



**TELECONFERENCE/VIRTUAL
ACCOUNTING EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Valerie Payne (608) 266-2112
June 17, 2020**

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 March 4, 2020 (4-10)

C. Administrative Matters – Discussion and Consideration

1. Department, Staff and Board Updates
2. Board Members – Term Expiration Dates

D. 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

E. Legislation and Policy Matters – Discussion and Consideration (14)

1. LRB-6236/1, Relating to Educational Qualifications for Certified Public Accountants (15)
2. Change to Definition of Institution in s. 442.04(5)(a) stats. (16-20)

F. Administrative Rule Matters – Discussion and Consideration (21)

1. Scope Statement: Accy 2, Relating to Candidates for Certification (22-23)
2. Scope Statement: Accy 3, Relating to Reciprocal Credentials for Service Members, Former Service Members, and Their Spouses (24-25)
3. Proposed Guidance Document: Carryforward and Carryback of CPE Credits (26)
4. Pending or Possible Rulemaking Projects
 - a. Accy 2, Relating to Examinations
 - b. Emergency Rule Regarding Retaining Credit for Past Sections of the CPA Exam Beyond 18 Months

G. Speaking Engagements, Travel, or Public Relation Requests, and Reports

1. Travel Report: NASBA 2020 Eastern Regional Meeting – June 11, 2020

H. COVID-19 – Discussion and Consideration

I. Newsletter Planning and Consideration of Topics – Discussion and Consideration

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. Credentialing Matters

1. **Application Reviews**
 - a. Mark Spindler – Renewal Application **(27-97)**

M. 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

N. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

O. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

P. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT DATE: SEPTEMBER 2, 2020

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, or the Meeting Staff at 608-266-5439.

**ACCOUNTING EXAMINING BOARD
MEETING MINUTES
MARCH 4, 2020**

PRESENT: Gerald Denor, Michael Friedman, Robert Misey, Joan Phillips, John Reinemann (*departed at 11:05 a.m.*), David Schlichting, and Susan Strautmann (*arrived at 9:09 a.m.*)

STAFF: Debra Sybell, Executive Director; Jameson Whitney, Legal Counsel; Dale Kleven, Rule Coordinator; Kimberly Wood, Program Assistant Supervisor-Advanced; and other DSPS Staff

CALL TO ORDER

Gerald Denor, Chairperson, called the meeting to order at 9:03 a.m. A quorum of six (6) members was confirmed.

ADOPTION OF AGENDA

MOTION: Joan Phillips moved, seconded by Gerald Denor, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF NOVEMBER 21, 2019

MOTION: John Reinemann moved, seconded by Joan Phillips, to approve the minutes of November 21, 2019 as published. Motion carried unanimously.

(Susan Strautmann arrived at 9:09 a.m.)

APPROVAL OF MINUTES OF JANUARY 31, 2020

MOTION: David Schlichting moved, seconded by Robert Misey, to approve the minutes of January 31, 2020 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers, Appointment of Liaisons, and Delegation of Authorities

Election of Officers

Slate of Officers

NOMINATION: John Reinemann nominated the Slate of Officers to continue in 2020.

Valerie Payne, Executive Director, called for nominations three (3) times.

The Slate of Officers were elected to continue in 2020 by unanimous voice vote.

ELECTION RESULTS	
Chairperson	Gerald Denor
Vice Chairperson	Michael Friedman
Secretary	David Schlichting

Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Gerald Denor, David Schlichting, Susan Strautmann
Monitoring and Professional Assistance Procedure (PAP) Liaison(s)	Gerald Denor
Legislative Liaison(s)	Robert Misey, Michael Friedman
Travel Liaison(s)	Gerald Denor
Newsletter Liaison(s)	Gerald Denor <i>Alternate: Michael Friedman</i>
Screening Panel Team 1	Michael Friedman, David Schlichting
Screening Panel Team 2	Joan Phillips, Susan Strautmann
Screening Panel Alternating (Public Members)	Robert Misey, John Reinemann

Delegation Motions

Document Signature Delegations

MOTION: David Schlichting moved, seconded by Joan Phillips, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION: John Reinemann moved, seconded by Robert Misey, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that

succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Susan Strautmann moved, seconded by Michael Friedman, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to of Loss of Quorum

MOTION: Gerald Denor moved, seconded by John Reinemann, to delegate the review of disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum. Motion carried unanimously.

Monitoring Delegations

MOTION: Gerald Denor moved, seconded by Joan Phillips, to adopt the "Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor" as presented in the March 4, 2020 agenda materials. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison to Grant Licenses Between Meetings

MOTION: Gerald Denor moved, seconded by David Schlichting, to grant certification and licensure to certified public accountants that have been reviewed and approved by the credentialing liaison(s) in between Board meetings. DSPS staff will submit a list of new licensees that were approved between meetings to each Board meeting agenda. Motion carried unanimously.

Delegation of Authority to Credentialing Liaison (Denial Decisions)

MOTION: John Reinemann moved, seconded by Gerald Denor, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between DSPS and the Board and to act on behalf of the Board in regard to credentialing

applications or questions presented to them except that potential denial decisions shall be referred to the full Board for final determination. Motion carried unanimously.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: David Schlichting moved, seconded by Gerald Denor, to delegate credentialing authority to DSPS to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

Delegation of Authority for Conviction Reviews

MOTION: Gerald Denor moved, seconded by Joan Phillips, to delegate authority to the Department Attorneys to review and approve convictions which do not relate substantially to the practice of accounting. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Gerald Denor moved, seconded by Michael Friedman, that the Department's Attorney Supervisors, DLSC Administrator, or their designee are authorized to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Voluntary Surrenders

MOTION: Gerald Denor moved, seconded by Susan Strautmann, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies

MOTION: Gerald Denor moved, seconded by John Reinemann, to authorize DSPS staff to provide national regulatory related bodies with all board member contact information that DSPS retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Joan Phillips moved, seconded by Robert Misey to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

Legislative Liaison Delegation

MOTION: Gerald Denor moved, seconded by David Schlichting, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

Travel Delegation

MOTION: Gerald Denor moved, seconded by John Reinemann, to delegate authority to the Travel Liaison to approve any board member travel. Motion carried unanimously.

