## CHAPTER 2 LICENSURE

[Prior to 7/13/88, see Architectural Examiners, Board of [80]]

**193B—2.1(544A,17A) Definitions.** The following definitions apply as used in Iowa Code chapter 544A, and this chapter of the architectural examining board rules, unless the context otherwise requires.

"Applicant" means an individual who has submitted an application for licensure to the board.

"Architectural intern" means an individual who holds a professional degree from a NAAB-accredited program, has completed or is currently enrolled in the NCARB Architectural Experience Program (AXP), and intends to actively pursue licensure by completing the Architect Registration Examination.

"ARE" means the current Architect Registration Examination, as prepared and graded by the National Council of Architectural Registration Boards (NCARB).

"AXP applicant" means an individual who has completed the AXP training requirements set forth in the NCARB Architectural Experience Program Guidelines, formerly known as the IDP Guidelines, and has submitted an application for licensure to the board.

"Examination" means the current Architect Registration Examination (ARE) accepted by the board.

"Inactive" means that an architect is not engaged in Iowa in any practice for which a certificate of licensure is required.

"Intern architect" has the same meaning as "architectural intern."

"Issuance" means the date of mailing of a decision or order or the date of delivery if service is by other means unless another date is specified in the order.

"NAAB" means the National Architectural Accrediting Board.

"NCARB" means the National Council of Architectural Registration Boards.

"NCARB Architect Registration Examination (ARE) Guidelines" means the most current edition of a document by the same title published by the National Council of Architectural Registration Boards. The document outlines the requirements for examination and is available through the National Council of Architectural Registration Boards, 1401 H Street NW, Suite 500, Washington, DC 20005; NCARB's website, www.ncarb.org; or the architectural examining board.

"NCARB Architectural Experience Program Guidelines" means the most current edition of a document by the same title published by the National Council of Architectural Registration Boards. The document outlines the requirements for training and is available through the National Council of Architectural Registration Boards, 1401 H Street NW, Suite 500, Washington, DC 20005; NCARB's website, www.ncarb.org; or the architectural examining board.

"NCARB Certification Guidelines" means the most current edition of a document by the same title published by the National Council of Architectural Registration Boards. The document outlines the requirements for licensure as an architect and is available through the National Council of Architectural Registration Boards, 1401 H Street NW, Suite 500, Washington, DC 20005; NCARB's website, www.ncarb.org; or the architectural examining board.

"Retired" means that an architect is not engaged in the practice of architecture or earning monetary compensation by providing professional architectural services in any licensing jurisdiction of the United States or a foreign country.

[ARC 2674C, IAB 8/17/16, effective 9/21/16; ARC 3332C, IAB 9/27/17, effective 11/1/17; ARC 5563C, IAB 4/21/21, effective 5/26/21]

193B—2.2(544A,17A) Application by reciprocity. Applicants for licensure are required to make application to the National Council of Architectural Registration Boards (NCARB) for a certificate. A completed state application form (available on the board's website) and a completed NCARB certificate, received within three months of application, shall be filed in the board office before an application will be considered by the board.

**2.2(1)** Licensure requirements. The board or the board administrator may waive examination requirements for applicants who, at the time of application, are licensed as architects in a different jurisdiction, where the applicant's qualifications for licensure are substantially equivalent to those

required of applicants for initial licensure in this state. All such applicants who hold an active NCARB certificate shall be deemed to possess qualifications that are substantially equivalent to those required of applicants for initial licensure in this state.

- **2.2(2)** Applicants seeking architectural commission in Iowa. A person seeking an architectural commission in this state may be admitted to this state for the purpose of offering to provide architectural services, and for that purpose only, without first being licensed in this state if:
  - a. The person holds an NCARB certificate; and
- b. The person holds a current and valid license issued by a licensing authority recognized by this state; and
  - c. The person notifies the board in writing on a form provided by the board that the person:
- (1) Holds an NCARB certificate and a current and valid license issued by a licensing authority recognized by this state,
- (2) Is not currently licensed in this state but will be present in this state for the purpose of offering to provide architectural services on a temporary basis, and
  - (3) Has no previous or pending disciplinary action by any licensing authority; and
- d. The person delivers a copy of the notice referred to in paragraph "c" to every potential client to whom the person offers to provide architectural services; and
- e. The person provides the board with a sworn statement of intent to apply immediately to the board for licensure if selected as the architect for a project in this state.

