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**Form For Filing
Administrative Regulations**

Agency Nevada State Board of Architecture

Interior Design and Residential Design

FOR EMERGENCY
REGULATIONS ONLY

Effective date _____

Expiration date _____

Governor's signature

Classification: PROPOSED ADOPTED BY AGENCY EMERGENCY

Brief description of action: Proposed regulation T001-20. The intent of this regulation is to add an option for candidates who are enrolled in an Integrated Pathway to Architectural Licensing (IPAL) option from a NAAB-accredited program and allow them to take the Architect Registration Examination before obtaining their degree under Nevada Administrative Code (NAC) Chapter 623. Additional changes were housekeeping updates of obsolete information (NAC 623.400, 623.465, NAC 623.572, NAC 623.632, NAC 623.640, NAC 623.830)

Authority citation other than 233B NRS 623.140, NRS 623.190, NRS 623.192 and NRS 623.255

Notice date: December 21, 2020

Date of Adoption by Agency

Hearing date: January 20, 2021

January 20, 2021

**PROPOSED TEMPORARY REGULATION OF THE
NEVADA STATE BOARD OF ARCHITECTURE, INTERIOR DESIGN AND
RESIDENTIAL DESIGN**

LCB File No. T001-20

August 27, 2020

EXPLANATION – Matter in italics is new; matter in brackets [omitted material] is material to be omitted.

AUTHORITY: NRS 623.140(2)(b).

A REGULATION relating to examinations for architects and changing the name of the national organization for registered interior design.

Section 1. Chapter 623 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this regulation.

Sec. 2. NAC 623.400 shall be amended to read as follows:

1. The Board hereby adopts the architectural examination prepared by the National Council of Architectural Registration Boards as the examination to be used in this State to test applicants for registration as architects.

2. In addition to the qualification of minimum age and good moral character which is prescribed in subsection 1 of NRS 623.190, to participate in the examination an applicant must, except as otherwise provided in subsection 3~~[, have]~~ :

(a) Have completed or be enrolled in the [~~Intern Development Program~~] *Architectural Experience Program* of the National Council as the Program existed at the time of application for registration and have received or be eligible to receive a first professional degree in architecture from a program accredited by the National Architectural Accrediting Board, Inc. ; *or*

(b) Have completed or be enrolled in an Integrated Pathway to Architectural Licensure option that will culminate in a professional degree in architecture from a program accredited by the National Architectural Accrediting Board, Inc.

3. An applicant who received 7 years of credits for education and practical training before January 1, 1986, may participate in the examination after the applicant has received a total of 8 years of credits for education and practical training pursuant to NAC 623.445. Of the 8 years immediately preceding the date on which the application is submitted, the applicant must have had 3 years of experience in the office and under the direct supervision of a registered architect.

4. An applicant who has completed or is enrolled in the [~~Intern Development Program~~] *Architectural Experience Program* must have the National Council transmit adequate evidence thereof to the Board. [~~If necessary, to evaluate the training received by an applicant who participated or is enrolled in the Program, the Board will require the applicant to substantiate the quality and character of the training during the Program.~~]

5. Requests for information regarding the ~~Intern Development Program~~ *Architectural Experience Program* must be directed to the

NATIONAL COUNCIL OF ARCHITECTURAL
REGISTRATION BOARDS
[~~1801 K Street, N.W., Suite 700K~~
~~Washington, D.C. 20006-1310~~
~~(202) 783-6500~~]
1401 H Street NW, Suite 500
Washington, DC 20005
(202) 879-0520
www.ncarb.org

6. Upon the applicant's successful completion of all parts of the written examination, each applicant must personally appear before the Board to take an oath prescribed by the Board.

Sec. 3. NAC 623.465 shall be amended to read as follows:

The credit to be allowed for the training described in the table in NAC 623.445 is subject to the following conditions:

1. Credit for training may be earned only after at least 2 1/2 credits have been earned for education.

2. After 5 years of education, each applicant must earn at least 1 year of credit for employment in the office of a registered architect.

3. To be allowed credit for a master's or doctoral degree in architecture or for teaching or research in an architectural program, the subjects studied, taught or researched by the applicant must be evaluated by the Board and found to be related directly to architecture. Twenty semester hours or 30 quarter hours of teaching or research is considered to be 1 year.

4. Credits may not be used for both education and training.

5. An applicant, upon request by the Board, must substantiate his or her training by showing that it meets the requirements of an intern in the [~~Intern Development Program~~] *Architectural Experience Program* of the National Council of Architectural Registration Boards.