SPEAKING ENGAGEMENT(S), TRAVEL, OR PUBLIC RELATION REQUEST(S)

Consideration of Attendance at NASBA 2020 Eastern Regional Meeting – June 8-11, 2020 – White Sulphur Springs, West Virginia

MOTION: Gerald Denor moved, seconded by David Schlichting, to designate John Reinemann, Robert Misey, Joan Phillips and Michael Friedman to attend the NASBA 2020 Eastern Regional Meeting on June 8-11, 2020 in White Sulphur Springs, West Virginia and to authorize travel. Motion carried unanimously.

MOTION: Michael Friedman moved, seconded by David Schlichting, to designate Gerald Denor as the Board's designee to attend the NASBA 2020 Eastern Regional Meeting on June 8-11, 2020 in White Sulphur Springs, West Virginia and to authorize travel. Motion carried unanimously.

CLOSED SESSION

MOTION: Gerald Denor moved, seconded by David Schlichting, 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; Michael Friedman-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 10:10 a.m.

CREDENTIALING MATTERS

Application Reviews

Andrew DeCheck – Experience Review

MOTION: Robert Misey moved, seconded by Gerald Denor, to approve the Certified Public Accountant application of Andrew DeCheck, once all requirements are met. Motion carried unanimously.

(John Reinemann was excused at 11:05 a.m.)

DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

Stipulations and Final Decisions and Orders

16 ACC 025 – Gregory A. Anderson

MOTION: Joan Phillips moved, seconded by Gerald Denor, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Gregory A. Anderson, DLSC Case Number 16 ACC 025. Motion carried unanimously.

17 ACC 001 – Beth M. Bant

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 Beth M. Bant, DLSC Case Number 17 ACC 001. Motion carried unanimously.

Case Closings

17 ACC 009 – S.C.S.C.

MOTION: Gerald Denor moved, seconded by Joan Phillips, to close DLSC Case Number 17 ACC 009, against S.C.S.C., for Insufficient Evidence. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Gerald Denor moved, seconded by David Schlichting, to reconvene into open session. Motion carried unanimously.

The meeting reconvened into Open Session at 11:20 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Gerald Denor moved, seconded by Joan Phillips, 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.)

ADJOURNMENT

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

The meeting adjourned at 11:44 a.m.

DRAFT

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: James Kuehn, LPPA		2) Date When Request Submitted: 6/2/2020 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>									
3) Name of Board, Committee, Council, Sections: Accounting Examining Board											
4) Meeting Date: 6/17/2020	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Credentialing Matters 1. Certified Public Accountants Certified and Licensed Since Last Review Meeting 2. Firms Licensed Since Last Review Meeting									
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A									
10) Describe the issue and action that should be addressed: Informational – No Action: List of Certified Public Accountants certified and licensed, and firms licensed since last review meeting on March 4, 2020.											
11) Authorization <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; border-bottom: 1px solid black;">James Kuehn</td> <td style="width: 30%; border-bottom: 1px solid black; text-align: right;">6/2/2020</td> </tr> <tr> <td style="font-size: small;">Signature of person making this request</td> <td style="text-align: right; font-size: small;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Supervisor (if required)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;">Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date</td> </tr> </table>				James Kuehn	6/2/2020	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	
James Kuehn	6/2/2020										
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											
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 meeting.											

