

**193G—7.3(272C,544C) Disciplinary sanctions.**

**7.3(1)** *Type 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 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 NCIDQ examination given to candidates for the registered interior design registration.
- g. Impose civil penalties, the amount of which shall be at the discretion of the board, but which shall not 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.

**7.3(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.

**7.3(3)** *Voluntary surrender.* The board may accept the voluntary surrender of a registration to resolve a pending disciplinary contested case or pending disciplinary investigation. 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 shall be published in the same manner as is applicable to any other form of disciplinary order.

**7.3(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15 days of receipt of the board's final order, notify in writing all clients of the fact that the registration has been revoked, suspended or voluntarily surrendered or that the practice of the registrant has been restricted.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, the registrant shall file with the board copies of the notices sent pursuant to paragraph 7.3(4) "a." Compliance with this requirement shall be a condition for an application for reinstatement.

**7.3(5)** *Civil penalties.* Factors the board may consider when determining whether to assess and 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 lapsed 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.