

INTERIOR DESIGN EXAMINING BOARD[193G]

Adopted and Filed

Rulemaking related to professional conduct

The Interior Design Examining Board hereby rescinds Chapter 4, “Professional Conduct,” Iowa Administrative Code, and adopts a new chapter with the same title.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code chapters 17A and 272C and section 544C.3.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 17A, 272C and 544C and 2023 Iowa Acts, Senate File 135.

Purpose and Summary

This rulemaking provides registrants and Iowans with the rules of conduct for registered interior designers who are practicing interior design to protect the public health, safety, and welfare by ensuring safe interiors.

The Boards and Commissions Review Committee recommended this Board be eliminated; however, a new law was enacted to allow registered interior designers to stamp/seal technical documents. This rulemaking provides information to registrants as well as building code officials about the stamp regulations.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on January 24, 2024, as **ARC 7510C**. Public hearings were held on February 13 and 14, 2024, at 12:10 p.m. at 6200 Park Avenue, Des Moines, Iowa, and virtually. No one attended the hearings to provide comments; two people attended to observe.

One public comment was received via email. The commenter believed subrule 4.1(2) would fall short of adequate protection for the public.

Changes from the Notice have been made based on the comment received. Subrule 4.1(2) has been changed to provide additional guidance regarding conflict of interest.

Adoption of Rulemaking

This rulemaking was adopted by the Board on March 4, 2024.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department of Inspections, Appeals, and Licensing for a waiver of the discretionary provisions, if any, pursuant to 481—Chapter 6.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rulemaking will become effective on May 8, 2024.

The following rulemaking action is adopted:

ITEM 1. Rescind 193G—Chapter 4 and adopt the following **new** chapter in lieu thereof:

CHAPTER 4
PROFESSIONAL CONDUCT

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.

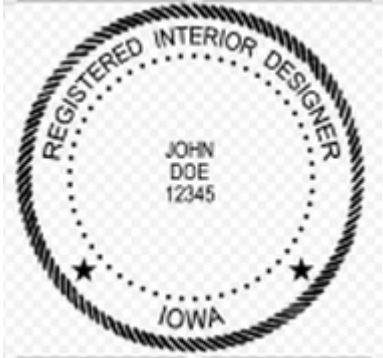
d. A registered interior designer shall neither offer nor make any payment to a governmental official with the intent of influencing the official's judgment in connection with a prospective or existing project in which the interior designer has an interest.

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.

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

[Filed 3/5/24, effective 5/8/24]

[Published 4/3/24]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 4/3/24.