The person is prohibited from actually providing architectural services until the person has been issued a valid license in this state.

**2.2(3)** Board refusal to issue license. The board may refuse to issue a certificate of licensure to any person otherwise qualified upon any of the grounds for which a certificate of licensure may be revoked or suspended or may otherwise discipline a licensee based upon a suspension, revocation, or other disciplinary action taken by a licensing authority in this or another jurisdiction. For purposes of this subrule, "disciplinary action" includes the voluntary surrender of a license to resolve a pending disciplinary investigation or proceeding. A certified copy of the record or order of suspension, revocation, voluntary surrender, or other disciplinary action is prima facie evidence of such fact. [ARC 7737B, IAB 5/6/09, effective 6/10/09; ARC 2674C, IAB 8/17/16, effective 9/21/16; ARC 3332C, IAB 9/27/17, effective 11/1/17]

### 193B—2.3(544A,17A) Application for licensure by examination.

- **2.3(1)** Eligibility.
- a. To be admitted to the examination, an applicant for licensure shall:
- (1) Have completed the eligibility requirements of the education standards for NCARB certification, which include a professional degree from a program accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB) or be a student actively participating in an NCARB-accepted Integrated Path to Architectural Licensure (IPAL) option within a NAAB-accredited professional degree program in architecture, and
  - (2) Be enrolled in or have completed the NCARB Architectural Experience Program.
- b. NCARB shall notify the testing service of the applicant's eligibility prior to the applicant's scheduling of an examination.
- **2.3(2)** Documentation of AXP training units shall be submitted on AXP report forms published by NCARB and shall be verified by signatures of the licensed architects serving as the intern architect's supervisors in accordance with the requirements outlined in the NCARB Architectural Experience Program Guidelines. The completed AXP report form shall demonstrate attainment of an aggregate of the minimum number of value units in each training area and shall be submitted to NCARB for evaluation.
- **2.3(3)** All eligibility requirements shall have been verified and satisfied in accordance with the NCARB Architectural Experience Program Guidelines, which is available through NCARB's website www.ncarb.org or the architectural examining board.

- **2.3(4)** To be eligible for licensure, all applicants shall have passed all divisions of the ARE prepared and provided by NCARB, have completed the NCARB Architectural Experience Program, and have attained an NCARB council record. A completed NCARB council record shall be transmitted to and filed in the board office within three months of application. Upon receipt of the council record, the board shall provide the applicant with an application for licensure form. The board shall issue a license number to the applicant upon receipt of the completed application form and appropriate fee.
- **2.3(5)** The board may refuse to issue a certificate of licensure to any person otherwise qualified upon any of the grounds for which a license may be revoked or suspended or may otherwise discipline a licensee based upon a suspension, revocation, or other disciplinary action taken by a licensing authority in this or another jurisdiction. For purposes of this subrule, "disciplinary action" includes the voluntary surrender of a license to resolve a pending disciplinary investigation or proceeding. A certified copy of the record or order of suspension, revocation, voluntary surrender, or other disciplinary action is prima facie evidence of such fact.

[ARC 8638B, IAB 4/7/10, effective 5/12/10; ARC 1624C, IAB 9/17/14, effective 10/22/14; ARC 2674C, IAB 8/17/16, effective 9/21/16; ARC 3332C, IAB 9/27/17, effective 11/1/17; ARC 5563C, IAB 4/21/21, effective 5/26/21]

- **193B—2.4(544A,17A)** Examination. Examinations for licensure as an architect shall be conducted by the board or its authorized representative.
- **2.4(1)** Content and grading of the examination. The board shall make use of the ARE prepared and graded by NCARB under a plan of cooperation with the architectural examining boards of all states and territories of the United States.
- **2.4(2)** Testing service. The board may make use of a testing service selected by NCARB to administer the examination, provided the examination is held in at least one location within the boundaries of this state.

