



09.18.01.00

TITLE 09 MARYLAND DEPARTMENT OF LABOR

Subtitle 18 BOARD OF CERTIFIED INTERIOR DESIGNERS

CHAPTER 01 REGULATIONS

Authority: Business Regulation Article, §§2-106.1 and 2-106.2; Business Occupations and Professions Article, §§8-101, 8-206, 8-207, 8-302—8-305, 8-307, and 8-309; Annotated Code of Maryland

09.18.01.01

Purpose.

.01 Purpose.

This chapter is intended to carry out the provisions of Business Regulation Article, §§2-106.1 and 2.106.2, Annotated Code of Maryland, and Business Occupations and Professions Article, Title 8, Annotated Code of Maryland. In particular, it is intended to set various fees in order to cover the actual documented direct and indirect costs of fulfilling the statutory and regulatory duties of the State Board of Architects, the State Board of Certified Interior Designers, the State Board of Examiners of Landscape Architects, the State Board for Professional Engineers, and the State Board for Professional Land Surveyors.

09.18.01.02

Definitions

.02 Definitions

A. In this chapter, the following terms have the meaning indicated.

B. Terms Defined.

(1) "Board" means the State Board of Certified Interior Designers.

(2) "Certificate fee" means the fee paid by an applicant or certificate holder, as applicable, in connection with the issuance and renewal of a certificate and the issuance of a reciprocal certificate.

(3) "Design boards" means collectively the:

(a) State Board of Architects;

(b) Board;

(c) State Board of Examiners of Landscape Architects;

(d) State Board for Professional Engineers; and

(e) State Board for Professional Land Surveyors.

(4) "NCIDQ" means the National Council of Interior Design Qualification.

(5) "Secretary" means the Secretary of Labor.

09.18.01.03

Fees and Costs.

.03 Fees and Costs.

A. The Secretary and the design boards have agreed to average their direct and indirect costs, based on the calculation of costs performed by the Secretary in consultation with the design boards. Based on these calculations, the Board sets the following fees:

(1) Certificate fee — \$76.50;

(2) Nonrefundable initial application fee payable in connection with:

(a) An application for certificate — \$35;

(b) An application for certificate by reciprocity — \$50;

(3) Reinstatement fee — \$100.

B. An applicant shall pay the examination fees directly to the NCIDQ, as these fees are established by NCIDQ.

09.18.02.00

Title 09 MARYLAND DEPARTMENT OF LABOR Subtitle 18 BOARD OF CERTIFIED INTERIOR DESIGNERS

Chapter 02 Code of Ethics

Authority: Business Occupations and Professions Article, §8-206(b), Annotated Code of Maryland

09.18.02.01

Purpose.

.01 Purpose.

The primary obligation of a certified interior designer when performing interior design services is to protect the health, safety, and welfare of the public.

09.18.02.02

Responsibility to the Public.

.02 Responsibility to the Public.

A. In rendering professional services, a certified interior designer shall comply in all respects with applicable laws and regulations pertaining to the practice of interior design.

B. A certified interior designer may not engage in any form of false or misleading advertising or promotional activities, including, but not limited to, the falsification or misrepresentation of the work of a certified interior designer or of another person, academic or professional qualifications, degree of responsibility, experience, performance, or licensing status.

C. A certified interior designer shall be truthful and objective in all professional communications and public statements.

D. A certified interior designer may not seal, stamp, or sign, or permit to have a certified interior designer's name, signature, or stamp be affixed to, any plans, drawings, specifications, or other documents which were not prepared by a certified interior designer or under the certified interior designer's responsible supervising control and direction.

E. A certified interior designer may not by affirmative act or failure to act engage in improper, unprofessional, or dishonorable conduct of a character likely to deceive, defraud, or harm the public.

F. A certified interior designer may not knowingly associate with, or permit the use of, a certified interior designer's personal or business name in a business venture by a person or a firm which a

certified interior designer knows, or has reason to know, is engaged in business or professional practice of a fraudulent or dishonorable nature.

