



AIA Ohio

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Hearing before the House Economic Development, Commerce and Labor Committee
On May 22, 2018, in opposition to sub H. B. 504 of the 132nd Ohio General Assembly

Thank you, Chairman Young, Vice Chairman Riedel, Ranking Member Lepore-Hagen and members of the House Economic Development, Commerce and Labor Committee. My name is Karen Planet. I have been a licensed architect in the State of Ohio for 20 years. I received a Bachelor of Architecture degree Magna Cum Laude from the University of Cincinnati in 1992. I am a member of the American Institute of Architects, a Past President of AIA Dayton, and currently serve as the Treasurer of AIA Ohio. I practice architecture in collaboration with Earl Reeder in Dayton, Ohio. Our firm specializes in working with private clients on both commercial and custom residential projects.

Today I am here to testify on behalf of AIA Ohio, a component of the American Institute of Architects in opposition to House Bill 504, which is designed to create licensure for interior designers in our State. AIA Ohio is comprised of 7 chapters located throughout the state representing 2,198 members of which 1,853 are licensed architects. Our members work together side by side with interior designers, often on a daily basis, and recognize that they play an important role in the success of a project team making valuable contributions to the design and construction process. While we want to support our valued colleagues in their effort to seek professional recognition, we do not believe asking the state to set up a new regulatory scheme for at best 300 individuals is necessary nor the best use of state resources.

This isn't the first time that the Ohio General Assembly has dealt with an interior design licensure bill. In fact, it's the eighth (8th) time during the last two (2) decades that a small group of interior designers have asked the state to establish an *expensive regulatory system* designed to separate them from their fellow interior designers. Seven (7) Ohio General Assemblies have concluded that the practice of interior design *doesn't affect the health, safety and welfare to a degree sufficient to require government involvement and oversight*. In his 1992 veto message on a similar bill, then Governor George Voinovich said he didn't see a "*significant health and safety issue*," didn't believe it "*responded to consumer complaints*," and had "*anti-competitive effects*" that would "*lead to increased costs to consumers*." He said it "*furthered an already bad precedent of continuing to expand Ohio Boards and Commissions*."

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I would like to respectfully ask this Committee whether the proponents have met the burden of showing the direct harm the unregulated practice of interior design poses to the citizens of Ohio. Have you been provided actual evidence of present, significant, and substantiated harm to consumers in Ohio? This is the only basis for the regulation of an occupation. When regulation is deemed necessary, great lengths should be taken to ensure that the licensing board created to govern the occupation focuses on consumer protection, not economic protectionism. The state of Ohio should not be enacting new occupational regulations and expending state resources in order to help create and expand the opportunities of a small group of individuals to help elevate their status.

AIA Ohio would respectfully request that since this bill proposes to enact new occupational regulations, the Committee require the Director of Legislative Service Commission to assess the bill to determine: 1) whether the unregulated practice of interior design harms or endangers the health, safety, and welfare of the citizens of Ohio; 2) whether the new regulatory scheme is consistent with the state's policy on occupational licensing and regulation; and 3) whether the costs of the new regulations outweigh the benefit taking into consideration the potential impact on employment, consumer choice, market competition, and the price tag to the taxpayers of Ohio. Actual evidence of abuses by interior designers should be given great weight in determining whether there is a real need for regulation.

While HB 504 proposes interior design "certification", in reality it outlines a level of regulation that is licensure in all but name. If HB 504 were an actual certification bill, only a person certified in interior design would be able to use the term "certified interior designer" which would indicate that they have met the minimum education, experience, and examination set by the state outlined in statute for other certified occupations in Ohio. HB 504 does not include either education or experience requirements for interior designers.

Actual certification bills also do not include a definition of practice since anyone can continue to do so. Definitions of practice are typically associated with licensure schemes since it is used to restrict only persons who possess a license to engage in that occupation. The current definition of the practice of interior design, as outlined in House Bill 504, would actually permit interior designers to practice architecture since the description of what falls within the scope of the practice of interior design actually is encompassed by the definition of the practice of architecture as defined by the state of Ohio.

For Reference

a) p.7 lines 192-197

"Practice of interior design" means the preparation of a plan or specifications for, or the supervision of, the new construction, alteration, or repair of an interior space, as defined by the Ohio interior design examiners board in rule, within a building when the exterior elements of the building are not going to be changed.

b) The statutory definition of the practice of architecture (OAC 4703-1-01(b)) clearly outlines a scope of services that an individual may provide if they are qualified to be an architect. The “practice of architecture” is providing or offering to provide the following services in connection with the:

- *design and construction*
- *enlargement*
- *alteration of a building or group of buildings; and*
- *the space within and the site surrounding such buildings*

Whose principal purpose is the following:

- *human occupancy or habitation*
- *except where otherwise exempted by sections [3781.06](#) to [3781.18](#) and [3791.04](#) of the Revised Code.*

The services referred to include:

- *pre-design*
- *programming*
- *planning*
- *providing designs, drawings, specifications and other technical submissions*
- *the administration of construction contracts; and*
- *the coordination of any elements of technical submissions prepared by others*
 - *including, as appropriate and without limitation consulting engineers*

This overlap will inevitably lead to public confusion, and potentially dangerous, unlicensed practice of architecture. If HB 504 is indeed a permissive certification bill and all interior designers can continue to practice as they always have, then why does the practice of interior design need to be defined? This would actually endanger the public’s health, safety, and welfare since it would enable interior designers who are not certified to practice under an expanded scope.

For reference: p. 10 lines 273-278

Sec. 4703.62. (A) Nothing in sections 4703.60 to 4703.72 of the Revised Code shall be construed as doing either of the following:

(1) Requiring a person to obtain an interior designer certificate to engage in an activity traditionally performed by an interior designer or other design professional;

I would respectfully ask the members of this committee to reject HB 504. Thank you again Chairman Young and members of the committee for allowing me to testify on HB 504. I would be happy to answer any questions the committee may have.