

**ADOPTED REGULATION OF THE STATE BOARD OF
ARCHITECTURE, INTERIOR DESIGN AND RESIDENTIAL DESIGN**

LCB File No. R111-16

Effective December 21, 2016

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1 and 2, NRS 623.140 and 623.192.

A REGULATION relating to interior designers; authorizing the State Board of Architecture, Interior Design and Residential Design to issue a certificate of registration to practice as a registered interior designer to an applicant who submits certain information to the Board; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the State Board of Architecture, Interior Design and Residential Design to adopt regulations governing the examination of applicants for certificates to practice interior design in this State. (NRS 623.140) Existing law also provides that an applicant for a certificate of registration to practice as a registered interior designer must submit to the Board proof which is satisfactory to the Board that the applicant has successfully completed a program of interior design accredited by the Council for Interior Design Accreditation or any successor in interest to that organization. Alternatively, an applicant for a certificate of registration may submit proof which is satisfactory to the Board that the applicant has successfully completed a substantially equivalent program of interior design approved by the Board. (NRS 623.192) Where an applicant for a certificate of registration to practice as a registered interior designer submits proof that the applicant has successfully completed a program of interior design which is not accredited by the Council for Interior Design Accreditation, existing regulations require the Executive Director of the Board to establish a subcommittee of the Board to review the application. (NAC 623.572) **Section 1** of this regulation exempts an application for a certificate of registration from review by such a subcommittee if the applicant submits to the Board a letter of approval from the National Council for Interior Design Qualification indicating that the applicant has successfully completed an alternative program of interior design developed by the National Council and approved by the Board. **Section 1** also authorizes the Board to issue a certificate of registration to such an applicant.

Existing regulations prohibit the Board from approving a program of interior design which is not accredited by the Council for Interior Design Accreditation unless that program complies with certain requirements. (NAC 623.574) **Section 2** of this regulation exempts from those requirements an alternative program of interior design which is developed by the National Council for Interior Design Qualification and approved by the Board.

Section 1. NAC 623.572 is hereby amended to read as follows:

623.572 1. The provisions of this section ~~apply~~:

(a) Apply only to an application submitted pursuant to NRS 623.192 by an applicant who has successfully completed a program of interior design which is not accredited by the Council for Interior Design Accreditation.

(b) Do not apply to an applicant who submits to the Board a letter of approval from the National Council for Interior Design Qualification or its successor organization indicating that the applicant has successfully completed an alternative program of interior design developed by the National Council and approved by the Board. The Board may issue a certificate of registration to practice as a registered interior designer to such an applicant.

2. Upon the receipt of an application and appropriate supporting information ~~from~~ *from an applicant specified in paragraph (a) of subsection 1*, the Executive Director shall:

(a) Establish a subcommittee of the Board to review the application. If possible, at least one of the members of the subcommittee must be a registered interior designer. A subcommittee established pursuant to this paragraph may be composed of architects or registered interior designers who hold a certificate of registration issued pursuant to chapter 623 of NRS.

(b) Provide each member of the subcommittee with a copy of each pending application and any supporting information.

3. The subcommittee shall:

(a) Meet at least once during each period of 90 days in which any applications are awaiting its review.

(b) Meet in a closed session to consider the qualifications of an applicant.

(c) Weigh the application against the requirements of NAC 623.562 to 623.594, inclusive.

(d) Open its meeting to the public when taking any action.

4. After the subcommittee reviews an application, the subcommittee shall:

(a) Provide the applicant with its preliminary decision concerning the application.

(b) If the subcommittee finds that the application and supporting information:

(1) Are sufficient to determine whether the program of interior design completed by the applicant is substantially equivalent to a program of interior design accredited by the Council for Interior Design Accreditation, recommend to the Board whether to approve pursuant to subparagraph (2) of paragraph (d) of subsection 1 of NRS 623.192 the program of interior design completed by the applicant. The application will be placed on the agenda for consideration by the Board at its next regularly scheduled meeting.

(2) Are not sufficient to determine whether the program of interior design completed by the applicant is substantially equivalent to a program of interior design accredited by the Council for Interior Design Accreditation, provide the applicant with a written request for the information necessary to make that determination. Within 90 days after receiving such a request, the applicant must provide to the subcommittee an original and three additional copies of the information requested or a written request for additional time to supplement the information supporting the application, or may notify the subcommittee of the applicant's intention not to supplement that supporting information. Within 90 days after the subcommittee receives any supplemental information from an applicant pursuant to this subparagraph, the subcommittee shall forward to the Board its recommendation of whether to approve pursuant to subparagraph (2) of paragraph (d) of subsection 1 of NRS 623.192 the program of interior design completed by the applicant.

5. As used in this section, “application” means an application submitted pursuant to NRS 623.192 by an applicant who has successfully completed a program of interior design which is not accredited by the Council for Interior Design Accreditation.

