Regulatory Analysis

Notice of Intended Action to be published: Iowa Administrative Code 193G—Chapter 1
"Description of Organization"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 544C.3
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 544C

Public Hearing

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

October 22, 2024 3 p.m.	6200 Park Avenue Des Moines, Iowa Virtual: us02web.zoom.us/j/87157328415?pwd=MUJIuarfeYpA4aEog7FSkQfzHyXifN.1

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis. Written comments in response to this Regulatory Analysis must be received by the Interior Design Examining Board (Board) no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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6200 Park Avenue
Des Moines, Iowa 50321
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Purpose and Summary

Proposed Chapter 1 provides basic information on the structure and function of the Board, which benefits the public and registrants by informing them about the organization and administration of the Board.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

- Classes of persons that will bear the costs of the proposed rulemaking:

Chapter 1 provides organization and administrative background for the Interior Design Examining Board. The agency bears the cost of Board meetings, in the amount of $50 per diem per Board member per meeting, plus travel expenses as needed and regular staff time. Staff salaries and per diem to support the work of the Board are covered by the Licensing and Regulation Fund. Licensing fees go to the fund to cover the operations of the regulated professional licensing boards.

- Classes of persons that will benefit from the proposed rulemaking:

The classes of persons that will benefit from the proposed rulemaking are registrants and the general public. This rulemaking establishes the structure and operations of the Board, making it easier to navigate the regulation of registered interior designers.

2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:

- Quantitative description of impact:

The expenses of the Board (i.e., per diems and travel reimbursement) are covered by the Licensing and Regulation Fund.

- Qualitative description of impact:

Iowans are protected by the laws of professional licensing through responsible regulations. The Board ensures minimum standards for registration and resolves complaints against licensees.

3. Costs to the State:

- Implementation and enforcement costs borne by the agency or any other agency:

Costs to the agency are staff time needed to manage Board activities and to pay the Board members $50 per diem and reimburse travel expenses.

- Anticipated effect on state revenues:

There is not a significant impact to state revenues by this chapter. Staff salaries are covered by the Licensing and Regulation Fund. Licensing fees go to the fund to cover operations of the regulated professional licensing boards.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

No new fees are being imposed. The benefits of the rulemaking are less restrictive language and the simplification of the rules for better understanding by the public and registrants.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

These rules are less restrictive than full licensure. The rules pertain only to those who wish to hold themselves as registered interior designers. Less restrictive alternatives would dilute the protection of the public. Reducing the nominal pay to the Board or reducing/eliminating travel expense reimbursement may serve to also reduce the interest of individuals in sitting on the Board.

This Board is part of the Professional Licensing Division within the Department of Inspections, Appeals, and Licensing (DIAL), which continues to assess and implement opportunities to increase efficiencies and standardize processes across all professional licensing boards. This revised chapter supports this effort. DIAL is actively pursuing a single licensing platform to assist in standardizing licensing.

6. Alternative methods considered by the agency:

- Description of any alternative methods that were seriously considered by the agency:

These rules are less restrictive than full licensure. The rules pertain only to those who wish to hold themselves as registered interior designers. These rules offer the public helpful information regarding the structure of the Board.

- Reasons why alternative methods were rejected in favor of the proposed rulemaking:

Registration and regulation are required by Iowa Code chapter 544C for those who wish to hold themselves as registered interior designers; the rules support the law.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.

- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

Iowa registers interior designers, some of whom may own small businesses. The substantial impact on licensed small businesses from this chapter is negligible because there are no compliance requirements in Chapter 1. The function is solely to inform.

Text of Proposed Rulemaking

ITEM 1. Rescind 193G—Chapter 1 and adopt the following **new** chapter in lieu thereof:

CHAPTER 1
DESCRIPTION OF ORGANIZATION

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

"Board" means the same as in Iowa Code section 544C.1(1).

"CIDQ" means the council for interior design qualification.

"Department" means the same as in Iowa Code section 544C.1(4).

"Registered interior design" means the same as in Iowa Code section 544C.1(9).

"Registered interior designer" means the same as in Iowa Code section 544C.1(10).

193G—1.2(544C) Description.

1.2(1) The purpose of the board is to administer and enforce the provisions of Iowa Code chapter 544C. 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 are construed as fostering the guiding policies and principles described in Iowa Code chapter 544C.

193G—1.3(544C,17A) Organization and duties. The board elects annually from its members a chairperson and a vice-chairperson. A quorum of the board is four members, and all final motions and actions must receive a majority vote. The board enforces the provisions of Iowa Code chapter 544C and maintains a roster of all registered interior designers in the state.

1.3(1) *Chairperson.* The chairperson, when present, presides at the meetings, appoints committees, and exercises all duties and powers of the chairperson.

1.3(2) *Vice chairperson.* The vice chairperson, in the absence or incapacity of the chairperson, exercises the duties and powers of the chairperson.

193G—1.4(544C,17A) Meetings. Calls for meetings are issued in accordance with Iowa Code section 21.4. The first meeting scheduled after April 30 is the annual meeting. The chairperson and vice chairperson are elected at the annual meeting. The chairperson and vice chairperson serve one-year terms. The newly elected officers 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 any subsequent meetings, the time and place of which may be fixed by vote 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) Administrative committees. The board chairperson may appoint administrative committees of members of the board for the purpose of making recommendations on matters specified by the board.

193G—1.7(544C,17A) Waivers. Persons who wish to seek waivers from board rules should consult the uniform rules for the department at 481—Chapter 6.

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