

Friday, Dec. 1, 2023
Board Meeting Agenda
9:30 a.m.

Robertson 225, McIntire School of Commerce, University of Virginia
140 Hospital Dr, Charlottesville, VA 22903

Individuals submitting comments may do so in person, via an authorized representative, or in writing.

- 9:30 a.m. Call to Order – **Wendy P. Lewis, CPA, Chair**
Security Briefing – **Nancy Glynn, CPA, Executive Director**
Approval of Dec. 1, 2023, Agenda
Approval of Oct. 24, 2023, Board meeting minutes
- 9:35 a.m. Public comment period
- 9:40 a.m. Welcome – **Dean Nicole Jenkins, Ph. D., CPA, UVA McIntire School of Commerce**
- 9:50 a.m. NASBA CPA exam update - **Colleen K. Conrad, CPA, NASBA Executive VP and Chief Operating Officer**
- 10:05 a.m. Board Member/Staff Introductions and VBOA Overview – **Wendy P. Lewis, CPA, Chair**
• Questions from UVA students, faculty, and other attendees
- 10:25 a.m. NASBA and AICPA Committee Updates – **Wendy P. Lewis, CPA, Chair**
- 10:35 a.m. Building a Career in Accounting – **Wendy P. Lewis, CPA, Chair**
- 11:00 a.m. CPA Evolution: Changes to the CPA exam – **Nadia A. Rogers, CPA, Accounting Professor, Virginia Tech**
- 11:25 a.m. Virginia Society of CPAs – Student resources – **Molly Wash, Academic and Diversity Outreach Director, VSCPA**
- 11:45 a.m. Public comment period – Enforcement
- 11:50 a.m. Enforcement agenda – Matthew Ross, Enforcement Director
- **Consent Agenda**
 - 2022-0358 – Consent Order (Moyers)
 - 2023-0204 – Consent Order (Rudolph-Wiseman)
 - 2023-0242 – Consent Order (Brown)
 - 2022-0393 – Consent Order (Warwick)
 - **Decisions after Informal Fact Finding Hearing**
 - 2023-0395 (Eligibility) – Presiding Officer Recommendation (Warwick)
 - 2023-0246 – Presiding Officer Recommendation (Glynn)
 - 2022-0554 – Presiding Officer Recommendation (Glynn)
 - 2022-0741 – Presiding Officer Recommendation (Glynn)

- 2023-0203 – Presiding Officer Recommendation (Glynn)
- 2023-0207 – Presiding Officer Recommendation (Glynn)
- 2023-0299 – Presiding Officer Recommendation (Glynn)
- 2023-0047 – Presiding Officer Recommendation (Glynn)

12:05 p.m. Board Discussion Topics – **Wendy P. Lewis, CPA, Chair**

- S.M.A.R.T. Goals 2023 update – **Nancy Glynn, CPA, Executive Director**
 - Code and Regulations Including Fee Structure – Final Code revisions - Nancy Glynn, CPA, Executive Director
 - Licensing and CPE System – SOW for discussion
 - 150 Hours – Research - Fergus Johnson, Management Fellow
 - CPA Pipeline – Oct. 2023 -Calendar of Milestones for Board Members
 - Inactive Status Policy – April 2024 – States Survey / Stakeholder Input
 - Review VBOA Policies – June 2024 – Review Policies and guidance documents
 - CPE Requirements – due Oct. 2023 – Defining SMART goal and outcomes

12:30 p.m. Adjourn for lunch

1:30 p.m. Board Discussion Topics (Continued) – **Wendy P. Lewis, CPA, Chair**

2:00 p.m. Executive Director’s Report – **Nancy Glynn, CPA, Executive Director**

- General updates
- Financial and Board Report update – **Renai Reinholtz, Deputy Director**
- Enforcement update – **Matthew Ross, Enforcement Director**

2:30 p.m. Additional Items for Discussion – **Wendy P. Lewis, CPA, Chair**

- Sign Conflict of Interest forms and travel expense vouchers
- Future meeting dates
 - January 17, 2024
 - February 21, 2024
 - May 15, 2024 (planning meeting)
 - June 12, 2024

2:45 p.m. Closed Session

- Disciplinary and Legal advice – § 2.2-3711(A)(8)
- Personnel matters - § 2.2-3711(A)(1).

3:30 p.m. Adjournment

***Five-minute public comment, per person, on those items not included on the agenda.**

Persons desiring to attend the meeting and requiring special accommodations/interpretive services should contact the VBOA office at (804) 367-8505 at least five days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The VBOA fully complies with the Americans with Disabilities Act.

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

The Virginia Board of Accountancy met on Tuesday, October 24, 2023, in Board Room #1 of the Perimeter Center, 9960 Mayland Drive, Henrico, VA 23233.

MEMBERS PRESENT: Wendy P. Lewis, CPA, Chair
Nadia A. Rogers, CPA, Vice Chair
Laurie A. Warwick, CPA
William R. Brown, CPA
Dale G. Mullen
David Cotton, CPA, CFE, CGFM
Angela Rudolph-Wiseman, CPA

LEGAL COUNSEL: Josh Laws, Assistant Attorney General,
Office of the Attorney General

STAFF PRESENT: Nancy Glynn, CPA, Executive Director
Renai Reinholtz, Deputy Director
Matthew Ross, Enforcement Director
Nicole Reynolds, Licensing and Operations Support
Kelli Yoder, Communications Coordinator
Fergus Johnson, Management Fellow

MEMBERS OF THE PUBLIC PRESENT: Emily Walker, CAE, Vice President, Advocacy, Virginia Society of Certified Public Accountants
Stephanie Saunders, Chair, Board of Directors, NASBA

CALL TO ORDER

Ms. Lewis called the meeting to order at 10 a.m.

DETERMINATION OF QUORUM

Ms. Lewis determined there was a quorum present.

SECURITY BRIEFING

Ms. Reynolds provided the emergency evacuation procedures.

APPROVAL OF AGENDA

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Upon a motion by Ms. Rogers and duly seconded, the members voted unanimously to approve the October 24, 2023, agenda as amended. The members voting “AYE” were Ms. Warwick, Mr. Brown, Ms. Lewis, Ms. Rogers, Mr. Mullen, Mr. Cotton and Ms. Rudolph-Wiseman.

APPROVAL OF MINUTES

Upon a motion by Ms. Rogers and duly seconded, the members voted unanimously to approve the amended August 29, 2023, Board meeting minutes, as presented. The members voting “AYE” were Ms. Warwick, Mr. Brown, Ms. Lewis, Ms. Rogers, Mr. Mullen, Mr. Cotton, and Ms. Rudolph-Wiseman.

PUBLIC COMMENT PERIOD

Ms. Walker, CAE, Vice President, Advocacy, Virginia Society of Certified Public Accountants (VSCPA) provided copies of a letter recently distributed by VSCPA in support of the Credit Relief Act. She advised the Board that no objections had been received to date from recipients of the letter. She informed the Board that a National Pipeline Advisory Group has recently been formed to develop a national CPA pipeline strategy. The group is comprised of representatives from CPA firms, businesses, industry and regulators and had held their initial meeting. The group plans to address the CPA education requirements, exploring new approaches to when and how the exam can be taken and new integrated pathways to licensing. They plan to perform market testing and hope to gain a broad consensus from stakeholders. The group plans to examine the current loss of pre-college and early-stage accountants and CPAs from the current CPA pipeline.

Ms. Walker advised that the VSCPA has comments related to the VBOA proposed statute changes and requested to share those comments later in the meeting.

Conflict of Interest - G. Stewart Petoe, Executive Director, Conflict of Interest and Ethics Advisory Council

Mr. Petoe was unable to attend the meeting and requested to reschedule for a future Board meeting.

NASBA and AICPA COMMITTEE UPDATES

NASBA Education Committee

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Ms. Rogers advised that The Board of Examiners met on October 23, 2023. During this meeting, the Hofstee method for setting cut scores was discussed and a set of initial judgments were completed for each of the 6 CPA Exam sections being offered beginning January 2024.

The State Board Committee had their initial meeting on October 12, 2023. Ms. Rogers is the new Chair, and 2 new members were also in attendance. Many topics were raised for discussion, including but not limited to the CPA accounting pipeline, 120 vs. 150 hours of education, the Experience, Learn, and Earn (ELE) Program, and the Credit Relief Initiative.

NASBA's Education Committee met on September 28, 2023. During this meeting, comments on the Experience, Learn, and Earn (ELE) Request for Proposal were discussed with the intention of ultimately providing these comments to the AICPA and NASBA for consideration.

Ms. Rogers informed the Board that she will be moving from the Education Committee to the UAA Committee.

NASBA Administrative and Finance Committee

Ms. Warwick advised that she has been appointed to the NASBA Audit Committee.

NASBA Legislative Support Committee

Mr. Mullen advised that he has been appointed to the NASBA Legislative Support Committee

NASBA CPE Committee

Mr. Brown has been appointed to the NASBA Enforcement Committee.

Mr. Cotton has been appointed to the NASBA Regulatory Response Committee.

EXECUTIVE DIRECTOR'S REPORT

General updates

- Ms. Glynn advised that VBOA is currently focused on CPA Evolution and communicating with candidates on the VBOA website through FAQs, web updates and email communications. She reminded all in attendance of the deadline to apply for BEC by November 14th, 2023.
- Ms. Glynn expressed appreciation for Fergus Johnson, Virginia Management Fellow, who is assisting VBOA with various research projects and temporarily serving in the policy role.

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- Ms. Glynn announced that the VBOA Administrative Assistant position has been advertised.
- Ms. Glynn fielded questions from the Board regarding updated CPE guideline document. It was discussed that the new guidelines would be applied to all new CPE audits as of September 2023.

Financial and Board Report update

Ms. Reinholtz presented the September 2023 Financial and Board Reports and fielded questions from the Board.

Enforcement update

Mr. Ross reported on the progress of the Enforcement Division and upcoming changes to the enforcement guidelines. He fielded questions from the Board.

Communications update

Ms. Yoder reported to the Board concerning recent communications that provide information about CPA Evolution, the 30-month credit approval and the Board's decision to temporarily suspend re-exam fees.

She informed the Board that a VBOA Instagram account has been created, and the annual Customer Service Survey is in draft. She updated the Board on plans for the December Board meeting to be held at the University of Virginia.

Ms. Yoder presented a sample segment of the 2024 VBOA-approved ethics course and fielded questions from the Board.

NASBA Board Update and Credit Relief Initiative – Stephanie Saunders, CPA, NASBA Chair

Ms. Saunders expressed appreciation to all those volunteering on NASBA Committees. She presented to the Board regarding a new task force that will look at substantial equivalency among jurisdictions. The task force plans to communicate with Executive Directors in the coming year about CPA Evolution and the history and recent approval of the Credit Relief Initiative (CRI) program.

Ms. Saunders provided handouts and discussed the intent of CRI and suggested different ways in which jurisdictions may choose to implement the program. She fielded questions from the Board and discussion ensued.

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Upon a motion by Ms. Rogers and duly seconded, the members voted unanimously to approve the CRI. The motion is included as follows:

The Virginia Board of Accountancy accept and adopt the program known as the Credit Relief Program, recommended by the CBT Administration Committee of the National Association of State Boards of Accountancy. The adopted statement and policy read as follows: "In response to significant health, economic, education, and travel disruptions resulting in CPA Examination candidate hardships, the Virginia Board of Accountancy will extend credit periods through June 30, 2025, for CPA Examination credits that expired from January 30, 2020, through May 11, 2023, which have not been subsequently replaced by new credits for the same actions." In addition, the board approves the additional credit relief for those who had credit expired or expiring between May 12, 2023, and November 30, 2023.

(b) That this decision shall be effective as of November 15, 2023.

(c) There will be no refunds of any past payments for those that benefit from this program.

The members voting "AYE" were Ms. Warwick, Mr. Brown, Ms. Lewis, Ms. Rogers, Mr. Mullen, Mr. Cotton and Ms. Rudolph-Wiseman.

Board Recusal Discussion – David Cotton, CPA

Mr. Cotton proposed a new Board Recusal policy for review by the Board. He asked that Board members submit comments to him for a document to be presented at the next Board meeting. He suggested that any new Enforcement documents would be consistent with any Board Recusal Policy and the result would be a document to which both complainants and respondents could refer. The Board discussed the laws surrounding Board actions related to Consent Orders with participation from the Attorney General's office and the Executive Director. It was determined that Ms. Glynn and Mr. Ross will revisit the current Enforcement Processes manual with the assistance of Mr. Cotton and Mr. Brown and changes will be discussed at a later meeting. Ms. Lewis also requested that all members re-review the draft policy.

ENFORCEMENT AGENDA – Matthew Ross, Enforcement Director

The following actions were taken during open session:

Case #2022-0263

Upon a motion by Mr. Cotton and duly seconded, the members voted to approve a six (6) month payment plan at the request of the Respondent for a previously issued Board Order containing monetary penalties.

