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CHAPTER 46
RULES OF THE BOARD OF EXAMINERS OF
SHORTHAND REPORTERS

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CHAPTER 46 RULES OF THE BOARD OF EXAMINERS OF SHORTHAND REPORTERS

Rule 46.1 Authorization and scope. The rules in this chapter are adopted in conjunction with Iowa Code sections 602.3101 through 602.3302. They apply to all proceedings, functions, and responsibilities of shorthand reporters and the board of examiners.

[Court Order June 5, 2008, effective July 1, 2008]

Rule 46.2 Definitions. In this chapter:

(1) ~~“Certified shorthand reporter”~~ “Certified shorthand reporter” is an individual who has demonstrated by examination administered by the board of examiners that such individual has achieved proficiency in shorthand equivalent in the discretion of the board to the standard of the National Court Reporters Association for the earned designation of Registered Professional Reporter, namely, the demonstrated ability to write dictated tests at 180 words per minute (question and answer — technical dictation), 200 words per minute (multivoice dictation for transcription or readback), and 225 words per minute (question and answer dictation), or such equivalents thereof as the board may select, each at 95 percent accuracy or better, and demonstrated written knowledge of the reporter’s duties, Iowa legal procedure, and correct English usage at 70 percent accuracy or better. Individuals who hold the designation of Registered Professional Reporter from the National Court Reporters Association by passing ~~said~~ the association’s examination on or after May 1, 1973, and are in good standing with such association, may, upon application to the board of examiners, become certified shorthand reporters upon successfully passing a written examination concerning a reporter’s duties, Iowa legal procedure, and correct English usage at 70 percent accuracy or better.

(2) ~~“Shorthand”~~ “Shorthand” is a method of writing rapidly with stenographic machine by substituting characters, abbreviations, or symbols for letters, words, or phrases.

(3) ~~“Shorthand reporting”~~ “Shorthand reporting” is the professional skill ~~whose~~ of which the practice of which by official shorthand reporters and freelance shorthand reporters serves the judicial branch of state government in courts of record, references by such courts or the law, depositions taken by shorthand reporters, or proceedings of like character, with the end in view of ensuring the accuracy and integrity of the record upon which courts rely for evidence, trial, and appellate review.

[Court Order June 5, 2008, effective July 1, 2008; December 18, 2014; October 15, 2015]

Rule 46.3 Organization, ~~meetings,~~ and ~~information.~~

46.3(1) The officers of the ~~board shall be~~ Board of Examiners of Shorthand Reporters (board) ~~are~~ are a chairperson, selected by the supreme court of Iowa, and a secretary elected at the September meeting, each to serve for a term of one year, or until a successor is elected. Each ~~shall~~ must perform the duties incumbent upon the office.

46.3(2) The board ~~shall~~ must hold regular meetings for examination of applicants and the transaction of other business at least twice per year ~~on the second Saturday of March and~~

1 | ~~September of each year in Des Moines, Iowa, commencing at 9 a.m., or at such other times or~~
2 | ~~places as the board may hereafter designate.~~ Special meetings may be held upon the call of any
3 | two members of the board. A majority of three or more members of the board ~~shall~~
4 | ~~constitute~~constitutes a quorum. Business ~~shall~~must not be conducted unless a quorum is present.
5 | All actions of the board ~~shall~~ require a simple majority vote of those present.

6 | **46.3(3)** The board ~~shall~~must, at least 60 days prior to the start of each fiscal year, or on a date
7 | otherwise requested by the supreme court submit to the court for consideration and approval a
8 | budget, covering the board's operations for the upcoming fiscal year. Approval of the budget by
9 | the court ~~shall~~will authorize payment as provided in the budget. A separate bank account
10 | designated as the certified shorthand reporter operating account ~~shall~~must be maintained for
11 | payment of authorized expenditures as provided in the approved budget. Fees or other funds
12 | received or collected as directed in this chapter or in accordance with an approved interagency
13 | agreement ~~shall~~must be deposited in the certified reporter operating account for payment of the
14 | board's authorized expenditures.

15 | **46.3(4)** The director of the office of professional regulation ~~shall~~will serve as the
16 | administrator for the board. Information may be obtained from the director at the Office of
17 | Professional Regulation, Iowa Judicial Branch Building, 1111 East Court Avenue, Des Moines,
18 | Iowa 50319, by mail or in person during office hours.

