulsizer Road, Ankeny, IA. No one attended the public hearing.

These rules were adopted by the Board on September 20, 2006.

To clarify the Board's intent, two words were added to 2.1(3) so that the registrant understands that all of the requirements listed in the rule must be met.

These rules become effective November 15, 2006.

These rules are intended to implement Iowa Code chapter 272C and Iowa Code Supplement chapter 544C.

The following new chapters are adopted.

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## CHAPTER 1

### DESCRIPTION OF ORGANIZATION

193G—1.1(544C,17A) Definitions. As used in these rules, the following definitions of words and terms shall apply:

“Board” means the interior design examining board.

“Bureau” means the professional licensing and regulation bureau, division of banking of the department of commerce.

“Interior design” means the design of interior spaces including the preparation of documents relating to space planning, finish materials, furnishings, fixtures, and equipment, and the preparation of documents relating to the interior construction that does not affect the mechanical or structural systems of a building. “Interior design” does not include services that constitute the practice of architecture or professional engineering.

“NCIDQ” means the National Council for Interior Design Qualification.

“Registered interior designer” means a person who obtains a registration and engages in the practice of interior design under the authority of Iowa Code Supplement chapter 544C.

193G—1.2(544C) Description.

1.2(1) The purpose of the interior design examining board is to administer and enforce the provisions of Iowa Code Supplement chapter 544C, including issuing registration certificates and registration renewals; investigating violations and infractions of the interior design law; disciplining registrants; and seeking injunctive relief against unregistered persons who violate Iowa Code Supplement chapter 544C. To this end, the board has promulgated these rules to clarify the board's intent and procedures.

1.2(2) The primary mission of the board is to protect the public interest. All board rules shall be construed as fostering the guiding policies and principles described in Iowa Code Supplement chapter 544C. The board and its registrants shall strive at all times to protect the public interest by promoting the highest standards of interior design.

1.2(3) All official communications, including submissions and requests, should be addressed to the board at 1920 S.E. Hulsizer Road, Ankeny, Iowa 50021.

193G—1.3(544C,17A) Organization and duties. The board shall consist of five members who are interior designers and two members who are not interior designers and who represent the general public. The board shall elect annually from its members a chairperson and a vice chairperson. A quorum of the board shall be four members, and all final motions and actions must receive a majority of a quorum vote. The board shall enforce the provisions of Iowa Code Supplement chapter 544C and shall maintain a roster of all registered interior designers in the state.

1.3(1) Chairperson. The chairperson shall, when present, preside at the meetings, appoint committees, and exercise all duties and powers of the chairperson.

1.3(2) Vice-chairperson. The vice-chairperson shall, in the absence or incapacity of the chairperson, exercise the duties and powers of the chairperson.

193G—1.4(544C,17A) Meetings. Calls for meetings shall be issued in accordance with Iowa Code section 21.4. The annual meeting of the board shall be the first meeting scheduled after April 30. At this meeting, the chairperson and vice-chairperson shall be elected to serve until their successors are elected. The newly elected officers shall assume the duties of their respective offices at the conclusion of the meeting at which they are elected.

193G—1.5(544C) Other meetings. In addition to the annual meeting and subsequent meetings, the time and place of which may be fixed by resolution of the board, a meeting may be called by the chairperson of the board or by joint call of a majority of its members.

193G—1.6(544C,17A) Order of business. The chairperson or the chairperson's designee shall prepare an agenda listing all matters to be discussed at a meeting. A copy of the agenda shall be available to each member of the board. Procedures shall be in accordance with Robert's Rules of Order.

193G—1.7(544C) Administrative committees.

1.7(1) The board chairperson may appoint administrative committees of not less than two nor more than four members who shall be members of the

board for the purpose of making recommendations on matters specified by the board.

1.7(2) An administrative committee may be appointed to make recommendations to the board concerning the board's responsibilities in regard to examinations, registrations, continuing education, professional conduct, discipline and other board matters.

193G—1.8(544C,17A) Public records and fair information practices. Board rules on public records and fair information practices may be found in the uniform rules for the professional licensing and regulation bureau at 193 IAC 13.

193G—1.9(544C,17A) Sales and leases of goods and services. Board rules on sales and leases of goods and services may be found in the uniform rules for the professional licensing and regulation bureau at 193 IAC 11.

193G—1.10(544C,17A) Petitions for rule making. Persons wishing to file a petition for rule making should consult the uniform rules for the professional licensing and regulation bureau at 193 IAC 9.