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CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Case #2023-0169

Upon a motion by Mr. Cotton and duly seconded, the members voted to accept the Consent Order as written.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Abstain
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Nay
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Five (5)
Abstain: One (1)
Nays: One (1)

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Case #2023-0201

Upon a motion by Ms. Warwick and duly seconded, the members voted to accept the Consent Order as written.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Abstain

VOTE:

Ayes: Six (6)
Abstain: One (1)
Nays: None (0)

Case #2023-0248

Upon a motion by Mr. Brown and duly seconded, the members voted to accept the Consent Order as written.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Nay
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Abstain

VOTE:

Ayes: Five (5)
Abstain: One (1)
Nays: One (1)

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Case #2021-0086

Upon a motion by Mr. Brown and duly seconded, the members voted to accept the Presiding Officer Recommendation as to the finding of no violation.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Case #2021-0088

Upon a motion by Mr. Brown and duly seconded, the members voted to accept the Presiding Officer Recommendation as to the finding of a violations of Code of Virginia 54.1-111(A)(2), 54.1-4409.1(A) and 54.1-4414 (i) (2) and (4) for Respondent's unlicensed use of the CPA title. The members further accepted the recommended penalties and imposed a monetary penalty of \$2,500.00.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Abstain
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

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Ayes: Six (6)
Abstain: One (1)
Nays: None (0)

Case# 2022-0333

Upon a motion by Ms. Warwick and duly seconded, the members voted to accept the Presiding Officer Recommendation in part and modified it in part. The Board accepted the finding of a violation of 18VAC5-22-90(A) but determined that the violation occurred during the three-year period of 2018, 2019 and 2020, and not the three-year period of 2019, 2020 and 2021, as identified in the Recommendation. The members further accepted the recommended penalties and imposed a \$750.00 fine to be paid within ninety (90) days for failing to complete 120 hours of CPE in the reporting period, reprimands for failing to complete a minimum of 20 hours of CPE and the Virginia Specific Ethics Course in each year of the reporting period, and the requirement that the Respondent be subject to a CPE compliance review for the three year period following any reinstatement of her Virginia CPA license.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Case #2022-0511

Upon a motion by Ms. Warwick and duly seconded, the members voted to accept the Presiding Officer Recommendation as to the finding of a violation of the Board's CPE regulation 18VAC5-22-90(A). The members further accepted the recommended penalties and imposed a monetary penalty of \$625.00 for failing to complete 120 hours during the three year reporting period, reprimands for failing to complete a

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minimum of 20 CPE hours and the Virginia Specific Ethics Course during the reporting period, that respondent complete the 90 hours of deficient CPE within 90 days of the Board's order and that Respondent be subject to a CPE compliance review for 2023, 2024 and 2025.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Case #2023-0021

Upon a motion by Ms. Rogers and duly seconded, the members voted to accept the Presiding Officer Recommendation as to the finding of a violation of the Board's CPE regulation 18VAC5-22-90(A). The members further accepted the recommended penalties and imposed a 1 year suspension of the Respondent's CPA license, a monetary penalty of \$1,000.00 for failing to complete 120 hours during the three year reporting period, a monetary penalty of \$500 for failing to complete a minimum of 20 CPE hours and the Virginia Specific Ethics Course during the reporting period, and that Respondent be subject to a CPE compliance review for the three year period following any reinstatement of his CPA license.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

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Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Case# 2023-0134

Upon a motion by Ms. Rudolph-Wiseman and duly seconded, the members voted to accept the Presiding Officer Recommendation as to the finding of a violation of the Board's CPE regulation 18VAC5-22-90(A). The members further accepted the recommended penalties and imposed a monetary penalty of \$625.00 for failing to complete 120 hours during the three year reporting period, reprimands for failing to complete a minimum of 20 CPE hours and the Virginia Specific Ethics Course during the reporting period, that respondent complete the 67 hours of deficient CPE within ninety (90) days of the Board's order and that Respondent be subject to a CPE compliance review for 2023, 2024 and 2025.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Adjourn for Lunch

The Board entered **closed session** to discuss legal matters.

Begin closed meeting

Upon a motion by Ms. Rogers, and duly seconded, the members approved by unanimous vote the meeting be recessed and the Virginia Board of Accountancy convene a closed meeting under the Virginia Freedom of Information Act to a matter lawfully exempted from open meeting requirements under the

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'Legal advice regarding specific legal matters' exemption contained in Virginia Code §2.2-3711 (A)(8) and disciplinary matters exemption contained in Virginia Code §2.2-3711(A) (27).

The following non-members were in attendance for a portion of the closed meeting to reasonably aid in the consideration of this topic: Nancy Glynn, Matthew Ross and Josh Laws.

The members voting "AYE" were Ms. Warwick, Mr. Brown, Ms. Lewis, Ms. Rogers, Mr. Mullen, Mr. Cotton and Ms. Rudolph-Wiseman.

End closed meeting

Upon a motion by Ms. Rogers, and duly seconded, the Virginia Board of Accountancy convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and WHEREAS, § 2.2-3712 (D) of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law.

NOW THEREFORE, BE IT RESOLVED, that the VBOA hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia laws were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the VBOA.

The members voting "AYE" were Ms. Warwick, Mr. Brown, Ms. Lewis, Ms. Rogers, Mr. Mullen, Mr. Cotton and Ms. Rudolph-Wiseman.

Case #2022-0557

Upon a motion by Mr. Brown and duly seconded the members voted to accept the Consent Order as written. Prior to the matter being discussed, Ms. Warwick placed on the record she was briefly employed by the Respondent over 20 years ago, however, upon consultation with Board counsel this brief period of employment would not amount to a conflict of interest.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Abstain
Dale G. Mullen – Abstain

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William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Abstain
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Four (4)
Abstain: Three (3)
Nays: None (0)

Case #2022-0502

Upon a motion by Ms. Warwick and duly seconded, the members voted to accept the Presiding Officer Recommendation in part and modify it in part. The Board accepted the finding of a violation of Code of Virginia 54.1-4413.3 (1)-(4) and (7) for multiple errors on a client tax return(s) and 18VAC5-22-90 (A) for failing to comply with the Board's CPE requirements. The members further accepted the recommended penalties with modification and imposed a \$5,000 fine to be paid within 90 days and a reprimand for the violations of the Virginia Code, and a \$750 fine and reprimanded for failing to meet the CPE requirements of 18VAC5-22-90 (A). The members further imposed penalties requiring Respondent to complete 16 hours of deficient CPE all in the area of passthrough entity tax return preparation and be subject to a CPE compliance review for the three year period of 2023, 2024 and 2025.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Abstain
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Six (6)
Abstain: One (1)
Nays: None (0)

Case #2022-0500

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Upon a motion by Ms. Warwick and duly seconded, the members voted to accept the Presiding Officer Recommendation in part and modify it in part. The members accepted the recommendation as to the violation of 18VAC5-22-90(A); however, they rejected the proposed penalties of a 1 year suspension and fines totaling \$1,500.00. The members instead imposed a monetary penalty in the amount of \$750.00, to be paid within ninety (90) days, for failing to complete 120 hours of CPE during the three year reporting period, reprimands for failing to complete a minimum of 20 CPE hours and the Virginia Specific Ethics Course during the reporting period, and that Respondent be subject to a CPE compliance review for the three year period following any reinstatement of his CPA license.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye

David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Mr. David Cotton left the meeting at approximately 2:30 p.m.
Mr. Josh Laws left the meeting at approximately 2:00 p.m.

Board Discussion Topics – Wendy P. Lewis, CPA, Chair

FY2023 S.M.A.R.T. Goals update – Nancy Glynn, CPA, Executive Director

Ms. Glynn led the discussion of selected 2024 S.M.A.R.T. Goals.

The Board discussed proposed changes to the Code and Regulations, to include adding clarifications, increasing consistency of terms and expanding explanations. Ms. Glynn provided details. Ms. Walker submitted comments from the VSCPA. The Board discussed offering a grace period for license renewals but that may not take place in the code. Board members expressed concern that code changes will be

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challenging to advance in terms of possible delays such as the election year and upcoming busy season for CPAs.

Ms. Glynn provided a status updated on the VBOA licensing and CPE System. She informed the Board regarding the current SOW and provided her recommendations.

Additional Items for Discussion

- Sign Conflict of Interest forms
- Sign Travel Expense vouchers
- Future meeting dates – Current and future meeting dates were discussed and are subject to change.
 - December 1, 2023
 - January 17, 2024
 - February 21, 2024
 - May 15, 2024
 - June 12, 2024

ADJOURNMENT

There being no further business before the VBOA, Ms. Lewis adjourned the meeting at 2 p.m.

APPROVED:

Wendy P. Lewis, CPA, Chair

COPY TESTE:

Nancy Glynn, CPA, Executive Director

Budget vs. Actual Expenditures As of October 31, 2023



	FY24 Operating Budget	FY24 YTD Expenditures	% Expended	FY23 YTD Expenditures	FY22 Expenditures	FY21 Expenditures
Salaries & Benefits						
1123 Salaries	1,188,712	366,684	30.8%	1,036,015	897,977	844,009
11XX Benefits	534,267	128,535	24.1%	390,631	354,860	352,058
Total Salaries & Benefits	\$ 1,722,979	\$ 495,219	28.7%	\$ 1,426,646	\$ 1,252,837	\$ 1,196,067
Contractual Services						
1211 Express Services	3,500	1,973	56.4%	5,407	655	33
1214 Postal Services	21,000	3,913	18.6%	18,467	15,395	14,576
1215 Printing Services	7,500	5,455	72.7%	3,448	5,766	3,208
1216 Telecommunications - VITA	10,800	3,685	34.1%	10,593	11,449	10,921
1217 Telecommunications - Nonstate (CallFire)	2,500	390	15.6%	1,442	1,200	1,530
1219 Inbound Freight	300	14	4.8%	220	135	22
1221 Organization Memberships (primarily NASBA)	8,336	7,054	84.6%	8,642	9,279	7,674
1222 Publication Subscriptions	1,270	225	17.7%	1,323	4,357	3,655
1224 Training - Courses, Workshops, Conferences	6,445	-	0.0%	8,769	6,126	763
1227 Training-Transportation, Lodging, Meals, Incidentals	15,500	(1,895)	-12.2%	13,115	4,635	-
1242 Fiscal Services (Credit Card Merchant Fees)	49,000	16,876	34.4%	48,315	45,864	47,123
1243 Attorney Services	27,000	-	0.0%	17,207	16,097	26,217
1244 Mgmt. Services - NASBA/special accommodations	14,800	1,539	10.4%	11,079	10,387	9,012
1246 Public Info/Public Relations (subscriptions)	3,385	468	13.8%	2,914	2,485	439
1247 Legal Services (court reporting services)	5,500	2,187	39.8%	4,072	8,363	11,460
1264 Food and Dietary Services	2,500	887	35.5%	2,662	2,352	1,127
1266 Manual Labor Services (Includes shredding services)	550	120	21.8%	120	200	1,410
1268 Skilled Services	2,100	1,100	52.4%	1,125	1,650	-
1272 VITA - System Hosting, Maintenance, and Admin	-	-	---	229,224	222,006	320,442
1272 VITA - Shared ISO Audit Services	-	-	---	18,093	20,425	-
1272 VITA - ECOS fees	-	-	---	-	4,755	-
1272 VITA - System Reporting Tool	-	-	---	-	5,750	-
1273 Info Mgmt Design and Development Services (IT Support)	85,000	900	1.1%	28,930	19,450	230,725
1275 Computer Software Maintenance (website hosting)	243,854	100,450	41.2%	6,830	7,050	7,235
1278 VITA Information Technology Infrastructure Services (included ECOS)	80,400	7,979	9.9%	53,872	52,008	57,838
1279 Computer Software Development Services	244,000	-	0.0%	-	-	-
1282 Travel - Personal Vehicle	7,500	948	12.6%	6,668	4,927	962
1283 Travel - Public Carriers	150	74	49.0%	13	497	-
1284 Travel - State Vehicles	450	-	0.0%	217	-	-
1285 Travel - Subsistence and Lodging	4,500	575	12.8%	3,360	1,890	-
1288 Travel, Meal Reimburse - Not IRS Rpt	2,000	290	14.5%	1,654	1,106	-
Total Contractual Services	\$ 849,840	\$ 155,207	18.3%	\$ 507,782	\$ 486,259	\$ 760,054

	FY24 Operating Budget	FY24 YTD Expenditures	% Expended	FY23 YTD Expenditures	FY22 Expenditures	FY21 Expenditures
<u>Supplies and Materials</u>						
1312 Office Supplies	1,500	151	10.1%	916	864	904
1313 Stationery and Forms	1,800	-	0.0%	1,146	404	644
1323 Gasoline (Enterprise vehicles)	150	-	0.0%	65	-	-
1335 Packaging and Shipping Supplies	1,200	-	0.0%	369	369	720
1342 Medical & Dental Supplies	50	-	0.0%	-	-	30
1352 Custodian Repair & Maintenance	-	-	---	-	-	14
1362 Food & Dietary Supplies	350	40	11.4%	192	126	107
1363 Food Service Supplies	150	72	47.9%	-	236	35
1373 Computer Operating Supplies	1,200	220	18.4%	748	786	1,236
Total Supplies & Materials	\$ 6,400	\$ 483	7.5%	\$ 3,435	\$ 2,785	\$ 3,689
<u>Transfer Payments</u>						
1413 Awards & Recognition	500	-	0.0%	500	623	343
1415 Unemployment Compensation	-	-	---	-	-	216
1418 Incentives	1,200	-	0.0%	1,226	-	-
Total Transfer Payments	\$ 1,700	\$ -	0.0%	\$ 1,726	\$ 623	\$ 559
<u>Continuous Charges</u>						
1512 Automobile Liability Insurance	231	-	0.0%	231	231	231
1516 Property Insurance	540	-	0.0%	540	540	1,224
1534 Equipment Rentals	10,105	1,990	19.7%	8,643	7,454	8,099
1539 Building Rentals - Non-State Owned Facilities	104,318	34,541	33.1%	101,512	97,997	95,005
1541 Agency Service Charges (shared services)	62,600	23,941	38.2%	60,498	49,465	52,373
1551 General Liability Insurance	5,400	-	0.0%	5,328	5,328	328
1554 Surety Bonds	40	-	0.0%	-	40	40
1555 Worker's Compensation	1,110	-	0.0%	926	1,110	1,094
Total Continuous Charges	\$ 184,344	\$ 60,472	32.8%	\$ 177,678	\$ 162,165	\$ 158,394
<u>Equipment</u>						
2216 Network Components	750	-	0.0%	-	1,653	877
2217 Other Computer Equipment	200	-	0.0%	405	155	130
2218 Computer Software Purchases	500	-	0.0%	386	418	50
2231 Electronic Equipment	-	-	---	967	1,170	-
2233 Voice and Data Transmission Equipment	-	-	---	-	-	969
2262 Office Furniture	1,200	-	0.0%	454	755	-
2263 Office Incidentals	-	-	---	46	63	345
2328 Construction, Building Improvements	-	-	---	-	-	150
Total Equipment	\$ 2,650	\$ -	0.0%	\$ 2,259	\$ 4,214	\$ 2,521
Total Expenses	\$ 2,767,913	\$ 711,382	25.7%	\$ 2,119,526	\$ 1,908,884	\$ 2,121,284
Chapter 2 Appropriation	\$ 2,767,913					