[ARC 3332C, IAB 9/27/17, effective 11/1/17]

### 193B—2.5(17A,272C,544A) Renewal of certificates of licensure.

- **2.5(1)** Active status. Certificates of licensure expire biennially on June 30. In order to maintain authorization to practice in Iowa, a licensee is required to renew the certificate of licensure prior to June 1 of the year of expiration. However, the board will accept an otherwise sufficient renewal application that is untimely if the board receives the application and late fee within 30 days prior to the date of expiration. A licensee who fails to renew by the expiration date is not authorized to practice architecture in Iowa until the certificate is reinstated as provided in rule 193B—2.6(544A,17A).
- a. A licensee whose last name begins with the letter A through K shall renew in even-numbered years, and a licensee whose last name begins with the letter L through Z shall renew in odd-numbered years. However, a license 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.
- b. It is the policy of the board to send to each licensee a notice of the pending expiration date at the licensee's last-known address approximately one month prior to the date the certificate of licensure is scheduled to expire. The notice, when provided, may be by email communication or in the quarterly newsletter. Failure to receive this notice does not relieve the licensee of the responsibility to timely renew the certificate and pay the renewal fee. A licensee should contact the board office if the licensee does not receive a renewal notice prior to the date of expiration.
- c. Upon the board's receipt of a timely and sufficient renewal application as provided in 193—subrule 7.40(3), the board's administrator shall issue a new certificate of licensure reflecting the next expiration date, unless grounds exist for denial of the application.
- d. If grounds exist to deny a timely and sufficient application to renew, the board shall send notification to the applicant. Grounds may exist to deny an application to renew if, for instance, the licensee failed to satisfy the continuing education as required as a condition for licensure. If the basis for denial is pending disciplinary action or disciplinary investigation which 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).

- e. When a licensee 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 193B—subrule 3.3(3), offer a licensee 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 licensee complete hours equal to double the deficiency in addition to the required hours; and may impose additional educational requirements on the licensee. Any additional hours 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 licensee is free to accept or reject the offer. If the offer of settlement is accepted, the licensee will be issued a renewed certificate of licensure and will be subject to disciplinary action if the terms of the consent order are not complied with. If the offer of settlement is rejected, the matter will be set for hearing, if timely requested by the applicant pursuant to 193—subrule 7.40(1).
- f. The board may notify a licensee whose certificate of licensure has expired. The failure of the board to provide this courtesy notification or the failure of the licensee to receive the notification shall not extend the date of expiration.
- g. A licensee who continues to practice architecture in Iowa after the license has expired shall be subject to disciplinary action. Such unauthorized activity may also be grounds to deny a licensee's application for reinstatement.
- **2.5(2)** Inactive status. This subrule establishes a procedure under which a person issued a certificate of licensure as an architect may apply to the board to be licensed as inactive. Licensure under this subrule is available to a certificate holder residing within or outside the state of Iowa who is not engaged in Iowa in any practice for which a certificate of licensure as an architect is required. A person eligible to be licensed as inactive may, as an alternative to such licensure, allow the certificate of licensure to lapse. During any period of inactive status, a person shall not use the title "architect" or any other title that might imply that the person is offering services as an architect by such an action in violation of Iowa Code section 544A.15. The board will continue to maintain a data base of persons licensed as inactive, including information which is not routinely maintained after a certificate has lapsed through the person's failure to renew. A person who is licensed as inactive will accordingly receive renewal applications, board newsletters and other mass communications from the board.
- a. Affirmation. The renewal application form shall contain a statement in which the applicant affirms that the applicant will not engage in any of the practices in Iowa that are listed in Iowa Code section 544A.16 without first complying with all rules governing reinstatement to active status. A person in inactive status may reinstate to active status at any time pursuant to rule 193B—2.7(544A).
- b. Renewal. A person licensed as inactive may renew the person's certificate of licensure on the biennial schedule described in this rule. This person shall be exempt from the continuing education requirements and will be charged a reduced renewal fee as provided in 193B—2.10(544A,17A). An inactive certificate of licensure shall lapse if not timely renewed. However, the board will accept an otherwise sufficient renewal application that is untimely if the board receives the application and late fee within 30 days of the date prior to expiration.
- c. Permitted practices. A person may, while licensed as inactive, perform for a client, business, employer, government body, or other entity those services which may lawfully be provided by a person to whom a certificate of licensure has never been issued. Such services may be performed as long as the person does not in connection with such services use the title "architect" or any other title restricted for use only by architects pursuant to Iowa Code section 544A.15 (with or without additional designations such as "inactive" or "retired"). Restricted titles may be used only by active architects who are subject to continuing education requirements to ensure that the use of such titles is consistently associated with the maintenance of competency through continuing education.
- d. Prohibited practices. A person who, while licensed as inactive, engages in any of the practices described in Iowa Code sections 544A.15 and 544A.16 is subject to disciplinary action.