A. Certified Public Accountants Certified and Licensed Since Last Review Meeting:

1. 27643-1; Albrecht, Erica
2. 27644-1; Garcia, Jesus
3. 27645-1; Kirkegaard, Kelsey
4. 27646-1; Cords, Jack
5. 27647-1; Lickteig, Nicole
6. 27648-1; Holicek, Nicholas
7. 27649-1; Mergener, Mason
8. 27650-1; Lane, Susan
9. 27651-1; Tonnesen, Joshua
10. 27652-1; Pawlowski, Lauren
11. 27653-1; Widlak, Katharine
12. 27654-1; Behm, Kimberly
13. 27655-1; Winger, Alexandria
14. 27656-1; Geanon, Gregory
15. 27657-1; Torgenson, Micah
16. 27658-1; Phillips, Jennifer
17. 27659-1; Salzer, Leah
18. 27660-1; Olson, Daniel
19. 27661-1; Witt, Zachary
20. 27662-1; Weiss, Amy
21. 27663-1; Hedlund, Joshua
22. 27664-1; Mui, Clifford
23. 27665-1; Morris, Amanda
24. 27666-1; Bujunoori, Katelyn
25. 27667-1; Scott, Rodney
26. 27668-1; Hollenbach, James
27. 27669-1; Winckler, Leah
28. 27670-1; DeCheck, Andrew
29. 27671-1; Bray, Nicole
30. 27672-1; Thomas, Amy
31. 27673-1; Stelpflug, Sam
32. 27674-1; Foltz, Joshua
33. 27675-1; Gonzalez-Pineda, Juan Carlos
34. 27676-1; Yaeger, Michele
35. 27677-1; Rentscher, Marybeth
36. 27678-1; Brandt, Maranda
37. 27679-1; Wettstein, Matthew
38. 27680-1; Wilberding, Joshua
39. 27681-1; Wirtz, Mark
40. 27682-1; Pederson, Susan
41. 27683-1; Dommer, Krisztina
42. 27684-1; Aaby, Kyle
43. 27685-1; Babic, Aleksandar
44. 27686-1; Johnson, Alexander
45. 27687-1; Voss, Emma
46. 27688-1; Friedel, Matthew
47. 27689-1; Rancour, Tracy
48. 27690-1; Berry, Allison
49. 27691-1; Huang, Jiehui
50. 27692-1; Kuhn, Steven
51. 27693-1; Protexter, Taylor
52. 27694-1; Zipple, Nathaniel
53. 27695-1; Blount, Jeremy
54. 27696-1; Nack, Tyler
55. 27697-1; Borsanyi, Imre
56. 27698-1; Pieper, Shaun
57. 27699-1; Carlson, Brian
58. 27700-1; Roethle, Nathan
59. 27701-1; Hanley, Robert
60. 27702-1; Krueger, Kaitlin
61. 27703-1; Scott, Rachel
62. 27704-1; Lesar, Olivia
63. 27705-1; Van Asten, Kayla
64. 27706-1; Balcerzak, Travis
65. 27707-1; Frankow, Shaun
66. 27708-1; Drews, Joshua
67. 27709-1; Xu, Jing
68. 27710-1; Brant, Kaitlin
69. 27711-1; Donati, Bryan
70. 27712-1; Holmquist, Scott
71. 27713-1; Dean, Devin
72. 27714-1; Powers, Katherine
73. 27715-1; Flores, Joseph
74. 27716-1; Mason, Kathleen
75. 27717-1; Kubiak, Kaitlin
76. 27718-1; Kubiak, Kyra
77. 27719-1; Nohre, Seyver
78. 27720-1; Martinez, James
79. 27721-1; Detampel, Derek
80. 27722-1; Barzyk, Claire
81. 27723-1; Meinholz, Shannon
82. 27724-1; Kalamarz, Ellie
83. 27725-1; Compton, Stephanie
84. 27726-1; Maxwell, Stephanie
85. 27727-1; Zajdel, Zachary
86. 27728-1; Mullen, Foster
87. 27729-1; Grau, Daniel
88. 27730-1; Pooler, Isaac
89. 27731-1; Rumbold, Jennifer
90. 27732-1; Allen, Shawn
91. 27733-1; Overly, Samantha
92. 27734-1; Williams, Nicole
93. 27735-1; Lisk, David
94. 27736-1; Strigel, William

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

2. Firms Licensed Since Last Review Meeting

1. 1579-3; Daniel Sadro CPA, LLC
2. 1580-3; Capitol Tax & Accounting Group LLC

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Valerie Payne, Executive Director on behalf of Gerald Denor		2) Date when request submitted: 6/12/2020 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Accounting Examining Board			
4) Meeting Date: 6/17/2020	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Under Legislation and Policy Matters – Discussion and Consideration: LRB 6236/1 - Relating to educational qualifications for certified public accountants.	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPP Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Seeking the Board's input, discussion and consideration of proposed legislation relating to educational qualifications for certified public accountants.			
11) Authorization			
 Signature of person making this request		6/12/2020 Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
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 meeting.			

CHAPTER 442

ACCOUNTING EXAMINING BOARD

442.001	Definitions.	442.083	Renewal; continuing education.
442.01	Examining board; duties.	442.087	Peer review.
442.02	Certified public accountant, definition.	442.09	Fees.
442.025	Applicability.	442.10	Disclosure of interest in entity reported on.
442.03	Licenses required.	442.11	Penalties.
442.04	Certified public accountants; qualifications.	442.115	Enforcement actions for violations of this chapter.
442.05	Certification by endorsement.	442.12	Disciplinary action.
442.07	Requirements for practice as certified public accountant.	442.13	Ownership of accountant's working papers.
442.08	Licensure.		

Cross-reference: See definitions in s. 440.01.

Cross-reference: See also *Accy.* Wis. adm. code.

442.001 Definitions. In this chapter:

(1) “Attest service” means any of the following:

(a) An audit or any other engagement that is performed or intended to be performed in accordance with rules promulgated under s. 442.01 (1) (a).

(b) A review of a financial statement that is performed or intended to be performed in accordance with rules promulgated under s. 442.01 (1) (b).

(c) An examination of prospective financial information that is performed or intended to be performed in accordance with rules promulgated under s. 442.01 (1) (c).

(3) “Examining board” means the accounting examining board.

(4) “Firm” means a proprietorship, partnership, limited liability partnership, corporation, service corporation, or limited liability company.

(5) “Member of a firm” means a director, manager, employee, officer, owner, shareholder, principal, or partner of a firm.

History: 1999 a. 85 s. 86; 2001 a. 16.

442.01 Examining board; duties. (1) The examining board shall promulgate rules that adopt by reference all of the following:

(a) The statements on auditing standards issued by the Auditing Standards Board of the American Institute of Certified Public Accountants.

(b) The statements on standards for accounting and review services issued by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants.

(c) The statements on standards for attestation engagements issued by the Auditing Standards Board, the Accounting and Review Services Committee, and the Consulting Services Executive Committee of the American Institute of Certified Public Accountants.