Cash Balances



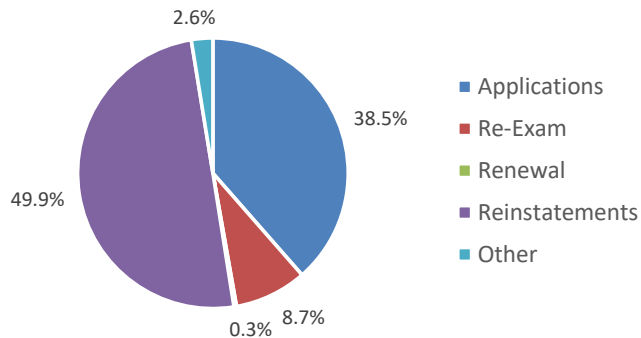
	Operating Fund		Trust Fund	
	FY2024	FY2023	FY2024	FY2023
	As of 10/31/23	As of 10/31/22	As of 10/31/23	As of 10/31/22
Beginning Cash Balance July 1	\$ 2,890,877	\$ 2,556,744	\$ 3,205,952	\$ 3,341,044
YTD Revenue Collected	208,515	191,348	-	-
Interest earnings	28,133	4,298	33,849	5,259
Accounts Payable	25,100	12	-	-
Cash Transfers In per Board Policy #1	-	193,303	141,788	-
Cash Transfers Out per Board Policy #1	(141,788)	-	-	(193,303)
YTD Expenditures	(711,382)	(649,763)	-	-
Cash Balance	\$ 2,299,455	\$ 2,295,942	\$ 3,381,589	\$ 3,153,000
Required Cash Transfers:				
Central Service Agencies Transfer	\$ (11,983)	\$ (11,983)	-	-
Cash Balance after required transfers	\$ 2,287,472	\$ 2,283,959	\$ 3,381,589	\$ 3,153,000

Revenue Collections by Fee Type

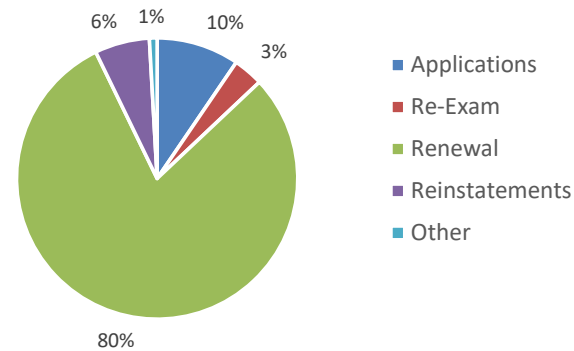


Fee Type	FY2024 - YTD as of 10/31/23	FY2023 - YTD as of 10/31/22	Fiscal Year Ending 6/30/23	Fiscal Year Ending 6/30/22	Fiscal Year Ending 6/30/21
Exam Application Fee	\$ 54,840	\$ 42,315	\$ 139,635	\$ 130,560	\$ 149,430
Individual License Application Fee	24,150	22,725	67,950	70,800	83,100
Firm License Application Fee	1,500	1,400	5,000	4,100	4,500
Re-Exam Application	18,080	23,100	76,900	72,080	83,420
Renewal Fee	640	1,345	1,782,800	1,777,925	1,824,315
Reinstatement Fee	104,250	94,100	140,850	98,600	63,150
Duplicate Wall Certificate Fee	825	475	1,725	2,150	1,700
License Verification Fee	4,050	5,725	16,650	21,325	16,625
CPA Exam Score Transfers	400	450	1,150	1,075	1,325
Administrative Fee	80	-	-	45	646
Bad Check Fee	-	53	239	50	50
Total Revenue by Fee Type	\$ 208,815	\$ 191,688	\$ 2,232,899	\$ 2,178,710	\$ 2,228,261
Net Revenue per Cardinal	\$ 208,515	\$ 191,348	\$ 2,232,824	\$ 2,178,830	\$ 2,199,041
Difference	\$ 300	\$ 340	\$ 75	\$ (120)	\$ 29,220

FY24 YTD Revenue Collections



FY23 Revenue Collections



Accounts Receivable



	<u>FY2024 - YTD as of 10/31/23</u>	<u>FY2023 - YTD as of 10/31/22</u>	<u>Fiscal Year Ending 6/30/23</u>	<u>Fiscal Year Ending 6/30/22</u>	<u>Fiscal Year Ending 6/30/21</u>
Fines levied	\$ 145,210	\$ 287,145	\$ 759,525	\$ 189,950	\$ 128,042
Fines collected	\$ 54,860	\$ 104,284	\$ 335,357	\$ 157,851	\$ 138,947
Fines Discharged	\$ -	\$ -	\$ 52,542	\$ -	\$ -
Outstanding Current fines receivable (< 365 Days)	<u>\$ 617,301</u>	<u>\$ 257,102</u>	<u>\$ 493,534</u>	<u>\$ 49,751</u>	<u>\$ 29,041</u>
Outstanding Written-off receivables (=> 365 Days)	<u>\$ 575,157</u>	<u>\$ 656,240</u>	<u>\$ 608,574</u>	<u>\$ 680,731</u>	<u>\$ 669,342</u>

**Individual and firm license activity
Oct. 31, 2023**

<i>Fiscal Period</i>	Period ending 10/31/2023	Period ending 10/31/2022	Period ending 6/30/2023	Period ending 6/30/2022	Period ending 6/30/2021
REGULANTS					
Individuals					
Active, licensed CPAs	27,006	26,873	26,556	26,482	26,715
Inactive, licensed CPAs	2,119	2,124	2,090	2,053	2,033
Total Licensed CPAs	29,125	28,997	28,646	28,535	28,748
Out-of-state licensees	10,042	9,862	9,867	9,669	9,572
Reinstatements - Individuals	275	256	274	257	170
New CPA licenses issued	308	296	940	1,039	1,069
Expired/voluntarily surrendered licenses	9	12	1,041	1,337	119
Exam Candidates					
Number of first time exam candidates	470	367	931	1,118	1,193
Firms					
Total active, licensed CPA firms	1,116	1,126	1,094	1,172	1,125
Reinstatements - Firms	16	9	19	18	8
New CPA firm licenses issued	14	12	44	42	38
Expired/voluntarily surrendered licenses	4	0	81	76	12

All Open Enforcement Complaints - As of October 11, 2023

All Open Enforcement Complaints



All Open Complaint Types

CPE Deficiency	55
Acts Discreditable	6
Due Professional Care	19
Unlicensed Activity	36
Peer Review	2
*1 eligibility file	118

All Open Enforcement Complaints - As of November 17, 2023

All Open Enforcement Complaints



All Open Complaint Types

CPE Deficiency	37
Acts Discreditable	8
Due Professional Care	14
Unlicensed Activity	31
Peer Review	2
1 eligibility file	93

New and Closed Complaints - October 12, 2023 to November 17, 2023

Opened Complaints



Opened Complaint Types

CPE Deficiency	16
Due Prof. Care/Acts Discredit.	10
Unlicensed Activity	6
Peer Review	1
1 eligibility file	34

Closed Complaints



Closed Complaint Types

CPE Deficiency	34
Due Professional Care	12
Unlicensed Activity	12
Acts Discreditable	1
59	

Disposition Types

Advisory Letter	13	Board Order	7
Consent Order	28	Closed Agency Referral	0
No Finding	1	No Violation	5
No Jurisdiction	5	Other	0
59			

CPE Audit Report as of October 31, 2023

	Ending 10/31/2023	Year Ending 6/30/2023	Year Ending 6/30/2022	Year ending 6/30/2021	Year Ending 6/30/2020	Year Ending 6/30/2018
CPE Audits Selected	222	428	573	751	696	1366
CPE Audits Passed	83	318	432	597	544	1139
CPE Audits Deficient	11	108	141	154	152	227
CPE Audits Pending	128	2	0	0	0	0
CPE Deficiency Rate	12%	25%	25%	21%	22%	17%

Other audits completed during Calendar Years

	Reinstatement and Inactive Audits			Self-Report Audits		Enforcement Audits	
	2023	2022	2021	2023	2022	2023	2022
Audits Selected	379	462	276	142	224	9	52
CPE Audits Passed	249	395	265	21	47	3	34
CPE Audits Deficient	0	2	0	115	177	6	18
CPE Audits Pending	130	65	11	6	0	0	0
						67%	35%

All Open NON-CPE Enforcement Cases

Complaint #	Type	Status	Disposition	Date Received	Date Entered	Status Date	TotalDays
2021-018-011U	Unlicensed Activity - O	IFF-Pending		April 8, 2021	N/A	October 23, 2023	953
2021-0091	Due Professional Care	Requested Additional Information		Sep 8, 2021	Oct 18, 2021	Sep 11, 2023	800
2021-0145	Unlicensed Activity - O	NOVA - Sent		Dec 10, 2021	Dec 10, 2021	Mar 30, 2023	707
2022-0046	Due Professional Care	IFF - Pending		Jan 27, 2022	Jan 27, 2022	Nov 17, 2023	659
2022-0084	Unlicensed Activity - G	IFF - Pending		Feb 24, 2022	Feb 28, 2022	Nov 17, 2023	631
2022-0347	Due Professional Care	NOAV - Sent		Jun 3, 2022	Jun 3, 2022	Jun 22, 2022	532
2022-0358	Unlicensed Activity - O	Board Meeting - Pending		Jun 15, 2022	Jun 15, 2022	Nov 16, 2023	520
2022-0362	Unlicensed Activity - O	NOAV - Sent		Jun 21, 2022	Jun 21, 2022	Aug 3, 2022	514
2022-0366	Unlicensed Activity - O	IFF - Scheduled		Jun 28, 2022	Jun 24, 2022	Nov 3, 2023	507
2022-0384	Due Professional Care	Probable Cause Review		Jul 19, 2022	Jul 19, 2022	Jul 26, 2023	486
2022-0392	Due Professional Care	Consent Order - Sent		Jul 25, 2022	Jul 25, 2022	Nov 6, 2023	480
2022-0393	Due Professional Care	Board Meeting - Pending		Jul 25, 2022	Jul 25, 2022	Nov 16, 2023	480
2022-0545	Due Professional Care	NOAV - Sent		Sep 15, 2022	Sep 15, 2022	Oct 11, 2023	428
2022-0558	Due Professional Care	IFF - Pending		Oct 4, 2022	Oct 4, 2022	Nov 17, 2023	409
2022-0572	Unlicensed Activity - O	IFF - Scheduled		Oct 7, 2022	Oct 7, 2022	Nov 3, 2023	406
2022-0690	Due Professional Care	IFF - Pending		Nov 29, 2022	Nov 29, 2022	Nov 13, 2023	353
2022-0701	Due Professional Care	NOAV - Sent		Dec 2, 2022	Dec 2, 2022	Dec 2, 2022	350
2022-0732	Unlicensed Activity - O	IFF - Scheduled		Dec 12, 2022	Dec 12, 2022	Nov 3, 2023	340
2023-0012	Unlicensed Activity - O	Consent Order - Sent		Jan 12, 2023	Jan 12, 2023	Nov 15, 2023	309
2023-0031	Unlicensed Activity - G	IFF - Pending		Jan 24, 2023	Jan 24, 2023	Oct 10, 2023	297
2023-0073	Unlicensed Activity - O	IFF - Scheduled		Feb 17, 2023	Feb 17, 2023	Nov 3, 2023	273
2023-0074	Unlicensed Activity - O	IFF - Scheduled		Feb 17, 2023	Feb 17, 2023	Nov 3, 2023	273
2023-0081	Peer Review	NOAV - Sent		Feb 22, 2023	Feb 22, 2023	Oct 17, 2023	268
2023-0082	Unlicensed Activity - O	NOAV - Sent		Feb 22, 2023	Feb 22, 2023	Nov 6, 2023	268
2023-0140	Unlicensed Activity - O	IFF - Scheduled		Apr 3, 2023	Apr 3, 2023	Nov 1, 2023	228
2023-0149	Unlicensed Activity - O	NOAV - Sent		Apr 11, 2023	Apr 11, 2023	Aug 8, 2023	220
2023-0150	Unlicensed Activity - O	IFF - Scheduled		Apr 11, 2023	Apr 11, 2023	Nov 3, 2023	220
2023-0162	Due Professional Care	Consent Order - Sent		Apr 27, 2023	Apr 27, 2023	Oct 19, 2023	204
2023-0171	Unlicensed Activity - O	IFF - Pending		May 16, 2023	May 16, 2023	Nov 6, 2023	185
2023-0376	Unlicensed Activity - O	NOAV - Sent		May 16, 2023	Oct 4, 2023	Oct 13, 2023	185
2023-0378	Unlicensed Activity - O	NOAV - Sent		May 16, 2023	Oct 4, 2023	Oct 13, 2023	185
2023-0379	Unlicensed Activity - O	NOAV - Sent		May 16, 2023	Oct 4, 2023	Oct 13, 2023	185
2023-0182	Due Professional Care	IFF - Scheduled		May 23, 2023	May 25, 2023	Nov 3, 2023	178
2023-0204	Unlicensed Activity - O	Board Meeting - Pending		Jun 13, 2023	Jun 13, 2023	Oct 30, 2023	157
2023-0241	Unlicensed Activity - O	Consent Order - Sent		Jun 29, 2023	Jun 29, 2023	Nov 6, 2023	141
2023-0242	Unlicensed Activity - O	Board Meeting - Pending		Jun 29, 2023	Jun 29, 2023	Oct 27, 2023	141
2023-0243	Unlicensed Activity - O	Consent Order - Sent		Jun 29, 2023	Jun 29, 2023	Oct 31, 2023	141
2023-0304	Unlicensed Activity - O	NOAV - Sent		Aug 9, 2023	Aug 14, 2023	Sep 14, 2023	100
2023-0321	Acts Discreditable	NOAV - Sent		Aug 22, 2023	Aug 22, 2023	Sep 19, 2023	87
2023-0326	Unlicensed Activity - O	Consent Order - Sent		Aug 24, 2023	Aug 24, 2023	Nov 8, 2023	85
2023-0331	Peer Review	Open Case		Aug 25, 2023	Aug 25, 2023	Aug 25, 2023	84
2023-0343	Unlicensed Activity - O	Probable Cause Review		Aug 31, 2023	Aug 31, 2023	Oct 30, 2023	78
2023-0382	Acts Discreditable	Open Case		Oct 10, 2023	Oct 10, 2023	Oct 10, 2023	38
2023-0383	Acts Discreditable	Open Case		Oct 10, 2023	Oct 10, 2023	Oct 10, 2023	38
2023-0384	Acts Discreditable	Open Case		Oct 10, 2023	Oct 10, 2023	Oct 10, 2023	38
2023-0386	Acts Discreditable	Probable Cause Review		Oct 10, 2023	Oct 10, 2023	Oct 31, 2023	38
2023-0387	Unlicensed Activity - O	NOAV - Sent		Oct 11, 2023	Oct 11, 2023	Oct 13, 2023	37
2023-0388	Unlicensed Activity - O	NOAV - Sent		Oct 11, 2023	Oct 11, 2023	Oct 11, 2023	37
2023-0389	Acts Discreditable	Open Case		Oct 13, 2023	Oct 13, 2023	Oct 13, 2023	35
2023-0390	Acts Discreditable	Open Case		Oct 13, 2023	Oct 13, 2023	Oct 13, 2023	35
2023-0393	Unlicensed Activity - O	Probable Cause Review		Oct 16, 2023	Oct 16, 2023	Nov 16, 2023	32
2023-0395	Eligibility	Board Meeting - Pending		Oct 16, 2023	Oct 16, 2023	Nov 9, 2023	32
2023-0396	Due Professional Care	Requested Additional Information		Oct 17, 2023	Oct 17, 2023	Nov 1, 2023	31
2023-0400	Acts Discreditable	NOAV - Sent		Oct 18, 2023	Oct 18, 2023	Oct 30, 2023	30
2023-0407	Due Professional Care	NOAV - Sent		Oct 30, 2023	Oct 30, 2023	Nov 1, 2023	18
2023-0418	Unlicensed Activity - O	Entered / Intake		Nov 3, 2023	Nov 3, 2023	Nov 3, 2023	14