G. In rendering professional services, a certified interior designer may not counsel or assist anyone, including, but not limited to, a certified interior designer's client, in conduct a certified interior designer knows, or reasonably is expected to know, is illegal or improper.

H. A certified interior designer who has direct knowledge of a violation of a provision of the laws or regulations pertaining to the practice of interior design by another person or entity shall immediately inform the Board of Certified Interior Designers in writing.

I. A certified interior designer may not pay, or offer to pay, either directly or indirectly, any commission, political contribution, gift, or other consideration in order to secure work, exclusive of the customary fees payable to employment agencies.

09.18.02.03

Responsibility to the Client.

.03 Responsibility to the Client.

A. A certified interior designer shall undertake to perform professional assignments only if the certified interior designer, together with the certified interior designer's consultants, is qualified, by training, education, and experience to perform required services.

B. A certified interior designer may not divulge any confidential information about the client or the client's project, unless the certified interior designer reasonably believes that nondisclosure of the information creates a significant risk to public health and safety, or violates the applicable laws or this Code of Ethics.

C. A certified interior designer shall fully disclose to the certified interior designer's client all compensation that the certified interior designer receives in connection with a project, and may not accept any form of compensation from a third party in cash or in kind unless the client is informed and does not object to the method or form of compensation.

D. A certified interior designer may not knowingly assume or accept any position in which the certified interior designer's personal interests conflict with professional responsibilities.

E. A certified interior designer may offer professional services to the client as a consultant, specifier, or supplier on the basis of a fee, percentage, or mark-up, except that a certified interior designer may not request, propose, or accept a commission on a fee basis under circumstances in which the certified interior designer's professional judgment may be compromised.

F. Before entering into a written or verbal contract with a client, a certified interior designer shall clearly determine and convey to the client the scope and nature of the project involved, the services to be performed, and the method of remuneration for the services.

G. A certified interior designer shall produce studies, drawings, specifications, and other related documents of sufficiently high standards to clearly and accurately indicate all essential parts of the work to which they refer.

H. Except for specifications and drawings over which a certified interior designer retains proprietary rights or which the certified interior designer is required by law, or in connection with an investigation by the Board of Certified Interior Designers, to furnish, a certified interior designer may not use specifications, photographs, or drawings of a project without the express permission of a client.

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Responsibility to Other Certified Interior Designers.

.04 Responsibility to Other Certified Interior Designers.

A. A certified interior designer shall pursue all professional endeavors with honesty, integrity, fairness, and professionalism.

B. A certified interior designer may not initiate, participate, or engage in an activity that may reasonably result in interference in the performance by another certified interior designer of a contractual or professional relationship with a client or an unjust injury to another certified interior designer's reputation or business relationship.

C. A certified interior designer shall only take credit for services performed by the certified interior designer directly, or by the certified interior designer's firm and under the certified interior designer's supervision or direction.

D. A certified interior designer may not:

- (1) Accept instructions from a client which the certified interior designer knows involve plagiarism;
- (2) Consciously plagiarize work of another certified interior designer.

09.18.02.05

Responsibility to the Profession.

.05 Responsibility to the Profession.

A. A certified interior designer shall adhere to and maintain standards of professional and personal conduct that reflect in a responsible manner on the profession.

B. In addition to requirements set forth in the law and regulations governing certified interior designers, a certified interior designer shall seek to continually upgrade professional knowledge and competency with respect to the interior design profession.

C. A certified interior designer shall, whenever possible, encourage and contribute to the sharing of information and knowledge between certified interior designers and other allied professionals and the public.

09.18.02.06

Sealing Requirements.

.06 Sealing Requirements.

