

INTERIOR DESIGN EXAMINING BOARD[193G]

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CHAPTER 1
DESCRIPTION OF ORGANIZATION

Chapter rescission date pursuant to Iowa Code section 17A.7: 4/23/30

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).

[ARC 9023C, IAB 3/19/25, effective 4/23/25]

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.

[ARC 9023C, IAB 3/19/25, effective 4/23/25]

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.

[ARC 9023C, IAB 3/19/25, effective 4/23/25]

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.

[ARC 9023C, IAB 3/19/25, effective 4/23/25]

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.

[ARC 9023C, IAB 3/19/25, effective 4/23/25]

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.

[ARC 9023C, IAB 3/19/25, effective 4/23/25]

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.

[ARC 9023C, IAB 3/19/25, effective 4/23/25]

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

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CHAPTER 2
REGISTRATION

Chapter rescission date pursuant to Iowa Code section 17A.7: 4/23/30

193G—2.1(544C) Certificate of registration. All applicants for registration will complete a board-approved application and satisfy the interior design education, practical training, examination, and fee requirements established by this rule.

2.1(1) Education and practical training. An applicant for registration shall meet the education and training requirements set forth in Iowa Code section 544C.5.

2.1(2) Examination. An applicant for registration will verify successful completion of the National Council for Interior Design Qualification examination or its equivalent.

2.1(3) Reciprocity. The board may also grant registration by reciprocity as provided in Iowa Code section 544C.6.

2.1(4) Military service and veteran reciprocity. The board may grant registration for military service applicants, spouses, and veterans as provided for in 481—Chapter 7.

2.1(5) Registration by verification. The board may grant registration via verification as provided for in 193—Chapter 14.

[ARC 9024C, IAB 3/19/25, effective 4/23/25]

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 expire on June 30 of even-numbered years and certificates issued to registrants with last names beginning with L through Z 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. 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 a notice of the pending expiration date. 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) If grounds exist to deny a timely and sufficient application to renew, the board shall send written notification to the applicant by restricted certified mail, return receipt requested. Grounds may exist to deny an application to renew if, for instance, the registrant failed to satisfy the continuing education provisions required as a condition for registration. If the basis for denial is a pending disciplinary action or disciplinary investigation that is reasonably expected to culminate in disciplinary action, the board shall proceed as provided in 193—Chapter 7. If the basis for denial is not related to a pending or imminent disciplinary action, the applicant may contest the board's decision as provided in 193—subrule 7.40(1).

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—3.3(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. The consent order 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) A registrant who continues to use the title of registered interior designer in Iowa after the registration has expired may be subject to disciplinary action. Such unauthorized activity may also be grounds to deny a registrant's application for reinstatement.

2.2(5) Registrants shall notify the board within 30 days of any change of address or business.
[ARC 9024C, IAB 3/19/25, effective 4/23/25]

193G—2.3(544A,17A,272C) Grounds for denial of registration renewal. Failure of a registrant to complete the continuing education requirements as set forth in 193—Chapter 3, failure to file a report of completed continuing education, or failure to submit a written request for waiver or exemption shall be grounds for the board to deny renewal of the registration.

[ARC 9024C, IAB 3/19/25, effective 4/23/25]

193G—2.4(544A,17A) Reinstatement of certificates of registration. An individual may reinstate a lapsed certificate of registration to active registration by doing the following:

1. Paying the current renewal fee;
2. Paying the reinstatement fee of \$100;
3. Providing a written statement outlining the professional activities that the applicant performed in Iowa during the period of nonregistration, including a list of all projects with which the applicant had involvement and explaining the service provided by the applicant; and

4. Submitting documented evidence of completion of 10 continuing education hours, which should have been reported on the June 30 renewal date on which the applicant failed to renew, and 5 continuing education hours for each year or portion of a year of expired registration up to a maximum of 20 continuing education hours. All continuing education hours are to be completed in health, safety, and welfare subjects; be acquired in structured educational activities; and be in compliance with requirements in 193G—Chapter 3. The continuing education hours used for reinstatement may not be used again at the next renewal and may not have been earned more than four years prior to the date of the application to reinstate.