(2) The examining board may not adopt a standard or rule relating to professional conduct or unethical practice until the examining board has held a public hearing with reference thereto, subject to the rules promulgated under s. 440.03 (1). Except for a rule modified under s. 227.265, no rule or standard shall become effective until 60 days after its adoption by the examining board. Any person who has appeared at the public hearing and filed written protest against a proposed standard or rule may, upon the adoption of such standard or rule by the examining board, obtain a review thereof under ch. 227. Thereafter every person practicing as a certified public accountant in the state shall be governed and controlled by the rules and standards prescribed by the examining board, including any modifications under s. 227.265.

(3) The examining board shall record its proceedings.

(4) The examining board shall participate in data-sharing programs operated or otherwise sponsored by the National Association of State Boards of Accountancy and shall share information or data regarding persons currently or previously licensed under this chapter as needed in order to participate in those programs. Except as otherwise provided by the examining board by rule, information or data obtained by the board through such a program is not subject to the right of inspection and copying under s. 19.35 (1).

History: 1977 c. 418; 1981 c. 356; 1983 a. 27; 1991 a. 39; 1999 a. 85; 2001 a. 16; 2013 a. 210; 2017 a. 88.

Cross-reference: See also *Accy.* Wis. adm. code.

442.02 Certified public accountant, definition. (1m) A person shall be considered to be in practice as a certified public accountant, within the meaning and intent of this chapter, if any of the following conditions is met:

(a) The person holds himself or herself out to the public in any manner as one skilled in the knowledge, science, and practice of accounting, and as qualified and ready to render professional service therein as a certified public accountant for compensation.

(b) The person maintains an office for the transaction of business as a certified public accountant or, except as an employee of a certified public accountant, practices accounting, as distinguished from bookkeeping, for more than one employer.

(c) The person offers to prospective clients to perform for compensation, or performs on behalf of clients for compensation, professional services that involve or require an audit of financial transactions and accounting records.

(d) The person prepares for clients reports of audits, balance sheets, and other financial, accounting and related schedules, exhibits, statements or reports that are to be used for publication or for credit purposes, or are to be filed with a court of law or with any other governmental agency, or for any other purpose.

(dm) The person provides or offers to provide an attest service.

(e) The person, in general or as an incident to such work, renders professional assistance to clients for compensation in any or all matters relating to accounting procedure and the recording and presentation of financial facts.

(f) The person signs or affixes his or her name or any trade or assumed name used by the person in his or her business or profession to an opinion or certificate attesting to the reliability of any representation or estimate in regard to any person or organization embracing financial information, financial transactions or accounting records.

(5m) Subsection (1m) (f) does not prohibit any officer, employee, partner, or principal of any organization from affixing his or her signature to any statement or report in reference to the affairs of that organization with any wording designating the position, title, or office that he or she holds in that organization.

(6) Every member of a firm who, as a member of the firm, does any of the things enumerated in sub. (1m) (a) to (f), shall be considered to be in practice as a certified public accountant.

History: 1979 c. 162 ss. 7, 38 (7), (9); 1999 a. 85; 2001 a. 16.

442.025 Applicability. This chapter does not require a certificate or license under this chapter for any of the following:

(1) Persons employed by a certified public accountant or firm licensed under this chapter to serve as accountants in various capacities, as needed, if all of the following conditions are met:

(a) The employees serving as accountants work under the control and supervision of certified public accountants.

(b) The employees serving as accountants do not issue any statements or reports over their own names except office reports to their employer that are customary.

(c) The employees serving as accountants are not in any manner held out to the public as certified public accountants.

(2) A practicing attorney, who, in connection with his or her professional work renders any accounting service.

(3) A person employed by more than one person for the purpose of keeping books, making trial balances, or statements, and preparing reports, if all of the following requirements are met:

(a) The reports described in this subsection are not used or issued by the employers as having been prepared by a certified public accountant.

(b) The persons employed as described in this subsection do not do any of the things enumerated in s. 442.02 (1m) (f) except as authorized under s. 442.02 (5m).

(4) (a) A person who meets all of the following conditions:

1. The person's principal place of business or residence is not in this state.

2. The person holds a valid certified public accountant certificate or license from another state that the National Association of State Boards of Accountancy National Qualification Appraisal Service has verified to be in substantial equivalence with the certified public accountant licensure requirements of the American Institute of Certified Public Accountants/ National Association of State Boards of Accountancy Uniform Accountancy Act, or the person obtains verification from the National Association of State Boards of Accountancy National Qualification Appraisal Service that his or her individual qualifications are substantially equivalent to the certified public accountant licensure requirements of the American Institute of Certified Public Accountants/ National Association of State Boards of Accountancy Uniform Accountancy Act.

(b) Any person who enters this state to practice as a certified public accountant under this subsection agrees to all of the following:

1. That he or she is under the personal and subject matter jurisdiction of the examining board and he or she may be disciplined under s. 442.12.

2. That he or she will comply with this chapter and rules promulgated by the examining board.

3. That the examining board of the state that issued his or her license may act as his or her agent for the purpose of receiving process in any legal action or proceeding by the examining board.

(5) A public official or public employee in performing his or her duties.

(6) A person who performs services involving the use of accounting skills, including management advisory services, the preparation of tax returns, and the preparation of financial statements without issuing reports on the statements.

(7) A person who prepares financial statements and issues information thereon that does not purport to be in compliance with the statement on standards for accounting and review services issued by the American Institute of Certified Public Accountants.

History: 2001 a. 16 ss. 3606rd to 3606rL; 2005 a. 214.