- **2.5(3)** Retired status. A person who held a license as an architect and who does not reasonably expect to return to the workforce in any capacity for which a certificate of licensure is required due to bona fide retirement or disability may apply to the board for retired status and, if granted, may use the title "architect retired" 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 license renewal date. Applicants do not need to reinstate an expired license 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 license fees if an application for retired status is granted in a biennium in which the applicant has previously paid the biennial fees for either active or inactive status. Persons licensed in retired status are exempt from the renewal requirement.
- a. Affirmation. The retired status application form shall contain a statement in which the applicant affirms that the applicant will not engage in any of the practices in Iowa that are listed in Iowa Code section 544A.16 without first complying with all rules governing reinstatement to active status. A person in retired status may reinstate to active status at any time pursuant to rule 193B—2.7(544A).
- b. Permitted practices. Persons licensed in retired status may engage in the practices identified in paragraph 2.5(2)"c." Such persons may also provide services as technical experts before a court, including prelitigation preparation, discovery, and testimony, on matters directly related to architectural services provided by such persons prior to being licensed with the board in retired status.
- c. Exemption. A person whose license as an architect 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 license to good standing.

[ARC 1210C, IAB 12/11/13, effective 1/15/14; ARC 1504C, IAB 6/25/14, effective 7/30/14; ARC 1624C, IAB 9/17/14, effective 10/22/14; ARC 1985C, IAB 4/29/15, effective 4/10/15; ARC 2674C, IAB 8/17/16, effective 9/21/16; ARC 3332C, IAB 9/27/17, effective 11/1/17; ARC 5563C, IAB 4/21/21, effective 5/26/21]

# 193B—2.6(544A,17A) Reinstatement of lapsed certificate of licensure to active status. An individual may reinstate a lapsed certificate of licensure to active licensure as follows:

- **2.6(1)** Pay the current renewal fee.
- **2.6(2)** Pay the reinstatement fee of \$100 plus \$25 per month or partial month of expired licensure up to a maximum of \$750. All applicants for reinstatement shall be assessed the \$100 reinstatement fee. The \$25 per month shall not be assessed if the applicant for reinstatement did not, during the period of lapse, engage in any acts or practices for which an active architect license is required in Iowa. Falsely claiming an exemption from the monthly fee is a ground for discipline; in addition, other grounds for discipline may arise from practicing on a lapsed certificate, license or permit to practice.
- **2.6(3)** Provide a written statement outlining the applicant's professional activities performed in Iowa during the period in which the individual was unlicensed. The statement shall include a list of all projects with which the applicant had involvement and shall explain the service provided by the applicant.
- **2.6(4)** Submit documented evidence of completion of 24 continuing education hours, which should have been reported on the June 30 renewal date on which the applicant failed to renew, and 12 continuing education hours for each year or portion of a year of expired licensure up to a maximum of 48 continuing education hours. All continuing education hours must be completed in health, safety, and welfare subjects acquired in structured educational activities and be in compliance with requirements in 193B—Chapter 3. The hours reported shall not have been earned more than four years prior to the date of the application to reinstate to active status. The continuing education hours used for reinstatement may not be used again at the next renewal.

[ARC 1624C, IAB 9/17/14, effective 10/22/14; ARC 1985C, IAB 4/29/15, effective 4/10/15; ARC 2674C, IAB 8/17/16, effective 9/21/16; ARC 3332C, IAB 9/27/17, effective 11/1/17; ARC 5563C, IAB 4/21/21, effective 5/26/21]

### 193B—2.7(544A) Reinstatement from inactive status or retired status to active status.

- **2.7(1)** An individual may reinstate an inactive license to an active license as follows:
- a. Pay one-half of the current active license fee.

