Wisconsin Department of Safety and Professional Services Division of Policy Development 4822 Madison Yards Way, 2nd Floor PO Box 8366 Madison WI 53708-8366



Phone: 608-266-2112 Web: http://dsps.wi.gov Email: dsps@wisconsin.gov

Tony Evers, Governor Dawn B. Crim, Secretary

ACCOUNTING EXAMINING BOARD

Room N208, 4822 Madison Yards Way, 2nd Floor, Madison Contact: Debra Sybell (608) 266-2112 November 21, 2019

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

9:00 A.M.

OPEN SESSION - CALL TO ORDER - ROLL CALL

- A. Adoption of Agenda (1-3)
- B. Approval of Minutes of August 8, 2019 (4-6)
- C. Administrative Matters Discussion and Consideration
 - 1. Department, Staff and Board Updates
 - 2. Board Members Term Expiration Dates
 - 3. 2020 Meeting Dates (**7**)
 - a. Consideration of Possible Dates for Visit from National Association of State Boards of Accountancy (NASBA)
- D. 9:00 A.M. PUBLIC HEARING: Scope Statement SS 094-19 Accy 2, Relating to Examinations (8-10)
 - 1. Review and Respond to Public Comments
- E. Credentialing Matters Discussion and Consideration (11-13)
 - 1. Certified Public Accountants Certified and Licensed Since Last Review Meeting
 - 2. Firms Licensed Since Last Review Meeting
- F. Legislative and Policy Matters Discussion and Consideration
- G. Administrative Rule Matters Discussion and Consideration
 - Carryforward of Ethics Continuing Professional Education (CPE) Credits Under Clearinghouse Rule CR 19-049 (14-25)
 - 2. Pending or Possible Rulemaking Projects
- H. Speaking Engagements, Travel, or Public Relation Requests, and Reports
 - 1. Travel Report: 112th NASBA Annual Meeting October 27-30, 2019 Boston, MA
- I. Newsletter Planning and Consideration of Topics
- J. Discussion and Consideration of Items Added After Preparation of Agenda:

- 1. Introductions, Announcements and Recognition
- 2. Administrative Matters
- 3. Election of Officers
- 4. Appointment of Liaisons and Alternates
- 5. Delegation of Authorities
- 6. Education and Examination Matters
- 7. Credentialing Matters
- 8. Practice Matters
- 9. Legislative and Policy Matters
- 10. Administrative Rule Matters
- 11. Liaison Reports
- 12. Board Liaison Training and Appointment of Mentors
- 13. Informational Items
- 14. Division of Legal Services and Compliance (DLSC) Matters
- 15. Presentations of Petitions for Summary Suspension
- 16. Petitions for Designation of Hearing Examiner
- 17. Presentation of Stipulations, Final Decisions and Orders
- 18. Presentation of Proposed Final Decisions and Orders
- 19. Presentation of Interim Orders
- 20. Petitions for Re-Hearing
- 21. Petitions for Assessments
- 22. Petitions to Vacate Orders
- 23. Requests for Disciplinary Proceeding Presentations
- 24. Motions
- 25. Petitions
- 26. Appearances from Requests Received or Renewed
- 27. Speaking Engagements, Travel, or Public Relation Requests, and Reports

K. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

- L. Deliberation of Items Added After Preparation of the Agenda
 - 1. Education and Examination Matters
 - 2. Credentialing Matters
 - 3. DLSC Matters
 - 4. Monitoring Matters
 - 5. Professional Assistance Procedure (PAP) Matters
 - 6. Petitions for Summary Suspensions
 - 7. Petitions for Designation of Hearing Examiner
 - 8. Proposed Stipulations, Final Decisions and Order
 - 9. Proposed Interim Orders
 - 10. Administrative Warnings
 - 11. Review of Administrative Warnings
 - 12. Proposed Final Decisions and Orders
 - 13. Matters Relating to Costs/Orders Fixing Costs
 - 14. Case Closings
 - 15. Board Liaison Training

- 16. Petitions for Assessments and Evaluations
- 17. Petitions to Vacate Orders
- 18. Remedial Education Cases
- 19. Motions
- 20. Petitions for Re-Hearing
- 21. Appearances from Requests Received or Renewed
- M. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

- N. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate
- O. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT DATE: MARCH 4, 2020 (TENTATIVE)

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

ACCOUNTING EXAMINING BOARD MEETING MINUTES AUGUST 8, 2019

PRESENT: Gerald Denor, Robert Misey, Joan Phillips, John Reinemann, David Schlichting,

and Susan Strautmann

STAFF: Christian Albouras, Executive Director; Megan Glaeser, Bureau Assistant; Dale

Kleven, Rule Coordinator; and other DSPS Staff

CALL TO ORDER

Gerald Denor, Chairperson, called the meeting to order at 9:00 am a.m. A quorum of six (6) members was confirmed.

ADOPTION OF AGENDA

Amendments to the Agenda

Open Session: Correct the date of item "B. Approval of Minutes..." as outlined below
 Change "June 6, 2019" to "June 7, 2019"

MOTION: David Schlichting moved, seconded by John Reinemann, to adopt the

agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 7, 2019

Amendments to the Minutes

MOTION: Joan Phillips moved, seconded by Robert Misey, to approve the minutes

of June 7, 2019 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Board Members – Term Expiration Dates

MOTION: Gerald Denor moved, seconded by David Schlichting, to recognize and

thank John Scheid for his 7 years of dedicated service to the Board and

State of Wisconsin. Motion carried unanimously.