442.03 Licenses required. No person may lawfully practice in this state as a certified public accountant either in the person's own name, or under an assumed name, or as a member of a firm, unless the person has been granted by the examining board a certificate as a certified public accountant, and unless the person and firm have complied with all of the provisions of this chapter, including licensure.

History: 1977 c. 29; 1981 c. 356; 1991 a. 39; 2001 a. 16.

442.04 Certified public accountants; qualifications.

(1) The examining board shall grant a certificate as a certified public accountant to all persons who become entitled thereto under this section and s. 442.05. A certificate is permanent unless revoked and not subject to periodic renewal.

(2) The examining board shall hold an examination at least once each year at a time and place determined by the examining board.

(5) (a) In this subsection, "institution" means a bachelor's degree-granting institution of higher education accredited by an accrediting agency that is recognized by the secretary of the federal department of education.

(b) The examining board may not grant a certificate as a certified public accountant to any person other than a person who satisfies all of the following conditions:

1. The person is 18 years of age or older.

2. The person does not have an arrest or conviction record, subject to ss. 111.321, 111.322, and 111.335.

3. The person has, except as provided in sub. (6), completed at least 150 semester hours of education at an institution that include course work in accounting and business subjects, as determined by the examining board, and has received a bachelor's or higher degree.

4. Except as provided in s. 442.05, the person has successfully passed an examination in such subjects affecting accountancy and business as the examining board considers necessary. A person is not eligible to take the examination under this subdivision unless the person has completed at least 120 semester hours of education at an institution that include course work in accounting and business subjects, as determined by the examining board.

5. The person has at least one year of public accounting experience or its equivalent, the sufficiency of the experience or the equivalency to be judged by the examining board.

(d) The examining board shall ensure that evaluation procedures and examinations under this subsection are nondiscriminatory, relate directly to accountancy, and are designed to measure only the ability to perform competently as an accountant. The examining board may use the examination service provided by the American Institute of Certified Public Accountants.

(6) The examining board may promulgate rules pursuant to which the examining board may, in its discretion and on a case-by-case basis, do all of the following:

(a) Consider certain military training and service of a veteran, as defined in s. 45.01 (12), who was honorably discharged to be substantially equivalent to semester hours of education completed at an institution.

(b) Apply training and service described in par. (a) to satisfy a portion of the 150 semester hours required under sub. (5) (b) 3.

History: 1975 c. 224; 1977 c. 219, 418; 1979 c. 337; 1981 c. 356, 380, 391; 1995 a. 333; 2001 a. 16; 2013 a. 21, 114, 210; 2015 a. 217; 2017 a. 88.

Cross-reference: See also chs. Accy 2 and 3, Wis. adm. code.

442.05 Certification by endorsement. The examining board may grant a certificate to any applicant who is the holder of a certificate or license to practice as a certified public accountant issued under the laws of any other state or foreign country. The applicant must also establish his or her substantial equivalence of the qualifications required under s. 442.04. The sufficiency of the substantial equivalence shall be judged by the examining board. Upon denial of a certificate under this subsection the examining board shall notify the applicant in writing of the decision, stating

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the reason for denial and that the applicant has the right to a hearing if a written request is filed with the examining board within 30 days after the notice of denial. Service of the notice of denial may be made by mail addressed to the applicant at the latest address filed by the applicant in writing with the examining board. Service by mail is complete on the date of mailing.

History: 1975 c. 318; 1981 c. 356.

Cross-reference: See also ch. *Accy 3*, Wis. adm. code.

442.07 Requirements for practice as certified public accountant. (1) Any person who has been issued a certificate of the person's qualifications to practice as a certified public accountant, shall be styled and known as a "certified public accountant" and no other person shall assume to use such title or the abbreviation "C.P.A." or any other word, words, letters, or figures to indicate that the person using the same is a certified public accountant. The terms "chartered accountant" and "certified accountant" and the abbreviation "C.A." are specifically prohibited to such other persons as being prima facie misleading to the public.

(3) Any firm that is entitled to practice as certified public accountants in this state or any other state and every resident member of the firm who is a certified public accountant of this state, after registering the firm name with the examining board, may use the designation "certified public accountants" in connection with the firm name.

History: 1977 c. 29; 1981 c. 356; 1991 a. 316; 2001 a. 16.

442.08 Licensure. (1) The department shall issue a license to an individual who holds an unrevoked certificate as a certified public accountant, submits an application for the license on a form provided by the department, and pays the initial credential fee determined by the department under s. 440.03 (9) (a).

(2) The department shall issue a license to a firm that submits an application for the license on a form provided by the department, pays the initial credential fee determined by the department under s. 440.03 (9) (a), and does each of the following:

- (a) Identifies each office of the firm that is located in this state.
- (b) If any person who holds an ownership interest in the firm is not licensed under sub. (1), designates an individual licensed under sub. (1) as the individual responsible for the firm's compliance with this chapter.
- (c) Demonstrates, to the satisfaction of the department, each of the following:
 1. That all attest services provided by the firm in this state are under the charge of an individual licensed under sub. (1).
 2. That more than 50 percent of the ownership interest of the firm is held by individuals who hold certificates or licenses to practice as a certified public accountant issued under the laws of any state or foreign country.
 3. That each person who holds an ownership interest in the firm, and who does not hold a certificate or license to practice as a certified public accountant, is an individual who actively participates in the firm or an affiliated entity.

Cross-reference: See also ch. *Accy 5*, Wis. adm. code.

(3) The examining board shall promulgate rules that define "ownership interest" for purposes of sub. (2) and for determining the percentage of a person's ownership interest in a firm. In promulgating the rules, the examining board shall consider the financial interests and voting rights of all members of a firm.