[ARC 9024C, IAB 3/19/25, effective 4/23/25]

193G—2.5(544A) 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 will submit an application on a form provided by the board and pay a registration fee of \$275. An applicant applying for initial, reciprocal, or reinstatement registration within 12 months from the applicant's renewal date pays half of the required fee. An applicant applying for initial, reciprocal, or reinstatement registration 12 months or more from the applicant's renewal date pays the full registration fee.

2.5(3) Fee schedule.

Type of fee	Amount
Registration fee	\$275
Renewal	\$275
Reinstatement of lapsed registration	\$100
License predetermination fee	\$25
Dishonored check, draft, order or other payment failure	\$30

All fees are nonrefundable.

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CHAPTER 3
CONTINUING EDUCATION

Chapter rescission date pursuant to Iowa Code section 17A.7: 4/23/30

193G—3.1(17A,272C,544C) Definitions. As used in these rules, the following definitions apply:

“*Contact hour*” means one 60-minute clock hour of educational activity of which at least 50 minutes are devoted to instructional content. Where other units of credit are stated for an educational experience (e.g., continuing education units (CEUs)), they will be credited in terms of actual contact hours.

“*Distance education*” means any education process based on the geographical separation of student and instructor.

“*Health, safety and welfare subjects*” or “*HSW subjects*” means subjects that relate to the planning and designing of spaces and elements to minimize the risk of injury to persons or property. Such subjects include compliance with applicable building and safety codes, the planning and designing of spaces and elements that optimize over time the physically and mentally healthful use of those spaces and elements, and the planning and designing of spaces and elements that are durable, maintainable, cost-effective, environmentally conscientious and conservative of resources; that function properly in all relevant respects; that encourage access, functional independence and use by all relevant populations; that encourage user satisfaction, including aesthetic appeal; that promote a sense of user confidence and peace of mind; that integrate effectively with the surrounding environment; and that, in other similar ways, enhance the health, safety and well-being of the public.

“*Structured activity*” means a method of interior design-related learning led by a qualified individual and conducted or sponsored by a professional organization, technical organization, industry source or accredited college or university taught in person or through distance education.

[ARC 9025C, IAB 3/19/25, effective 4/23/25]

193G—3.2(17A,272C,544C) Continuing education requirements.

3.2(1) Hours required. Completion of a minimum of ten contact hours in acceptable health, safety and welfare subjects satisfies the continuing education necessary for biennial registration renewal. All hours shall be in structured activity programs and must be acquired during the renewal period. A registrant may carry over up to five contact hours of continuing education credit obtained in excess of the requirements for a renewal period to the following renewal period.

3.2(2) Continuing education hours may be acquired in any state, provided that the registrant can demonstrate that the program meets the definition of structured activity as defined in this chapter.

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

3.2(4) Sources of continuing education. Credit may not be claimed for any activity required as part of a registered interior designer’s routine professional responsibilities. Structured activities include the following:

a. Completion of any program or course sponsored by a professional or technical organization or industry source.

b. Instruction of a course, seminar, lecture, presentation, workshop, webinar or similar formal educational program. Credit is allowed at a maximum of three preparation hours for each class hour spent for actual presentation, valid for the initial presentation only. College and university faculty may not claim contact or preparation credit for teaching regular curriculum courses.

c. Research that is formally presented to the profession or public. Credit is allowed at a maximum of four contact hours per reporting period and shall be valid for the initial presentation only.

d. Completion of college or university credit courses dealing with interior-design-related subjects. Each semester hour equals 15 contact hours. A quarter hour equals ten contact hours.

3.2(5) Approved continuing education. The board does not preapprove continuing education activities or courses; however, acceptable HSW subjects that enhance the health, safety, and well-being of the public include the following topics:

- a.* Life safety, ADA, and other building and safety codes, standards and administrative regulations governing the practice of interior design.
- b.* Safety and security.
- c.* Physical and mental health issues.
- d.* Topics that relate to human physiology, perception, anthropometrics, ergonomics, psychology, sociology, ecology and cultural factors.
- e.* Energy efficiency.
- f.* Environmental issues.
- g.* Accessibility and universal design.
- h.* Materials and methods.
- i.* Building systems.
- j.* Statutes and rules relating to interior design regulation.
- k.* Professional ethics.
- l.* Legal aspects of professional practice.
- m.* Construction documents and services.
- n.* Project administration.

[ARC 9025C, IAB 3/19/25, effective 4/23/25]

193G—3.3(17A,272C,544C) Controls and reporting.

