

March 21, 2014  
Board of Accountancy

Phone Conference

Friday, March 21, 2014

The meeting was called to order at 10:00 a.m. The roll was called by Ms. Kelly, Division Director, and reflected the following persons present:

**BOARD MEMBERS**

Teresa Borcheck	Excused Absence
Cynthia Borders-Byrd	Present
Maria E. Caldwell	Present
David L. Dennis	Present
M.G. Fennema	Present
James Lane	Present
Steve Riggs	Present
Eric Robinson	Present
H. Steven Vogel	Present

**STAFF**

Veloria Kelly	Present
June Carroll	Present

Mary Ellen Clark, Senior Assistant Attorney General and Board Counsel was present. C. Erica White, Chief Attorney, Department of Business and Professional Regulation, was present. Brande Bulger, Prosecuting Attorney, Department of Business and Professional Regulation, was present. Court Reporter was Steve LeBlanc.

**1. Approve Board Minutes**

- A. JANUARY 30<sup>TH</sup> AND 31<sup>ST</sup>, 2014

Motion was made by Ms. Borders-Byrd, seconded by Mr. Dennis, to approve. Upon vote, the motion passed unanimously.

**2. Declaratory Statement**

- A. GRAGANELLA, CHERYL

Ms. Graganella was present telephonically.

The following question's were asked:

"Am I required to provide the electronic company file generated by the software to the client? The software selected and used during the engagement was owned by my company and selected by me personally for use. The client did not have an opinion on the software to use and was not charged renewal fees for the use of the software."

Motion was made by Mr. Dennis, seconded by Ms. Borders-Byrd, to respond no; licensee is not required to provide an electronic company file generated by licensee's software. Upon vote, the motion passed unanimously.

“Currently the client is behind in payment to me. Am I required to provide the reports through periods that I have not been paid for at this time?”

Motion was made by Mr. Dennis, seconded by Ms. Borders-Byrd, to respond yes; as long as the papers and tax returns were provided to the client. Upon vote, the motion passed unanimously.

### **3. Exam – Do Not Meet Requirements**

Sonia Patel

Applicant deficient coverage of upper division cost and managerial accounting and two (2) semester hours of upper division business law.

Motion was made by Ms. Caldwell, seconded by Ms. Borders-Byrd, to deny application. Upon vote, the motion passed unanimously.

### **4. Endorsement – Considerations**

Jorge Mario Chanquin

Applicant charged on February 21, 2009 with driving under the influence. Pled nolo contendere, paid fines, received 12 months' probation, 50 hours community services and attended DUI School. All sanctions have been satisfied. Applicant charged with no valid driver's license on July 2, 2009; pled nolo contendere, received 6 months' probation, and 50 hours of community service. All sanctions have been satisfied. Application completed on February 6, 2014.

Mr. Chanquin was present.

Motion was made by Mr. Dennis, seconded by Dr. Fennema, to approve for convictions only. Upon vote the motion passed unanimously.

### **5. Maintenance and Reactivation – Consent Agenda – Staff Approvals**

Motion was made by Mr. Robinson, seconded by Dr. Fennema, to approve those listed. Upon vote, the motion passed unanimously.

### **6. Maintenance and Reactivation – Voluntary Relinquishment**

Motion was made by Mr. Vogel, seconded by Mr. Dennis, to approve those listed. Upon vote, the motion passed unanimously.

### **7. Deceased Practitioners**

There was a moment of silence.

### **8. Firms**

This item was removed from the agenda.

### **9. Temporary Permits**

Motion was made by Mr. Vogel, seconded by Ms. Borders-Byrd, to approve those listed. Upon vote, the motion passed unanimously.

## **10. Reports**

### A. COMMITTEE ON ACCOUNTING EDUCATION MINUTES JANUARY 9, 2014

Dr. Fennema reported.

Motion was made by Mr. Dennis, seconded by Dr. Fennema, to ratify minutes as presented. Upon vote, the motion passed unanimously.

## **ADDITIONS**

Prosecuting Attorneys' Report

Ms. White reported.

Ms. White informed the Board that at this time there are a total of 333 cases, with 243 being licensed cases and 90 being unlicensed.

## **11. Administrative**

### A. REMARKS FROM THE EXECUTIVE DIRECTOR

Ms. Kelly reported.

Ms. Kelly informed the Board members that at the NASABA Executive Directors Conference she attended there was discussion regarding on-line institutions and how they are becoming more popular when meeting the educational requirements for sitting for the CPA exam or licensure. Ms. Kelly stated some states have put a limit on the hours that can be used from the on-line institutions. Ms. Kelly informed the board that during the meeting Mr. Decker of the AICPA gave a presentation on the upcoming changes to the CPA exam. Ms. Kelly stated that there will be opportunities for Boards and Educators to participate in the exam analysis. Ms. Kelly informed the board that during the NASBA conference there was discussion about multi-test takers and should states be able to limit how many times an individual can sit for the exam. Dr. Fennema requested the issue of candidates sitting multiple times for the exam be placed before the board to discuss at a future meeting. No motion was made.