CREDENTIALING MATTERS

Certified Public Accountants Certified and Licensed Since the Last Review Meeting

MOTION: David Schlichting moved, seconded by Susan Strautmann, to accept all

certified public accountants that have been certified and licensed since the

last Board meeting. Motion carried unanimously.

Firms Licensed Since the Last Review Meeting

MOTION: Joan Phillips moved, seconded by John Reinemann, to accept firms that

have been licensed since the last Board meeting. Motion carried

unanimously.

CLOSED SESSION

MOTION: John Reinemann moved, seconded by Joan Phillips, to convene to closed

session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Gerald Denor, Chairperson read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Gerald Denor-yes; Robert Misey-yes; Joan Phillips-yes; John Reinemann-yes; David Schlichting-yes; and Susan Strautmann-yes.

Motion carried unanimously.

The meeting convened to Closed Session at 9:53 a.m.

DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Stipulations, Final Decisions, and Orders

17 ACC 003 – Lisa A. Spaay

MOTION: Gerald Denor moved, seconded by David Schlichting, to adopt the

Findings of Fact, Conclusions of Law and Order in the matter of

disciplinary proceedings against Lisa A. Spaay, DLSC Case Number 17

ACC 003. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Robert Misey moved, seconded by Susan Strautmann, to reconvene into

open session. Motion carried unanimously.

The meeting reconvened into Open Session at 10:03 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: John Reinemann moved, seconded by David Schlichting, to affirm all

motions made and votes taken in closed session. Motion carried

unanimously.

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

OPEN SESSION ITEMS NOTICES ABOVE NOT COMPLETED IN THE INITIAL OPEN SESSION

ADJOURNMENT

MOTION: Gerald Denor moved, seconded by Joan Phillips, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:04 a.m.



State of Wisconsin Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request:		2) Date When Request Submitted:				
Kimberly Wood, Program Assistant Supervisor-Adv. on behalf of Pamela White		. on	11/13/2019			
behalf of Pameia White				red late if submitted after 12:00 p.m. on the deadline ess days before the meeting		
3) Name of Board, Com	mittee, Council, Sections:					
Accounting Examining	Board					
4) Meeting Date:	4) Meeting Date: 5) Attachments: 6) How should the item be titled on the agenda page?					
11/19/2019						
	⊠ No	a.	 Consideration of Possible Dates for Visit from National Association for State Boards of Accountancy (NASBA) 			
7) Place Item in:	8) Is an appearan	ce before	the Board being	9) Name of Case Advisor(s), if required:		
	scheduled?			N/A		
☐ Closed Session	Yes					
10) Describe the issue	No No and action that should be add	droccod:				
,						
				ed meeting dates. Please check your eting dates in terms of a visit from NASBA.		
	the moderny, t	ino Bourd	wiii conolaci ko mo	oung dates in terms of a visit from 17.105711		
Wednesday, March 4, 20						
Wednesday, June 17, 20 Wednesday, September 2						
Wednesday, December 2						
, 100mileouxy, 2000mileon 2, 2010						
11)	11) Authorization					
Kimberly Wood 11/13/2019						
Signature of person making this request Date			Date			
Supervisor (if required) Date						
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date						
	Directions for including supporting documents:					
 This form should be attached to any documents submitted to the agenda. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 						
				y Development Executive Director. e to the Bureau Assistant prior to the start of a		
meeting.						

State of Wisconsin Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request:		2) Date When Request Submitted:				
Dale Kleven		11/11/19				
Administrative Rules Coordinator					red late if submitted after 12:00 p.m. on the deadline date:	
Trainings acree Rules coordinator					s days before the meeting	
3) Name of Board, Committee, Council, Sections:						
Accounting Exami	ning Roard					
Accounting Examining Board 4) Meeting Date: 5) Attachments: 6) How should the item be titled on the agenda page?				agenda page?		
	× Yes			Hearing: Scope Statement SS 094-19 – Accy 2, Relating to		
11/21/19	☐ No	Examir				
		1. Ke	view and I	Respond to Public (comments	
7) Place Item in:		8) Is an appear	ance before	e the Board being	9) Name of Case Advisor(s), if required:	
Open Session		scheduled?		_	, , , , ,	
☐ Closed Session	n					
☐ Both			ut Board A	ppearance Request)		
		⊠ No				
10) Describe the issu	ue and action	that should be a	addressed:			
44)			A (1	. (*		
11)			Authoriza	ation		
Dala azlama				0.0	2010	
Dale Kleve	n			November 11, 2019		
Signature of person making this request Date						
Companying any (if we assigned)						
Supervisor (if required) Date						
Executive Director s	ignature (ind	cates approval t	o add post	agenda deadline iten	n to agenda) Date	
Directions for includ	ing supportir	ng documents:	-			
1. This form should					Development Franchisc Bineston	
					y Development Executive Director. e to the Bureau Assistant prior to the start of a	
meeting.			9 50010	poroon orginatur	to the Barbaa Addictant prior to the start of a	

STATEMENT OF SCOPE

Accounting Examining Board

Rule No.:	Chapter Accy 2
Relating to:	Examinations
Rule Type:	Permanent
, , , , , , , , , , , , , , , , , , ,	

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The Accounting Examining Board will revise ch. Accy 2 to reflect continuous testing on the Uniform CPA Examination.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Current rules provide a candidate for the Uniform CPA Examination may not retake a failed test section within the same calendar quarter. In April of 2019, the National Association of State Boards of Accountancy approved a revision to its Accountancy Act Model Rules to allow continuous testing on the Uniform CPA Examination. Under continuous testing, a candidate may retake a test section once their grade for any previous attempt of the same test section has been released. The proposed rules will revise ch. Accy 2 to reflect continuous testing on the Uniform CPA Examination.