3.3(1) An applicant for registration renewal may be requested to provide, in such manner and at such time as prescribed by the board, a signed statement, under penalty of perjury, on forms provided by the board, setting forth the continuing education in which the registrant has participated.

a. When an applicant is requested to provide a listing of the continuing education completed for structured activities, the information will include the following:

- (1) The school, firm or organization conducting the course.
- (2) The location of the course.
- (3) The title of the course or a description of the course content.
- (4) The name of the principal instructor.
- (5) The dates attended.
- (6) The hours claimed.

b. Reserved.

3.3(2) The board may verify information submitted by registrants. If an application for renewal is not approved, the applicant will be 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 has 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 if 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.

3.3(3) The registrant is responsible for maintaining verification of claimed credit for a minimum of five years subsequent to submission of the report to the board office. Acceptable verification may be presented with a course completion certificate or a college transcript.

[ARC 9025C, IAB 3/19/25, effective 4/23/25]

193G—3.4(17A,544C) Exemptions.

3.4(1) As provided in Iowa Code section 272C.2(4), a registered interior designer is deemed to have complied with the continuing education requirements set forth in this chapter if during the continuing education compliance period the registrant:

- a.* Has served honorably on active duty in the military service; or
- b.* Is a resident of another state or district having a continuing education requirement for registered interior design and has complied with all requirements of that state or district for practice therein; or
- c.* Is a government employee working as a registered interior designer outside the United States.

3.4(2) The board shall have authority to make exceptions for reasons of individual hardship, including health (certified by a medical doctor) or other good cause. See 193—Chapter 5.

[ARC 9025C, IAB 3/19/25, effective 4/23/25]

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

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CHAPTER 4
PROFESSIONAL CONDUCT

Chapter rescission date pursuant to Iowa Code section 17A.7: 5/8/29

193G—4.1(544C) Rules of conduct. A registered interior designer shall maintain a high standard of integrity and professional responsibility within the profession of registered interior design to protect the public health, life, safety, and welfare. Failure by a registrant to adhere to the provisions of Iowa Code section 272C.10 and chapter 544C and the following rules of conduct may be grounds for disciplinary action.

4.1(1) Competence.

a. A registered interior designer shall act with reasonable care and competence and apply the technical knowledge and skill ordinarily applied by a registered interior designer of good standing providing interior design services in the same locality.

b. The board may initiate discipline against a registered interior designer or may, when appropriate, refer a registered interior designer to the board's impaired practitioner review committee based on habitual intoxication or addiction to the use of drugs or other impairment that adversely affects the registrant's ability to practice in a safe and competent manner.

4.1(2) Conflict of interest.

a. A registered interior designer shall not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed to and agreed to (such disclosures and agreements are to be in writing) by all interested parties in advance of payment of such compensation.

b. If a registered interior designer has any business association or direct or indirect financial interest that is substantial enough to influence the registered interior designer's judgment in connection with the registered interior designer's performance of professional services, the registered interior designer shall fully disclose, in writing, to the client or employer the nature of the business association or financial interest, and if the client or employer objects to the association or financial interest, the registered interior designer will either terminate such association or interest or offer to give up the commission or employment.

c. A registered interior designer shall not solicit or accept compensation from material or equipment suppliers in return for specifying or endorsing the products.

d. When acting as the interpreter of building contract documents and the judge of contract performance, a registered interior designer shall render decisions impartially, favoring neither party to the contract.

4.1(3) Full disclosure.

a. A registered interior designer shall not deliberately make a materially false statement or deliberately fail to disclose a material fact requested in connection with application for registration or renewal of registration.

b. A registered interior designer shall not assist in the application for registration of a person known by the registered interior designer to be unqualified with respect to education, training, experience or character.

c. A registered interior designer engaged in the practice of interior design must act in the best interest of the client and shall not allow integrity, objectivity or professional judgment to be impaired.

d. A registered interior designer with knowledge of a violation of these rules by another registered interior designer shall report such knowledge to the board.

4.1(4) Professional conduct.

a. A registered interior designer shall respect the confidentiality of sensitive information obtained in the course of the interior designer's professional activities.

b. A registered interior designer shall not engage in conduct involving fraud, deceit, misrepresentation or dishonesty in the practice of interior design.

c. A registered interior designer shall neither attempt to obtain a contract to provide interior design services through any unlawful means nor assist others in such an attempt.