Sec. 4. NAC 623.572 shall be amended to read as follows:

1. The provisions of this section:

(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 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. 5. NAC 623.632 shall be amended to read as follows:

1. The self-directed educational activities in which a registrant may earn the continuing education units required by paragraph (a) of subsection 1 of NAC 623.630 include, without limitation:

(a) Active participation as an officer or a committee or board member of a professional society, organization, board or commission which is related to the registrant’s profession.

(b) Completion of a course of self-study sponsored by a professional association, a course that is architecturally significant, or an organized individual or group study on a topic which is related to the registrant’s profession.

(c) Making a professional or technical presentation at a meeting, convention or conference.

(d) Participation in an activity that contributes to the welfare of the community and is related to the registrant’s profession.

(e) Publication of material that is related to the registrant’s profession in a paper, article or book.

(f) Reading a book or magazine article that is related to the registrant’s profession.

(g) Serving as a mentor or supervisor for the Intern Development Program of the National Council of Architectural Registration Boards or the Interior Design Experience

Program of the [~~National~~] Council for Interior Design Qualification. A registrant may not claim more than 2 continuing education units annually pursuant to this paragraph.

(h) Teaching or instructing a topic that is related to the registrant's profession. A registrant may not claim continuing education units pursuant to this paragraph more than once for the same or similar presentations, or if the registrant is a part-time or full-time faculty member at a college, university or other educational institution.

(i) Viewing a video presentation that is related to the registrant's profession.

(j) Visiting a site that is architecturally significant to maintain and strengthen competency in the registrant's profession.

2. The Board may require a detailed synopsis or report concerning any continuing education units claimed by a registrant for a self-directed educational activity.

3. As used in this section, unless the context otherwise requires, "self-directed educational activity" means an educational activity which primarily consists of a registrant engaging in an activity concerning a subject relating to public health, safety and welfare which is not systematically presented by another person, including the study of such subjects.

Sec. 6. NAC 623.640 shall be amended to read as follows:

1. Each registrant who claims credit for continuing education units earned during a calendar year shall retain records sufficient to support the continuing education units claimed for not less than 3 years after the date of renewal of his or her certificate of registration. The records must include any continuing education units that the registrant has carried forward.

2. The records that must be retained by a registrant include, without limitation:

(a) A log, on a form prescribed by the Board, which shows the type of activity claimed, sponsoring organization, location, duration, name of the instructor or speaker, and continuing education units earned;

(b) Verification of attendance, in the form of a certificate of completion, signed attendance receipt, paid receipt, copy of a list of all persons who attended the activity signed by the person in charge of the activity, or other documentation supporting evidence of attendance; or

(c) Records as maintained by professional repositories which are approved by the Board, including, without limitation, the American Institute of Architects and the [National] Council for Interior Design Qualification.

Sec. 7. NAC 623.830 shall be amended to read as follows:

The Board adopts by reference the standards of the [National] Council for Interior Design Qualification for the experience required pursuant to subsection 1 of NRS 623.192 for a certificate of registration to practice interior design. The standards may be obtained, free of charge, from the [National] Council for Interior Design Qualification, *225 Reinekers Lane, Suite 210, Alexandria, VA 22314*, telephone (202) 721-0220, or at the Internet address [~~http://www.neidq.org~~] *http://www.cidq.org*.

NOTICE OF ADOPTION OF REGULATION

The Nevada State Board of Architecture, Interior Design and Residential Design adopted regulations assigned LCB File No. T001-20, which pertain to Chapter 623 of the Nevada Administrative Code on January 20, 2021.

A copy of the regulations as adopted is attached hereto.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233B.066
LCB FILE T001-20**

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.

This proposed regulation mainly revises provisions relating to the examination for architects by adding an option for candidates who are enrolled in an Integrated Pathway to Architectural Licensing (IPAL) option from a NAAB-accredited program and allow them to take the Architect Registration Examination before obtaining their degree under Nevada Administrative Code (NAC) Chapter 623. It also removes obsolete language no longer in use like changing the name of the national organization for registered interior design and updating its website and physical address. Additional revisions were just housekeeping updates.

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 89104

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

Legislative Counsel Bureau Website

A workshop was held on October 15, 2020 held virtually in Las Vegas, Nevada at 2:00 p.m. There were seven members of the public present by Zoom. The public hearing was held on January 20, 2021 virtually at 12:00 p.m. There was no member of the public at the public hearing. A total of seven comments were submitted by Zoom and email. Any further information may be obtained by contacting Monica Harrison at (702) 486-7300 at the Nevada State Board of Architecture, Interior Design and Residential Design, 2080 E. Flamingo Rd. Ste. 120, Las Vegas, NV 89119.