The alternatives of either partially updating or not updating these rules would be less beneficial to affected entities.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides an examining board "[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . ."

Section 227.11 (2) (a), Stats., provides "[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute"

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

State employees will spend approximately 80 hours developing the proposed rule.

6. List with description of all entities that may be affected by the proposed rule:

Candidates for the Uniform CPA Examination.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None.

8.	Anticipated economic impact of implementing the rule (note if the	ne rule is	likely t	o have a
	gnificant economic impact on small businesses):			

Contact Person: Dale Kleven, (608) 261-4472, DSPSAdminRules@wisconsin.gov

The proposed rule will have minimal to no economic impact on small businesses and the state's economy as a whole.

Approved for publication:	Approved for implementation:
Gerald Denor Authorized Signature	Authorized Signature
10 19 2019 Date Approved	Date Approved

State of Wisconsin Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request:			t:	2) Date When Request Submitted: 11/8/2019		
James Kuehn, LPPA				Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting		
3) Name of Board, Committee, Council, Sections:						
Accounting Examining	Board					
4) Meeting Date: 5) Attachments: 6) H			6) How	should the item be t	itled on the agenda page?	
11/21/2019			1. (Credentialing Matters 1. Certified Public Accountants Certified and Licensed Since Last Review Meeting 2. Firms Licensed Since Last Review Meeting		
7) Place Item in:		8) Is an appearan		e the Board being	9) Name of Case Advisor(s), if required:	
○ Open Session		scheduled?			N/A	
☐ Closed Session		☐ Yes			N/A	
10) Describe the issue a	nd action	L —	dressed:			
Informational – No Action: List of Certified Public Accountants certified and licensed, and firms licensed since last review meeting on August 8, 2019.						
11) Authorization						
James Kuehn 11/8/2019						
Signature of person making this request Date						
Supervisor (if required) Date						
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date						
 This form should be Post Agenda Deadlin 	Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a					