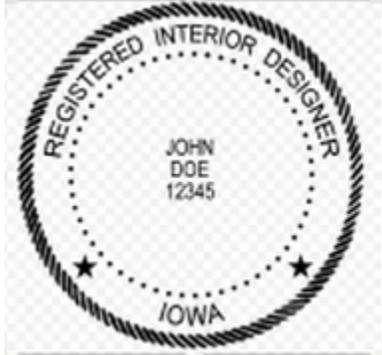
d. A registered interior designer shall neither offer nor make any payment to a governmental official with the intent of influencing the official’s judgment in connection with a prospective or existing project in which the interior designer has an interest.

4.1(5) Seal and certificate of responsibility.

a. The seal under Iowa Code section 544C.14 shall include:

- (1) An outside circle with a diameter of approximately 1 ¾ inches.
- (2) The name of the registered interior designer and the words “Registered Interior Designer.”
- (3) The Iowa registration number and the word “Iowa.”

b. The seal will substantially conform to the sample shown below:



c. A legible rubber stamp, electronic image or other facsimile of the seal may be used.

d. Each technical submission submitted to a client or any public agency, hereinafter referred to as the official copy, shall contain an information block on its first page or on an attached cover sheet with application of a seal by the registered interior designer in responsible charge and an information block with application of a seal by each professional consultant contributing to the technical submission. The seal and original signature shall be applied only to a final technical submission. Each official copy of a technical submission shall be stapled, bound or otherwise attached together so as to clearly establish the complete extent of the technical submission. Each information block shall display the seal of the individual responsible for that portion of the technical submission. The area of responsibility for each sealing professional shall be designated in the area provided in the information block, so that responsibility for the entire technical submission is clearly established by the combination of the stated seal responsibilities. The information block will substantially conform to the sample shown below:

S E A L	<p>I hereby certify that the portion of this technical submission described below was prepared by me or under my direct supervision and responsible charge. I am a duly registered interior designer under the laws of the state of Iowa.</p> <hr/> <p style="text-align: center;">Signature Date</p> <p>Printed or typed name _____</p> <p>Registration number _____</p> <p>My registration renewal date is June 30, _____</p> <p>Pages or sheets covered by this seal: _____</p> <p>_____</p> <p>_____</p> <p>_____</p>
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e. The information requested in each information block must be typed or legibly printed in permanent ink or a secure electronic signature. An electronic signature as defined in or governed by Iowa Code chapter 554D meets the signature requirements of this rule if it is protected by a security procedure,

as defined in Iowa Code section 554D.103(14), such as digital signature technology. It is the registrant's responsibility to ensure, prior to affixing an electronic signature to a technical submission, that security procedures are adequate to:

(1) Verify that the signature is that of a specific person, and

(2) Detect any changes that may be made or attempted after the signature of the specific person is affixed. The seal implies responsibility for the entire technical submission unless the area of responsibility is clearly identified in the information accompanying the seal.

f. It is the responsibility of the registered interior designer who signed the original submission to forward copies of all changes and amendments to the technical submission, which becomes a part of the official copy of the technical submission, to the public official charged with the enforcement of the state, county, or municipal building code.

g. A registered interior designer is responsible for the custody and proper use of the seal. Improper use of the seal may be grounds for disciplinary action.

h. The seal appearing on any technical submission establishes prima facie evidence that said technical submission was prepared by or under the responsible charge of the individual named on that seal.

[ARC 7742C, IAB 4/3/24, effective 5/8/24]

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

[Filed 5/15/07, Notice 3/28/07—published 6/6/07, effective 7/11/07]

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CHAPTER 5
GROUNDS FOR DISCIPLINE, DISCIPLINARY INVESTIGATIONS,
AND DISCIPLINARY PROCEEDINGS

Chapter rescission date pursuant to Iowa Code section 17A.7: 4/23/30

193G—5.1(17A,272C,544C) Grounds for discipline. The board may initiate disciplinary action against a registered interior designer on any of the following grounds:

1. A violation of any of the rules of professional conduct set forth in 193G—Chapter 4.
2. A violation of Iowa Code section 272C.9(2) or 272C.9(3).
3. Failure to comply with an order of the board imposing discipline.
4. Continuing to practice as a registered interior designer without satisfying the continuing education requirement, absent express waiver granted by the board.
5. Failure to fully cooperate with a registrant disciplinary investigation or investigation against a nonregistrant, including failure to respond to a board inquiry within 30 calendar days of the date of mailing by certified mail of a written communication directed to the registrant's last address on file at the board office.
6. A violation of Iowa Code section 544C.9 or 272C.10.