History: 1977 c. 29; 1981 c. 356; 1991 a. 39; 2001 a. 16; 2007 a. 20.

442.083 Renewal; continuing education. (1) The renewal dates for licenses issued under this chapter are specified under s. 440.08 (2) (a), and the renewal fees for such licenses are determined by the department under s. 440.03 (9) (a). The department may not renew a license issued to a firm unless, at the time of renewal, the firm satisfies the requirements under s. 442.08 (2) and demonstrates, to the satisfaction of the department, that the firm has complied with the requirements under s. 442.087.

ACCOUNTING EXAMINING BOARD 442.087

(2) (a) The 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).

(b) For continuing education credits that are earned based on the amount of time spent participating in an eligible learning activity, one credit shall be earned for every 50 minutes spent engaging in the eligible activity. One-tenth of a credit may be earned for every 5 minutes spent participating in an eligible activity.

(c) Up to one-half of the amount of continuing education credits required by rule under par. (a) may be completed by informal, self-directed learning activities, including reading, teaching, researching, serving on a board or committee, viewing a video, listening to an audio recording, or participating in other experiential learning activities that are determined by the board to be relevant to competency to practice as a certified public accountant.

History: 2001 a. 16; 2007 a. 20; 2017 a. 88.

442.087 Peer review. (1) **DEFINITION.** In this section, "peer review" means a process for a person licensed under this chapter to evaluate the professional competency of the members of a firm who are responsible for attest services provided by the firm or who sign or authorize another individual to sign accounting reports or financial statements on behalf of the firm.

(2) **RENEWAL OF FIRM LICENSES.** After January 1, 2005, the department may not renew the license of a firm unless, at least once every 3 years, the firm undergoes the peer review that is specified in the rules promulgated under sub. (3) and that is conducted by a person, approved by the examining board under the rules, who is not affiliated with the firm or members of the firm undergoing review.

(3) **RULES.** The examining board shall promulgate rules that describe the peer review required to renew a firm's license under sub. (2). The rules shall include requirements for the examining board to approve one or more persons to conduct the peer reviews. The rules shall also require each person approved by the examining board to conduct peer reviews to periodically report to the examining board on the effectiveness of the peer reviews conducted by the person and to provide the examining board with a listing of all firms that have undergone peer review conducted by the person.

(4) **CONFIDENTIALITY.** Except as provided in sub. (5), a person approved by the examining board to conduct peer reviews may not disclose to any person, including the examining board or the department, any information obtained or document produced during the course of or as a result of a review unless the firm undergoing the review consents to the disclosure.

(5) **PEER REVIEW DOCUMENTS.** (a) The examining board may require a certified public accountant or firm to provide any of the following peer review documents to the examining board:

1. A peer review report.
2. Any letter of response to a peer review report.
3. An acceptance letter.
4. A letter signed by the reviewed firm accepting the peer review documents with the understanding that the firm agrees to take certain actions.
5. A letter notifying the reviewed firm that certain required actions have been completed.

(b) A certified public accountant or firm may comply with a directive under par. (a) by doing any of the following within 45 days after the date of the directive:

1. Submitting the requested documents to the examining board, either by mail or electronically.
2. Allowing the peer review program administrator to make the documents available to the examining board through the Facil-

itated State Board Access program operated by the American Institute of Certified Public Accountants.

(c) The examining board may make documents submitted to the examining board under par. (b) 1. available to the Facilitated State Board Access program operated by the American Institute of Certified Public Accountants.

(d) Except as otherwise provided by the examining board by rule, information or data obtained by the board through the Facilitated State Board Access program is not subject to the right of inspection and copying under s. 19.35 (1).

History: 2001 a. 16, 104; 2017 a. 88.

Cross-reference: See also ch. Accy 6, Wis. adm. code.

442.09 Fees. The fees for examination and licenses granted under this chapter are specified in s. 440.05. The fee for renewal of such licenses is determined by the department under s. 440.03 (9) (a).

History: 1971 c. 125; 1977 c. 29; 1991 a. 39; 2007 a. 20.

442.10 Disclosure of interest in entity reported on.

(1) Whenever any person, as a certified public accountant, signs or certifies any report, schedule, or statement relative to the affairs of any corporation, association, or partnership in which the person is financially interested or by which the person is regularly engaged as an officer or employee, the signature or certification shall be accompanied by a specific statement setting forth the fact that the person is financially interested in or is an officer or regular employee of the corporation, association, or partnership. If the person is both financially interested and an officer or regular employee, the statement shall cover both financial interest and employment. In the case of a firm signing or certifying as described in this subsection, the interest of any of its members shall be disclosed.

(2) Notwithstanding sub. (1), no person licensed under this chapter, and no firm of which the person is a member, may express an opinion as an independent certified public accountant on financial statements of any enterprise unless the person and the firm are independent of the enterprise. The requirement for independence under this subsection also extends to the spouse of such a person and to other relatives having a financial or business relationship with the enterprise which, in the opinion of the examining board, may impair independence.

(3) The examining board may make and enforce all necessary rules relative to this section and may determine the particular phraseology necessary to carry sub. (1) into effect.

History: 1977 c. 264; 1993 a. 490; 2001 a. 16.

442.11 Penalties. Whoever does any of the following may, for each offense, be fined not more than \$500, or imprisoned in the county jail for not more than one year, or both:

(1) Uses any term other than certified public accountant or the abbreviation C. P. A. to indicate that he or she is a certified public accountant with a specially granted title.

