

Summary of Proposed Interior Design Practice Act Legislation

There are two parts to this licensure bill, the **Statute** and **Rules**. The **Statute** is what legislators vote on. The major changes include the title and definition of licensed interior design. The **Statute** is shown below under **PROPOSED STATUTE**. We have included the **CURRENT STATUTE** for clarity.

The **Rules** will contain the credentials a design practitioner will need to become licensed. The **Rules** are written only after the **Statute** is passed. They are written by the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design (AELSLAGID), the licensing board for all of these design practices. Its members are design practitioners, serve 4-year terms, and are appointed by the Governor (see www.aelslagid.state.mn.us). The AELSLAGID Board can receive input from any person, group, or organization regarding **Rule** content; they then write the **Rules** and publish them in the state register. After this publication, the public has 30 days to send any comments to the Board. If the Board receives the minimum number of opposition comments (25), then a hearing is scheduled and testimony can be given. A hearing judge reviews all comments (written and verbal) and makes a ruling for final **Rule** content. MIDLAC developed **SUGGESTED RULES**, shown on pages 2-4, for education, experience, examination, continuing education, and grandparenting. We have included the **CURRENT RULES** for clarity. Please also note the **Current Exemptions** to this legislation, which will not be changed, on page 4.

From the CURRENT STATUTE

Certified Interior Designer

Current Definition of Certified Interior Designer

A certified interior designer can use the title "certified interior designer" and provide services in connection with the design of public interior spaces, including preparation of documents relative to non-load bearing interior construction, space planning, finish materials, and furnishings.

From the PROPOSED STATUTE

Licensed Interior Designer

Proposed Definition of Licensed Interior Designer

(a) Any person shall be deemed to be practicing licensed interior design, within the meaning of sections 326.02 to 326.15, who holds out as being able to perform or does perform any professional service such as the planning, design, or administration of construction for the purpose of assuring compliance with specifications and design, in connection with any private or public interior spaces, including preparation of documents relative to non load bearing interior construction, programming, space planning, finishes, materials, and furnishings wherein the safeguarding of the occupants' life, health, safety, and welfare is concerned or involved, when the professional service requires the application of design theories related to human behavior, and aesthetics, acquired by education and experience. Licensed interior designers are design professionals who are qualified by means of education, experience, and examination. For the purposes of this paragraph:

- (1) "administration" means a professional service as distinguished from superintending of construction and means the performance of reasonable and ordinary on site observations to determine that the interior construction is in substantial compliance with the approved drawings, plans, and specifications.
- (2) "non-load-bearing interior construction" means interior elements or components that do not require design computation for a building structure and do not support a vertical load of a structure other than its own weight, but may support loads attached to it such as cabinetry, shelving, or grab bars; and
- (3) "human behavior" means the characteristics and behaviors of individuals and groups that relate to the physical environments in which they function, and to the processes of environmental modifications and change.

(b) Nothing contained in sections 326.02 to 326.15 concerning the practice of licensed interior design shall be construed to apply to:

- (1) an architect licensed under the laws of this state,
- (2) an employee or owner of a retail establishment providing consultation in the furtherance of a retail sale or prospective retail sale regarding interior finishes, furnishings, or cabinetry on behalf of the retail establishment; or

(3) a person who provides services or assistance in selection, sale, lease, or supply of surface materials, window treatments, wall coverings, paint, floor coverings, surface mounted fixtures, and loose furnishings for the interiors of exempt buildings as described in Minnesota Statute 326.03 and Minnesota Rule 1800.5900.

(c) The designation licensed interior designer or any title or device indicating or representing that the person is a licensed interior designer or is practicing licensed interior design shall only be used by a person licensed under the provisions of sections 326.02 to 326.15.

(d) Licensed interior designers shall not engage in the practice of architecture as defined in subdivision 2 or the practice of engineering as defined in subdivision 3.