- b. Submit documented evidence of completion of 24 continuing education hours in compliance with requirements in 193B—Chapter 3. All continuing education hours must be completed in health, safety, and welfare subjects acquired in structured educational activities. The hours used to reinstate to active status cannot again be used to renew.
- (1) 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 licensure to active status, the person shall not be required to report continuing education hours.
- (2) 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 12 hours of previously unreported continuing education hours.
- c. Provide a written statement in which the applicant affirms that the applicant has not engaged in any of the practices in Iowa that are listed in Iowa Code section 544A.16 during the period of inactive licensure.
  - **2.7(2)** An individual may reinstate a retired license to an active license as follows:
- a. Pay the current active license 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.
- b. Submit documented evidence of completion of 24 continuing education hours in compliance with requirements in 193B—Chapter 3. All continuing education hours must be completed in health, safety, and welfare subjects acquired in structured educational activities. The hours used to reinstate to active status cannot again be used to renew.
- (1) 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 licensure to active status, the person shall not be required to report continuing education hours.
- (2) 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 12 hours of previously unreported continuing education hours.
- c. Provide a written statement in which the applicant affirms that the applicant has not engaged in any of the practices in Iowa that are listed in Iowa Code section 544A.16 during the period of retired licensure.
- **2.7(3)** An individual shall not be allowed to reinstate to inactive status from retired status. [ARC 1624C, IAB 9/17/14, effective 10/22/14; ARC 1985C, IAB 4/29/15, effective 4/10/15; ARC 2674C, IAB 8/17/16, effective 9/21/16; ARC 3332C, IAB 9/27/17, effective 11/1/17; ARC 5563C, IAB 4/21/21, effective 5/26/21]
- 193B—2.8(544A,17A) Finding of probable cause for unlicensed practice. The board may find probable cause to file charges for unlicensed practice if the individual continues to offer services defined as the practice of architecture outlined in Iowa Code section 544A.16 while using the title "architect," "architectural designer," or similar designation during the period of lapsed licensure.

  [ARC 1624C, IAB 9/17/14, effective 10/22/14; ARC 1985C, IAB 4/29/15, effective 4/10/15; ARC 2674C, IAB 8/17/16, effective 9/21/16; ARC 3332C, IAB 9/27/17, effective 11/1/17]
- 193B—2.9(544A,272C) Responsibility for accuracy of applications. The architect is responsible for verifying the accuracy of the information submitted on an application regardless of how the application is submitted or by whom it is submitted. For instance, if the office manager of an architect's firm submits an application for renewal on behalf of the architect and that information is incorrect, the architect will be held responsible for the information and may be subject to disciplinary action.

  [ARC 5563C, IAB 4/21/21, effective 5/26/21]
- **193B—2.10(544A,17A)** Fee schedule. Under the authority provided in Iowa Code chapter 544A, the following fees are hereby adopted:

#### Examination fees:

Fees for examination subjects shall be paid directly to the testing service selected by NCARB.

Initial license fee \$ 50

(plus \$5 per month until renewal)

Reciprocal application and license fee \$200
Biennial renewal fee \$200
Biennial renewal fee (inactive) \$100
Retired status None

Reinstatement of lapsed individual license \$100 + renewal fee + \$25 per month

or partial month of expired license

Reinstatement of inactive individual license \$100
Reinstatement of retired individual license \$200
Duplicate wall certificate fee \$50
Late renewal fee \$25

(for renewals postmarked on or after June 1 and before June 30)

License predetermination fee \$ 25

All fees are nonrefundable.

[ARC 1210C, IAB 12/11/13, effective 1/15/14; ARC 1504C, IAB 6/25/14, effective 7/30/14; ARC 1624C, IAB 9/17/14, effective 10/22/14; ARC 1985C, IAB 4/29/15, effective 4/10/15; ARC 2674C, IAB 8/17/16, effective 9/21/16; ARC 3332C, IAB 9/27/17, effective 11/1/17; ARC 5563C, IAB 4/21/21, effective 5/26/21]

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

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