A. Certified Public Accountants Certified and Licensed Since Last Review Meeting: 1. 27312-1; Wasiak, Gregory

2. 27313-1; Martinez, Michelle

3. 27314-1; Miller, Aaron

4. 27315-1; Paunicka, Matthew

5. 27316-1; Amato, Michael

6. 27317-1; Blair, Jonathan

7. 27318-1; Judnic, Cody

8. 27319-1; Messman, Corbin

9. 27320-1; Mertins, Devon

10. 27321-1; Dick, Brennon

11. 27322-1; Guernsey, Adam

12. 27323-1; Lowell, John

13. 27324-1; Axtman, Daniel

14. 27325-1; Krutza, Jordan

15. 27326-1; Bartel, Amanda

16. 27327-1; Lorenzi, Katelynn

17. 27328-1; Pospichal, Erika

18. 27329-1; Massen, Savannah

19. 27330-1; Gwidt, Paul

20. 27331-1; O'Connell, Hannah

21. 27332-1; Dallman, Sam

22. 27333-1; Alliet, John

23. 27334-1; Robinson Kathleen

24. 27335-1; Sullivan, Timothy

25. 27336-1; Gassner, Alexander

26. 27337-1; Wang, Yi

27. 27338-1; Bennett, Katherine

28. 27339-1; Morris, Katherine

29. 27340-1; Lapins, Carolyn

30. 27341-1: Melster, Eric

31. 27342-1; Trzebiatowski, Lisa

32. 27343-1; Rosenwasser, Nicole

33. 27344-1; Steinert, Molly

34. 27345-1; DeRoach, Eric

35. 27346-1; Hall, Paige

36. 27347-1; Ramsey, Madeleine

37. 27348-1; Yehle, Leah

38. 27349-1; Mayer, Emily

39. 27350-1; Black, Elizabeth

40. 27351-1; Fullerton, Alexander

41. 27352-1; Tainter, Sara

42. 27353-1; Nohre, Kelsey

43. 27354-1; Weber, Daniel

44. 27355-1; Flynn, Emily

45. 27356-1; Kemper, Lyssa

46. 27357-1; Schenk, Brandon

47. 27358-1; Krausert, Courteney

48. 27359-1: Gruszka, Michael

49. 27360-1; Provos, Katlynne

50. 27361-1: Earle, Robert

51. 27362-1; Eronson, Brittany

52. 27363-1; Gruszka, John

53. 27364-1; Scheuer, Sarah

54. 27365-1; Oleniczak, Joseph

55. 27366-1; Plutschack, Cory

56. 27367-1; Milos, Luke

57. 27368-1; Churchill, Alexander

58. 27369-1; Bladwin, Kyle

59. 27370-1; Widenski, Marissa

60. 27371-1; McDonald, Maggie

61. 27372-1; Collier, Kent

62. 27373-1; Dillman, Mallory

63. 27374-1; Patterson, Isaac

64. 27375-1; Blader, Korynna

65. 27376-1; DeBoth, Hannah

66. 27377-1; Robb, Joseph

67. 27378-1; Hamilton, Karl

68. 27379-1; Rodriguez, Anay

69. 27380-1; Dettlaff, Collin

70. 27381-1; Rayeske, Ryan

71. 27382-1; Anderson, Quintavia

72. 27383-1; Carney, Adam

73. 27384-1; Frawley, Daniel

74. 27385-1; Marshick, Ryan

75. 27386-1; Schleicher, Eric

76. 27387-1; Nohre, Zachary

77. 27388-1; Steinke, Rachel

78. 27389-1; Romans, Nicholas

79. 27390-1: Wagner, Whitney

80. 27391-1; Ringler, Joshua

81. 27392-1; Burmester, Kali

82. 27393-1; Leszczynski, Calvin

83. 27394-1; Peck, Liping

84. 27395-1; Iverson, Brianna

85. 27396-1; Thoms, Evan

86. 27397-1; Abramson, Sarah

87. 27398-1; Clemens, Trae

88. 27399-1; Namowicz, Ryan

89. 27400-1: Gigot, Benjamin

90. 27401-1; Allsop, Andrew

91. 27402-1; Morell, Jaclyn

92. 27403-1; Cerda, Nicole

93. 27404-1; Wolff, Adam

94. 27405-1; Decleene, Caylee

95. 27406-1; Pasdera, Cheyenne

96. 27407-1; Sibley, Jonah

97. 27408-1: Bean, Gage

98. 27409-1; Kollmer, Kayla

99. 27410-1; Nelson, Rachel
100. 27411-1; Caprario, Michael
101. 27412-1; Lamers, Michael
102. 27413-1; Flanders, Claudia
103. 27414-1; Kress, Katherine
104. 27415-1; Pawlowski, Phillip
105. 27416-1; Bradley, Michael
106. 27417-1; Singer, Jeremy
107. 27418-1; Noonan, Daniel
108. 27419-1; Paetsch, John
109. 27420-1; Pizzello, Andrew
110. 27421-1; Miller, Deborah
111. 27422-1; Brown, Sara
112. 27423-1; Thompson, Stephen
113. 27424-1; Leutermann, Kristy
114. 27425-1; Burgoyne, Nicholas
115. 27426-1; Brockman, Aaron
116. 27427-1; James, Jacob
117. 27428-1; Krcma, Nathan
118. 27429-1; Lambeau, Krista
119. 27430-1; Magnuson, Shane

134. 27446-1; Leeder, Mark 135. 27447-1; Packwood, Rachel 136. 27448-1; Long, Melissa 137. 27449-1; Leiterman, Victoria

2. Firms Licensed Since Last Review Meeting

- 1. 1569-3; Rawlins CPA LLC
- 2. 1570-3; Greg Brunette CPA, LLC
- 3. 1571-3; MRE Accounting LLC

^{120. 27431-1;} Roggenbauer, Alissa 121. 27432-1; Willems, Taylor 122. 27433-1; Whitlock, Jacob 123. 27434-1; Keelty, Elizabeth 124. 27435-1; Cortez, Karly 125. 27436-1; Honeychurch, Hayley 126. 27437-1; Hoyer, Jacob 127. 27438-1; Savaglia, Nicholas 128. 27439-1; Kuehl, Brent 129. 27440-1; Garcia, Andrew 130. 27442-1; Owens, Jeffrey 131. 27443-1; Blazing, Madison 132. 27444-1; Del Ponte, David 133. 27445-1; Romens, Luke

^{138. 27450-1;} Justin, Sarah

^{*}Denotes applicants who were certified and licensed pursuant to Board delegated conviction review authority. (Motion on 2/8/2018).

State of Wisconsin Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request:		2) Date When Request Submitted:		
Dale Kleven		11/11/19		
Administrative Rules Coordina	ator	Items will be considered late if submitted after 12:00 p.m. on the deadline date:		
		8 business days before the meeting		
3) Name of Board, Committee, Co	uncil, Sections:			
Accounting Examining Board				
4) Meeting Date: 5) Attachme		item be titled on the agenda page?		
	Administrative R	ule Matters – Discussion and Consideration		
11/21/19		d of Ethics CPE Credits Under Clearinghouse Rule CR 19-049		
	2. Pending and	Possible Rulemaking Projects		
7) Place Item in:	8) Is an appearance before scheduled?	e the Board being 9) Name of Case Advisor(s), if required:		
✓ Open Session✓ Closed Session	Scheduled:			
Both	Yes (Fill out Board Ap	ppearance Request)		
	⊠ No			
10) Describe the issue and action	that should be addressed:	,		
Administrative Rule Matters – Discussion and Consideration 1. The Board is requested to address the following questions concerning the CPE requirements under CR 19-049: CPAs may carryover up to 40 credits to the next period. Do ethics carry over as such, eligible to apply to the subsequent period's ethics requirement? Or are carried over ethics credits applied towards the general requirement?				
11)	Authoriza	tion		
Dale Kleven November 11, 2019				
Signature of person making this r	equest	Date		
Supervisor (if required) Date				
Executive Director signature (indi Directions for including supporting		agenda deadline item to agenda) Date		
1. This form should be attached t		d to the agenda.		
2. Post Agenda Deadline items m	oust be authorized by a Supe	ervisor and the Policy Development Executive Director.		
3. If necessary, Provide original of meeting.	locuments needing Board C	Chairperson signature to the Bureau Assistant prior to the start of a		