[ARC 9026C, IAB 3/19/25, effective 4/23/25]

193G—5.2(17A,272C,544C) Initiation of disciplinary investigations. The board may initiate a registrant disciplinary investigation upon the board's receipt of information suggesting that a registrant may have violated a law or rule enforced by the board which violation, if true, would constitute grounds for registrant discipline. The board may also review the publicly available work product of a registrant on a general or random basis to determine whether reasonable grounds exist to initiate disciplinary proceedings or to conduct a more specific investigation.

[ARC 9026C, IAB 3/19/25, effective 4/23/25]

193G—5.3(17A,272C,544C) Conflict of interest. If the subject of a complaint is a member of the board, or if a member of the board has a conflict of interest in any disciplinary matter before the board, that member will abstain from participation in any consideration of the complaint and from participation in any disciplinary hearing that may result from the complaint.

[ARC 9026C, IAB 3/19/25, effective 4/23/25]

193G—5.4(272C,544C) Complaints. Written complaints may be submitted to the board office by mail, email, website portal, or personal delivery.

5.4(1) Contents of a written complaint. Written complaints may be submitted on forms provided by the board that are available from the board's website. Written complaints should include as much of the following information as possible:

- a. The full name, address and telephone number of the complainant (person filing the complaint).
- b. The full name, address and telephone number of the respondent (registrant against whom the complaint is filed).
- c. A statement of the facts and circumstances giving rise to the complaint, including a description of the alleged acts or omissions that the complainant believes demonstrate that the respondent has violated or is violating laws or rules enforced by the board.
- d. If known, citations to the laws or rules allegedly violated by the respondent.
- e. Evidentiary supporting documentation.
- f. Steps, if any, taken by the complainant to resolve the dispute with the respondent prior to filing a complaint.

5.4(2) Immunity. As provided by Iowa Code section 272C.8, a person will not be civilly liable as a result of filing a report or complaint with the board unless such act is done with malice, nor will an employee be dismissed from employment or discriminated against by an employer for filing such a report or complaint.

5.4(3) *Role of complainant.* The role of the complainant in the disciplinary process is limited to providing the board with factual information relative to the complaint. A complainant is not party to any disciplinary proceeding that may be initiated by the board based in whole or in part on information provided by the complainant.

5.4(4) *Role of the board.* The board does not act as an arbiter of disputes between private parties, nor does the board initiate disciplinary proceedings to advance the private interest of any person or party. The role of the board in the disciplinary process is to protect the public by investigating complaints and initiating disciplinary proceedings in appropriate cases. The board possesses sole decision-making authority throughout the disciplinary process, including the authority to determine whether a case will be investigated, the manner of the investigation, whether a disciplinary proceeding will be initiated, and the appropriate registrant discipline to be imposed, if any.

5.4(5) *Initial complaint screening.* All written complaints received by the board are initially screened to determine whether the allegations of the complaint fall within the board's investigatory jurisdiction and whether the facts presented, if true, would constitute a basis for disciplinary action against a registrant. Complaints that are clearly outside the board's jurisdiction, that clearly do not allege facts upon which disciplinary action would be based, or that are frivolous are referred to the board for closure at the next scheduled board meeting. All other complaints are referred to the board's disciplinary committee for committee review as described in rule 193G—5.6(17A,272C,544C).

[ARC 9026C, IAB 3/19/25, effective 4/23/25]

193G—5.5(272C,544C) Case numbers. Whether based on a written complaint received by the board or a complaint initiated by the board, all complaint files are tracked by a case numbering system. The board administrator maintains a case file log noting the date each case file was opened, whether disciplinary proceedings were initiated in the case, and the final disposition of the case. Once a case file number is assigned to a complaint, all persons communicating with the board regarding that complaint are encouraged to include the case file number to facilitate accurate recordkeeping and a prompt response.

[ARC 9026C, IAB 3/19/25, effective 4/23/25]

193G—5.6(17A,272C,544C) Investigation procedures.