Sec. 2. NAC 623.574 is hereby amended to read as follows:

623.574 The Board:

1. Will act upon any recommendations submitted pursuant to NAC 623.572 in a public meeting, but may hold a closed session to receive evidence concerning the competence of an applicant for a certificate of registration to practice as a registered interior designer.

2. ~~Will~~ *Except as otherwise provided in NAC 623.572, will* not approve pursuant to subparagraph (2) of paragraph (d) of subsection 1 of NRS 623.192 the program of interior design completed by an applicant unless that program complies with the requirements of NAC 623.576, the minimum requirements for satisfaction of the standards set forth in NAC 623.578 to 623.594, inclusive, and at least nine of the additional criteria set forth in NAC 623.578 to 623.594, inclusive, for the satisfaction of those standards.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS
233B.066
LCB FILE R111-16**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 623.

1. A clear and concise explanation of the need for the adopted regulation.

The intent of the proposed regulation under R111-16 is to add an alternative path to registration for interior designers without CIDA accreditation. With this alternative process, applicants will have two ways to become licensed in Nevada.

2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

Copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail and email to persons who were known to have an interest in the subject of architecture, residential design and registered interior design as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Nevada State Board of Architecture, Interior Design and Residential Design, www.nsbaidrd.org, mailed to all county libraries in Nevada and posted at the following locations:

Department of Business and Industry
788 Fairview Dr. #100
Carson City, Nevada 89701

Grant Sawyer Building
555 E. Washington Blvd., Suite 4900
Las Vegas, Nevada 89101

Legislative Building
401 South Carson Street
Carson City, Nevada 89710

The Bradley Building
2501 East Sahara Ave.
Las Vegas, Nevada 891404

Nevada Dept. of Cultural Affairs
100 Stewart St.
Carson City, Nevada 89701

Legislative Counsel Bureau Website

A workshop was held on September 6, 2016 at the board office in Las Vegas, Nevada at 10:00 a.m. There were no members of the public present. The public hearing was held on October 26, 2016 at 2 p.m. There were no members of the public at the public hearing. No oral comments were submitted by phone nor were any comments received by email or regular mail.

3. **The number persons who:**
 - (a) **Attended each hearing:** September 6, 2016 -0 October 26, 2016 -0
 - (b) **Testified at each hearing:** September 6, 2016 - 0 October 26, 2016 -0
 - (c) **Submitted to the agency written comments:** No written comments were submitted.

4. **A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3, as provided to the agency, is attached as Exhibit A. Does not apply**

5. **A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

Comments were solicited from affected businesses in the same manner as they were solicited from the public. Through its newsletter, the agency sent notices of the proposed regulations to all of its registrants and small businesses on August 17, 2016 and August 25, 2016. The agency discussed and reviewed the proposed regulations at its publicly noticed board meeting on August 17, 2016 and also posted a copy of the draft regulations on its website on August 18, 2016. The Board held a Public Workshop on September 6, 2016 and a Public Hearing on October 26, 2016. There were no comments from the public or small business regarding the proposed regulations. The agency used informed, reasonable judgment in determining that there will not be an impact on small businesses resultant from the regulation change since regulation merely adds an alternative path to registration through an application review by the Council of Interior Design Qualification's (CIDQ). Any further information may be obtained by contacting the Nevada State Board of Architecture, Interior Design and Residential Design, 2080 E. Flamingo Rd. Ste. 120, Las Vegas, NV 89119.

6. **If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The permanent regulation was adopted on October 26, 2016 by a quorum of the NSBAIDRD full board and included all of the changes suggested at the workshop that was held on September 6, 2016. Since the board did not receive any comments from the public and the proposed regulations reflect the intent of the board, the proposed regulations were adopted without any revisions.

7. **The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:**
 - (a) **Both adverse and beneficial effects; and**
 - (b) **Both immediate and long-term effects.**
- (a) Both adverse and beneficial effects

The intent of the proposed regulations under R111-16 is to add an alternative path to registration for some interior designers and, therefore, to provide applicants two ways to become licensed, either CIDQ or directly to the Board. The beneficial effect will be a speedier process for those applicants who chose to use the CIDQ path; the adverse effect is that the CIDQ path will be slightly more expensive to the applicant.

(b) Both immediate and long-term effects.

The direct effect of R111-16 will be that interior design applicants who did not graduate from an accredited program will now have the choice of two paths to registration. The indirect effect of R111-16 will be that more interior design applicants who did not graduate from an accredited program may apply and become registered in Nevada.

8. The estimated cost to the agency for enforcement of the adopted regulation.

There is no cost to the agency.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

There are no other state or government agency regulations that the proposed regulation duplicates.

10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

Does not apply.

11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

Does not apply.