Rationale

The Title Act only regulates the use of the title "Certified Interior Designer" and does not regulate who can perform interior design services. Therefore, the public is not protected. Currently, **anyone** can legally perform interior design services, which could cause the public harm. The Practice Act will not extend or alter the scope of work of interior designers. The Practice Act will not alter the practice of architecture (see b.1 above), the practice of residential interior design (see b.2-3 above, or Exempt Spaces on page 4). By regulating who can become a Licensed Interior Designer, the public is protected by no longer allowing the "general public," or those not able to meet the requirements of the Licensed Interior Design Practice Act, to perform interior design services that affect the public's health, safety, and welfare. The Practice Act is necessary to differentiate to the public those who have the qualifying education, experience, and examination from those who do not.

CURRENT and PROPOSED RULES

Current Education Requirement

4-to 5-year bachelors degree in interior design accredited by the Foundation for Interior Design Education Research (FIDER) or equivalent or 2-year associates degree in interior design accredited by FIDER or equivalent.

MIDLAC's Proposed Education Requirement

Bachelors degree in interior design that includes completion of 60 semester hours or 90 quarter hours of interior design curriculum from a Council for Interior Design Accreditation (CIDA) program (or its predecessor, FIDER), or equivalent OR completion of a two-or three-year program CIDA-accredited, pre-professional program in interior design prior to January 1, 2010.

Rationale

Education requirements for licensure support Licensed Interior Designers' abilities to prevent harm. The curriculum of a CIDA, (or its predecessor FIDER) -accredited interior design education programs include course work in fire safety issues, building codes, accessibility, ergonomics, and sustainability. There are approximately 150 programs accredited by CIDA, across the United States and Canada. Since January 1, 2004, CIDA accredits only Bachelor degree programs. Currently there are only 6 pre-professional programs accredited by CIDA in the US.

The proposed legislation will put in place a more stringent education requirement in that the Bachelors degree will become mandatory to apply for licensure as a Licensed Interior Designer. Raising the bar in education is consistent with the more stringent educational requirements being adopted by both NCIDQ (the national testing body) and CIDA (the national accrediting body for interior design education). The current title act allows for title certification with less than a four-year degree. There are many different job opportunities for those choosing a design program that does not offer a bachelor's program, including a position where the person practices **under the supervision of a Licensed Interior Designer or Architect**.

Current Experience Requirement

Must be a combination of 6 qualifying credits of education and experience:

- 2 years experience with public spaces + a 4-to 5-year interior design degree, or
- 3 years experience with public spaces + a 3-year interior design degree, or
- 4 years experience with public spaces + a 2-year interior design degree

All qualifying experience must be under the direct supervision of an Interior Designer or Architect. Diversified experience in interior design for public spaces must be comprised of no less than 7 of the following 11 categories:

- | | |
|---|--|
| Space planning | Cost estimating |
| Code research and analysis | Selection of materials and furnishings |
| Client contact | Contract documents |
| Programming | Bidding procedures |
| Schematic design and design development | Construction observation |
| Preparation of construction documents | |

MIDLAC's Proposed Experience Requirement

Must be a combination of 6 qualifying credits of education and experience:

- 2 years diverse experience for those with a bachelor's degree in interior design, or
- 3 years diverse experience for those with a 3-year interior design degree (education completed prior to January 1, 2010), or
- 4 years diverse experience for those with a 2-year interior design degree (education completed prior to January 1, 2010).

A minimum of two years qualifying experience must be under the direct supervision of a CID/LID, NCIDQ certificate holder, or architect (or interior designer through January 1, 2010). Experience can be gained by completing the Interior Design Experience Program (IDEP) OR experience must be diversified in the practice of public and/or private spaces and include all 10 of the following categories:

- 1) Building code research and analysis
- 2) Programming
- 3) Space planning
- 4) Schematic design and design development
- 5) Preparation of construction documents
- 6) Cost estimating
- 7) Specification of building materials and finishes
- 8) Specification of furnishings, fixtures, and equipment
- 9) Bidding/negotiating procedures
- 10) Construction administration

Rationale

The changes to the practice experience requirements are made to be certain that an interior designer's experience relates specifically to the public's health, safety, and welfare, leaving nothing to chance as in the current legislation, which allows candidates to select from different categories instead of requiring experience in all categories. Additionally, those who practice in private spaces can choose to become licensed, if qualified. Licensed Interior Designers will be able to complete IDEP, sponsored by NCIDQ or verify their design experience in the 10 experience categories as identified above.