19 | [Court Order June 5, 2008, effective July 1, 2008]
20 |

21 | **Rule 46.4 Applications.** Candidates for examination ~~shall~~must make written application on the
22 | form approved by the board and provided by the board's office. An application must be on file
23 | with the administrator at the board's office at least 30 days before the date of the examination,
24 | unless the board for good cause shown grants an applicant additional time to file or otherwise
25 | waives the 30-day filing deadline. Good cause for this purpose ~~shall~~may include illness, military
26 | service, unavoidable casualty or misfortune, or other grounds beyond the control of the applicant.
27 | A new application is required for each examination. An applicant to become a certified
28 | shorthand reporter ~~shall~~must not be examined until ~~said~~the applicant has satisfied the board that
29 | the applicant's educational and special training includes at least one of the following:

30 | **46.4(1)** The applicant has attained proficiency of 200 words per minute or more in a shorthand
31 | reporting course.

32 | **46.4(2)** The applicant has had at least two years of experience as a shorthand reporter in
33 | making verbatim records of judicial or related proceedings.

34 | **46.4(3)** The applicant has graduated from a shorthand reporting school approved by the
35 | National Court Reporters Association.

36 | [Court Order June 5, 2008, effective July 1, 2008]

37 | **Rule 46.5 Examination.**

38 | **46.5(1)** Applicants ~~shall be~~are required to write shorthand from dictation of regular court
39 | proceedings, or such other matter as may be selected by the board of examiners, for such periods
40 | as ~~shall be~~ required at varying speeds within the standard.

1 **46.5(2)** Applicants will be examined with respect to their knowledge of the statutory duties of
2 a court reporter, general Iowa court procedure, and correct English usage at a 70 percent or better
3 accuracy rate.

4 **46.5(3)** Applicants ~~shall be~~are required to transcribe such part of the dictation as the board of
5 examiners may indicate.

6 **46.5(4)** Applicants ~~shall be~~are required to read aloud such part of the dictated matter as the
7 board of examiners may indicate.

8 **46.5(5)** Applicants ~~shall be~~are required to furnish their own equipment and supplies for taking
9 shorthand. Applicants ~~shall~~must make their own transcript on a provided computer or typewriter
10 unless the applicant is otherwise notified.

11 **46.5(6)** Upon completion of the examination, all shorthand notes, transcripts, and other papers
12 used in connection with an examination ~~shall~~must be returned to the board.

13 **46.5(7)** Testing rules and guidelines of the National Court Reporters Association and the
14 Board of the Academy of Professional Reporters for Registered Professional Reporters ~~shall~~must
15 be used as a guide to procedure.

16 [Court Order June 5, 2008, effective July 1, 2008; December 18, 2014; October 15, 2015]

17 **Rule 46.6 Certification.** Each person who has achieved the designation of certified shorthand
18 reporter ~~shall will~~ be issued a certificate by the board ~~of examiners~~. The certificate may be signed
19 by the chairperson and secretary or by all of the board members.

20 [Court Order June 5, 2008, effective July 1, 2008]

21 **Rule 46.7 Fees.**

22 **46.7(1)** The fee for each examination is \$200.

23 **46.7(2)** The fee for annual renewal is \$85.

24 **46.7(3)** The fee for late filing of an annual report is \$100.

25 **46.7(4)** The fee for reinstatement from a suspension is \$100.

26 **46.7(5)** The fee for reinstatement for one granted a certificate of exemption is \$50.

27 **46.7(6)** The fee for an extension for obtaining continuing education credit is \$50.

28 [Court Order June 5, 2008, effective July 1, 2008; July 17, 2013, effective September 1, 2013]

29 **Rule 46.8 Continuing education requirement.**

30 **46.8(1)** Units of continuing education credits as approved by the board ~~of examiners of~~
31 ~~shorthand reporters shall must~~ be completed by each reporter in active practice in Iowa. Failure to
32 comply with the continuing education requirements ~~shall will~~ be grounds for disciplinary action
33 under rule 46.11. In order to comply, a reporter ~~shall must~~ meet the requirements of rule
34 46.8(1)(a) or 46.8(1)(b):

35 a. ~~Obtain~~Continuing education requirements.