A. A certificate holder may sign and seal plans, specifications, drawings, reports, or any other interior design documents that are required to be signed and sealed under Business Occupations and Professions Article, §8-403, Annotated Code of Maryland, only if the following requirements are met:

(1) The certificate holder is competent in the subject matter of the documents by reason of education or experience or both; and

(2) The certificate holder either:

(a) Personally prepared the documents; or

(b) Approved the documents.

B. Definition. In §(A)(2)(b) of this regulation, "approved" means the certificate holder:

(1) Had direct knowledge and responsible control over the content of the interior design documents during their preparation; and

(2) Performed substantive review and had authority to make revisions of the interior design documents during their preparation.

C. For the purpose of sealing and signing interior design documents under this regulation, a certificate holder shall obtain an individual seal which shall contain:

(1) A depiction of the Great Seal of Maryland in the center of the seal;

(2) The certification number of the certificate holder above the depiction of the Great Seal of Maryland;

(3) The words "Certified Interior Designer" above the certification number of the certificate holder;

(4) The name of the certificate holder below the depiction of the Great Seal of Maryland; and

(5) The words "State of Maryland" below the name of the certificate holder.

D. The diameter of the seal shall be 2 inches.

09.18.02.07

Failure to Respond.

.07 Failure to Respond.

A. If an applicant or certificate holder receives from the Board a written communication requesting a response, the applicant or certificate holder shall respond in writing within 30 days of the date of the mailing.

B. The Board shall send a written communication by first-class mail to the last known address furnished to the Board by the applicant or certificate holder.

C. It is a responsibility of an applicant or certificate holder to notify the Board in writing if there has been a change in the applicant's or certificate holder's address.

D. Failure to respond as required by this regulation may be considered by the Board to be a violation of Business Occupations and Professions Article, §8-310(a)(1)(vi), Annotated Code of Maryland.

09.18.03.00

Title 09 MARYLAND DEPARTMENT OF LABOR

Subtitle 18 BOARD OF CERTIFIED INTERIOR DESIGNERS

Chapter 03 Continuing Education

Authority: Business and Professions Article, §§8-206(a) and 8-308, Annotated Code of Maryland

09.18.03.01

Purpose.

.01 Purpose.

The State legislature has determined that it will be in the best interest of the public to require certified interior designers to comply with continuing education requirements as a prerequisite to the renewal of a certificate (the "certificate") issued by the Board of Certified Interior Designers (the "Board").

09.18.03.02

Definitions.

.02 Definitions.

A. Approved Continuing Education Course.

(1) "Approved continuing education course" means a continuing education course approved by the Board. In order to qualify as the approved continuing education course, the continuing education course shall:

(a) Meet the criteria established by these regulations; and

(b) Be submitted in an outline form acceptable to the Board at least 2 months in advance of any regularly scheduled Board meeting in order to be considered at the respective meeting.

(2) Subject to the requirements set forth in §B(3) of this regulation, a course approved by the Interior Design Continuing Education Council shall be considered to be an approved course.

B. Continuing Education Course.

(1) "Continuing education course" means a course which contributes directly to the enhancement of professional competency of an individual to provide interior design services and has a clear purpose and objective of protecting health, safety, and welfare of the public.

(2) "Continuing education course" includes the following subject matter:

(a) Technical or aesthetic aspects of interior design or principles of sustainable design;

(b) Client relations and communications;

(c) Compliance with appropriate federal, State, and local laws and regulations, as related to the practice of interior design; and

(d) Other courses which foster improvement, advancement, and extension of professional skills and knowledge related to the practice of interior design.

(3) "Continuing education course" does not include marketing courses, unless otherwise determined by the Board.

C. "Continuing education unit (CEU)" means a unit of credit customarily used for continuing education courses. One CEU equals 10 hours of study in the approved continuing education courses.

D. "Qualified sponsor" means a national interior design organization, an accredited college or university, or any other entity recognized by the Board as qualified to offer continuing education courses.

E. "Sustainable design" means the design process that utilizes an integrative approach aimed at:

(1) The conservation of energy, water, and raw material resources;

(2) The prevention of environmental degradation; and

(3) The overall creation of healthy, livable, and productive environments.