STATE OF WISCONSIN ACCOUNTING EXAMINING BOARD

IN THE MATTER OF RULEMAKING : IT IS IN THE MATTER OF RULEMAKING :

: PROPOSED ORDER OF THE : ACCOUNTING EXAMINING BOARD

: ADOPTING RULES

: (CLEARINGHOUSE RULE 19-049)

PROPOSED ORDER

An order of the Accounting Examining Board to amend Accy 2.501 (1) (a) and (2) (a) and create subch. VII of ch. Accy 2, relating to continuing professional education.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:

None.

Statutory authority:

Sections 15.08 (5) (b), 227.11 (2) (a) and (d) and 442.083 (2) (a), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., provides an examining board "shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . ."

Section 227.11 (2) (a), Stats., provides "[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute"

Section 227.11 (2) (d), Stats., provides "[a]n agency may promulgate rules implementing or interpreting a statute that it will enforce or administer after publication of the statute but prior to the statute's effective date. A rule promulgated under this paragraph may not take effect prior to the effective date of the statute that it implements or interprets."

Section 442.083 (2) (a), Stats., as created by 2017 Wisconsin Act 88 effective December 15, 2019, provides the Accounting Examining Board "shall promulgate rules establishing continuing education requirements for renewal of licenses granted to individuals under this chapter. The rules promulgated under this paragraph may not require an individual to complete more than 80 continuing education credits during the 2-year period immediately preceding the renewal date specified under s. 440.08 (2) (a)."

A significant portion of the Board's administrative responsibilities regarding 2017 Wisconsin Act 88 is, to the extent possible, provide advance guidance to stakeholders as to how the continuing education requirements will affect them. As the continuing education requirements provided under 2017 Wisconsin Act 88 must be established by rule, effective administration of the Act requires the Board have a rule finalized and

available to stakeholders prior to the December 15, 2019 effective date of the requirements. Beginning the rules promulgation after the statute's effective date of December 15, 2019, will lead to uncertainty about the continuing education requirement for the majority of the renewal period in which the continuing education requirement is in effect. Stakeholders will not know which courses fulfill the continuing education requirement until rules are promulgated. Under the authority provided in ss. 15.08 (5) (b) and 227.11 (2) (a) and (d), Stats., and as explicitly required by 2017 Wisconsin Act 88, the Board will promulgate rules with an effective date of December 15, 2019, to establish continuing education requirements for renewal of a license to practice as a certified public accountant in Wisconsin.

Related statute or rule:

None.

Plain language analysis:

As required under s. 442.083 (2) (a), Stats., as created by 2017 Wisconsin Act 88 effective December 15, 2019, the proposed rules establish continuing education requirements for renewal of a license granted to individuals under ch. 442, Stats., to practice as a certified public accountant. The requirements will be effective beginning December 15, 2019, for the license renewal date occurring on December 15, 2021.

Summary of, and comparison with, existing or proposed federal regulation:

None.

Comparison with rules in adjacent states:

Illinois:

Rules of the Illinois Department of Financial and Professional Regulation address continuing education requirements for CPAs (68 Ill. Adm. Code 1420.70 and 1420.72). To renew a license, a CPA must complete 120 hours of approved continuing professional education (CPE) every 3-year renewal period. Of the 120 hours, at least 4 hours must be courses covering the subject of professional ethics. The CPE requirements do not apply for the first renewal following the original issuance of the license.

Approved CPE is professional development activities that are formal and informal learning opportunities contributing directly to a CPA's knowledge, ability or competence to perform professional responsibilities. The CPE must also include subject matter in one or more fields of study that address a licensee's current and future work environment, current knowledge and skills level, and desired or needed additional competencies to meet future opportunities or professional responsibilities.

CPE may be earned for verified attendance at or participation in any course or program given or approved by one of the following:

- The American Institute of Certified Public Accountants
- The Illinois CPA Society

- The Illinois CPA Foundation
- A university or college approved by its governing board in the State of Illinois, or equivalent public authority governing board if in another jurisdiction, to award accounting degrees.
- CPE sponsored by, or approved by, other states or other state CPA societies.
- A person, CPA firm, association, corporation or any other group that has been licensed and authorized by the Department to coordinate and present CPE.
- NASBA and persons, CPA firms, associations, corporations or other groups that are members of NASBA's National Registry of CPE Sponsors or Quality Assurance Service Program.

Licensees who both reside and are licensed as a CPA in another state may satisfy the CPE requirements by complying with the CPE renewal requirements of their state of residence, provided at least 120 hours of CPE have been completed during the Illinois renewal cycle.

Licensees must maintain CPE records for at least 6 years. The Department may periodically audit CPE course information submitted by licensees, and it is the responsibility of each renewal applicant to retain or otherwise produce evidence of CPE compliance.