## **12. NASBA**

### A. CANDIDATE CARE CONCERNS

This was an informational item.

### B. CONSIDER NOMINATING A MEMBER FOR SOUTHEAST REGIONAL DIRECTOR 2014-2015

This item is being held for the May 2, 2014 board meeting.

- C. NOMINATION AND QUALIFICATIONS FOR JANICE L. GRAY, CPA, FOR NASBA VICE CHAIR 2014-2015 – FYI

Motion was made by Mr. Dennis, seconded by Ms. Caldwell to send a letter of support for Ms. Gray. Upon vote, the motion passed unanimously.

- D. NOMINATION AND QUALIFICATIONS FOR JIMMY E. BURKES, CPA, FOR NASBA DIRECTOR AT LARGE 2014-2015

Motion was made by Mr. Dennis, seconded by Ms. Borders-Byrd to send a letter of support for Mr. Burkes. Upon vote, the motion passed unanimously.

- E. NOMINATION FOR A. CARLOS BERRERA, CPA, NASBA DIRECTOR AT LARGE 2014-2015

No motion was made.

- F. NOMINATION FOR J. COALTER BAKER, CPA, NASBA SOUTHWEST REGIONAL DIRECTOR 201-2015

No motion was made.

- G. PROMETRIC NASBA & AICPA FEES

This was an informational item.

### **13. FICPA**

- A. 2014 LEGISLATIVE AGENDA LETTER

This was an informational item.

- B. FICPA DISCUSSION

Rivers Buford, Director of Governmental Affairs and Jennifer Green, Partner Liberty Partners of Florida, LLC was present for this item.

Mr. Buford congratulated Mr. Lane on his appointment to the board and congratulated Mr. Robinson on his re-confirmation.

Mr. Buford thanked the Board for their letter of support for House Bill 725 and Senate Bill 796. Mr. Buford informed the Board that House Bill 725 passed and is now available on the floor to be heard by the full house of Representatives. , Senate Bill 796 is in the last committee of reference, before it's available to go on the floor, this legislation provides for the correction of quarter hours from 160 to 180 to sit for the CPA exam, good moral character for CPA exam applicants and the amnesty program which allows for the reactivation of inactive licenses who have held a Florida CPA license by completing 120 hours of continuing professional education.

Mr. Buford informed the Board that there is another piece of legislation that is proceeding through, it is the Certified Audit Program which allows for expansion of the current program.

Mr. Buford informed the Board that the FICPA has received inquiries from the General Counsel's office to update reference of the Uniform Accountancy Act in HB 473.302(9). Mr. Buford asked the Board how they would like to proceed with this. Mr. Buford will submit information regarding this to the board staff to include in the May 2, 2014 agenda.

Mr. Buford informed the Board that the first draft of the budget has been released by both the House and the Senate and they are in agreement to propose the \$100,000.00 be given for the Unlicensed Activity Campaign for CPA's. The public needs to be aware of the importance of engaging a licensed CPA.

Mr. Buford thanked the Board for coming to the FICPA's Mega Conference in June and that they are looking forward to having the Board there and having their members meet the board and see the Board in action.

Ms. Green informed the Board that it would be helpful for next year's legislation if they could see the language proposed for the Uniform Accountancy Act.

#### **14. Old Business**

Ms. Clark thanked the Board for the opportunity to attend the NASBA Legal Conference in Savannah and informed the Board she will be going to Nashville as a member of NASBA's CPE Model Rules Task Force.

Ms. Clark informed the Board that the Joint Administrative Procedures Committee sent a letter regarding Rule 61H1-21.001 - Independence pointing out that the incorporated standards in that rule are outdated. Ms. Clark informed the Board that she had spoken with past members of the Independence Task Force to determine what the original position on this had been. Ms. Clark asked the Board for guidance as to whether an Independence Task Force should be set up to meet before this is brought before them at their May 2, 2014 meeting. The consensus was to set up the Task Force with Mr. Vogel, Dr. Fennema and Ms. Caldwell as Independence Task Force representatives, with a meeting prior to the May 2, 2014 Board meeting.

Ms. Clark updated the board as to the progress on Rule 61H1-39.001 Definitions as well as Rule 61H1-20.009 Standards for Accounting and Review Services. Ms. Clark informed the Board that these rules cannot be updated until the newest version of the Standards for Accounting and Review Services could be located.

#### **15. Other Business**

Ms. White informed the Board that Dustin Metz is no longer with the Office of the General Counsel and that she and Brande Bugler will be the acting attorneys for the Board of Accountancy.

Mr. Dennis requested an item be placed on the May 2, 2014 agenda regarding limiting the time a client can request documents from the CPA when they have unpaid dues. Mr. Dennis felt this maybe something the Board might want to consider as a rule at a later date. Mr. Dennis will provide information to board staff for the May 2, 2014 meeting.

## **16. Future Meetings**

This was an informational item.

## **17. Adjourn**

The meeting was adjourned at 11:09 a.m.

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Steve Riggs, Chair