36 (1) A reporter must obtain at least three continuing education units (CEUs) within a three-year
37 period by attending or participating in seminars, workshops, or courses, integrally relating to the
38 field of shorthand reporting, and which contribute directly to the professional competency of the
39 shorthand reporter. One hour of continuing education credit ~~shall equal equals~~ .1 continuing
40 ~~education unit~~CEU.

1 | (2) Continuing education activities ~~shall~~must be conducted by individuals who have special
2 | education, training, and experience, and the individuals should be considered experts concerning
3 | the subject matter of the program. Attendance at any approved national, regional, or state
4 | seminar will be acceptable.

5 | (3) ~~Continuing education units~~CEUs earned in any one reporting period may be carried over
6 | for credit in one or more succeeding reporting periods, constituting the three-year period
7 | previously provided, but can not be carried over to any successive three-year period.

8 | (4) ~~Commencing October 1, 2002, the~~The annual reporting cycle ~~shall~~will run from October
9 | 1 through September 30. Continuing education requirements and the three-year reporting cycle
10 | for newly certified shorthand reporters will commence October 1 of the year following the year
11 | of their certification.

12 | *b. Alternative requirements.* In lieu of the requirements set forth in rule 46.8(1)(a), the board
13 | will accept satisfactory evidence of compliance with the current continuing education
14 | requirements of the National Court Reporters Association for retention on its Registry of
15 | Professional Reporters.

16 | **46.8(2)** The board may, in individual cases involving disability, hardship, or extenuating
17 | circumstances, grant waivers of the minimum education requirements or extensions of time
18 | within which to fulfill the same or make the required reports. No waiver or extension of time
19 | ~~shall~~will be granted unless written application is made and signed by the reporter. The board
20 | may, as a condition of any waiver granted, require the applicant to make up a certain portion or
21 | all of the minimum educational requirements waived by such methods as may be prescribed by
22 | the board.

23 | **46.8(3)** Reporters who are not actively engaged in practice may obtain from the board a
24 | certificate of exemption from continuing education requirements. Application for such
25 | exemption ~~shall~~must contain a statement that the applicant will not engage in the practice of
26 | shorthand reporting in Iowa without first complying with the regulations governing reinstatement
27 | after exemption.

28 | **46.8(4)** Inactive practitioners who have been granted a certificate of exemption from these
29 | regulations or who have been suspended ~~shall~~must, prior to engaging in the practice of shorthand
30 | reporting in Iowa, satisfy the following requirements for reinstatement:

31 | *a.* Submit written application for reinstatement to the board upon forms prescribed by the
32 | board together with a reinstatement fee of \$50, ~~and~~.

33 | *b.* Furnish in the application evidence of one of the following:

34 | (1) Active shorthand reporting in another state of the United States or the District of
35 | Columbia and completion of continuing education requirements that are the substantial
36 | equivalent to the requirements set forth in these rules for court reporters in Iowa as determined
37 | by the board.

38 | (2) Completion of ~~continuing education units (CEUs)~~CEUs sufficient to satisfy education
39 | requirements for the period of inactivity if seeking reinstatement within three years of being
40 | granted a certificate of exemption.

41 | (3) Successful passing of either the ~~state~~State of Iowa's certificate examination or the
42 | National Court Reporters Association's examination within one year immediately prior to the
43 | submission of such application for reinstatement.

1 [Court Order June 5, 2008, effective July 1, 2008]

2 **Rule 46.9 Approval of activity.** A reporter seeking credit for attendance and participation in an
3 educational activity other than those sponsored or approved by the National or Iowa Court
4 Reporters Associations ~~shall~~must submit to the board, within 30 days after completion of such
5 activity, a request for credit, including a brief résumé of the activity, its dates, subjects,
6 instructors and their qualifications, and the number of credit hours requested ~~therefor~~. Within 60
7 days after receipt of such application, the board ~~shall~~must advise the reporter in writing by
8 ~~ordinary electronic~~ mail whether the activity is approved and the number of hours are allowed
9 ~~therefor~~. A reporter not complying with the requirements of this rule may be denied credit for
10 such activity.