A licensee may request a waiver of the CPE requirements. A request for waiver must be made prior to the renewal date. A waiver will be granted if the Department finds from the evidence submitted that extreme hardship has been shown.

Iowa:

Rules of the Iowa Accountancy Examining Board address continuing education requirements for CPAs (193A IAC, Chapter 10). An applicant for renewal must complete 120 hours of qualifying continuing professional education (CPE) during the three years preceding the renewal date. Of the 120 hours, 4 hours must be devoted to ethics and rules of professional conduct. In addition, every applicant who is responsible for supervising compilation services or who signs or authorizes someone to sign the accountant's compilation report on behalf of a firm must devote a minimum of 8 hours of CPE to financial statement presentation. The CPE requirements do not apply for the first renewal date that is less than 12 months from the date of filing of the initial application for the certificate or license.

The overriding consideration in determining whether a specific program qualifies as acceptable continuing education is that it be a formal program of learning that contributes directly to the professional competence of an individual certified or licensed in Iowa. A program of learning must meet all of the following requirements:

 The program must be based on clearly defined, relevant learning objectives and outcomes that clearly articulate the knowledge, skills, and abilities that can be achieved by participants.

- The program must be developed in a manner consistent with the prerequisite education, experience, and advanced preparation of the participants.
- Activities, materials, and delivery systems of the program must be current, technically accurate, and effectively designed. Providers, sponsors, or contractors must be competent in the subject matter. Competence may be demonstrated through practical experience or education.
- The program must be reviewed by qualified persons other than those who develop the program to ensure that the program is technically accurate and current and addresses the stated learning objectives. This requirement is waived for single presentations such as lectures that are given once.

A licensee complies with the CPE requirements if, for the period the licensee is a resident of another state or district having a continuing professional education requirement, the licensee met the resident state's or district's mandatory requirement.

The Board may make exceptions to the CPE requirements for reasons of individual hardship. No exceptions shall be made solely because of age. Applicants entitled to a full or partial exception under the Iowa Code for active military service or government service outside of the United States may request an exception by submitting acceptable documentation. Applicants seeking an exception on other grounds of undue hardship must apply for waiver or variance.

The Board may request an applicant for renewal to provide a signed statement setting forth the CPE in which the licensee has participated. The board will verify, on a test basis, information submitted by licensees. The licensee is responsible for documenting the requirements, and documentation must be retained for a period of three years after submission of the report claiming the credit.

Michigan:

Rules of the Michigan Department of Licensing and Regulatory Affairs address continuing education requirements for CPAs (Mich Admin Code, R 338.5210 to R 338.5255). A licensee must earn 40 qualifying hours of continuing education within each continuing education period (all or part of a year beginning July 1 and ending June 30). At least 8 of the 40 hours must be in auditing and accounting and 2 of the 40 hours must be in ethics.

Continuing education may be earned by attending a group program, performing classroom work as a teacher, instructor, speaker, or lecturer at an educational institution, or participating in a self-study program. Credit for performing classroom work is limited to 20 hours in any given continuing education period, as is credit for participating in a self-study program. Continuing education credit is based on the length of a qualifying program, with 50 minutes of continuous instruction equaling one qualifying hour. One-half credit is earned for each additional 25 minutes of instruction, after the first hour of credit is earned.

To qualify for continuing education credit, a group program must meet all of the following qualifications:

- The subject matter of the program contributes to the professional competency of a licensee.
- The taking of attendance is required.
- The program is not less than 50 minutes in duration.
- The program is conducted by an instructor or discussion leader whose background, training, education, or experience is appropriate for leading a discussion on the subject matter.
- The sponsor of the program maintains written records of individual attendance at each session and the program outline for a period of 4 years.
- Written certification of hours of attendance, exclusive of any study or preparation time, and a program outline are issued by the sponsor to each attendee at the request of the attendee.

To qualify for continuing education credit, a self-study program must meet all of the following qualifications:

- The program consists of an educational course designed for self-study and requires evidence of satisfactory completion.
- The subject matter of the program contributes to the professional competency of a licensee.
- Written certification of completion and a program outline and recommended qualifying hours are issued by the sponsor upon request.
- The sponsor maintains written records of the program outline and completion of the program for a period of 4 years.

Hours in excess of the required 40 hours for each continuing education period may be carried over to the following continuing education period. A maximum of 40 hours may be carried over, including no more than 8 hours in accounting and auditing and no more than 2 hours in ethics.

Each licensee must attest to compliance with the continuing education requirements biennially. The licensee is solely responsible for documenting fulfillment of the requirements under and must retain documentation for a period of 4 years after submission of an attestation. A licensee is subject to audit by the Department for compliance with the continuing education requirements.

Minnesota:

Rules of the Minnesota Board of Accountancy address continuing education requirements for CPAs (Minnesota Rules, parts 1105.3000 to 1105.3350). A licensee holding a certificate with an active status must do all of the following:

• Complete a minimum of 20 hours of qualifying continuing professional education (CPE) each year (July 1 to June 30). A licensee is exempt from this requirement for the year in which an initial certificate with an active status is granted.

