

**INTERIOR DESIGN EXAMINING BOARD[193G]**

**Notice of Intended Action**

**Proposing rule making related to retirement, waivers, and licensure  
and providing an opportunity for public comment**

The Interior Design Examining Board hereby proposes to amend Chapter 1, “Description of Organization,” Chapter 2, “Registration,” and Chapter 3, “Continuing Education,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code section 544C.3.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code chapter 544C and 2020 Iowa Acts, House File 2627.

*Purpose and Summary*

These proposed amendments implement changes recommended and required by 2020 Iowa Acts, House File 2627, and the five-year rolling administrative rules review outlined in Iowa Code section 17A.7(2).

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

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

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 193—Chapter 5.

*Public Comment*

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on January 19, 2021. Comments should be directed to:

Lori SchraderBachar  
Interior Design Examining Board  
200 East Grand Avenue, Suite 350  
Des Moines, Iowa 50309  
Email: [lori.schraderbachar@iowa.gov](mailto:lori.schraderbachar@iowa.gov)

*Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held as follows:

January 19, 2021  
12 noon to 1 p.m.

Board Office, Suite 350  
200 East Grand Avenue  
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making 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).

The following rule-making actions are proposed:

ITEM 1. Adopt the following **new** definition of "Retired" in rule **193G—1.1(544C,17A)**:

"Retired" means that a registered interior designer is not engaged in interior design or earning monetary compensation by providing professional services in any licensing jurisdiction of the United States or a foreign country.

ITEM 2. Amend rule 193G—1.3(544C,17A), introductory paragraph, as follows:

**193G—1.3(544C,17A) Organization and duties.** The board shall consist of seven members: five members who are interior designers registered under Iowa Code chapter 544C 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 quorum majority vote. The board shall enforce the provisions of Iowa Code chapter 544C and shall maintain a roster of all registered interior designers in the state.

ITEM 3. Amend rule 193G—1.8(544C,17A) as follows:

**193G—1.8(544C,17A) Waivers and ~~variances~~.**

**1.8(1)** Persons who wish to seek waivers ~~or variances~~ from board rules should consult the uniform rules for the bureau at 193—Chapter 5.

**1.8(2)** In addition to the provisions of 193—Chapter 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. to d. No change.

e. Subrule 1.8(2) on interim rulings does not apply if the waiver ~~or variance~~ was filed in a contested case.

ITEM 4. Adopt the following **new** subrule 2.1(4):

**2.1(4) Retired status.** A person who held an active Iowa registration and who does not reasonably expect to return to the workforce in any capacity for which a registration is required due to bona fide retirement or disability may apply to the board for retired status and, if granted, may use the title "retired registered interior designer" in the context of non-income-producing personal activities. If the board determines an applicant is eligible, the retired status would become effective on the first scheduled registration renewal date. Applicants do not need to reinstate an expired registration to be eligible for retired status. Applicants may apply for retired status on forms provided by the board. The board will not provide a refund of biennial registration fees if an application for retired status is granted in a biennium in which the applicant has previously paid the biennial fees. Persons registered in retired status are exempt

from the renewal requirement. A person whose registration as an interior designer has been placed on probation, suspended, revoked, or voluntarily surrendered in connection with a disciplinary investigation or proceeding shall not be eligible for retired status unless, upon appropriate application, the board first reinstates the registration to good standing.

ITEM 5. Amend rule 193G—2.2(17A,272C,544C) as follows:

**193G—2.2(17A,272C,544C) Renewal of certificates of registration.** Certificates of registration expire biennially on June 30. 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. However, a registration issued on or after May 1 but before June 30 will not expire until June 30 of the next renewal. For example, a license issued on May 17, 2020, would not expire until June 30, 2022. In order to maintain authorization to practice in Iowa, a registrant is required to renew the certificate of registration prior to ~~the expiration date~~ June 1 of the year of expiration. However, the board will accept an otherwise sufficient renewal application which is untimely if the board receives the application and late fee of \$25 within 30 days ~~of~~ prior to the date of expiration. A registrant who fails to renew by the expiration date is not authorized to use the title of registered interior designer in Iowa until the certificate is reinstated as provided in rule 193G—2.3(544C,17A).

**2.2(1)** It is the policy of the board to send to each registrant at the registrant's last-known address a notice of the pending expiration date ~~approximately one month prior to the date the certificate of registration is scheduled to expire~~. Failure to receive this notice does not relieve the registrant of the responsibility to timely renew the certificate and pay the renewal fee.