11 [Court Order June 5, 2008, effective July 1, 2008]

12 **Rule 46.10 Continuing education reports.**

13 **46.10(1)** On or before December 1 of each year, each reporter ~~shall~~must file with the board, on
14 forms provided by the board, a signed report concerning completion of continuing education for
15 the prior reporting period. ~~Said~~ The report, along with the annual renewal fee, ~~shall~~must be sent
16 to the board's office, Office of Professional Regulation, Iowa Judicial Branch Building, 1111
17 East Court Avenue, Des Moines, Iowa 50319. The board may prescribe an electronic report form
18 and ~~require submission of the report in that form~~, submitted and filed electronically using the
19 reporter's account with the office of professional regulation.

20 **46.10(2)** All active reporters who fail to file the annual report on or before December 1 of each
21 year ~~shall~~must pay a penalty of \$100.

22 [Court Order June 5, 2008, effective July 1, 2008]

23 **Rule 46.11 Penalty for failure to satisfy continuing education requirements.** The board
24 may revoke or suspend the license of any reporter who fails to comply with rule 46.10 or who
25 files a report showing a failure to complete the required number of education credits; provided
26 that at least 30 days prior to the suspension or revocation, notice of the delinquency has been
27 served upon the reporter in the manner provided for the service of original notices in Iowa ~~R.~~
28 ~~Civ. P.~~ Rule of Civil Procedure 1.305 or has been forwarded to the reporter by restricted
29 certified mail, return receipt requested, addressed to the reporter's last-known address. The
30 reporter ~~shall~~must be given the opportunity during the 30 days to file in the board's office an
31 affidavit establishing that the noncompliance was not willful and tender the documents and
32 sums and penalties which, if accepted, would cure the delinquency. Alternatively, the reporter
33 may file in the board's office a request, in duplicate, for hearing to show cause why the
34 reporter's certificate should not be suspended or revoked. The board ~~shall~~must grant a hearing
35 if requested. If the board orders a suspension or revocation it ~~shall~~must notify the reporter by
36 either of the methods provided above. The suspension or revocation ~~shall~~must continue until
37 the board has approved the reporter's written application for reinstatement.

38 [Court Order June 5, 2008, effective July 1, 2008]

Rule 46.12 Disciplinary action. The board may, upon its own initiative, ~~or~~ at the request of the ~~supreme court of Iowa~~ Supreme Court, or pursuant to complaint by a third party, begin disciplinary procedures against any reporter for violations of the board rules or the Code of Iowa ~~against any reporter~~.

46.12(1) Charges against a reporter brought by a third party must be in writing, signed by the complainant, filed with the board, and contain substantiating evidence to support the complainant's allegations. The complaint ~~shall~~must include complainant's address and telephone number, be dated, identify the reporter, and give the address and any other information about the reporter ~~which that~~ the complainant may have concerning the matter.

46.12(2) Such complaint, which will be held in confidence as required by law, ~~shall~~must be reviewed by the board. If the board concurs in the seriousness of the allegations made by the complainant, the board ~~shall, in writing,~~ advise the reporter of the charges involved in writing. The reporter ~~shall have~~has 30 days from the receipt of the board's notice to answer the charges in writing. The reporter may request a personal appearance before the board. The board ~~shall~~must then review again the charges made and determine whether the complaint can be disposed of informally or if contested case proceedings should be commenced.

[Court Order June 5, 2008, effective July 1, 2008]

Rule 46.13 Causes for disciplinary action. The board may revoke or suspend a certificate; or impose any of the disciplinary sanctions included in this chapter for any of the following reasons:

46.13(1) All grounds listed in Iowa Code section 602.3203.

46.13(2) Failure to file an annual report showing satisfaction of the current requirement of continuing education or submission of a false report of continuing education.

46.13(3) Conviction of a misdemeanor related to the profession or occupation of the reporter.

46.13(4) Unless otherwise required by law, a violation of Iowa ~~R. Civ. P.~~Rule of Civil Procedure 1.713(1) or 1.713(2) in any state, federal, administrative, or other proceeding.

46.13(5) The board's receipt of a certificate of noncompliance from the Child Support Recovery Unit; pursuant to the procedures set forth in Iowa Code chapter 252J.

46.13(6) The board's receipt of a certificate of noncompliance from the Iowa College Student Aid Commission; pursuant to the procedures set forth in Iowa Code chapter 261.

46.13(7) The board's receipt of a certificate of noncompliance from the ~~Centralized~~Central Collection Unit of the Iowa Department of Revenue; pursuant to the procedures set forth in Iowa Code chapter 272D. [Court Order June 5, 2008, effective July 1, 2008; December 12, 2011]

Rule 46.14 Contested case proceedings.