5.6(1) *Disciplinary committee.* The board chairperson may annually appoint, as needed, two to three members of the board to serve on the board's disciplinary committee to review and process disciplinary complaints. The disciplinary committee is a purely advisory body that reviews complaint files referred by the board administrator, generally supervises the investigation of complaints, and makes recommendations to the full board on the disposition of complaints. Members of the committee may not personally investigate complaints, but they may review the investigative work product of others in formulating recommendations to the board.

5.6(2) *Committee screening of complaints.* Upon the referral of a complaint from the board administrator or from the full board, the committee determines whether the complaint presents facts that, if true, suggest that a registrant may have violated a law or rule enforced by the board. If the committee concludes that the complaint does not present facts that suggest such a violation or that the complaint does not otherwise constitute an appropriate basis for disciplinary action, the committee will refer the complaint to the full board with the recommendation that the complaint be closed with no further action. If the committee determines that the complaint does present a credible basis for disciplinary action, the committee may either immediately refer the complaint to the full board recommending that a disciplinary proceeding be commenced or initiate a disciplinary investigation.

5.6(3) *Committee procedures.* If the committee determines that additional information is necessary or desirable to evaluate the merits of a complaint, the committee may assign an investigator or expert consultant, appoint a peer-review committee, provide the registrant an opportunity to appear before the disciplinary committee for an informal discussion as described in rule 193G—6.9(17A,272C,544C) or request that board staff conduct further investigation. Upon completion of an investigation, the investigator, expert consultant and peer-review committee or board staff will present a report to the committee. The committee will review the report and determine what further action is necessary. The committee may do any of the following:

- a. Request further investigation.
- b. Determine there is not probable cause to believe a disciplinary violation has occurred and refer the case to the full board with the recommendation of closure.
- c. Determine there is probable cause to believe that a law or rule enforced by the board has been violated but that disciplinary action is unwarranted on other grounds and refer the case to the full board with the recommendation of closure. The committee may also recommend that the registrant be informally cautioned or educated about matters that could form the basis for disciplinary action in the future.
- d. Determine there is probable cause to believe a disciplinary violation has occurred and refer the case to the full board with the recommendation that the board initiate a disciplinary proceeding (contested case).

5.6(4) Subpoena authority. Pursuant to Iowa Code sections 17A.13(1) and 272C.6(3), the board is authorized in connection with a disciplinary investigation to issue subpoenas to compel witnesses to testify or persons to produce books, papers, records and any other real evidence, whether or not privileged or confidential under law, that the board deems necessary as evidence in connection with a disciplinary proceeding or relevant to the decision of whether to initiate a disciplinary proceeding. Board procedures concerning investigatory subpoenas are set forth in rule 481—503.5(17A,272C).

[ARC 9026C, IAB 3/19/25, effective 4/23/25]

193G—5.7(17A,272C,544C) Informal discussion. If the disciplinary committee considers it advisable, or if requested by the affected registrant, the committee may grant the registrant an opportunity to appear before the committee for a voluntary informal discussion of the facts and circumstances of an alleged violation, subject to the provisions of this rule.

5.7(1) An informal discussion is intended to provide a registrant an opportunity to share the registrant's account of a complaint in an informal setting before the board determines whether probable cause exists to initiate a disciplinary proceeding. A registrant is not required to attend an informal discussion. Because disciplinary investigations are confidential, the registrant may not bring other persons to an informal discussion, but registrants may be represented by legal counsel.

5.7(2) Unless disqualification is waived by the registrant, board members or staff who personally investigate a disciplinary complaint are disqualified from making decisions or assisting the decision makers at a later formal hearing. An informal discussion is a form of investigation because it is conducted in a question-and-answer format. In order to preserve the ability of all board members to participate in board decision making and to receive the advice of staff, a registrant who desires to attend an informal discussion must therefore waive the right to seek disqualification of a board member or staff based solely on the board member's or staff's participation in an informal discussion. A registrant would not waive the right to seek disqualification on any other ground. By electing to attend an informal discussion, a registrant accordingly agrees that none of the participating board members or staff is disqualified from acting as a presiding officer in a later contested case proceeding or from advising the decision-maker.

5.7(3) Because an informal discussion constitutes a part of the board's investigation of a pending disciplinary case, the facts discussed at the informal discussion may be considered by the board in the event the matter proceeds to a contested case hearing and those facts are independently introduced into evidence.