All Open CPE Enforcement Cases

Complaint #	Type	Status	Disposition	Date Received	Date Entered	Status Date	TotalDays
2022-0554	CPE Deficiency	Board Meeting - Pending		Sep 23, 2022	Sep 23, 2022	Nov 17, 2023	420
2022-0560	CPE Deficiency	Consent Order - Sent		Oct 4, 2022	Oct 4, 2022	Nov 17, 2023	409
2022-0570	CPE Deficiency	IFF - Completed		Oct 6, 2022	Oct 6, 2022	Apr 4, 2023	407
2022-0639	CPE Deficiency	IFF - Completed		Nov 2, 2022	Nov 2, 2022	Oct 25, 2023	380
2022-0715	CPE Deficiency	IFF - Completed		Dec 7, 2022	Dec 7, 2022	Oct 4, 2023	345
2022-0723	CPE Deficiency	Consent Order - Sent		Dec 9, 2022	Dec 9, 2022	Nov 17, 2023	343
2022-0741	CPE Deficiency	Board Meeting - Pending		Dec 19, 2022	Dec 19, 2022	Nov 17, 2023	333
2023-0047	CPE Deficiency	Board Meeting - Pending		Feb 1, 2023	Feb 1, 2023	Oct 30, 2023	289
2023-0067	CPE Deficiency	Consent Order - Sent		Feb 15, 2023	Feb 15, 2023	Nov 17, 2023	275
2023-0114	CPE Deficiency	IFF - Pending		Mar 17, 2023	Mar 17, 2023	Oct 10, 2023	245
2023-0117	CPE Deficiency	IFF - Completed		Mar 21, 2023	Mar 21, 2023	May 23, 2023	241
2023-0135	CPE Deficiency	Consent Order - Sent		Mar 31, 2023	Mar 31, 2023	Nov 9, 2023	231
2023-0185	CPE Deficiency	IFF - Completed		May 26, 2023	May 26, 2023	Sep 12, 2023	175
2023-0203	CPE Deficiency	Board Meeting - Pending		Jun 12, 2023	Jun 12, 2023	Nov 17, 2023	158
2023-0207	CPE Deficiency	Board Meeting - Pending		Jun 14, 2023	Jun 14, 2023	Nov 17, 2023	156
2023-0215	CPE Deficiency	IFF - Pending		Jun 16, 2023	Jun 16, 2023	Oct 11, 2023	154
2023-0227	CPE Deficiency	IFF - Pending		Jun 23, 2023	Jun 23, 2023	Oct 25, 2023	147
2023-0236	CPE Deficiency	Consent Order - Sent		Jun 28, 2023	Jun 28, 2023	Nov 17, 2023	142
2023-0246	CPE Deficiency	Board Meeting - Pending		Jun 30, 2023	Jun 30, 2023	Nov 17, 2023	140
2023-0256	CPE Deficiency	IFF - Completed		Jul 7, 2023	Jul 7, 2023	Oct 18, 2023	133
2023-0296	CPE Deficiency	Consent Order - Sent		Aug 8, 2023	Aug 8, 2023	Nov 8, 2023	101
2023-0299	CPE Deficiency	Board Meeting - Pending		Aug 9, 2023	Aug 9, 2023	Oct 27, 2023	100
2023-0329	CPE Deficiency	Consent Order - Sent		Aug 24, 2023	Aug 24, 2023	Aug 24, 2023	85
2023-0332	CPE Deficiency	IFF - Completed		Aug 28, 2023	Aug 28, 2023	Oct 25, 2023	81
2023-0352	CPE Deficiency	IFF - Pending		Sep 7, 2023	Sep 7, 2023	Oct 27, 2023	71
2023-0367	CPE Deficiency	Consent Order - Sent		Sep 19, 2023	Sep 19, 2023	Sep 27, 2023	59
2023-0377	CPE Deficiency	Entered / Intake		Oct 4, 2023	Oct 4, 2023	Oct 4, 2023	44
2023-0380	CPE Deficiency	Entered / Intake		Oct 4, 2023	Oct 4, 2023	Oct 4, 2023	44
2023-0401	CPE Deficiency	Entered / Intake		Oct 26, 2023	Oct 26, 2023	Oct 26, 2023	22
2023-0402	CPE Deficiency	Entered / Intake		Oct 26, 2023	Oct 26, 2023	Oct 26, 2023	22
2023-0403	CPE Deficiency	Entered / Intake		Oct 26, 2023	Oct 26, 2023	Oct 26, 2023	22
2023-0404	CPE Deficiency	Consent Order - Sent		Oct 27, 2023	Oct 27, 2023	Nov 9, 2023	21
2023-0406	CPE Deficiency	Consent Order - Sent		Oct 30, 2023	Oct 30, 2023	Nov 9, 2023	18
2023-0414	CPE Deficiency	Entered / Intake		Nov 2, 2023	Nov 2, 2023	Nov 2, 2023	15
2023-0419	CPE Deficiency	Entered / Intake		Nov 3, 2023	Nov 3, 2023	Nov 3, 2023	14
2023-0420	CPE Deficiency	Consent Order - Sent		Nov 6, 2023	Nov 6, 2023	Nov 9, 2023	11
2023-0422	CPE Deficiency	Entered / Intake		Nov 17, 2023	Nov 17, 2023	Nov 17, 2023	0

~~GOAL: CPE Requirements~~ **Conduct comprehensive review of CPE guidelines**

Board members: Bill Brown, Dale Mullen

S	Specific	Revisit CPE regulations and requirements and determine if the number of hours and other requirements are still relevant
M	Measurable	Approve guidelines annually
A	Achievable	Yes
R	Relevant	Yes
T	Time-based	Goal to be better defined in October meeting

Status Update

Status Date	8/29/2023 - Goal to be better defined by October 24, 2023 meeting 10/24/2023 - Goal updated and ready for board decision on SMART goal 12/01/2023 - CPE Survey being reviewed before distribution
Forecasted to complete on time (Yes/No)? If No, please provide explanation.	
Unresolved Significant Risks/Contingencies	none
Resources Needed	Existing CPE guidelines
Board Decisions Needed	
Significant Actions Completed	none
Significant Actions Not Completed	none

GOAL: Code and Regulations including Fee Structure

Board members: Bill Brown, Dale Mullen

S	Specific	Updating Code definitions as necessary - based on AICPA, UAA, and other states Ensure definitions are used consistently through Code Repeal Code section § 54.1-4420. Annual audit Find a bill sponsor on House and Senate side Consider revisions and amendments required in regulations including fee structure
M	Measurable	
A	Achievable	
R	Relevant	
T	Time-based	Timeline for carrying out this goal created by the October meeting for Board review. Sponsor to be found at start of General Assembly.

Status Update

Status Date	8/29/2023 - goal approved 10/24/2023 - draft Code revisions to be reviewed and approved by the board 12/01/2023 - Final revisions were discussed with VSCPA. The Department of Legislature Services is finalizing. Final code changes will be submitted to Secretary of Finance upon completion.
Forecasted to complete on time (Yes/No)? If No, please provide explanation.	Yes
Unresolved Significant Risks/Contingencies	none
Resources Needed	none
Board Decisions Needed	Approve draft revisions
Significant Actions Completed	none
Significant Actions Not Completed	none

GOAL: Licensing and CPE System

Board members: Laurie Warwick and David Cotton

S	Specific	Evaluate licensing system options, review contracts, recommend path forward. Act in a project champion role from project initiation to completion Provide regular updates to the board and continue working on enforcement tracking, peer review monitoring.
M	Measurable	
A	Achievable	
R	Relevant	
T	Time-based	Signed SOW by September 30, 2023. SOW on hold until conclusion of negotiations Project completion August 31, 2024

Status Update

Status Date	8/29/2023 - goal approved 10/24/2023 - negotiating pricing, timing, and integrations with vendors to determine the best path forward 12/01/2023 - SOW being reviewed by sponsors
Forecasted to complete on time (Yes/No)? If No, please provide explanation.	Yes
Unresolved Significant Risks/Contingencies	none
Resources Needed	none
Board Decisions Needed	none
Significant Actions Completed	none
Significant Actions Not Completed	Statement of Work

GOAL: CPA Pipeline

Board members: Nadia Rogers, Laurie Warwick

S	Specific	To increase our communication, social media, and in-person presence among the educator and student communities to improve the accounting pipeline. Potential ways to accomplish this would be to increase our Board meetings on campus, enhance our social media presence, and identify opportunities for Board members to educate prospective CPAs in the pipeline about the profession and CPA license.
M	Measurable	Staff will develop a calendar with certain milestones that will have opportunities for Board member involvement and increased social media presence. Calendar is currently work-in-progress while staff works with VSCPA.
A	Achievable	Yes
R	Relevant	Very
T	Time-based	no

Status Update

Status Date	8/29/2023- board approved goal 10/24/2023 - Increased social media presence for VBOA, communications to CPA candidates regarding changes to exam and approaching deadlines. 12/01/2023 - No new actions
Forecasted to complete on time (Yes/No)? If No, please provide explanation.	
Unresolved Significant Risks/Contingencies	none
Resources Needed	none
Board Decisions Needed	none
Significant Actions Completed	Conducted student outreach event at Virginia Commonwealth University campus on 11/9
Significant Actions Not Completed	Creation of calendar of events for Board

GOAL: 150 Hours

Board members: David Cotton, Nadia Rogers

S	Specific	Evaluate the 150-hour requirement to determine if revising it is in the best interests of Virginia businesses, CPA firms, CPAs, and CPA exam candidates, while continuing to protect the public interest and ensuring VA CPAs maintain mobility and reciprocal practice privileges.
M	Measurable	Staff will conduct surveys as requested by the Board, leverage the results of surveys conducted by others (i.e., VSCPA), and perform research regarding the AICPA, NASBA, VSCPA, and other jurisdiction viewpoints given the importance of substantial equivalency and practice mobility. Board will consider the results and assess whether change is necessary and appropriate.
A	Achievable	Yes
R	Relevant	Very relevant
T	Time-based	Perform research and present information as well as the recommended plan to the Board by December, 2023 meeting. Present the results of all surveys deemed necessary by the Board at the May 2024 meeting. <i>NOTE: This is currently an ongoing area of consideration within the profession and may require more than one year to complete.</i>

Status Update

Status Date	8/29/2023 - goal approved by board 10/24/2023 - Fergus has begun collecting materials for research 12/01/2023 - Fergus will discuss research at board meeting
Forecasted to complete on time (Yes/No)? If No, please provide explanation.	
Unresolved Significant Risks/Contingencies	none
Resources Needed	none
Board Decisions Needed	
Significant Actions Completed	none
Significant Actions Not Completed	none

GOAL: Inactive Status Policy

Board members: David Cotton, Angela Rudoph-Wiseman

S	Specific	Re-assess VBOA's policies regarding inactive status to determine if they need to be clarified, strengthened or revised, with particular focus on whether use of "CPA" by inactive CPAs needs to delineate between active and inactive status by use of a modifier such as "inactive," "retired," or "emeritus."
M	Measurable	Survey how other states treat the inactive CPA status. Seek input from various stakeholders such as active and inactive CPAs, VSCPA, and CPA firms. Draft revised guidelines for Board review. Finalize the revised guidelines based on the Board's conclusions.
A	Achievable	Yes
R	Relevant	This project is relevant for two reasons: (1) There appears to be some confusion regarding the status and eligibility for the status. (2) Currently, the public does not know whether someone using the CPA credential has maintained their required CPE.
T	Time-based	Complete survey of other states by April, 2023 2024 Compile input from stakeholders by April 2023 2024 Draft revised guidelines by 30 Mar 2024. Finalize the-Draft revised guidelines by 30 Jun 2024.