46.14(1) Contested case proceedings ~~which that~~ involve possible disciplinary sanctions ~~shall~~must be set for hearing on not less than ~~ten~~10 days' notice to all parties. Notice of hearing ~~shall~~must be in writing and ~~shall~~must be served either by personal service or certified mail, return receipt requested.

46.14(2) The notice ~~shall~~must include all of the following information:

a. A statement of the time, place, and nature of the hearing.

b. A statement of the legal authority and jurisdiction under which the hearing is to be held.

1 c. A reference to the particular sections of the statutes and rules involved.
2 d. A concise statement of the matters asserted, or if the board is unable to state the matters in
3 detail at the time the notice is served, the initial notice may be limited to a statement of the issues
4 involved.

5 **46.14(3)** If a party fails to appear in a contested case proceeding after proper service of notice,
6 the presiding officer may, if no adjustment is granted, proceed with the hearing and make a
7 decision in the absence of the party.

8 **46.14(4)** Opportunity should be afforded all parties to respond and present evidence and
9 argument on all issues involved and to be represented by counsel at their own expense.

10 **46.14(5)** Unless precluded by statute, informal disposition may be made of any contested case
11 by stipulation, agreed settlement, consent order, default, or by another method agreed upon by
12 the parties in writing.

13 **46.14(6)** After the conclusion of a hearing, the board ~~shall~~must take any of the actions set forth
14 in rule 46.15. The board's actions ~~shall~~must be set forth in writing, and a copy of the conclusions
15 and decisions ~~shall~~must be served upon all parties and the ~~supreme court of Iowa~~ Supreme Court.
16 The board may permit a reasonable time for the parties to file posthearing briefs and arguments.
17 The report of the board ~~shall~~must be made within 60 days after the date set for the filing of the
18 last responsive brief and argument. If the board cannot reasonably make its determination or file
19 its report within such time limit, it ~~shall~~must report that fact and the reasons therefor to the
20 parties and to the clerk of the supreme court. Any determination or report of the board need only
21 be concurred in by a majority of the board members sitting, and any member has the right to file
22 a dissent from the majority determination or report.

23 **46.14(7)** Procedures for the handling of all contested case proceedings ~~shall~~are, to the extent
24 not specifically set forth in this chapter, ~~be~~ governed by the Iowa Administrative Procedure Act.
25 [Court Order June 5, 2008, effective July 1, 2008]

26 **Rule 46.15 Disciplinary sanctions.** The board may, based upon the evidence presented, take one
27 or
28 more of the following actions:

29 **46.15(1)** Dismiss the charges.

30 **46.15(2)** Informally stipulate and settle any matter relating to the reporter's discipline.

31 **46.15(3)** Require additional professional education.

32 **46.15(4)** Issue a citation and warning regarding the reporter's behavior.

33 **46.15(5)** Reprimand.

34 **46.15(6)** Impose a period of probation.

35 **46.15(7)** Suspend the certificate.

36 **46.15(8)** Revoke the certificate.

37 [Court Order June 5, 2008, effective July 1, 2008]

38 **Rule 46.16 Military service and veteran reciprocity.**

39 **46.16(1) Definitions.** In this rule:

40 a. ~~"Military service"~~ "Military service" means honorably serving: in federal active duty, state
41 active duty, or national guard duty, as defined in Iowa Code section 29A.1; in the military

1 services of other states, as provided in 10 U.S.C. section 101(c); or in the organized reserves of
2 the United States, as provided in 10 U.S.C. section 10101.

3 | *b. ~~“Military service applicant”~~ “Military service applicant”* is an individual requesting credit
4 toward certification for military education, training, or service obtained or completed in military
5 service.

6 | *c. ~~“Veteran”~~ “Veteran”* is an individual who meets the definition of “veteran” in Iowa Code
7 section 35.1(2).

8 **46.16(2) Military education, training, and service credit.** A military service applicant may
9 apply for credit for verified military education, training, or service toward any experience or
10 educational requirement for certification by submitting a military service application to the board
11 office.

12 *a.* The application may be submitted with an application for certification or examination or
13 prior to an applicant’s applying for certification or to take an examination. No fee is required for
14 submission of an application for military service credit.