5.7(4) The disciplinary committee, subject to board approval, may propose a consent order at the time of the informal discussion. If the registrant agrees to a consent order, a statement of charges will be filed simultaneously with the consent order, as provided in rule 193—7.4(17A,272C).

[ARC 9026C, IAB 3/19/25, effective 4/23/25]

193G—5.8(17A,272C,544C) Closing complaint files.

5.8(1) Grounds for closing. Upon the recommendation of the board's executive officer pursuant to subrule 5.4(5), the recommendation of the disciplinary committee pursuant to rule 193G—5.6(17A,272C,544C), or on its own motion, the board may close a complaint file, with or without prior investigation. The board's decision is final and not eligible for judicial review.

5.8(2) Cautionary letters. The board may issue a confidential letter of caution to a registrant when a complaint file is closed that informally cautions or educates the registrant about matters that could form the basis for disciplinary action in the future if corrective action is not taken by the registrant. Cautionary

letters do not constitute disciplinary action, but the board may take such letters into consideration in the future if a registrant continues a practice about which the registrant has been cautioned.

5.8(3) *Reopening closed complaint files.* The board may reopen a closed complaint file if additional information arises after closure that provides a basis to reassess the merits of the initial complaint.

[ARC 9026C, IAB 3/19/25, effective 4/23/25]

193G—5.9(17A,272C,544C) Initiation of disciplinary proceedings. Disciplinary proceedings may be initiated only by the affirmative vote of a quorum of the board at a public meeting. Board members who are disqualified shall not be included in determining whether a quorum exists. If, for example, two members of the board are disqualified, four members of the board constitute a quorum of the remaining six board members for purposes of voting on the case in which the two members are disqualified. When three or more members of the board are disqualified or otherwise unavailable for any reason, the board's executive officer may request the special appointment of one or more substitute board members pursuant to Iowa Code section 17A.11(5).

[ARC 9026C, IAB 3/19/25, effective 4/23/25]

193G—5.10(17A,272C,544C) Disciplinary contested case procedures. Unless in conflict with a provision of board rules in this chapter, all of the procedures set forth in 193—Chapter 7 apply to disciplinary contested cases initiated by the board.

[ARC 9026C, IAB 3/19/25, effective 4/23/25]

193G—5.11(272C,544C) Disciplinary sanctions.

5.11(1) *Types of sanctions.* The board has authority to impose the following disciplinary sanctions:

- a. Revoke a registration issued by the board.
- b. Suspend a registration issued by the board.
- c. Revoke or suspend the privilege to engage in one or more areas of registered interior design.
- d. Impose a period of probation, either with or without conditions.
- e. Impose requirements regarding continuing education. The board may specify that a designated amount of continuing education be taken in specific subjects and may specify the time period for completing these courses. The board may also specify whether that continuing education be in addition to the continuing education routinely required for registration renewal. The board may also specify that additional continuing education be a condition for the termination of any suspension or reinstatement of a registration. The board may also specify that current reference materials be obtained and maintained.
- f. Require reexamination, using one or more parts of the National Council for Interior Design Qualification (NCIDQ) examination given to candidates for the registered interior design registration.
- g. Impose civil penalties in an amount set by the board but not to exceed \$1,000 per violation. Civil penalties may be imposed for any of the disciplinary violations specified in rule 193G—5.2(17A,272C,544C).
- h. Issue a reprimand.

5.11(2) *Imposing discipline.* Discipline may be imposed against a registrant only by the affirmative vote of a majority of the members of the board who are not disqualified.

5.11(3) *Voluntary surrender.* The board may accept the voluntary surrender of a registration to resolve a pending disciplinary investigation or contested case. The board shall not accept a voluntary surrender of a registration to resolve a pending disciplinary investigation unless a statement of charges will be filed along with the order accepting the voluntary surrender. Such a voluntary surrender is considered disciplinary action and will be published in the same manner as other disciplinary orders.

5.11(4) *Notification requirements.* Whenever a registration is revoked, suspended, restricted, or voluntarily surrendered under this chapter, the registrant shall:

- a. Within 15 days of receipt of the board's final order, notify in writing all clients of the fact that the registration has been revoked, suspended or voluntarily surrendered or that the practice of the registrant has been restricted. Such notice shall advise the client to obtain alternative professional services unless the restriction at issue would not impact the registered interior design services provided for that client;

b. Within 30 days of receipt of the board's final order, file with the board copies of the notices sent pursuant to paragraph 5.11(4) "a." Compliance with this requirement is a condition for an application for reinstatement.