Status Update

Status Date	8/29/2023-board approved goal 10/24/2023 - propose revised dates based on deliverables of other SMART goals 12/01/2023 - No new actions
Forecasted to complete on time (Yes/No)? If No, please provide explanation.	
Unresolved Significant Risks/Contingencies	none
Resources Needed	none
Board Decisions Needed	
Significant Actions Completed	none
Significant Actions Not Completed	none

GOAL: Review VBOA Policies

Board members: Dale Mullen, Angela Rudolph-Wiseman

S	Specific	Review all VBOA policies and update as needed based on changes to the profession, board practices and clarity of language. Evaluate if these are policies or guidance documents and if they are required or address the issue at hand
M	Measurable	
A	Achievable	
R	Relevant	
T	Time-based	Review all VBOA policies and guidance documents by June, 2024

Status Update

Status Date	8/29/2023 - board approved goal 12/01/2023 - No new actions
Forecasted to complete on time (Yes/No)? If No, please provide explanation.	
Unresolved Significant Risks/Contingencies	none
Resources Needed	none
Board Decisions Needed	
Significant Actions Completed	none
Significant Actions Not Completed	none

Evoke Summary

Brief Overview

Evoke is System Automation's **new product**, a retooled licensing system designed to replace MyLicenseOffice, or MLO (current implementation). The statement of work (SOW) gives a brief rundown of what this **low-code** implementation project entails in terms of timelines, and costs. This summary of that SOW is designed to give relevant parties a high-level view of critical details.

Implementation Timeline

Project implementation will occur from a period of **10 months** after implementing the SOW. Yearly subscription to Evoke (and thus support and maintenance) will be in the period of **5 years**.

Work Locations

The vendor will perform work remotely when appropriate, in addition to on-site work at 9960 Mayland Drive as needed.

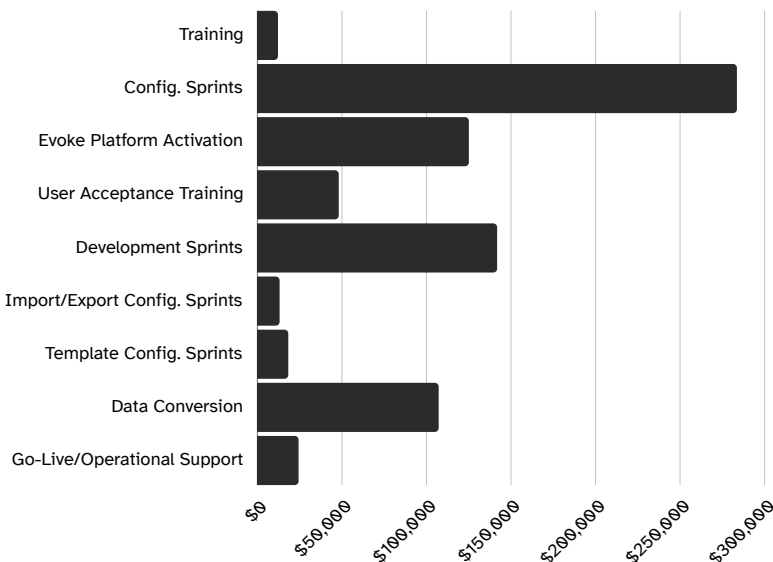


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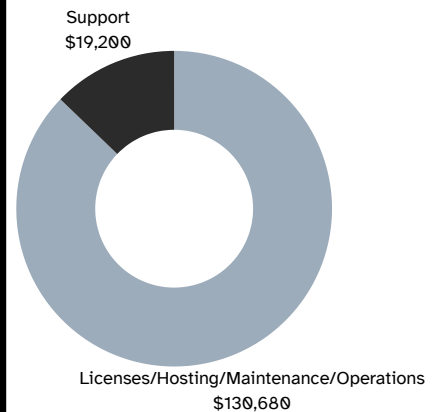


Implementation Cost Summary

\$773,786 is the fixed price which shall not be exceeded for implementation. Price breakdown is as follows for **implementation** cost:



Licenses, hosting, maintenance, operations, and support will be **\$149,880** per year. Breakdown of that is as follows:



The project will also require a **project manager, and ETL (extract, transform, and load) data** work to be done, the cost of that we are estimating to be **\$225,000**. We also will be paying SA to run MLO for 4 months in concurrency with the new product, which will cost **\$78,928**. The table below includes total estimated cost over 5 years:

Current annual costs for MLO are **\$236,784**. The new system would provide an **annual savings of \$86,904**.

Year 1	Year 2	Year 3	Year 4	Year 5	Total
\$1,038,250	\$189,344	\$149,880	\$149,880	\$149,880	\$1,677,234

SOW Information

Legacy Systems/Products & Services

The SOW also lists our legacy systems and their descriptions (flows/exchanges of data which involve external partners), and usage/audience summaries for our applications. Products and services to support the project and the subsequent requirements are listed in the SOW.

Requirements

The SOW also provides project boundaries and their quantity/scope. Beneath that are authorized user specific requirements for the system (**115 of them**), a brief description of each, and how that requirement is fulfilled with Evoke.

Workflows

BOA's workflows are also listed in the SOW, with 3 primary workflows: **licensing, regulatory compliance and investigations, and document management.**



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Deliverables

There are a wide variety of tasks involved in the implementation, all in the pursuit of 10 deliverables as the SOW is written now. Those deliverables are as follows:

1. **Project Management Plan**
2. **Gathering of Business Requirements**
3. **Deployment of Evoke Platform**
4. **Giving Evoke Administrator Training**
5. **Configuration Sprints**
6. **Software Development Sprints**
7. **Data Conversion**
8. **User Acceptance Testing**
9. **End User Training**
10. **Rollout & Operational Support**

VBOA

9960 Mayland Drive, Henrico, VA, 23233
<https://boa.virginia.gov/>

Time on Project by VBOA

Using SA's provided draft calendar, we have a variety of roles that will need to be fulfilled from VBOA's end. What follows is a list of how much time they need to assist on paper in the SOW away from regular VBOA workflows:

1. **VBOA Project Manager: 111.5 days in SOW.**
2. **VBOA SME(s): 169.5 days in SOW, based on functional areas.**
3. **VBOA Super User(s): 140 days in SOW, based on functional areas.**
4. **VBOA Leadership: 6.5 days in SOW.**
5. **VBOA Information Technology: 101.5 days in SOW.**
6. **VBOA End User(s): 165 days in SOW, based on functional areas.**
7. **VBOA Communications: 2.5 days in SOW.**

SENATE BILL NO. _____ **HOUSE BILL NO.** _____

1 A BILL to amend and reenact §§ 2.2-204, 2.2-211, 19.2-389, 54.1-4400, 54.1-4402, 54.1-4403, 54.1-
2 4407, 54.1-4412.1, 54.1-4413.4, 54.1-4421, and 54.1-4425 of the Code of Virginia and to repeal
3 § 54.1-4420 of the Code of Virginia, relating to Board of Accountancy; powers and duties.

4 **Be it enacted by the General Assembly of Virginia:**

5 **1. That §§ 2.2-204, 2.2-211, 19.2-389, 54.1-4400, 54.1-4402, 54.1-4403, 54.1-4407, 54.1-4412.1, 54.1-
6 4413.4, 54.1-4421, and 54.1-4425 of the Code of Virginia are amended and reenacted as follows:**

7 **§ 2.2-204. Position established; agencies for which responsible; additional duties.**

8 The position of Secretary of Commerce and Trade (the Secretary) is created. The Secretary shall
9 be responsible to the Governor for the following agencies: Virginia Economic Development Partnership
10 Authority, Commonwealth of Virginia Innovation Partnership Authority, Virginia International Trade
11 Corporation, Virginia Tourism Authority, Department of Energy, Department of Housing and Community
12 Development, Department of Small Business and Supplier Diversity, Virginia Housing Development
13 Authority, and Tobacco Region Revitalization Commission, ~~and Board of Accountancy~~. The Governor,
14 by executive order, may assign any state executive agency to the Secretary, or reassign any agency listed
15 in this section to another Secretary.

16 The Secretary shall implement the provisions of the Virginia Biotechnology Research Act (§ 2.2-
17 5500 et seq.).

18 **§ 2.2-211. Position established; agencies for which responsible; additional powers.**

19 A. The position of Secretary of Finance (the Secretary) is created. The Secretary shall be
20 responsible for the following agencies: Department of Accounts, Department of Planning and Budget,
21 Department of Taxation, Department of the Treasury, Board of Accountancy, and Virginia Resources
22 Authority. The Governor, by executive order, may assign any other state executive agency to the Secretary
23 of Finance, or reassign any agency listed.

24 B. To the greatest extent practicable, the agencies assigned to the Secretary shall pay all amounts
25 due and owing by the Commonwealth through electronic transfers of funds from the general fund or

26 appropriate special fund to the bank account of the payee or a party identified by law to receive funds on
27 behalf of the payee. All wire transfer costs associated with the electronic transfer shall be paid by the
28 payee subject to exemptions authorized by the State Treasurer affecting the investment, debt, and
29 intergovernmental transactions of the Commonwealth and its agencies, institutions, boards, and
30 authorities.

31 **§ 19.2-389. Dissemination of criminal history record information.**

32 A. Criminal history record information shall be disseminated, whether directly or through an
33 intermediary, only to:

34 1. Authorized officers or employees of criminal justice agencies, as defined by § 9.1-101, for
35 purposes of the administration of criminal justice and the screening of an employment application or
36 review of employment by a criminal justice agency with respect to its own employees or applicants, and
37 dissemination to the Virginia Parole Board, pursuant to this subdivision, of such information on all state-
38 responsible inmates for the purpose of making parole determinations pursuant to subdivisions 1, 2, 3, 4,
39 and 6 of § 53.1-136 shall include collective dissemination by electronic means every 30 days. For purposes
40 of this subdivision, criminal history record information includes information sent to the Central Criminal
41 Records Exchange pursuant to §§ 37.2-819 and 64.2-2014 when disseminated to any full-time or part-
42 time employee of the State Police, a police department or sheriff's office that is a part of or administered
43 by the Commonwealth or any political subdivision thereof, and who is responsible for the prevention and
44 detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth for
45 the purposes of the administration of criminal justice;

46 2. Such other individuals and agencies that require criminal history record information to
47 implement a state or federal statute or executive order of the President of the United States or Governor
48 that expressly refers to criminal conduct and contains requirements or exclusions expressly based upon
49 such conduct, except that information concerning the arrest of an individual may not be disseminated to a
50 noncriminal justice agency or individual if an interval of one year has elapsed from the date of the arrest
51 and no disposition of the charge has been recorded and no active prosecution of the charge is pending;

52 3. Individuals and agencies pursuant to a specific agreement with a criminal justice agency to
53 provide services required for the administration of criminal justice pursuant to that agreement which shall
54 specifically authorize access to data, limit the use of data to purposes for which given, and ensure the
55 security and confidentiality of the data;

56 4. Individuals and agencies for the express purpose of research, evaluative, or statistical activities
57 pursuant to an agreement with a criminal justice agency that shall specifically authorize access to data,
58 limit the use of data to research, evaluative, or statistical purposes, and ensure the confidentiality and
59 security of the data;

60 5. Agencies of state or federal government that are authorized by state or federal statute or
61 executive order of the President of the United States or Governor to conduct investigations determining
62 employment suitability or eligibility for security clearances allowing access to classified information;

63 6. Individuals and agencies where authorized by court order or court rule;

64 7. Agencies of any political subdivision of the Commonwealth, public transportation companies
65 owned, operated or controlled by any political subdivision, and any public service corporation that
66 operates a public transit system owned by a local government for the conduct of investigations of
67 applicants for employment, permit, or license whenever, in the interest of public welfare or safety, it is
68 necessary to determine under a duly enacted ordinance if the past criminal conduct of a person with a
69 conviction record would be compatible with the nature of the employment, permit, or license under
70 consideration;

71 7a. Commissions created pursuant to the Transportation District Act of 1964 (§ 33.2-1900 et seq.)
72 of Title 33.2 and their contractors, for the conduct of investigations of individuals who have been offered
73 a position of employment whenever, in the interest of public welfare or safety and as authorized in the
74 Transportation District Act of 1964, it is necessary to determine if the past criminal conduct of a person
75 with a conviction record would be compatible with the nature of the employment under consideration;