- In a rolling three-year period, complete a minimum of 120 hours of qualifying CPE, including at least 8 hours in regulatory ethics or behavioral ethics. For purposes of this requirement, all of the following apply:
 - A maximum of 60 hours may be claimed for presenting or instructing qualifying courses or seminars.
 - ➤ A maximum of 60 hours may be claimed for authoring articles, books, or CPE courses for publication.
 - At least 24 hours must be obtained from attending group or blended learning activities.
 - A minimum of 60 hours must be obtained from technical learning activities as defined in the NASBA Fields of Study, July 2016 revision.
 - At least 72 hours must be obtained through programs whose sponsor is a member of NASBA's CPE registry.
- Report the required CPE to the Board on a form provided by the Board by December 31 of each year.

A carryforward of CPE from one period to the next is not allowed. However, a licensee may carryback CPE hours to satisfy the requirements of a prior CPE period provided that a late processing fee is paid.

Generally, a program qualifies as acceptable continuing professional education if it meets all of the following requirements:

- The program contributes to the growth in the professional knowledge and professional competence of a licensee.
- The program meets the minimum standards of quality of development, presentation, measurement, and reporting of credits in the Statement on Standards for Continuing Professional Education (CPE) Programs jointly approved by NASBA and AICPA or other standards acceptable to the Board.
- The program sponsor is a member of NASBA's CPE registry.

The Board will approve a program that, in the determination of the Board, contributes to the growth of the professional knowledge and competence of a licensee even if the program does not meet the above requirements.

A nonresident licensee holding a certificate with an active status issued by Minnesota meets the CPE requirements by meeting the CPE requirements for renewal of a certificate in the state in which the licensee's principal place of business is located. If the state in which a nonresident licensee's principal place of business is located has no CPE requirements for renewal of a certificate, the nonresident licensee must comply with all Minnesota CPE requirements.

The Board may make exceptions to the continuing education requirements for reasons of individual hardship including health, military service, foreign residence, or other good cause, or for a licensee who is retired or who does not perform or offer to perform for the public services involving the use of accounting or auditing skills.

Each licensee is responsible for documenting the acceptability CPE programs and the validity of the credits claimed. Documentation must be retained for five years following completion of each program. The Board conducts audits to verify information regarding hours of CPE attendance in order to determine compliance with the continuing education requirements.

Summary of factual data and analytical methodologies:

The proposed rules were developed by obtaining input and feedback from the Accounting Examining Board.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rules were posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals. No comments were received.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis document is attached.

Effect on small business:

These rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Daniel.Hereth@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366; telephone 608-261-4472; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received at or before the public hearing to be held at 9:00 a.m. on June 7, 2019, to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. Accy 2.501 (1) (a) and (2) (a) are amended to read:

- Accy 2.501 (1) (a) An application for renewal on a form prescribed by the department that includes the applicant's representation under penalties of perjury that, during the 2-year period immediately preceding the date of application, the applicant has completed at least 80 continuing professional development credits meeting the requirements under s. Accy 2.602.
- (2) (a) An application for renewal on a form prescribed by the department that includes the applicant's representation under penalties of perjury that, during the one-year period immediately preceding the date of application, the applicant has completed at least 120 continuing professional development credits meeting the requirements under s. Accy 2.602.

SECTION 2. Subchapter VII of ch. Accy 2 is created to read:

SUBCHAPTER VII

CONTINUING PROFESSIONAL EDUCATION

Accy 2.601 Definitions. In this subchapter:

- (1) "Compliance period" means the 2-year period immediately preceding the renewal date under s. 440.08 (2) (a) 1., Stats.
 - (2) "CPE" means continuing professional education.
- (3) "Inactive certificate holder" means an individual who holds an unrevoked certificate as a certified public accountant granted under s. 442.04 (1), Stats., and who does not hold a current license to practice as a certified public accountant issued under s. 442.08 (1), Stats.

Accy 2.602 CPE requirements for certified public accountants.

- (1) COMPLETION OF CPE CREDITS. During each compliance period, a licensee shall complete at least 80 CPE credits that contribute to growth in professional knowledge and professional competence. At least 20 CPE credits shall be completed during each 12-month period of each compliance period. The 80 CPE credits shall include not less than 40 CPE credits from formal learning activities meeting the requirements under s. Accy 2.603 (1) and (2).
- (2) CPE RELATED TO ETHICS. Three of the CPE credits from formal learning activities required under sub. (1) or (5) shall be on the subject of ethics.
- (3) CREDIT FOR FORMAL AND INFORMAL LEARNING ACTIVITIES. Fifty minutes of participation in a formal or informal learning activity is equal to one CPE credit. CPE credits may be claimed in increments of one-tenth of a credit, which is equal to 5 minutes of participation in a formal or informal learning activity.
- (4) CREDIT FOR CPE FROM ANOTHER JURISDICTION. A licensee holding a current unrevoked CPA license issued by any other United States CPA licensing jurisdiction shall meet the requirements under subs. (1) and (2) if the licensee is in compliance with the continuing professional education or continuing professional development CPA licensing requirements of the jurisdiction in which the other license is held.