(2) While practicing under an assumed name, or as a member of a firm, other than a firm with a name that is registered under s. 442.07 (3), announces, either in writing or by printing, that the assumed name or firm is practicing as a certified public accountant.

(5) Holds himself or herself out to the public as a certified public accountant or assumes to practice as a certified public accountant unless he or she has been granted a certificate as a certified public accountant from the examining board.

(7) Practices as a certified public accountant after his or her certificate has been revoked.

(8) As an individual or member of a firm, practices or permits the firm to practice as a certified public accountant unless a license has been secured for the current licensure period.

(9) Sells, buys, gives, or obtains an alleged certificate as a certified public accountant or a license in any manner other than that provided for by this chapter.

(10) Attempts to practice as a certified public accountant under the guise of a certificate not granted by the examining board or under cover of a certificate obtained illegally or fraudulently.

(11) Certifies to any false or fraudulent report, certificate, exhibit, schedule or statement.

(12) Attempts by any subterfuge to evade the provisions of this chapter while practicing as a certified public accountant.

(13) As an individual or member of a firm, permits to be announced by printed or written statement that any report, certificate, exhibit, schedule, or statement has been prepared by or under supervision of a certified public accountant when the person who prepared the report, certificate, exhibit, schedule, or statement was not a certified public accountant.

History: 1977 c. 29, 418; 1979 c. 162 s. 38 (4), (7), (9); 1981 c. 356; 1999 a. 85; 2001 a. 16.

442.115 Enforcement actions for violations of this chapter. (1) If it appears upon complaint to the examining board by any person, or it is known to the examining board, that any person has violated this chapter, the examining board may investigate, subject to the rules promulgated under s. 440.03 (1).

The district attorney of the county in which violations of this chapter are known or alleged to have occurred shall promptly investigate complaints, from any source, of violations of this chapter and prosecute if the facts warrant. Upon request from the examining board, and when the facts warrant, the appropriate district attorney shall promptly seek an injunction against any person who is violating this chapter.

(2) If the district attorney fails or refuses to act within a time that the examining board considers reasonable, the examining board may request the attorney general to institute a prosecution or to seek an injunction for violation of this chapter.

(3) If a person has engaged, or is about to engage, in an act or practice that constitutes, or will constitute, a violation of this chapter, the examining board in its own right or on behalf of an individual complainant may apply to the appropriate court for an order enjoining the act or practice. Upon a showing by the examining board or the complainant that the person has engaged, or is about to engage, in any act or practice in violation of this chapter, the court may grant an injunction, restraining order or other appropriate order without bond.

History: 1999 a. 85 ss. 95, 96.

442.12 Disciplinary action. (1) Subject to the rules promulgated under s. 440.03 (1), the examining board may do any of the following:

(a) Make investigations and conduct hearings.

(b) Revoke, limit, or suspend for a definite period any certificate, license, or practice privilege, or officially reprimand the holder, if it finds that the holder has violated this chapter or any duly promulgated standard or rule of practice or for any other sufficient cause.

(c) In the case of a firm, revoke, limit, or suspend the license of the firm, or reprimand it, if it is found that any member of the firm has been guilty of such act or omission as would be cause for revoking, limiting, or suspending a certificate or license to the person as an individual or for reprimanding the person.

(d) Impose a period of probation under specified conditions, whether or not in conjunction with other sanctions.

(e) Require additional professional education or training, or reexamination, or any combination, as a condition precedent to the reinstatement of a license or of any privilege, or as a condition precedent to the termination of any suspension.

(f) Suspend a license until further order of the examining board or for a specified period for failure to comply with an order of the examining board imposing disciplinary sanctions.

(g) Upon application in writing and after hearing pursuant to notice, issue a new license to a licensee whose license has been revoked, reinstate a revoked certificate or modify the suspension of any license or certificate which has been suspended. This sub-

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section does not apply to a license or certificate that is suspended under s. 440.13 (2) (c) or that is revoked under s. 440.12.

(2m) A person who is licensed or certified under this chapter who practices as a certified public accountant in another state is subject to disciplinary action by the examining board under this section for an act committed in the other state that would subject the person to disciplinary action in the other state.

(3m) The examining board shall investigate and may take disciplinary action under sub. (1) against a person licensed or certified in this state upon receipt of a complaint by the examining board of accountancy of another state against that person.

History: 1977 c. 187, 418; 1981 c. 356; 1997 a. 191, 237; 2001 a. 16; 2005 a. 214.

Cross-reference: See also ch. *Accy 4*, Wis. adm. code.

ACCOUNTING EXAMINING BOARD 442.13**442.13 Ownership of accountant's working papers.**

All statements, records, schedules, working papers, and memoranda made by a certified public accountant incident to or in the course of professional service to clients by a certified public accountant, except reports submitted by a certified public accountant to a client, shall be and remain the property of the certified public accountant, in the absence of an express agreement between the certified public accountant and the client to the contrary. No such statement, record, schedule, working paper, or memorandum shall be sold, transferred, or bequeathed, without the consent of the client or the client's personal representative or assignee, to anyone other than any member of the firm of the certified public accountant.

