State Board of Accountancy July 20, 2021

BOARD MEMBERS:

Keri A. Ellis, CPA, Chair
 Matthew Eaton, Administrative Officer II, Bureau of
 Professional and Occupational Affairs, on behalf

Professional and Occupational Affairs, on behalf of K. Kalonji Johnson, Commissioner Monique M. Ericson, CPA, Office of Attorney General

Monique M. Ericson, CPA, Office of Attorney General Mary Jensik, CPA

13 Paul J. Kelly III, CPA

14 | Charles A. O'Brien, CPA

15 Michael D. Ocker, CPA

Sheri L. Risler, CPA, Vice Chair Michael P. Rollage, CPA - Absent

17 Michael P. Rollage, CPA 18 David W. Stonesifer, CPA

BUREAU PERSONNEL:

Ronald K. Rouse, Esquire, Board Counsel
Dean F. Picarella, Esquire, Senior Board Counsel
Ray Michalowski, Esquire, Senior Board Prosecutor
Angela B. Lucci Solomon, Esquire, Board Prosecution
Liaison

Timothy Smith, Esquire, Board Prosecutor
Thaddeus Cwiklinski, Legal Extern, Office of General
Counsel, Department of State
Sara Fox, Board Administrator

Amanda Li, Board Administrator

Andrew LaFratte, MPA, Executive Policy Specialist, Department of State

ALSO PRESENT:

Michael D. Colgan, CAE, Chief Executive Officer and Executive Director, Pennsylvania Institute of Certified Public Accountants

Jennifer Cryder, CPA, MBA, Chief Operating Officer and Executive Vice President, Pennsylvania Institute of Certified Public Accountants

Peter N. Calcara, Vice President, Government Relations, Pennsylvania Institute of Certified Public Accountants

Randy L. Brandt, CPA, Pennsylvania Society of Tax & Accounting Professionals

50 Ryan Stauffer

3 * * * 1 2 State Board of Accountancy 3 July 20, 2021 * * * 4 5 Meeting Instructions 6 [Sara Fox, Board Administrator, informed everyone that the meeting was being recorded, and those who continued to participate were giving their consent to be recorded. 10 Ms. Fox also provided instructions to be followed during the virtual meeting.] 11 * * * 12 13 The regularly scheduled meeting of the State 14 Board of Accountancy was held on Tuesday, July 20, 15 2021. Keri A. Ellis, CPA, Chair, called the meeting 16 to order at 9:01 a.m. * * * 17 18 [Ronald K. Rouse, Esquire, Board Counsel, stated the 19 meeting of the State Board of Accountancy was being 20 held by teleconference pursuant to an extension of 21 Governor Wolf's March 16, 2020 waiver of the physical 22 presence requirement in Section 2.3(c) of the 23 Certified Public Accountant (CPA) Law.] * * * 24 25 Roll Call

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[A roll call of Board members was taken by Mr. Rouse.]
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   [Sheri L. Risler, CPA, Vice Chair, exited the meeting
   at 9:05 a.m. for recusal purposes.]
                              * * *
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6
   [A Formal Hearing was held from 9:05 a.m. until
   10:31 a.m. in the matter of the Petition for
   Reinstatement for Certified Public Accountant of
   Howard Alan Drossner, Case No. 21-55-006792.]
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                              * * *
   [The Board recessed from 10:32 a.m. until 10:52 a.m.]
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                              * * *
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   [Sheri L. Risler, CPA, Vice Chair, reentered the
14
   meeting at 10:52 a.m.]
                              * * *
15
   [A Formal Hearing was held from 11:00 a.m. until
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17
   1:07 p.m. in the matter of the Commonwealth of
18
   Pennsylvania Bureau of Professional and Occupational
   Affairs v. Steven Ganley, Case No. 19-55-018021.]
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                              * * *
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   Report of Board Counsel - Other
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   [Ronald K. Rouse, Esquire, Board Counsel, noted prior
23
   discussion of House Bill 1328 of 2021 at the May 18,
24
   2021 meeting. He reported technical difficulties at
25
   the prior meeting, where Michael Colgan was unable to
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make a comment and allowed him the opportunity today.

Michael D. Colgan, CAE, Chief Executive Officer and Executive Director, Pennsylvania Institute of Certified Public Accountants, expressed concern with House Bill 1328 regarding CPAs being able to meet the financial needs of taxpayers and protecting the capital market.

Mr. Colgan stated the Pennsylvania Institute of Certified Public Accountants (PICPA), wanted to add economics for clarity purposes to the approved list of courses that are required for a CPA candidate as well as technology based on the CPA Evolution process with the end result being the inclusion of technology courses into the curriculums for an accounting major.