76 8. Public or private agencies when authorized or required by federal or state law or interstate
77 compact to investigate (i) applicants for foster or adoptive parenthood or (ii) any individual, and the adult
78 members of that individual's household, with whom the agency is considering placing a child or from

79 whom the agency is considering removing a child due to abuse or neglect, on an emergency, temporary,
80 or permanent basis pursuant to §§ 63.2-901.1 and 63.2-1505, subject to the restriction that the data shall
81 not be further disseminated to any party other than a federal or state authority or court as may be required
82 to comply with an express requirement of law;

83 9. To the extent permitted by federal law or regulation, public service companies as defined in §
84 56-1, for the conduct of investigations of applicants for employment when such employment involves
85 personal contact with the public or when past criminal conduct of an applicant would be incompatible
86 with the nature of the employment under consideration;

87 10. The appropriate authority for purposes of granting citizenship and for purposes of international
88 travel, including, but not limited to, issuing visas and passports;

89 11. A person requesting a copy of his own criminal history record information as defined in § 9.1-
90 101 at his cost, except that criminal history record information shall be supplied at no charge to a person
91 who has applied to be a volunteer with (i) a Virginia affiliate of Big Brothers/Big Sisters of America; (ii)
92 a volunteer fire company; (iii) the Volunteer Emergency Families for Children; (iv) any affiliate of Prevent
93 Child Abuse, Virginia; (v) any Virginia affiliate of Compeer; or (vi) any board member or any individual
94 who has been offered membership on the board of a Crime Stoppers, Crime Solvers or Crime Line
95 program as defined in § 15.2-1713.1;

96 12. Administrators and board presidents of and applicants for licensure or registration as a child
97 welfare agency as defined in § 63.2-100 for dissemination to the Commissioner of Social Services'
98 representative pursuant to § 63.2-1702 for the conduct of investigations with respect to employees of and
99 volunteers at such facilities, caretakers, and foster and adoptive parent applicants of private child-placing
100 agencies, pursuant to §§ 63.2-1719, 63.2-1720, and 63.2-1721, subject to the restriction that the data shall
101 not be further disseminated by the facility or agency to any party other than the data subject, the
102 Commissioner of Social Services' representative or a federal or state authority or court as may be required
103 to comply with an express requirement of law for such further dissemination; however, nothing in this
104 subdivision shall be construed to prohibit the Commissioner of Social Services' representative from

105 issuing written certifications regarding the results of a background check that was conducted before July
106 1, 2021, in accordance with subsection J of § 22.1-289.035 or § 22.1-289.039;

107 13. The school boards of the Commonwealth for the purpose of screening individuals who are
108 offered or who accept public school employment and those current school board employees for whom a
109 report of arrest has been made pursuant to § 19.2-83.1;

110 14. The Virginia Lottery for the conduct of investigations as set forth in the Virginia Lottery Law
111 (§ 58.1-4000 et seq.) and casino gaming as set forth in Chapter 41 (§ 58.1-4100 et seq.) of Title 58.1, and
112 the Department of Agriculture and Consumer Services for the conduct of investigations as set forth in
113 Article 1.1:1 (§ 18.2-340.15 et seq.) of Chapter 8 of Title 18.2;

114 15. Licensed nursing homes, hospitals and home care organizations for the conduct of
115 investigations of applicants for compensated employment in licensed nursing homes pursuant to § 32.1-
116 126.01, hospital pharmacies pursuant to § 32.1-126.02, and home care organizations pursuant to § 32.1-
117 162.9:1, subject to the limitations set out in subsection E;

118 16. Licensed assisted living facilities and licensed adult day care centers for the conduct of
119 investigations of applicants for compensated employment in licensed assisted living facilities and licensed
120 adult day care centers pursuant to § 63.2-1720, subject to the limitations set out in subsection F;

121 17. The Virginia Alcoholic Beverage Control Authority for the conduct of investigations as set
122 forth in § 4.1-103.1;

123 18. The State Board of Elections and authorized officers and employees thereof and general
124 registrars appointed pursuant to § 24.2-110 in the course of conducting necessary investigations with
125 respect to voter registration, limited to any record of felony convictions;

126 19. The Commissioner of Behavioral Health and Developmental Services (the Commissioner) or
127 his designees for individuals who are committed to the custody of or being evaluated by the Commissioner
128 pursuant to §§ 19.2-168.1, 19.2-169.1, 19.2-169.2, 19.2-169.5, 19.2-169.6, 19.2-182.2, 19.2-182.3, 19.2-
129 182.8, and 19.2-182.9 where such information may be beneficial for the purpose of placement, evaluation,
130 treatment, or discharge planning;

131 20. Any alcohol safety action program certified by the Commission on the Virginia Alcohol Safety
132 Action Program for (i) interventions with first offenders under § 18.2-251 or (ii) services to offenders
133 under § 18.2-51.4, 18.2-266, or 18.2-266.1;

134 21. Residential facilities for juveniles regulated or operated by the Department of Social Services,
135 the Department of Education, or the Department of Behavioral Health and Developmental Services for
136 the purpose of determining applicants' fitness for employment or for providing volunteer or contractual
137 services;

138 22. The Department of Behavioral Health and Developmental Services and facilities operated by
139 the Department for the purpose of determining an individual's fitness for employment pursuant to
140 departmental instructions;

141 23. Pursuant to § 22.1-296.3, the governing boards or administrators of private elementary or
142 secondary schools which are accredited pursuant to § 22.1-19 or a private organization coordinating such
143 records information on behalf of such governing boards or administrators pursuant to a written agreement
144 with the Department of State Police;

145 24. Public institutions of higher education and nonprofit private institutions of higher education
146 for the purpose of screening individuals who are offered or accept employment;

147 25. Members of a threat assessment team established by a local school board pursuant to § 22.1-
148 79.4, by a public institution of higher education pursuant to § 23.1-805, or by a private nonprofit institution
149 of higher education, for the purpose of assessing or intervening with an individual whose behavior may
150 present a threat to safety; however, no member of a threat assessment team shall redisclose any criminal
151 history record information obtained pursuant to this section or otherwise use any record of an individual
152 beyond the purpose that such disclosure was made to the threat assessment team;

153 26. Executive directors of community services boards or the personnel director serving the
154 community services board for the purpose of determining an individual's fitness for employment, approval
155 as a sponsored residential service provider, permission to enter into a shared living arrangement with a
156 person receiving medical assistance services pursuant to a waiver, or permission for any person under

157 contract with the community services board to serve in a direct care position on behalf of the community
158 services board pursuant to §§ 37.2-506, 37.2-506.1, and 37.2-607;

159 27. Executive directors of behavioral health authorities as defined in § 37.2-600 for the purpose of
160 determining an individual's fitness for employment, approval as a sponsored residential service provider,
161 permission to enter into a shared living arrangement with a person receiving medical assistance services
162 pursuant to a waiver, or permission for any person under contract with the behavioral health authority to
163 serve in a direct care position on behalf of the behavioral health authority pursuant to §§ 37.2-506, 37.2-
164 506.1, and 37.2-607;

165 28. The Commissioner of Social Services for the purpose of locating persons who owe child
166 support or who are alleged in a pending paternity proceeding to be a putative father, provided that only
167 the name, address, demographics and social security number of the data subject shall be released;

168 29. Authorized officers or directors of agencies licensed pursuant to Article 2 (§ 37.2-403 et seq.)
169 of Chapter 4 of Title 37.2 by the Department of Behavioral Health and Developmental Services for the
170 purpose of determining if any applicant who accepts employment in any direct care position or requests
171 approval as a sponsored residential service provider, permission to enter into a shared living arrangement
172 with a person receiving medical assistance services pursuant to a waiver, or permission for any person
173 under contract with the provider to serve in a direct care position has been convicted of a crime that affects
174 his fitness to have responsibility for the safety and well-being of individuals with mental illness,
175 intellectual disability, or substance abuse pursuant to §§ 37.2-416, 37.2-416.1, 37.2-506, 37.2-506.1, and
176 37.2-607;

177 30. The Commissioner of the Department of Motor Vehicles, for the purpose of evaluating
178 applicants for and holders of a motor carrier certificate or license subject to the provisions of Chapters 20
179 (§ 46.2-2000 et seq.) and 21 (§ 46.2-2100 et seq.) of Title 46.2;

180 31. The Chairman of the Senate Committee on the Judiciary or the Chairman of the House
181 Committee for Courts of Justice for the purpose of determining if any person being considered for election
182 to any judgeship has been convicted of a crime;

183 32. Heads of state agencies in which positions have been identified as sensitive for the purpose of
184 determining an individual's fitness for employment in positions designated as sensitive under Department
185 of Human Resource Management policies developed pursuant to § 2.2-1201.1;

186 33. The Office of the Attorney General, for all criminal justice activities otherwise permitted under
187 subdivision A 1 and for purposes of performing duties required by the Civil Commitment of Sexually
188 Violent Predators Act (§ 37.2-900 et seq.);

189 34. Shipyards, to the extent permitted by federal law or regulation, engaged in the design,
190 construction, overhaul, or repair of nuclear vessels for the United States Navy, including their subsidiary
191 companies, for the conduct of investigations of applications for employment or for access to facilities, by
192 contractors, leased laborers, and other visitors;

193 35. Any employer of individuals whose employment requires that they enter the homes of others,
194 for the purpose of screening individuals who apply for, are offered, or have accepted such employment;

195 36. Public agencies when and as required by federal or state law to investigate (i) applicants as
196 providers of adult foster care and home-based services or (ii) any individual with whom the agency is
197 considering placing an adult on an emergency, temporary, or permanent basis pursuant to § 63.2-1601.1,
198 subject to the restriction that the data shall not be further disseminated by the agency to any party other
199 than a federal or state authority or court as may be required to comply with an express requirement of law
200 for such further dissemination, subject to limitations set out in subsection G;

201 37. The Department of Medical Assistance Services, or its designee, for the purpose of screening
202 individuals who, through contracts, subcontracts, or direct employment, volunteer, apply for, are offered,
203 or have accepted a position related to the provision of transportation services to enrollees in the Medicaid
204 Program or the Family Access to Medical Insurance Security (FAMIS) Program, or any other program
205 administered by the Department of Medical Assistance Services;

206 38. The State Corporation Commission for the purpose of investigating individuals who are current
207 or proposed members, senior officers, directors, and principals of an applicant or person licensed under
208 Chapter 16 (§ 6.2-1600 et seq.), Chapter 19 (§ 6.2-1900 et seq.), or Chapter 26 (§ 6.2-2600 et seq.) of Title
209 6.2. Notwithstanding any other provision of law, if an application is denied based in whole or in part on

210 information obtained from the Central Criminal Records Exchange pursuant to Chapter 16, 19, or 26 of
211 Title 6.2, the Commissioner of Financial Institutions or his designee may disclose such information to the
212 applicant or its designee;

213 39. The Department of Professional and Occupational Regulation for the purpose of investigating
214 individuals for initial licensure pursuant to § 54.1-2106.1;

215 40. The Department for Aging and Rehabilitative Services and the Department for the Blind and
216 Vision Impaired for the purpose of evaluating an individual's fitness for various types of employment and
217 for the purpose of delivering comprehensive vocational rehabilitation services pursuant to Article 11 (§
218 51.5-170 et seq.) of Chapter 14 of Title 51.5 that will assist the individual in obtaining employment;

219 41. Bail bondsmen, in accordance with the provisions of § 19.2-120;

220 42. The State Treasurer for the purpose of determining whether a person receiving compensation
221 for wrongful incarceration meets the conditions for continued compensation under § 8.01-195.12;

222 43. The Department of Education or its agents or designees for the purpose of screening individuals
223 seeking to enter into a contract with the Department of Education or its agents or designees for the
224 provision of child care services for which child care subsidy payments may be provided;

225 44. The Department of Juvenile Justice to investigate any parent, guardian, or other adult members
226 of a juvenile's household when completing a predispositional or postdispositional report required by §
227 16.1-273 or a Board of Juvenile Justice regulation promulgated pursuant to § 16.1-233;

228 45. The State Corporation Commission, for the purpose of screening applicants for insurance
229 licensure under Chapter 18 (§ 38.2-1800 et seq.) of Title 38.2;

230 46. Administrators and board presidents of and applicants for licensure or registration as a child
231 day program or family day system, as such terms are defined in § 22.1-289.02, for dissemination to the
232 Superintendent of Public Instruction's representative pursuant to § 22.1-289.013 for the conduct of
233 investigations with respect to employees of and volunteers at such facilities pursuant to §§ 22.1-289.034
234 through 22.1-289.037, subject to the restriction that the data shall not be further disseminated by the
235 facility or agency to any party other than the data subject, the Superintendent of Public Instruction's
236 representative, or a federal or state authority or court as may be required to comply with an express

237 requirement of law for such further dissemination; however, nothing in this subdivision shall be construed
238 to prohibit the Superintendent of Public Instruction's representative from issuing written certifications
239 regarding the results of prior background checks in accordance with subsection J of § 22.1-289.035 or §
240 22.1-289.039;

241 47. The National Center for Missing and Exploited Children for the purpose of screening
242 individuals who are offered or accept employment or will be providing volunteer or contractual services
243 with the National Center for Missing and Exploited Children; ~~and~~

244 48. The Executive Director or investigators of the Board of Accountancy for the purpose of the
245 enforcement of laws relating to the Board of Accountancy in accordance with § 54.1-4407; and

246 49. Other entities as otherwise provided by law.

247 Upon an ex parte motion of a defendant in a felony case and upon the showing that the records
248 requested may be relevant to such case, the court shall enter an order requiring the Central Criminal
249 Records Exchange to furnish the defendant, as soon as practicable, copies of any records of persons
250 designated in the order on whom a report has been made under the provisions of this chapter.