3. **The number persons who:**
 - (a) **Attended each hearing:** October 15, 2020 -7 January 20, 2021 -0
 - (b) **Testified at each hearing:** October 15, 2020 - 7 January 20, 2021-0
 - (c) **Submitted to the agency written comments:** 7 comments were submitted. 6 in favor and 1 in opposition
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.**
 - 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 and e-mail blasts, the Board sent notices of the proposed regulations to all of its registrants and small businesses on September 30th, 2020 (Email, Facebook & Twitter). The agency discussed and reviewed the proposed regulations at three of its publicly noticed board meetings on June 6, 2018, January 15, 2020 and August 19, 2020 and also posted a copy of the draft regulations on its website on September 30th, 2020. The Board held a Public Workshop on October 15, 2020 virtually, and a Public Hearing on January 20, 2021 also held virtually. The agency used informed, reasonable judgment in determining that there will not be an impact on small businesses resultant from the regulation change since no fees are being increased. 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 temporary regulation was adopted on January 20, 2021 by a quorum of the NSBAIDRD full board and included all of the changes suggested at the workshop that was held on October 15, 2020 (virtual meeting). After the board reviewed all comments from the public, The Board believes that the proposed regulations reflect the intent of the board and therefore, the temporary regulation was 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 on businesses; and**
- (b) Both immediate and long-term effects on businesses.**

(a) Both adverse and beneficial effects

The intent of the proposed regulations under T001-20 should have no adverse economic effect on businesses. The intent of the proposed regulations under T001-20 is to add an option for candidates who are enrolled in an Integrated Pathway to Architectural Licensing (IPAL) option from a NAAB-accredited program and allow them to take the Architect Registration Examination before obtaining their degree under Nevada Administrative Code (NAC) Chapter 623. Additional revisions were just housekeeping updates of obsolete information. The beneficial effects are that applicants enrolled in the IPAL option can complete their education and intern hours and take the exams in almost half the time of the more traditional path. The proposed regulation will also update and remove obsolete information; the Board doesn't anticipate an adverse effect upon the intent of the regulation.

(b) Both immediate and long-term effects.

The immediate effect of T001-20 will be that applicants enrolled in the IPAL option can complete their education and intern hours and take the exams in almost half the time of the more traditional path. Business may encourage their interns to select a shorter path to licensure. The indirect effect is that the applicants will have the opportunity to enter into the profession having more options and having more opportunities with the addition of an alternative licensing path. The Board has determined the proposed language will not restrict the formation, operation, or expansion of small businesses.

Long-term effects on the businesses are that it will give candidates an option to enrolled in more streamline program to be able to complete their education, intern hours and obtain their degree in half the time of the more traditional path.

- (a) **Both adverse and beneficial effects on the public; and**
- (b) **Both immediate and long-term effects on the public.**

(a) Both adverse and beneficial effects

The intent of the proposed regulations under T001-20 should have no adverse economic effect on the public. The beneficial effects are that applicants enrolled in the IPAL option can complete their education and intern hours and take the exams in almost half the time of the more traditional path. The proposed regulation will also update and remove obsolete information; the Board doesn't anticipate an adverse effect upon the intent of the regulation.

(b) Both immediate and long-term effects.

The immediate effect of T001-20 is that applicants enrolled in the IPAL option will have the opportunity to complete their education, intern hours and take the exams in almost half the time of the more traditional path. The indirect effect is that the applicants will have the opportunity to enter into the profession having more options and having more opportunities with the addition of an alternative path.

Long-term effects on the businesses are that it will give candidates an option to enrolled in more streamline program to be able to complete their education, intern hours and obtain their degree in half the time of the more traditional path.

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.



Nevada State Board of Architecture, Interior Design and Residential Design

2080 East Flamingo Road, Suite 120, Las Vegas NV 89119

Telephone: (702) 486-7300 Fax: (702) 486-7304

E-mail: nsbaidrd@nsbaidrd.nv.gov Web: nsbaidrd.org

SMALL BUSINESS IMPACT STATEMENT REGARDING LCB File No. T001-20

- 1. A description of the manner in which comment was solicited from affected small business, a summary of their responses, and an explanation of the manner in which other interested persons may obtain a copy of the summary:**