5.11(5) Civil penalties. Factors the board may consider when determining whether to assess the amount of civil penalties include:

- a. Whether other forms of discipline are being imposed for the same violation.
- b. Whether the amount imposed will be a substantial deterrent to the violation.
- c. The circumstances leading to the violation.
- d. The severity of the violation and the risk of harm to the public.
- e. The economic benefits gained by the registrant as a result of the violation.
- f. The interest of the public.
- g. Evidence of reform or remedial action.
- h. Time elapsed since the violation occurred.
- i. Whether the violation is a repeat offense following a prior cautionary letter, disciplinary order, or other notice of the nature of the infraction.
- j. The clarity of the issues involved.
- k. Whether the violation was willful and intentional.
- l. Whether the registrant acted in bad faith.
- m. The extent to which the registrant cooperated with the board.

[ARC 9026C, IAB 3/19/25, effective 4/23/25]

193G—5.12(272C,544C) Publication of decisions.

5.12(1) The board will publish the name of each registrant disciplined by the board, along with a brief description of the underlying circumstances, regardless of the nature of the violation.

5.12(2) The board will issue a formal press release in those instances in which a registration has been suspended or revoked.

5.12(3) The board will notify other state interior design boards that have issued a similar license to an Iowa registrant of disciplinary action taken against the Iowa registrant. The board will also notify the CIDQ of disciplinary action taken against an Iowa registrant.

[ARC 9026C, IAB 3/19/25, effective 4/23/25]

193G—5.13(272C,544C) Reinstatement.

5.13(1) The term "reinstatement," as used in this rule and in rule 193—7.38(17A,272C), includes the reinstatement of a suspended registration, the modification or removal of a practice restriction, the issuance of a registration following the denial of an application to renew a registration, and the issuance of a new registration following the revocation or voluntary surrender of a registration.

5.13(2) Any person whose registration has been revoked, suspended or restricted by the board or who has voluntarily surrendered a registration to conclude a disciplinary investigation or proceeding or whose application to renew a registration has been denied may apply to the board to modify or terminate the suspension, issue or reissue the registration, or modify or remove the restriction in accordance with the provisions of this rule and the terms of the order of revocation, suspension or restriction, denial of registration renewal, or acceptance of voluntary surrender of a registration.

5.13(3) If the applicable order did not establish terms upon which the registrant may apply for reinstatement, an initial application for reinstatement may not be made until one year has elapsed from the date of the order that revoked, suspended or restricted the registration, denied registration renewal, or accepted a voluntary surrender.

5.13(4) All proceedings for reinstatement will be initiated by the respondent and are subject to the procedures set forth in rule 193—7.38(17A,272C). In addition, the board may grant an applicant's request to appear informally before the board prior to the issuance of a notice of hearing on the application if the applicant requests an informal appearance in the application and agrees not to seek to disqualify on the grounds of personal investigation the board members or staff before whom the applicant appears.

5.13(5) An order granting an application for reinstatement may impose such terms and conditions as the board deems desirable, which may include one or more of the types of disciplinary sanctions described in rule 193G—5.11(272C,544C).

5.13(6) The board will not grant an application for reinstatement when the initial order that revoked, suspended or restricted the registration, denied registration renewal, or accepted a voluntary surrender was based on a criminal conviction and the applicant cannot demonstrate to the board's satisfaction that:

- a.* All terms of the sentencing or other criminal order have been fully satisfied;
- b.* The applicant has been released from confinement and any applicable probation or parole; and
- c.* Restitution has been made or is reasonably in the process of being made to any victims of the crime.

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These rules are intended to implement Iowa Code chapters 17A, 272C, and 544C.

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CHAPTER 6
DISCIPLINARY INVESTIGATIONS
Rescinded **ARC 9027C**, IAB 3/19/25, effective 4/23/25

CHAPTER 7
DISCIPLINARY PROCEEDINGS
Rescinded **ARC 9028C**, IAB 3/19/25, effective 4/23/25

CHAPTER 8
RENEWAL AND REINSTATEMENT
Rescinded **ARC 3025C**, IAB 4/12/17, effective 5/17/17