09.18.03.03

Requirements.

.03 Requirements.

A. A certified interior designer shall complete a minimum of 1 CEU in two or more approved continuing education courses during each 2-year certificate term.

B. As a part of 1 CEU required under §A(1) of this regulation, a certified interior designer shall complete at least 1 hour of study in a course that fulfills the following requirements:

(1) The subject matter of the course outlines the principles of sustainable design;

(2) The course has been approved by the Interior Design Continuing Education Council and the U.S. Green Building Council; and

(3) The course emphasizes the relationship of the concepts of green building and sustainable design to the protection of health, safety, and welfare of the public.

C. Notwithstanding the requirement stated in §A of this regulation, if the certificate is granted to a certificate holder during the second year of a certificate term, the certificate holder may renew the certificate for the next full term only if the certificate holder earns 0.5 of the CEU in one or more approved continuing education courses.

09.18.03.04

Determination of Value.

.04 Determination of Value.

A. Each hour of attendance or instruction of the approved continuing education course shall equal 1/10th of 1 CEU.

B. Credits for the approved continuing education courses shall be based upon the number of hours of attendance or instruction.

C. College courses taken for academic credit qualify only if approved pursuant to these regulations. Credit for completed and approved college courses may vary, but in any event may not exceed eight-tenths of 1 CEU.

D. Credits may not be considered earned until the completion of the approved continuing education course.

09.18.03.05

Determination of Credits.

.05 Determination of Credits.

A. The Board shall have the final authority with regard to the approval of courses, sponsors, credit, value for courses, and other matters related to the continuing education requirements. Selection of the approved continuing education courses from the list formulated by the Board is a responsibility of a certificate holder. The list of approved continuing education courses may be amended by the Board at any time the Board finds appropriate. Credits toward the fulfillment of continuing education requirements shall be given only for the approved continuing education courses.

B. The following standards shall be used for the determination of credit with regard to the approved continuing education courses:

(1) Successful completion of the approved continuing education course offered by the qualified sponsor;

(2) Services as a teacher, lecturer, or instructor in interior design and related subjects qualifying for continuing education credit, to be considered by the Board on a case-by-case basis, provided that:

(a) Credit may not be given for repetitious presentations or those that cover, in the Board's opinion, substantially the same material, and

(b) Not more than 1 CEU may be earned, with no carryover provision for excess hours.

09.18.03.06

Reporting and Record Keeping.

.06 Reporting and Record Keeping.

A. An applicant for certificate renewal shall provide to the Board a signed statement, under penalty of perjury, on an appropriate form supplied by the Board, setting forth the following minimum information for qualification:

- (1) Name of the qualified sponsor;
- (2) Location of the approved continuing education course;
- (3) Title and description of the approved continuing education course;
- (4) Dates attended;
- (5) Number of hours claimed; and
- (6) Other information the Board considers appropriate.

B. The Board, at the Board's discretion, may verify the information submitted by a certificate holder.

C. The certificate holder shall be responsible for maintaining records used to support credits claimed. The records shall be maintained by certificate holders for a period of at least 2 years from the date of completion of the approved continuing education course.

09.18.03.07

Exceptions.

.07 Exceptions.

The Board may issue a certificate renewal to a certificate holder who has not fully complied with the continuing education requirements set forth in these regulations if the certificate holder's failure to fulfill the requirements was due to one or more of the following reasons:

- A. Military service on extended active duty with the armed forces of the United States;
- B. Physical or mental disability, illness, or other similar extenuating circumstances, as supported by an appropriate documentation from a licensed or certified health care professional;
- C. Other good and valid causes, as may be determined by the Board in the Board's sole discretion.

09.18.03.08

Nonrenewal.

.08 Nonrenewal.

Failure to comply with these regulations shall result in nonrenewal of the certificate.