251 Notwithstanding any other provision of this chapter to the contrary, upon a written request sworn
252 to before an officer authorized to take acknowledgments, the Central Criminal Records Exchange, or the
253 criminal justice agency in cases of offenses not required to be reported to the Exchange, shall furnish a
254 copy of conviction data covering the person named in the request to the person making the request;
255 however, such person on whom the data is being obtained shall consent in writing, under oath, to the
256 making of such request. A person receiving a copy of his own conviction data may utilize or further
257 disseminate that data as he deems appropriate. In the event no conviction data is maintained on the data
258 subject, the person making the request shall be furnished at his cost a certification to that effect.

259 B. Use of criminal history record information disseminated to noncriminal justice agencies under
260 this section shall be limited to the purposes for which it was given and may not be disseminated further,
261 except as otherwise provided in subdivision A 46.

262 C. No criminal justice agency or person shall confirm the existence or nonexistence of criminal
263 history record information for employment or licensing inquiries except as provided by law.

264 D. Criminal justice agencies shall establish procedures to query the Central Criminal Records
265 Exchange prior to dissemination of any criminal history record information on offenses required to be
266 reported to the Central Criminal Records Exchange to ensure that the most up-to-date disposition data is
267 being used. Inquiries of the Exchange shall be made prior to any dissemination except in those cases where
268 time is of the essence and the normal response time of the Exchange would exceed the necessary time
269 period. A criminal justice agency to whom a request has been made for the dissemination of criminal
270 history record information that is required to be reported to the Central Criminal Records Exchange may
271 direct the inquirer to the Central Criminal Records Exchange for such dissemination. Dissemination of
272 information regarding offenses not required to be reported to the Exchange shall be made by the criminal
273 justice agency maintaining the record as required by § 15.2-1722.

274 E. Criminal history information provided to licensed nursing homes, hospitals and to home care
275 organizations pursuant to subdivision A 15 shall be limited to the convictions on file with the Exchange
276 for any offense specified in §§ 32.1-126.01, 32.1-126.02, and 32.1-162.9:1.

277 F. Criminal history information provided to licensed assisted living facilities and licensed adult
278 day care centers pursuant to subdivision A 16 shall be limited to the convictions on file with the Exchange
279 for any offense specified in § 63.2-1720.

280 G. Criminal history information provided to public agencies pursuant to subdivision A 36 shall be
281 limited to the convictions on file with the Exchange for any offense set forth in clause (i) of the definition
282 of barrier crime in § 19.2-392.02.

283 H. Upon receipt of a written request from an employer or prospective employer, the Central
284 Criminal Records Exchange, or the criminal justice agency in cases of offenses not required to be reported
285 to the Exchange, shall furnish at the employer's cost a copy of conviction data covering the person named
286 in the request to the employer or prospective employer making the request, provided that the person on
287 whom the data is being obtained has consented in writing to the making of such request and has presented
288 a photo-identification to the employer or prospective employer. In the event no conviction data is
289 maintained on the person named in the request, the requesting employer or prospective employer shall be

290 furnished at his cost a certification to that effect. The criminal history record search shall be conducted on
291 forms provided by the Exchange.

292 I. Nothing in this section shall preclude the dissemination of a person's criminal history record
293 information pursuant to the rules of court for obtaining discovery or for review by the court.

294 **§ 54.1-4400. Definitions.**

295 As used in this chapter, unless the context ~~clearly indicates otherwise~~ requires a different meaning:

296 "Accredited institution" means a degree-granting institution of higher education accredited either
297 by (i) one of the ~~six major~~ regional accrediting organizations, including the Middle States Association of
298 Colleges and Schools, New England ~~Association~~ Commission of ~~Schools and Colleges~~ Higher Education,
299 ~~North Central Association of Colleges and Schools~~ Higher Learning Commission, Northwest Commission
300 on Colleges and Universities, Southern Association of Colleges and Schools Commission on Colleges,
301 and ~~Western Association of Schools and Colleges~~ WASC Senior College and University Commission,
302 or their successors; or (ii) an accrediting organization demonstrating to the Board periodically, as
303 prescribed by the Board, that its accreditation process and standards are substantially equivalent to the
304 accreditation process and standards of the ~~six major~~ regional accrediting organizations.

305 "Assurance" means any form of expressed or implied opinion or conclusion about the conformity
306 of a financial statement with any recognition, measurement, presentation, or disclosure principles for
307 financial statements.

308 "Attest services" means audit, review, or other ~~attest services for which~~ engagements performed
309 in accordance with the standards that have been established by the Public Company Accounting Oversight
310 Board, by the Auditing Standards Board or the Accounting and Review Services Committee of the
311 American Institute of Certified Public Accountants, or by any successor standard-setting authorities.

312 "Board" means the Virginia Board of Accountancy.

313 "Compilation services" means compiling financial statements in accordance with standards
314 established by the American Institute of Certified Public Accountants or by any successor standard-setting
315 authorities.

316 "Continuing professional education" means the education that a person obtains after passing the
317 CPA examination and that relates to services provided to or on behalf of an employer in academia,
318 government, or industry or to services provided to the public.

319 "CPA" means certified public accountant.

320 "CPA examination" means the national uniform CPA examination approved and administered by
321 the board of accountancy of a state or by the board's designee.

322 "CPA wall certificate" means the symbolic document suitable for wall display that is issued by the
323 board of accountancy of a state to a person meeting the requirements to use the CPA title in that state.

324 "Executive Director" means the Executive Director of the Board.

325 "Experience" means employment in academia, a firm, government, or an industry in any capacity
326 involving the substantial use of accounting, financial, tax, or other skills that are relevant, as determined
327 by the Board, to provide services to or on behalf of an employer or to the public, ~~as~~. Such experience must
328 be verified by an active, licensed CPA.

329 "Facilitated State Board Access" or "FSBA" means the sponsoring organization's process whereby
330 it provides the Board access to peer review results via a secure website.

331 "Financial statement" means a presentation of historical or prospective financial information about
332 one or more persons or entities.

333 "Financial statement preparation services" means engaging a licensee in public practice for
334 financial statement preparation services ~~for which executed in accordance with the~~ standards ~~have been~~
335 established by the Statements on Standards for Accounting and Review Services of the American Institute
336 of Certified Public Accountants or by any successor standard-setting authorities.

337 "Firm" means an entity formed by one or more licensees as a sole proprietorship, a partnership, a
338 corporation, a limited liability company, or any other type of entity permitted by law with the purpose of
339 providing professional services to the public.

340 "License of another state" means the license that is issued by the board of accountancy of a state
341 other than Virginia that gives a person the privilege of using the CPA title in that state or that gives a firm

342 the privilege of providing attest services, compilation services, and financial statement preparation
343 services to persons and entities located in that state.

344 "Licensed" means holding a Virginia license or the license of another state.

345 "Licensee" means a person or firm holding a Virginia license or the license of another state.

346 "Peer review" means a review of a firm's attest services, compilation services, and financial
347 statements preparation services that is conducted in accordance with the applicable monitoring program
348 of the American Institute of Certified Public Accountants or its successor, or with another monitoring
349 program approved by the Board.

350 "Practice of public accounting" means the ~~giving of an assurance other than (i) by the person or~~
351 ~~persons about whom the financial information is presented or (ii) by one or more owners, officers,~~
352 ~~employees, or members of the governing body of the entity or entities about whom the financial~~
353 ~~information is presented~~ performance of professional services for a client by a licensee or licensee's firm.

354 "Principal place of business" means the primary location from which professional services are
355 performed or coordinated.

356 "Professional services" means all services requiring substantial use of accountancy or related skills
357 that are performed by a licensee for a client or for an employer. Such services are subject to the guidance
358 of the standard-setting authorities listed in the standards of conduct and practice in subdivisions 5 and 6
359 of § 54.1-4413.3 or by any equivalent standard-setting authority as approved by the Board.

360 "Providing services to or on behalf of an employer" means ~~providing to or on behalf of an entity~~
361 ~~services that require the substantial use of accounting, financial, tax, or other skills that are relevant, as~~
362 ~~determined by the Board~~ the performance of professional services while employed or engaged on a
363 contractual basis by a licensee to or on behalf of an entity. "Providing services to or on behalf of an
364 employer" does not include a person or firm engaged in the practice of public accounting.

365 "Providing services to the public" means providing services that are subject to the guidance of the
366 standard-setting authorities listed in the standards of conduct and practice in subdivisions 5 and 6 of §
367 54.1-4413.3 or by an equivalent standard-setting authority as approved by the Board.

368 "Sponsoring organization" means a Board-approved professional society or other organization
369 responsible for the facilitation and administration of peer reviews through use of its peer review program
370 and applicable peer review standards.

371 "State" means any state of the United States, the District of Columbia, or any territory of the United
372 States that is a recognized jurisdiction by the National Association of State Boards of Accountancy or its
373 successor.

374 "Using the CPA title in Virginia" means ~~using the use of~~ "CPA," "Certified Public Accountant,"
375 or "public accountant" ~~(i) in any form or manner of verbal communication~~ by any person, firm, or entity
376 ~~to persons or entities located in Virginia or (ii) in any form or manner of written communication to persons~~
377 ~~or entities located in Virginia, including but not limited to the use in any abbreviation, acronym, phrase,~~
378 ~~or title that appears in business cards, the CPA wall certificate, Internet postings, letterhead, reports,~~
379 ~~signs, tax returns, or any other document or device~~ portraying such person, firm, or entity as being
380 licensed or legally permitted to provide professional services in Virginia. Holding a Virginia license or
381 the license of another state constitutes using the CPA title in Virginia.

382 "Virginia license" means a license that is issued by the Board giving a person or firm the privilege
383 of using the CPA title in Virginia or a firm the privilege of providing attest services, compilation services,
384 and financial statement preparation services to persons and entities located in Virginia.

385 **§ 54.1-4402. Board; membership; qualifications; powers and duties.**

386 A. The Board of Accountancy established under the former § 54.1-2000 and previously operating
387 in the Department of Professional and Occupational Regulation is hereby continued and reestablished as
388 an independent board in the executive branch of state government.

389 B. The Board shall consist of seven members appointed by the Governor as follows: one member
390 shall be a public member who may be an accountant who is not licensed but otherwise meets the
391 requirements of clauses (i) and (ii) of § 54.1-107; one member shall be an educator in the field of
392 accounting who holds a Virginia license; four members shall be holders of Virginia licenses who have
393 been actively engaged in providing services to the public for at least three years prior to appointment to
394 the Board; and one member shall hold a Virginia license and for at least three years prior to appointment

395 to the Board shall have been actively engaged in providing services to the public or in providing services
396 to or on behalf of an employer in government or industry.

397 C. Members of the Board shall serve for terms of four years. The Governor may remove any
398 member as provided in subsection A of § 2.2-108. Any member of the Board whose Virginia license is
399 revoked or suspended shall automatically cease to be a member of the Board.

400 D. The Board shall restrict the practice of public accounting and the use of the CPA title in Virginia
401 to licensed persons and firms as specified in §§ 54.1-4409.1 and 54.1-4412.1.

402 E. The Board shall restrict the provision of attest services, compilation services, and financial
403 statement preparation services to persons or ~~entities~~ firms located in Virginia and as specified in § 54.1-
404 4412.1. However, this shall not affect the privilege of a person who is not licensed to include a statement
405 on financial statements indicating that no assurance is provided on the financial statements, to say that
406 financial statements have been compiled, or to use the compilation language as prescribed by subsections
407 B and C of § 54.1-4401.

408 F. The Board shall take such actions as may be authorized by this chapter to ensure the continued
409 competence of persons or firms using the CPA title in Virginia and firms providing attest services,
410 compilation services, or financial statement preparation services to persons or entities located in Virginia
411 and to aid the public in determining their qualifications.

412 G. The Board shall take such actions as may be authorized by this chapter to ensure that persons
413 or firms holding a Virginia license or using the CPA title in Virginia and firms providing attest services,
414 compilation services, or financial statement preparation services to persons or entities located in Virginia
415 adhere to the standards of conduct and practice in § 54.1-4413.3 and regulations promulgated by the
416 Board.

417 H. The Board shall have the responsibility of enforcing this chapter and may by regulation establish
418 rules and procedures for the implementation of the provisions of this chapter.

419 **§ 54.1-4403. General powers and duties of the Board.**

420 The Board shall have the power and duty to:

- 421 1. Establish the qualifications of applicants for licensure, provided that all qualifications shall be
422 necessary to ensure competence and integrity.
- 423 2. Examine, or cause to be examined, the qualifications of each applicant for licensure, including
424 the preparation, administration, and grading of the CPA examination.
- 425 3. Promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.)
426 necessary to assure continued competency, to prevent deceptive or misleading practices by licensees, and
427 to effectively administer the regulatory system.
- 428 4. Levy and collect fees for the issuance, renewal, or reinstatement of Virginia licenses that are
429 sufficient to cover all expenses of the administration and operation of the Board.
- 430 5. Levy on holders of Virginia licenses special assessments necessary to cover expenses of the
431 Board.
- 432 6. Initiate or receive complaints concerning the conduct of ~~holders of Virginia licenses~~ or
433 ~~concerning their~~ violation of the provisions of this chapter or regulations promulgated by the Board by
434 holders of Virginia licenses, individuals or firms claiming to hold a Virginia license, or unlicensed
435 individuals or firms using the CPA title in Virginia, and to take appropriate disciplinary action if
436 warranted.
- 437 7. Initiate or receive complaints concerning the conduct of persons or firms who use the CPA title
438 in Virginia under the substantial equivalency provisions of § 54.1-4411 or firms that provide attest
439 services, compilation services, or financial statement preparation services to persons or entities located in
440 Virginia under the provisions of subsection C of § 54.1-4412.1, and to take appropriate disciplinary action
441 if warranted.
- 442 8. Initiate or receive complaints concerning violations of the provisions of this chapter or
443 regulations promulgated by the Board by persons or firms who use the CPA title in Virginia under the
444 substantial equivalency provisions of § 54.1-4411 or firms that provide attest services, compilation
445 services, or financial statement preparation services to persons or entities located in Virginia under the
446 provisions of subsection C of § 54.1-4412.1, and to take appropriate disciplinary action if warranted.

