

655—1.4 (147,152,272C) Newsletter.

1.4(1) The board may publish or contract with a vendor to publish a newsletter as a nonpublic forum to disseminate official information related to the regulated profession. This official information may include statutory requirements, statutory changes, rules, rule changes, proposed or pending rule changes, licensing requirements, license renewal procedures, board action, board interpretative rulings or guidelines, office procedures, disciplinary action, ethical or professional standards, education requirements, education opportunities (prelicense education, continuing education and professional development), board business, board meetings and board news.

1.4(2) The newsletter enables the board to communicate with licensees and other interested persons and may include vendor advertising in order to defray the cost of the newsletter and to provide a targeted opportunity for licensees to receive profession-specific information to facilitate entry into the profession and enhance professional performance.

1.4(3) All newsletter advertising must be consistent with the board's mission as set forth in subrule 1.3(1). The board derives its legal authority for regulating and enforcing regulations for nursing education, nursing practice and continuing education for nurses under the provisions of Iowa Code chapters 147, 147A, 152, 152E and 272C.

1.4(4) All newsletter advertising must be professional and respectful of the nature of the regulated profession, established as a nonpublic forum, and consistent with rules established by the board. Advertising shall be restricted to commercial offerings of goods and services directly related to the lawful practice of the profession or the regulation of the profession. Political, advocacy or issue-oriented advertising shall not be permitted.

1.4(5) Newsletter advertising shall be considered consistent with the board's mission if the advertising pertains to commercial offerings of goods or services in one or more of the following areas:

- a.* Entry into the profession, such as prelicense education or internship opportunities.
- b.* A licensee's compliance with statute or board rules, such as continuing education courses or publications containing professional standards.
- c.* The lawful and competent performance of the profession, e.g., malpractice insurance, or goods or services uniquely used in the profession.
- d.* Employment opportunities in the profession.
- e.* A professional's marketing of professional services to other professionals.
- f.* Education programs designed to enhance credentials of professionals, or professional-specific degrees.
- g.* Private and public notices of scholarship and grant opportunities.

1.4(6) Newsletter advertising shall be clearly separated from the substantive sections of each newsletter. Vendors authorized to solicit newsletter advertising must do so consistent with the board's advertising guidelines in a manner which is viewpoint-neutral and nondiscriminatory in all respects. Goods or services advertised in a newsletter must be lawful for all possible readers of any age to view, use or buy. The front page of each newsletter containing advertising must include a prominent disclaimer notifying the reader that the board plays no role in the solicitation of advertising and does not explicitly or implicitly endorse any advertiser or any good or service advertised in the newsletter.