Guidance regarding effect of regulatory suspensions effectuated by Governor Reynold's Proclamation of Disaster Emergency, dated March 22, 2020, and providing for Professional Licensure Relief

On Sunday, March 22, 2020, Governor Reynolds issued A Proclamation of Disaster Emergency providing for, among other things, Professional Licensure Relief as a result of the outbreak of COVID-19. Proclamation of Disaster Emergency [hereinafter *Proclamation*], §§ 3-15 (March 22, 2020),

https://governor.iowa.gov/sites/default/files/documents/Public%20Health%20Proclamation%20-%202020.03.22.pdf.

The Proclamation provides relief by, among other things, suspending various regulatory requirements relating to in-person continuing education, and licensure renewal deadlines. Pursuant to the Proclamation, Governor Reynolds directed individual licensing boards to "provide additional guidance to licensees regarding the effect of these suspensions." *Id.*; *see also* Iowa Code § 29C.19 ("Any order issued or rule promulgated by a state agency during a declared disaster emergency and pursuant to the provisions of this chapter shall be exempt from being issued or promulgated as provided in chapter 17A."). In light of and consistent with the foregoing, the Iowa Landscape Architecture Examining Board ("Board") hereby issues the following Guidance regarding the effect of these suspensions.

1. Pursuant to SECTION FIVE of the Proclamation, Governor Reynolds temporarily suspended the regulatory provisions of the Iowa Code and corresponding implementing regulations to the extent they impose requirements for in-person continuing education as a condition of professional license renewal or impose continuing education deadlines or requirements that are unable to be satisfied due to COVID-19. For licensees of the Board, at the present time this means:

   - If your license is set to expire on June 30, 2020, per (2) below your license will instead expire on July 31, 2020, and you may satisfy your continuing education requirements with hours earned between July 1, 2018, and July 31, 2020. *See* Iowa Admin. Code ch. 193D—3. In other words, you have an additional month to complete your continuing education hours. Hours earned between July 1, 2020, and July 31, 2020 that are used for your 2020 renewal may not be used for your 2022 renewal.

   - If your license is set to expire on June 30, 2021, your timeframe for completing your continuing education is unchanged.

   - For all licensees whose licenses are set to expire in 2020 or 2021, the number of continuing education hours required are halved. *See* Iowa Admin. Code r. 193D—3.2. Specifically:

     o Professional landscape architects who have held a license for less than 12 months from the date of their initial licensure will continue to not be required to report any hours of continuing education at their first license renewal.

     o Professional landscape architects who have held a license for more than 12 months, but less than 24 months from the date of their initial licensure are required to report 6 hours of continuing education in health, safety, and welfare subjects at their first license renewal.

- o Professional landscape architects who have <u>held a license for 24 months or more</u> from the date of their initial licensure are required to report <u>12 hours</u> of continuing education in health, safety, and welfare subjects.

- You are encouraged to complete distance learning or online continuing education programs which meet the requirements of Iowa Administrative Code rule 193D—3.2. There is no limit to the number of distance learning education hours you make take for your continuing education.

2. Pursuant to SECTION SIX of the Proclamation, Governor Reynolds temporarily suspended the regulatory provisions of the Iowa Code and corresponding implementing regulations to the extent they set an expiration date or renewal requirement for a professional license that expires during the duration of the Proclamation. Currently, the Proclamation is set to expire on April 30, 2020. For licensees of the Board, at the present time this means:

   - The renewal period opens May 16, 2020 for licenses expiring this year.

   - If your license is set to expire on June 30, 2020, your license will instead expire on July 31, 2020. *See* Iowa Admin. Code r. 193D—2.8. Your renewal is due before August 1, 2020. When you sign and stamp your technical submissions, please use July 31, 2020 as the expiration date of your license.

   - The late renewal grace period will last from August 1 to August 30, 2020. The late renewal fee is waived for any late renewal until August 30, 2020.

   - If your license is set to expire on June 30, 2021, your license expiration date is unchanged.

3. To the extent any provision in this Guidance is inconsistent with a provision in the Proclamation, the provision of the Proclamation shall prevail.

4. Unless specifically included or addressed within this Guidance, all other regulatory requirements enforced or administered by the Board shall remain in full force and effect. In addition, other than the requirements specifically identified and addressed in this Guidance, nothing contained in this Guidance shall be construed as an exemption from any other portion of the Iowa Code or Iowa Administrative Code.

5. If additional allowances from Board rules outside of the scope of the rules or issues addressed by this Guidance are required due to circumstances relating to COVID-19, such allowances shall be handled as individual petitions for waiver or variance from Board rules pursuant to and in accordance with Iowa Administrative Code chapter 193—18.

6. The provisions of this Guidance shall be effective immediately, as of the date of signature, below, and shall extend coterminous with the Proclamation, including any extensions thereto, unless and solely to the extent otherwise stated herein or unless otherwise extended by subsequent order of the Board in a manner consistent with and permitted by the Proclamation.

Issued this 14th day of April, 2020

Iowa Landscape Architectural Examining Board:

Jill Simbro for Jonathan, Chair
April 14, 2020 *Martin*

Date