History: 1991 a. 316; 2001 a. 16.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Dale Kleven Administrative Rules Coordinator		2) Date When Request Submitted: 6/5/20 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, Council, Sections: Accounting Examining Board			
4) Meeting Date: 6/17/20	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Scope Statement: Accy 2, Relating to Candidates for Certification 2. Scope Statement: Accy 3, Relating to Reciprocal Credentials for Service Members, Former Service Members, and Their Spouses 3. Proposed Guidance Document: Carryforward and Carryback of CPE Credits 4. Pending and Possible Rulemaking Projects a. Accy 2, Relating to Examinations	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed: Administrative Rule Matters – Discussion and Consideration 2. Under prior law, the spouse of a service member could obtain a temporary reciprocal credential granted by DSPS or a board attached to DSPS. 2019 Wisconsin Act 143 expanded the availability of a reciprocal credential to include service members, former service members, and the spouses of former service members. The Act also provides that a reciprocal credential granted to a service member, former service member, or the spouse of a service member or former service member expires on the same renewal date as the credential that corresponds to the reciprocal credential, and that the reciprocal credential may be renewed by paying the applicable fee and satisfying the requirements that apply to renewing the corresponding credential. Also, under the Act, DSPS or a board attached to DSPS may promulgate rules necessary to implement the Act.			
11) Authorization			
Signature of person making this request <i>Dale Kleven</i>		Date <i>June 5, 2020</i>	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
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 meeting.			

STATEMENT OF SCOPE

Accounting Examining Board

Rule No.: Chapter Accy 2

Relating to: Candidates for certification

Rule Type: Emergency

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

Administrative rules require a candidate for certification as a Certified Public Accountant to pass all sections of the Uniform CPA Examination within a rolling 18-month period that begins on the date the first section is passed. If any section of the examination is not passed within the rolling 18-month period, credit for any section passed outside the 18-month period expires and that section must be retaken. The spread of COVID-19 and the resulting exam center closures and safety precautions have severely limited the ability of candidates to meet this deadline. This proposed rule will help ensure the opportunity for these individuals to be employed or start a business as a CPA in Wisconsin is not delayed or denied.

An expeditious promulgation of the proposed rule is in the best interest of Wisconsin's economy and public welfare, as it will prevent some candidates for certification as a CPA from having to retake one or more sections of the Uniform CPA Examination.

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

The Accounting Examining Board will update s. Accy 2.304 to provide a temporary extension of the 18-month rolling deadline within which all sections of the Uniform CPA Examination must be passed.

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:

Chapter Accy 2 contains the examination requirements for candidates for certification as a CPA. If the rules are not updated, some candidates who are in the process of completing the Uniform CPA Examination may be required to retake one or more exam sections.

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 442.04 (2), Stats., provides that “[t]he examining board shall hold an examination at least once each year at a time and place determined by the examining board.”

Section 442.04 (5) (b) 4., Stats., provides the Board may not grant a certificate as a certified public accountant to any person other than a person who “... has successfully passed an examination in such subjects affecting accountancy and business as the examining board considers necessary.”

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 Wisconsin certification as a CPA.

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 rule is likely to have a significant economic impact on small businesses):

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

Contact Person: Dale Kleven, (608) 261-4472, Dale2.Kleven@wisconsin.gov

Approved for publication:

Approved for implementation:

Authorized Signature

Authorized Signature

Date Approved

Date Approved

STATEMENT OF SCOPE

Accounting Examining Board

Rule No.: Chapter Accy 3

Relating to: Reciprocal credentials for service members, former service members, and their spouses

Rule Type: Permanent

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

None.

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

The objective of the rule is to implement 2019 Wisconsin Act 143.

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:

2019 Wisconsin Act 143 entitles service members, former service members who were discharged within the prior four years under conditions other than dishonorable, and spouses of service members or former service members to obtain a credential if the person resides in Wisconsin and is in good standing with the governmental authorities in every jurisdiction outside Wisconsin that have granted the individual a credential that qualifies the individual to perform acts authorized under the appropriate credential granted by the department or credentialing board. The license may be renewed indefinitely.

This proposed rule will update ch. Accy 3 to implement 2019 Wisconsin Act 143.

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

Section 15.08 (5) (b), Stats., states that an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 440.09(5), Stats., states that “[t]he department or credentialing board, as appropriate, may promulgate rules necessary to implement this section.”

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

60 hours

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

Service members, former service members, and spouses of service members or former service members applying for certification as a Certified Public Accountant in Wisconsin.

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:

There is no existing or proposed federal regulation that addresses CPA licensure.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

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

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

Approved for publication:

Approved for implementation:

Authorized Signature

Authorized Signature

Date Submitted

Date Submitted

Gerald E. Denor
Chairperson

Michael E. Friedman
Vice Chairperson

David K. Schlichting
Secretary

ACCOUNTING EXAMINING BOARD



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**PROPOSED GUIDANCE DOCUMENT – CARRYFORWARD AND
CARRYBACK OF CPE CREDITS**

Question:

A licensee may carry over up to 40 CPE credits to the next consecutive compliance period. May CPE credits on the subject of ethics that are carried forward be used to satisfy the ethics requirement for the compliance period to which they are carried over?

Answer:

Yes. A licensee may carry forward from one compliance period to the next consecutive compliance period up to 3 CPE credits on the subject of ethics that exceed the 3 CPE credits required to satisfy the requirement in the earlier compliance period. These credits may be used to satisfy the ethics requirement for the compliance period to which they are carried over.

Question:

May CPE credits carried forward to the next consecutive compliance period or CPE credits earned during the first 12 months of a compliance period carried back to the immediately preceding compliance period be used to satisfy the CPE requirements for either 12-month period of that compliance period?

Answer:

Yes. CPE credits that are carried forward or carried back may be used to satisfy the CPE requirements for either 12-month period of the compliance period to which the carryforward or carryback occurs, provided the same credits are not used to satisfy the requirements of both 12-month periods.

I have reviewed this proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

Dated _____

Agency _____

Chairperson
Accounting Examining Board