193G—1.11(544C,17A) Declaratory orders. Persons wishing to seek a declaratory order from the board should consult the uniform rules for the professional licensing and regulation bureau at 193 IAC 10.

193G—1.12(544C,17A) Denial of issuance or renewal of registration for nonpayment of child support or student loans. Board rules on the denial of issuance or renewal of registration for nonpayment of child support or student loans may be found in the uniform rules for the bureau of professional licensing and regulation at 193 IAC 8.

193G—1.13(544C,17A) Waivers and variances.

1.13(1) Persons who wish to seek waivers or variances from board rules should consult the uniform rules for the professional licensing and regulation bureaus at 193 IAC 5.

1.13(2) In addition to the provisions of 193 IAC 5, the following shall apply for interim rulings:

a. The board chairperson or the vice chairperson if the chairperson is not available, may rule on a petition for waiver or variance when it would not be timely to wait for the next regularly scheduled board meeting for a ruling from the board.

b. The executive officer, upon receipt of a petition that meets all applicable criteria established in 193 IAC 5, shall present the request to the board chairperson or vice chairperson along with all pertinent information regarding established precedent for granting or denying such requests.

c. The chairperson or vice chairperson shall reserve the right to hold an electronic meeting of the board when prior board precedent does not clearly resolve the request, input of the board is deemed required, and the practical result of waiting until the next regularly scheduled meeting would be a denial of the request due to timing issues.

d. A waiver report shall be placed on the agenda of the next regularly scheduled board meeting and recorded in the minutes of the meeting.

e. Subrule 1.13(2) on interim rulings does not apply if the waiver or variance was filed in a contested case.

193G—1.14(544C,17A,272C) Investigation and investigatory subpoenas. Board rules regarding investigations and investigatory subpoenas may be found in the uniform rules for the professional licensing and regulation bureau at 193 IAC 6.

193G—1.15(544C,17A, 272C) Contested case procedures. Board rules on contested case procedures, including those related to the denial of an application for initial or renewal registration and those related to disciplinary proceedings against registrants, may be found in the uniform rules for the professional licensing and regulation bureau at 193 IAC 7.

193G—1.16(272C) Impaired registrants. Board rules governing impaired practitioner review committees may be found in the uniform rules for the professional licensing and regulation bureau at 193 IAC 12.

These rules are intended to implement Iowa Code chapters 17A, 21, 22, 252J, 261 and 272C and Iowa Code Supplement chapter 544C.

## CHAPTER 2

### REGISTRATION

193G—2.1(544C) Certificate of registration. All applicants for registration must satisfy the interior design education, practical training, and examination requirements established by this rule.

2.1(1) Education and practical training. An applicant for registration shall meet or exceed one of the following interior design education/practical training requirements:

a. A baccalaureate degree from a four-year interior design program or a substantially equivalent program, and at least two years of acceptable full-time work experience in the performance of interior design services.

b. A certificate, degree or diploma from a three-year interior design program or substantially equivalent program, and at least three years of acceptable full-time work experience in the performance of interior design services.

c. A certificate, degree or diploma from a two-year interior design program or substantially equivalent program, and at least four years of acceptable full-time work experience in the performance of interior design services.

2.1(2) Examination. An applicant for registration shall verify successful completion of the NCIDQ examination, or its equivalent.

2.1(3) Transition provisions. For a period of two years from July 1, 2005, the board may issue a certificate as a registered interior designer to a person residing in Iowa who does not meet the examination requirements specified in Iowa Code Supplement 544C.5, if the person satisfies all of the following:

a. Has a minimum of two years of interior design education and a combined total of six years of interior design education and acceptable experience.

b. Has successfully completed Section 1 of the NCIDQ examination relating to life safety codes and barrier-free requirements.

c. Has submitted a completed application by June 30, 2007.

2.1(4) Applications.

a. Persons applying for certificates of registration on or prior to June 30, 2007, shall submit an application on a form provided by the board and shall pay a registration fee of \$350.

b. Registration certificates issued in response to applications filed on or prior to June 30, 2007, shall expire on June 30, 2009, and shall thereafter be converted to a staggered biennial renewal schedule.

c. Commencing with applications for initial or renewal registration filed on or after July 1, 2007, certificates issued to registrants with last names beginning with A through K shall expire on June 30 of even numbered years and certificates issued to registrants with last names beginning with L through Z shall expire on June 30 of odd numbered years. Registration fees and continuing education requirements shall be applied pro rata to those registrants whose certificates expire in less than two years.

This rule is intended to implement Iowa Code Supplement chapter 544C.

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Susan A. Griffel  
Executive Officer  
Interior Design Examining Board

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