15 *b.* The applicant must identify the experience or educational certification requirement to
16 which the credit would be applied if granted. Credit may not be applied to an examination
17 requirement.

18 *c.* The applicant must provide documents, military transcripts, a certified affidavit, or forms
19 that verify completion of the relevant military education, training, or service, which may include,
20 when applicable, the applicant’s Certificate of Release or Discharge from Active Duty (DD Form
21 | 214) or Verification of Military Experience and Training (~~VMET~~) (DD Form 2586).

22 *d.* Upon receipt of a completed military service application, the board will promptly
23 determine whether the verified military education, training, or service satisfies all or any part of
24 the identified experience or educational qualifications for certification.

25 *e.* The board will grant the application in whole or in part if the board determines that the
26 verified military education, training, or service satisfies all or part of the experience or
27 educational qualifications for certification.

28 *f.* The board will inform the military service applicant in writing of the credit, if any, given
29 toward an experience or educational qualification for certification, or explain why no credit was
30 granted. The applicant may request reconsideration upon submission of additional documentation
31 or information.

32 *g.* A military service applicant aggrieved by the board’s decision may request a contested
33 case (administrative hearing) and may participate in a contested case by telephone. A request for
34 a contested case must be made within 30 days of issuance of the board’s decision. No fees or
35 costs may be assessed against the military service applicant in connection with a contested case
36 conducted pursuant to this rule 46.16(2).

37 *h.* The board will grant or deny the military service application prior to ruling on the
38 application for certification. The applicant is not required to submit any fees in connection with
39 the certification application unless the board grants the military service application. If the board
40 does not grant the military service application, the applicant may withdraw the certification
41 application or request that the application be placed in pending status for up to one year or as
42 mutually agreed. Withdrawal of a certification application does not preclude subsequent
43 applications supported by additional documentation or information.

1 **46.16(3) *Veteran reciprocity.***

2 a. A veteran with an unrestricted professional certificate as a shorthand reporter in another
3 jurisdiction may apply for certification in Iowa through reciprocity. A veteran must pass any
4 examinations required for certification to be eligible for certification through reciprocity and will
5 be given credit for examinations previously passed when consistent with board rules on
6 examination requirements. A veteran's fully completed application for certification submitted
7 under rule 46.16(3) will be expedited and given priority.

8 b. A veteran's application for certification must contain all of the information required of all
9 applicants for certification who hold unrestricted certificates in other jurisdictions and who are
10 applying for certification by reciprocity, including, but not limited to, completion of all required
11 forms, payment of applicable fees, disclosure of criminal or disciplinary history, and, if
12 applicable, a criminal history background check. The applicant must use the same forms as any
13 other applicant for certification by reciprocity and must additionally provide such documentation
14 as is reasonably needed to verify the applicant's status as a veteran under Iowa Code section
15 35.1(2).

16 c. Upon receipt of a fully completed certification application, the board will promptly
17 determine if the professional or occupational licensing requirements of the jurisdiction where the
18 veteran is certified are substantially equivalent to the certification requirements in Iowa. The
19 board will make this determination based on information the applicant supplies and such
20 additional information as the board may acquire from the applicable jurisdiction. The board may
21 consider the following factors in determining substantial equivalence: scope of practice,
22 education and coursework, degree requirements, postgraduate experience, and examination
23 required for certification.

24 d. The board will promptly grant a certificate to the veteran if the applicant is certified in the
25 same or similar profession in another jurisdiction whose certification requirements are
26 substantially equivalent to those required in Iowa and the applicant has passed the written
27 examination administered by the board pursuant to rule 46.5(2), unless the applicant is ineligible
28 for certification based on other grounds, such as the applicant's disciplinary or criminal
29 background.

30 e. If the board determines that the certification requirements in the jurisdiction in which the
31 veteran is certified are not substantially equivalent to those required in Iowa, the board will
32 promptly inform the veteran of the additional experience, education, or examinations required for
33 certification in Iowa.

34 f. Unless the applicant is ineligible for certification based on other grounds, such as
35 disciplinary or criminal background, the following apply:

36 (1) If a veteran has not passed the required examinations for certification, the applicant may
37 not be issued a provisional certificate but may request that the certification application be placed
38 in pending status for up to one year or as mutually agreed to provide the veteran with the
39 opportunity to satisfy the examination requirements.