Current Examination Requirement

Passage of the NCIDQ exam

MIDLAC's Proposed Examination Requirement

Passage of the NCIDQ exam

Rationale

The NCIDQ exam has been in existence for over 30 years. It is revised regularly to reflect practitioners' experience and knowledge. The exam is conducted by a professional testing agency, which also assists with the development of all exam parts. This exam is the only internationally recognized, comprehensive, practice exam that tests for interior design entry-level competency related to health, safety, and welfare.

Current Continuing Education Requirement

Minimum of 24 professional development hours per biennial renewal for all professions regulated by the Minnesota Board of AELSLAGID (see Statute section 326.107).

MIDLAC's Proposed Continuing Education Requirement

Minimum of 24 professional development hours per biennial renewal for all professions regulated by the Minnesota Board of AELSLAGID (see Statute section 326.107).

Rationale

Continuing education is important to stay current with changes in health, safety, and welfare issues. All professionals regulated by the Minnesota Board of AELSLAGID have this same requirement. Therefore, the continuing education requirement remains the same.

Current Grandparenting

The grandparenting that was in place for the Certified Interior Designer Title Act expired one year after the bill passed, in 1992.

MIDLAC's Proposed Grandparenting

Grandparenting will be available for one year after passage of this Statute in one of two ways:

- 1) All CIDs in good standing at the time of passage of the Statute shall apply and pay the fee. (CID will not be recognized after grandparenting period is completed.)
- 2) Anyone who meets one of the following combinations of education, experience, and examination and successfully completes the application process:

| Education | Pass the NCIDQ | Diverse Experience |
|-----------|----------------|--------------------|
| 2 years | No | 14 years minimum |
| 3 years | No | 12 years minimum |
| 4 years | No | 10 years minimum |

In all cases, the education has to be a CIDA-accredited program (formerly known as FIDER) or equivalent, and the experience needs to be diversified in all 10 categories and meet the requirements outlined in "Proposed Experience Requirement" of this document (page 2).

Rationale

Grandparenting is typically required by the state legislature to allow for those who are currently practicing a profession to not lose their livelihood. The grandparenting section in MIDLAC's Proposed Rules will allow all current Certified Interior Designers to automatically become licensed if they apply. In addition, individuals who are practicing interior design at the time the Practice Act legislation is passed, who meet a combination of education, experience, and examination as outlined in the rules will be eligible for grandparenting.

Exempt Spaces

There is **no change** to the exemptions in Minnesota Statute 326.03, subd. 2 or Rule 1800.5900. The following classes of buildings are exempt subject to the limitations of the elements listed in the exempt table and include:

- a) single family dwellings, and outbuildings in connection, such as garages, barns
- b) two family dwellings
- c) farm buildings
- d) temporary buildings/sheds used for construction purposes, not exceeding 2 stories in height, not used for living quarters
- e) Occupancy Group A2 (Assembly for Dining and Drinking for less than 50 people): not greater than 1 story with no basement, seating for not more than 20 persons, and not greater than 1000 GSF
- f) Occupancy B (Business): not greater than 2-story with basement and not greater than 2250 GSF
- g) Occupancy M (Mercantile): not greater than 2-story with basement and not greater than 1500 GSF
- h) Occupancy Group R (Residential): apartment houses/condominiums (3 units or less), dwellings, lodging houses, attached single family dwellings/townhomes, and congregated residences (each accommodating 10 persons or less)

For storage, factory, and utility, see Exempt Table in Rule 1800.5900. In addition, refer to IBC 2006 as adopted by the State of Minnesota.

Rationale

This Practice Act will have no effect on the current exemptions as outlined in Minnesota Statutes and Rules. Thus, for example, interior designers practicing only residential interior design **are not required to, but** will have the **option** to become licensed if they meet the education, experience, and examination requirements or meet grandparenting requirements. It is important to note that none of the exempt spaces require any of the professions regulated by the AELSLAGID Board (architecture, engineering, land surveying, landscape architecture, geoscience, and interior design) to design them.

Endorsed by:

Individual interior designers of Minnesota



For the complete legislation, read the bill/statute at: <http://www.leg.state.mn.us>
For the complete current statute and current rules: www.aelslagid.state.mn.us/