Through its newsletter and e-mail blasts, the Board sent notices of the proposed regulations to all of its registrants and small businesses on September 30th, 2020 (Email, Facebook & Twitter). The agency discussed and reviewed the proposed regulations at three of its publicly noticed board meetings on June 6, 2018, January 15, 2020 and August 19, 2020 and also posted a copy of the draft regulations on its website on September 30th, 2020. The Board held a Public Workshop on October 15, 2020 virtually, and a Public Hearing on January 20, 2021. There were seven comments from the public or small businesses regarding the proposed regulation. The agency used informed, reasonable judgment in determining that there will be minimal impact on small businesses resultant from the regulation change that adds an option for candidates who are enrolled in an Integrated Pathway to Architectural Licensing (IPAL) option from a NAAB-accredited program and allow them to take the Architect Registration Examination before obtaining their degree under Nevada Administrative Code (NAC) Chapter 623. Additional changes were just housekeeping updates on obsolete information. Any further information may be obtained by contacting Monica Harrison at the Nevada State Board of Architecture, Interior Design and Residential Design, 2080 E. Flamingo Rd. Ste. 120, Las Vegas, NV 89119.

- 2. The manner in which the analysis was conducted:**

The Board discussed the proposed language and any impact it might have upon the impact of revising provisions relating to architects, interior designers and residential designers at its regular meetings on June 6, 2018, January 15, 2020, August 19, 2020 (virtual meeting) and at its workshop on October 15, 2020 (held virtually) and public hearing on January 20, 2021 (held virtually), and received only seven public input (6 in favor and one in opposition) by email and in person despite all of the notification send out to its registrants and businesses. The Board, therefore, used its best judgment to determine that the regulation would have no adverse impacts on small businesses based upon the intent of the regulation.

- 3. The estimated economic effect of the proposed regulation on the small business which it is to regulate, including, without limitation:**

- a. Both adverse and beneficial effects; and**

The intent of the proposed regulations under T001-20 is to add an option for candidates who are enrolled in an Integrated Pathway to Architectural Licensing (IPAL) option from a NAAB-accredited program and allow them to take the Architect Registration Examination before obtaining their degree under Nevada Administrative Code (NAC) Chapter 623. Additional revisions were just housekeeping updates. The beneficial effects are that applicants enrolled in the IPAL option can complete their education and intern hours and take the exams in almost half the time of the more traditional path. The proposed regulation will also update and remove obsolete information; the Board doesn't anticipate an adverse effect upon the intent of the regulation.

- b. Both direct and indirect effects.**

The direct effect of T001-20 will be that applicants enrolled in the IPAL option can complete their education and intern hours and take the exams in almost half the time of the more traditional path. The indirect effect is that the applicants will have the opportunity to enter into the profession having more options and having more opportunities with the addition of an alternative path.

4. **A description of the methods that the agency considered to reduce the impact of the proposed regulations on small businesses and a statement regarding whether the agency actually used any of those methods.**

The Board informed businesses through its Newsletter and email-blasts. The proposed changes were also posted on the Board's website, State of Nevada's website and LCB's website. We only received three comments from the public by email. The Board used its best judgment to determine that there was no potential negative impact as we are only adding

5. **The estimated cost to the agency for the enforcement of the proposed regulation.**

There is no cost to the agency.

6. **If the proposed 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.

7. **If the Proposed Regulation Includes Provisions Which Duplicate or Are More Stringent Than Federal, State or Local Standards Regulating the Same Activity, an Explanation of Why Such Duplicative or More Stringent Provisions Are Necessary.**

The proposed regulation change does not duplicate and is not more stringent than any federal, state, or local standards regulating the practice of architecture, interior design and residential design.

8. **The Reasons For the Conclusions of the Agency Regarding the Impact of a Regulation on Small Businesses.**

The Board is confident its proposed regulation will not have an impact on small businesses. The Board did not identify any potential economic effects during its own deliberations and did not receive any such input from any of the licensees or other interested people who were sent notice of the proposed regulations. Based upon only a few responses from the people notified, the Board determines the following to be the answers to the concerns raised in NRS 233B.0607(1):

- a. **Does the Proposed Regulation Impose a Direct and Significant Economic Burden Upon Small Businesses?** *The Board has determined the proposed language will have no direct or significant economic burden upon small businesses.*
- b. **Will the Proposed Regulation Directly Restrict the Formation, Operation or Expansion of a Small Business?** *The Board has determined the proposed language will not restrict the formation, operation, or expansion of small businesses.*

Pursuant to NRS 233B.0608(3) and 233B.0309(2), I hereby certify that to the best of my knowledge and belief, the Board conducted a concerted effort as described above to determine the impact of the proposed regulation on small businesses, namely on architecture, interior design and residential design practices in Nevada. The information contained in this statement was prepared properly and contains accurate information regarding all such efforts and the Board's determination based thereon.

Signed and effective this 16 day of February, 2021.



Monica Harrison, Executive Director

Nevada State Board of Architecture, Interior Design and Residential Design