447 9. Revoke, suspend, or refuse to renew or reinstate a Virginia license for just causes as prescribed
448 by the Board.

449 10. Revoke or suspend, for just causes as prescribed by the Board, a person's or firm's privilege of
450 using the CPA title in Virginia under the substantial equivalency provisions of § 54.1-4411 or a firm's
451 privilege of providing attest services, compilation services, or financial statement preparation services to
452 persons or entities located in Virginia under the provisions of subsection C of § 54.1-4412.1.

453 11. Establish requirements for peer reviews.

454 12. Establish continuing professional educational requirements as a condition for issuance,
455 renewal, or reinstatement of a Virginia license.

456 13. Expand or interpret the standards of conduct and practice in § 54.1-4413.3.

457 14. Enter into contracts necessary or convenient for carrying out the provisions of this chapter or
458 the functions of the Board.

459 15. Permit certain biographical references to previous CPA licensure.

460 16. Promulgate additional guidance on using the CPA title in Virginia as necessary.

461 17. Do all things necessary and convenient for carrying into effect this chapter and regulations
462 promulgated by the Board.

463 **§ 54.1-4407. Enforcement of laws by the Executive Director or investigators; authority of**
464 **investigators appointed by the Executive Director.**

465 A. The Executive Director or investigators appointed by him shall:

466 1. Be sworn to enforce the statutes and regulations pertaining to the Board;

467 2. Have the authority to investigate violations of the statutes and regulations that the Executive
468 Director is required to enforce;

469 3. Have the authority to issue summonses for violations of the provisions of this chapter or
470 regulations promulgated by the Board.

471 B. In the event a person or entity that is issued a summons by the Executive Director or
472 investigators appointed by him fails or refuses to discontinue the unlawful acts or refuses to give a written
473 promise to appear at the time and place specified in the summons, the Executive Director or the

474 investigators may appear before a magistrate or other issuing authority having jurisdiction to obtain a
475 criminal warrant under § 19.2-72.

476 C. The Executive Director and all investigators appointed by the Executive Director are vested
477 with the authority to administer oaths or affirmations (i) for the purpose of receiving complaints and
478 conducting investigations of violations of the provisions of this chapter or any regulations promulgated
479 by the Board or (ii) in connection with any investigation conducted on behalf of the Board. The Executive
480 Director and the investigators are vested with the authority to (a) obtain, serve, and execute any warrant,
481 paper, or process issued by any court or magistrate or by the Board under the authority of the Executive
482 Director and (b) request and receive criminal history information under the provisions of § 19.2-389.

483 D. The authority of the Executive Director shall include the ability to request and receive reports
484 from the Central Criminal Records Exchange to be used for the purpose of the investigative and
485 enforcement authority of the Executive Director and not to be disseminated except as provided for in this
486 section.

487 **§ 54.1-4412.1. Licensing requirements for firms.**

488 A. Only a licensed firm can provide attest services, compilation services, or financial statement
489 preparation services to persons or entities located in Virginia. However, this shall not affect the privilege
490 of a person who is not licensed to include a statement on financial statements indicating that no assurance
491 is provided on the financial statements, to say that financial statements have been compiled, or to use the
492 compilation language, as prescribed by subsections B and C of § 54.1-4401.

493 B. A firm that provides attest services, compilation services, or financial statement preparation
494 services to persons or entities located in Virginia shall obtain a Virginia license if ~~the~~ such firm's principal
495 place of business ~~in which it provides those services~~ is in Virginia.

496 C. A firm ~~that is~~ whose principal place of business is not in Virginia is not required to obtain a
497 Virginia license but may provide attest services, compilation services, or financial statement preparation
498 services to persons or entities located in Virginia if the following provisions are met:

499 1. The firm holds the license of another state and can lawfully provide attest services, compilation
500 services, or financial statement preparation services to persons or entities in the state where its principal
501 place of business is located; and

502 2. The firm complies with ~~subdivisions~~ subsection D-1, 2, 4, 5, 6, and 7 and subsection F; and

503 3. The firm's personnel working on the engagement either (i) hold a Virginia license or (ii) hold
504 the license of another state and comply with the substantial equivalency provisions of § 54.1-4411; or

505 4. The firm's personnel working on the engagement are under the supervision of a person who
506 either (i) holds a Virginia license or (ii) holds the license of another state and complies with the substantial
507 equivalency provisions of § 54.1-4411.

508 D. For a firm to obtain and hold a Virginia license:

509 1. As determined on a firm-wide basis:

510 a. At least 51 percent of the owners of the firm shall be licensees, trustees of an eligible employee
511 stock ownership plan as defined in § 13.1-543, or a firm that meets this requirement; and

512 b. At least 51 percent of the voting equity interest in the firm shall be owned by persons who are
513 licensees, by trustees of an eligible employee stock ownership plan as defined in § 13.1-543, or by a firm
514 that meets this requirement.

515 If the death, retirement, or departure of an owner causes either of these requirements not to be met,
516 the requirement shall be met within one year after the death, retirement, or departure of the owner.

517 2. The Board shall prescribe requirements concerning the hours that owners who are not licensees
518 work in the firm and may prescribe other requirements for those persons.

519 3. All attest services, compilation services, and financial statement preparation services provided
520 for persons and entities located in Virginia shall be under the supervision of a person who either (i) holds
521 a Virginia license or (ii) holds the license of another state and complies with the substantial equivalency
522 provisions of § 54.1-4411.

523 4. Any person who releases or authorizes the release of reports on attest services, compilation
524 services, or financial statement preparation services provided for persons or entities located in Virginia
525 shall:

526 a. Either (i) hold a Virginia license or (ii) hold the license of another state and comply with the
527 substantial equivalency provisions of § 54.1-4411; and

528 b. Meet any additional requirements the Board prescribes.

529 5. The firm shall conduct its attest services, compilation services, and financial statement
530 preparation services in conformity with the standards of conduct and practice in § 54.1-4413.3 and
531 regulations promulgated by the Board.

532 6. If the services provided by the firm are within the scope of the practice-monitoring program of
533 the American Institute of Certified Public Accountants or its successor, the firm shall enroll in the program
534 or in another practice-monitoring program for attest services, compilation services, and financial statement
535 preparation services that is approved by the Board. In addition, if enrolled the firm shall:

536 a. Comply with any requirements prescribed by the Board in response to the results of peer
537 reviews; and

538 b. Participate in the American Institute of Certified Public Accountants', or sponsoring
539 organizations', Facilitated State Board Access process, or its successor process, or another process
540 approved by the Board for peer reviews.

541 7. The name of the firm shall not be false, misleading, or deceptive.

542 E. The Board shall prescribe the methods and fees for a firm to apply for the issuance, renewal, or
543 reinstatement of a Virginia license.

544 F. ~~An entity~~ A firm may not use the CPA title in Virginia unless it ~~meets the requirements of~~
545 ~~subdivision D-1~~ holds a Virginia license or the license of another state as permitted in subsection C.

546 **§ 54.1-4413.4. Penalties.**

547 A. Penalties the Board may impose consist of:

548 1. Revoking a Virginia license or the privilege of using the CPA title in Virginia or providing attest
549 services, compilation services, or financial statement preparation services to persons or entities located in
550 Virginia;

551 2. Suspending or refusing to renew or reinstate [a Virginia license or](#) the privilege of using the CPA
552 title in Virginia or providing attest services, compilation services, or financial statement preparation
553 services to persons or entities located in Virginia;

554 3. Reprimanding, censuring, or limiting the scope of practice of any [person using a Virginia license](#)
555 [or the](#) CPA title in Virginia or any firm providing attest services, compilation services, or financial
556 statement preparation services to persons or entities located in Virginia;

557 4. Placing any [person](#) using [a Virginia license or the](#) CPA title in Virginia or any firm providing
558 attest services, compilation services, or financial statement preparation services to persons or entities
559 located in Virginia on probation, with or without terms, conditions, and limitations;

560 5. Requiring a firm holding a Virginia license to have an accelerated peer review conducted as the
561 Board may specify or to take other remedial actions;

562 6. Requiring a person holding a Virginia license to satisfactorily complete additional or specific
563 continuing professional education as the Board may specify;

564 7. Imposing a monetary penalty up to \$100,000 for each violation of the provisions of this chapter
565 or regulations promulgated by the Board; any monetary penalty may be sued for and recovered in the
566 name of the Commonwealth; and

567 8. Requiring any [person or entity firm](#) that violates § 54.1-4414 to discontinue any acts in violation
568 of that provision.

569 B. The Board may impose penalties on [persons or firms](#) using [a Virginia license or the](#) CPA title
570 in Virginia or [firms](#) providing attest services, compilation services, or financial statement preparation
571 services to persons or entities located in Virginia for:

572 1. Violation of the provisions of this chapter or violation of any regulation, subpoena, or order of
573 the Board;

574 2. Fraud or deceit in obtaining, renewing, or applying for reinstatement or lifting the suspension
575 of a Virginia license;

576 3. Revocation, suspension, or refusal to reinstate the license of another state for disciplinary
577 reasons;

578 4. Revocation or suspension of the privilege of practicing before any state or federal agency or
579 federal court of law;

580 5. Dishonesty, fraud, or gross negligence in providing services to or on behalf of an employer, in
581 providing services to the public, or in providing attest services, compilation services, or financial statement
582 preparation services;

583 6. Dishonesty, fraud, or gross negligence in preparing the person's or firm's own state or federal
584 income tax return or financial statement;

585 7. Conviction of a felony, or of any crime involving moral turpitude, under the laws of the United
586 States, of Virginia, or of any other state if the acts involved would have constituted a crime under the laws
587 of Virginia; or

588 8. Lack of the competence required to provide services to the public for persons and entities located
589 in Virginia or to provide attest services, compilation services, and financial statement preparation services
590 to persons and entities located in Virginia, as determined by the Board.

591 C. The Board may also impose penalties on:

592 1. A person ~~who~~ or firm that does not hold a Virginia license, or ~~who~~ that does not meet the
593 requirements to use the CPA title in Virginia under the substantial equivalency provisions of § 54.1-4411,
594 and commits any of the acts prohibited by § 54.1-4414; or

595 2. ~~An entity~~ A firm that does not meet the criteria prescribed by subdivision D 1 of § 54.1-4412.1
596 and commits any of the acts prohibited by § 54.1-4414.

597 **§ 54.1-4421. Biennial report.**

598 The Board shall submit a biennial report to the Governor and General Assembly on or before
599 November 1 of each even-numbered year. The biennial report shall contain, at a minimum, the following
600 information: (i) a description of the Board's activities, (ii) a report on the ~~audit of the~~ Board's ~~financial~~
601 cash basis statements ~~for the biennium~~, (iii) statistical information regarding the administrative hearings
602 and decisions of the Board, and (iv) a general summary of all complaints received against persons and
603 firms and the procedures used to resolve the complaints.

604 **§ 54.1-4425. Time for filing complaints against CPAs or CPA firms.**

605 A. Except as otherwise provided in subsections B and C, any complaint against the holder of a
606 Virginia license for any violation of statutes or regulations pertaining to the Board or any of the programs
607 that may be in another title of the Code for which the Board has enforcement responsibility, in order to be
608 investigated by the Board, shall be made in writing, or otherwise made in accordance with Board
609 procedures, and received by the Board within three years of the act, omission, or occurrence giving rise
610 to the violation.

611 B. However, where a holder of a Virginia license has materially and willfully misrepresented,
612 concealed, or omitted any information and the information so misrepresented, concealed, or omitted is
613 material to the establishment of the violation, the complaint may be made at any time within two years
614 after discovery of the misrepresentation, concealment, or omission.

615 C. In cases where criminal charges have been filed involving matters that, if found to be true,
616 would also constitute a violation of the regulations or laws of the regulant's profession enforced by the
617 Board, an investigation may be initiated by the Board at any time within **two years** following the date
618 ~~such criminal charges are filed.~~ **of conviction.**

619 D. In order to be investigated by the Board, any complaint against an individual or firm using the
620 CPA title in Virginia under the substantial equivalency provisions of § 54.1-4411 or against **a firm**
621 providing attest services, compilation services, or financial statement preparation services under
622 subsection C of § ~~54.4412.1~~ 54.1-4412.1 for any violation of statutes or regulations pertaining to the Board
623 or any of the programs that may be in another title of this Code for which the Board has enforcement
624 responsibility shall be made in writing, or otherwise made in accordance with Board procedures, and
625 received by the Board within five years of the act, omission, or occurrence giving rise to the violation.

626 E. Public information obtained from any source may serve as the basis for a written complaint.
627 Nothing in this section shall be construed to require the filing of a complaint if the alleged violation of the
628 statute or regulation is discovered during an investigation authorized by law, and the acts, omissions, or
629 conditions constituting the alleged violations are witnessed by a sworn investigator appointed by the
630 Executive Director.

631 F. Nothing herein shall deny the right of any party to bring a civil cause of action in a court of law.

632 **2. That § 54.1-4420 of the Code of Virginia is repealed.**

633 **3. That the Board of Accountancy shall promulgate regulations to implement the provisions of this**
634 **act to be effective within 280 days of its enactment.**

635 #

DRAFT