**2.2(2)** No change.

**2.2(3)** When a registrant appears to be in violation of mandatory continuing education requirements, the board may, in lieu of proceeding to a contested case hearing on the denial of a renewal application as provided in rule 193—7.40(546,272C), and after or in lieu of giving the licensee an opportunity to come into compliance under rule 193G—3.4(17A,544C), offer a registrant the opportunity to sign a consent order. While the terms of the consent order will be tailored to the specific circumstances at issue, the consent order will typically impose a penalty between \$50 and \$250, depending on the severity of the violation; establish deadlines for compliance; and require that the registrant complete hours equal to double the deficiency in addition to the required hours; and may impose additional educational requirements on the registrant. Any additional hours of continuing education completed in compliance with the consent order cannot again be claimed at the next renewal. The board will address subsequent offenses on a case-by-case basis. A registrant is free to accept or reject the offer. If the offer of settlement is accepted, the registrant will be issued a renewed certificate of registration and will be subject to disciplinary action if the terms of the consent order are not fulfilled. If the offer of settlement is rejected, the matter will be set for hearing, if timely requested by the registrant pursuant to 193—subrule 7.40(1).

**2.2(4)** and **2.2(5)** No change.

ITEM 6. Amend rule **193G—2.3(544C,17A)**, catchwords, as follows:

**193G—2.3(544C,17A) Reinstatement of certificates of registration to active status.**

ITEM 7. Renumber rule **193G—2.4(544C)** as **193G—2.5(544C)**.

ITEM 8. Adopt the following **new** rule 193G—2.4(544C):

**193G—2.4(544C) Reinstatement from retired status to active status.** An individual may reinstate a retired registration to an active license as follows:

**2.4(1)** Pay the current active registration fee. If the individual is reinstating to active status at a date that is less than 12 months from the next biennial renewal date, one-half of the current active license fee shall be paid.

**2.4(2)** Submit documented evidence of completion of 10 continuing education hours in compliance with requirements in 193G—Chapter 3. All continuing education hours must be completed in health, safety, and welfare subjects and acquired in structured educational activities. The hours used to reinstate to active status cannot again be used to renew.

*a.* At the first biennial renewal date of July 1 that is less than 12 months from the date of the filing of the application to restore the certificate of registration to active status, the person shall not be required to report continuing education hours.

*b.* At the first biennial renewal date of July 1 that is 12 months or more, but less than 24 months, from the date of the filing of the application to restore the certificate of licensure to active status, the person shall report 5 hours of previously unreported continuing education hours.

ITEM 9. Amend renumbered rule 193G—2.5(544C) as follows:

**193G—2.5(544C) Applications.**

**2.5(1)** The interior designer is responsible for verifying the accuracy of the information submitted on applications regardless of how the application is submitted or by whom it is submitted. For instance, if the office manager of an interior designer’s firm submits an application for renewal on behalf of the interior designer and that information is incorrect, the interior designer will be held responsible for the information and may be subject to disciplinary action.

**2.5(2)** Persons applying for initial, renewal, or reciprocal registration shall submit an application on a form provided by the board and shall pay a registration fee of \$275. 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. An applicant applying for initial, reciprocal, or reinstatement registration within 12 months from the applicant’s required renewal date shall pay half of the required fee. An applicant applying for initial, reciprocal, or reinstatement registration more than 12 months from the applicant’s required renewal date shall pay the full registration fee.

**2.5(3)** Fee schedule.

Type of fee	Amount
Initial registration fee	\$275
Reciprocal registration fee	\$275
Formal wall certificate	\$50
Renewal	\$275
Late renewal fee	\$25
Reinstatement of lapsed registration	\$100
<u>License predetermination fee</u>	<u>\$25</u>

All fees are nonrefundable.

ITEM 10. Amend subrule 3.2(3) as follows:

**3.2(3)** A registered interior designer who holds a registration in Iowa for less than 12 months from the date of initial registration shall not be required to report continuing education at the first registration renewal. A registered interior designer who holds a registration in Iowa for ~~more than~~ 12 months or more, but less than 24 months from the date of initial registration, shall be required to report 5 contact hours of HSW subjects in a structured activity, earned in the preceding 12 months, at the first registration renewal.

ITEM 11. Amend subrule 3.3(2) as follows:

**3.3(2)** The board ~~will~~ may verify, ~~on a random basis,~~ information submitted by registrants. If an application for renewal is not approved, the applicant will be so notified and may be granted a period of time by the board in which to correct the deficiencies noted. Any discrepancy between the number of CEUs reported and the number of CEUs actually supported by documentation may result in a disciplinary

review. If, after the disciplinary review, the board disallows any CEUs, or the registrant has failed to complete the required CEUs, the interior designer shall have 60 days from notification by the board to either provide further evidence of having completed the CEUs disallowed or remedy the discrepancy by completing the required number of CEUs (provided that such CEUs shall not again be used for the next renewal). An extension of time may be granted on an individual basis and must be requested by the registrant within 30 days of notification by the board. If the registrant fails to comply with the requirements of this subrule, the registrant may be subject to disciplinary action. If the board finds, after proper notice and hearing, that the interior designer willfully disregarded these requirements or falsified documentation of required CEUs, the interior designer may be subject to disciplinary action.