40 (2) If additional experience or education is required for the applicant's qualifications to be
41 considered substantially equivalent, the applicant may request that the board issue a provisional
42 certificate for a specified period of time during which the applicant will successfully complete
43 the necessary experience or education. The board may issue a provisional certificate for a

1 specified period of time upon such conditions as the board deems reasonably necessary to protect
2 the health, welfare, or safety of the public, unless the board determines that the deficiency is of a
3 character that the public health, welfare, or safety will be adversely affected if a provisional
4 certificate is granted.

5 (3) If a request for a provisional certificate is denied, the board will issue an order fully
6 explaining the decision and inform the applicant of the steps the applicant may take to receive a
7 provisional certificate.

8 (4) If a provisional certificate is issued, the application for full certification will be placed in
9 pending status until the applicant successfully completes the necessary experience or education
10 or the provisional certificate expires, whichever occurs first. The board may extend a provisional
11 certificate on a case-by-case basis for good cause.

12 ~~f.-g.~~ A veteran who is aggrieved by the board's decision to deny an application for a reciprocal
13 certificate or a provisional certificate, or who is aggrieved by the terms under which a
14 provisional certificate will be granted, may request a contested case (administrative hearing) and
15 may participate in a contested case by telephone. A request for a contested case must be made
16 within 30 days of issuance of the board's decision. No fees or costs will be assessed against the
17 veteran in connection with a contested case conducted pursuant to this rule 46.16(3).

18 **46.16(4) *Substantially equivalent certification requirements.*** The certification requirements of
19 another jurisdiction are substantially equivalent to those of Iowa, if in that jurisdiction an
20 individual must demonstrate, by examination administered by the licensing authority of the
21 jurisdiction, proficiency in shorthand equivalent to the standard of the National Court Reporters
22 Association for the earned designation of Registered Professional Reporter.

23 [Court Order December 18, 2014; October 15, 2015]

24 **Rule 46.17 Certification by reciprocity.**

25 **46.17(1)** An applicant with an unrestricted professional certificate as a stenographic shorthand
26 reporter in another jurisdiction may apply for certification in Iowa through reciprocity. The
27 applicant will be given credit for examinations previously passed when consistent with board
28 rules on examination requirements.

29 **46.17(2)** An applicant's application for certification must contain completion of all required
30 forms, payment of applicable fees, disclosure of criminal or disciplinary history, and, if
31 applicable, a criminal history background check.

32 **46.17(3)** Upon receipt of a fully completed certification application, the board will promptly
33 determine if the professional or occupational licensing requirements of the jurisdiction where the
34 applicant is certified are substantially equivalent to the certification requirements in Iowa. The
35 board will make this determination based on information the applicant supplies and such
36 additional information as the board may acquire from the applicable jurisdiction. The board may
37 consider the following factors in determining substantial equivalence: method of practice, scope
38 of practice, education and coursework, degree requirements, postgraduate experience, and
39 examination required for certification.

40 **46.17(4)** The board will promptly grant a certificate to the applicant if the applicant is certified
41 in the same or similar profession in another jurisdiction whose certification requirements are
42 substantially equivalent to those required in Iowa and the applicant has passed the written

1 examination administered by the board pursuant to rule 46.5(2), unless the applicant is ineligible
2 for certification based on other grounds, such as the applicant's disciplinary or criminal
3 background.

4 **46.17(5)** If the board determines that the certification requirements in the jurisdiction in which
5 the applicant is certified are not substantially equivalent to those required in Iowa, the board will
6 promptly inform the applicant of the additional experience, education, or examinations required
7 for certification in Iowa.

8 **46.17(6)** An applicant who is aggrieved by the board's decision to deny an application for a
9 reciprocal certificate may request a contested case (administrative hearing) and may participate
10 in a contested case by telephone. A request for a contested case must be made within 30 days of
11 issuance of the board's decision.

12 **46.17(7)** The certification requirements of another jurisdiction are substantially equivalent to
13 those of Iowa, if in that jurisdiction an individual must demonstrate by examination,
14 administered by the licensing authority of the jurisdiction, proficiency in stenographic shorthand
15 equivalent to the standard of the National Court Reporters Association for the earned designation
16 of Registered Professional Reporter.

17 [Court Order October 15, 2015]