- (5) EXEMPTION FOR NEW LICENSEES AND INACTIVE CERTIFICATE HOLDERS.
- (a) The requirements under sub. (1) are reduced by one-half for a compliance period during which a CPA is initially licensed during the first year of such compliance period, and do not apply to a compliance period during which a CPA is initially licensed during the second year of such compliance period.
- **(b)** The requirements under sub. (1) do not apply to an inactive certificate holder to whom all of the following apply:
- **1.** The certificate holder does not practice as a certified public accountant within the meaning of s. 442.02 (1m), Stats.
- **2.** The certificate holder does not use the title or designation of "certified public accountant" without the word "inactive."
- (6) CERTIFICATION STATEMENT. At the time of each renewal, an applicant shall sign a statement certifying the CPE credit hours required under this section have been completed.
- (7) CARRYFORWARD OF CPE CREDITS. A licensee may carry forward from one compliance period to the next consecutive compliance period a maximum of 40 CPE credits that exceed the minimum number of credits required to satisfy requirements in the earlier compliance period, which credits may represent any combination of formal and informal learning activities and shall retain their character as formal or informal learning activity credits.
- (8) CARRYBACK OF CPE CREDITS. A licensee may carry back CPE credits earned during the first 12 months of a compliance period to the immediately preceding compliance period to the extent necessary to allow the individual to satisfy the CPE requirements for such preceding period, provided the individual does not count such carry back credits to satisfy CPE requirements for more than one compliance period.
- (9) FAILURE TO COMPLETE CPE CREDITS. A licensee who fails to complete the requirements under this section may not practice in this state as a certified public accountant until the license is renewed or reinstated under s. Accy 2.501.
 - (10) LIMITATIONS ON CLAIMING CPE CREDITS.
- (a) The number of CPE credits that may be claimed by an instructor, discussion leader, or speaker for preparation and presentation of a CPE learning activity may not exceed 3 times the number of credits awarded to individuals attending or participating in such CPE learning activity. CPE credits may not be claimed for any activity related to subsequent presentations of the same course unless the content has been substantially changed.
- **(b)** CPE credits for participating in a specific learning activity may not be claimed in more than one compliance period.
- (c) Successful completion of a one credit semester university or college course shall be equal to 15 CPE credits. Successful completion of a one credit quarter university or college course shall be equal to 10 CPE credits.
- (d) CPE credits may not be claimed for time devoted to studying for or taking the CPA examination.

- (11) RECORDKEEPING. A licensee shall retain documentation of each activity for which CPE credits are claimed for at least 5 years from the date on which the activity was completed.
- (12) WAIVER OF CPE CREDITS. The board may waive all or a portion of the CPE credits required under this section if it finds exceptional circumstances such as prolonged illness, disability, or other similar circumstances have prevented a licensee from meeting the requirements.
- (13) BOARD AUTHORITY. Subject to s. 440.03 (4m), Stats., the board has the authority to determine whether CPE learning activities claimed by a CPA satisfy the requirements under this section.

Accy 2.603 Criteria for acceptance of learning activities.

- (1) QUALIFYING LEARNING ACTIVITIES. Acceptable format for formal and informal learning activities include all of the following:
 - (a) Attending lectures.
 - **(b)** Participating in online webinars and webcasts.
 - (c) Completing self-study courses developed by vendors.
 - (d) Teaching a course.
 - (e) Performing independent research.
 - (f) Listening to podcasts.
 - (g) Watching videos.
 - (h) Reading books and articles.
 - (i) Attending meetings.
- (j) Engaging in learning activities similar to those under pars. (a) to (i) that enhance a participant's professional growth and competence.
- (2) REQUIREMENTS FOR APPROVAL OF FORMAL LEARNING ACTIVITIES. The board shall accept a formal learning activity that meets all of the following requirements:
- (a) An individual's participation can be objectively confirmed by a program sponsor.
 - **(b)** Materials describing the activity specify all of the following:
 - **1.** The subject matter of the activity.
 - **2.** Any prerequisites to enrollment.
 - **3.** Any required advance preparation.
 - **4.** The format of the activity.
- **5.** The number of CPE credits awarded by the program sponsor for participating in the activity.
- (c) The program sponsor and any individual presenting or supervising the activity have education and experience qualifications appropriate for the activity to enhance the competency of learning activity participants.

- (3) REQUIREMENTS FOR APPROVAL OF INFORMAL LEARNING ACTIVITIES. The board shall accept an informal learning activity for which the participant has documented all of the following:
 - (a) The format of the activity.
- **(b)** The date or dates on which the learning activity was performed and completed.
 - (c) The subject matter of the activity.
 - (d) The number of CPE credits claimed for participating in the activity.
- (e) The materials prepared or used by the participant in connection with the learning activity. Documentation the board may accept includes all of the following:
 - **1.** The title and author of a book the participant has read.
- **2.** A copy of an article the participant has read, or the title of the article and the name of the publication in which the article appeared.
 - **3.** Minutes from a meeting attended by the participant.
- **4.** A program outline or handouts from a learning activity attended by the participant.
- **5.** A link to reading, video, audio, or other online learning materials or activities performed and completed by the participant.

SECTION 3. EFFECTIVE DATE. The rules adopted in this order shall take effect on December 15, 2019, pursuant to s. 227.22 (2) (b), Stats.
(END OF TEXT OF RULE)
This Proposed Order of the Accounting Examining Board is approved for submission to the Governor and Legislature.

Agency _____

Chairperson Accounting Examining Board