Mr. Colgan commented that CPA Evolution just recently rolled out their model curriculum. He reported meeting with staff of the House Professional Licensure Committee who were fine with amending the bill, where "technology" will be amended to say "accounting information systems or accounting information systems or accounting information systems/data analytics" to specify what technology means.

Mr. Colgan also noted wanting to add the ability for the state Board to accept experience verification from a substantially equivalent licensed individual

from a foreign county. He mentioned there are candidates who are working for foreign subsidiaries in the United States who do not have a CPA immediately supervising them and have a foreign equivalent supervising them and would like to see that as one of the options for candidates moving forward to get their experience verified.

2.4

Mr. Colgan addressed a second amendment to

Section 4.2, which would allow a candidate to sit for
the CPA exam once they have obtained 120 hours of
qualifying education. He explained that an individual
could sit for the exam now in Pennsylvania with 120
hours or 150 hours, but a degree has to be conferred
and want to change this to allow a candidate to sit at
120 hours without a degree being conferred.

Mr. Colgan stated there are several colleges and universities in Pennsylvania that have baccalaureate programs in place or integrated Master of Business Administration (MBA) programs where they do not confer a degree after 120 hours.

Mr. Colgan also noted proposing that the American Institute of Certified Public Accountants (AICPA) Code of Conduct be adopted into the statute. He mentioned that the code is constantly evaluated by committees and professionals, including members of the State

Board of Accountancy, who serve on the Professional Ethics Executive Committee (PEEC) of the AICPA as well as public members who provide a public interest perspective.

Mr. Colgan mentioned that PEEC meet quarterly to monitor developments in the profession and to ensure an up-to-date code. He noted PEEC task forces also meet throughout each quarter to study ethical issues and present recommendations or changes to the code.

Mr. Colgan stated some of the benefits of the AICPA code of uniformity is that mobility provisions were now in place in every state but Hawaii, so CPAs have the ability to practice across state lines. He commented that without uniform mandatory ethical standards, CPAs would find it hard to navigate different rules and requirements in multiple states; therefore, there is a push to get some uniform code of conduct requirements across the country and provided a map of which states have done so.

Mr. Colgan noted the importance of ensuring CPAs have clarity with respect to what the rules and standards are for ethical conduct. He mentioned there is a risk to the public when there is inconsistency or lack of clarity in those rules and wanted to make sure the public is protected by putting a uniform set of

rules in there.

2.2

Mr. Colgan addressed the conceptual framework standpoint, where regulations currently in place reference the AICPA and other standard-setting bodies in areas like independence but do not provide a lot of detail or specificity to licensees when situations arise. He stated the AICPA code includes a conceptual framework that provides additional guidance for CPAs that is not generally found in those regulations on how a CPA should proceed when there is no established guidance.

Mr. Colgan commented that the Board is not allowed to provide guidance to licensees when they have questions about how to interpret specific sections of the statute or regulations under Pennsylvania rules. He mentioned that there is a proposed bill that would change that and allow the Board to provide specific guidance, but this conceptual framework uses a threats and safeguards approach to provide CPAs with a means to identify, evaluate, and address the compliance and ethical standards.

Mr. Colgan addressed peer review standards, noting they have not been updated since 1997. He stated it will clarify the scope of the peer review

requirements to include all test engagements other
than compilations. He stated it does eliminate the
exception of the peer review requirements in
Pennsylvania that permits firms with two or fewer
licensees to have a five-year peer review cycle rather
than a three year cycle. He noted most of the firms
and entities required to have a peer review in this
country are on a three-year cycle, and Pennsylvania
has the only exception to that right now.

2.3

Mr. Colgan reported numerous studies over the last five or six years clearly demonstrate that the fewer engagements you have that are subject to peer review the more susceptible you are to substandard work. He commented that there is no reason to have a separate five-year requirement for smaller firms; in fact, it is kind of arbitrary with fewer licensees and no one else has that.

Mr. Colgan stated PICPA will make the proposed amendments to clarify the word "technology" to put a little bit more specificity of what would work within a list of approved subject areas for candidates and allowing the ability to sit for the CPA exam once an individual has taken 120 hours of qualifying education regardless of whether the degree has been conferred or not.

Mr. Colgan informed the Board that PICPA has met with the staff of the House Professional Licensure Committee and provided them with additional information and will be meeting with the Senate Consumer Protection & Professional Licensure Committee also. He also plans to schedule a meeting with Commissioner Johnson to make sure they have clarity on any issues around the proposed changes to the CPA Law.

2.2

2.3

Mr. Colgan announced that he will be retiring from the Pennsylvania Institute of Certified Public Accountants (PICPA) at the end of this year. He stated that the PICPA Board unanimously selected Jennifer Cryder to be his successor on September 1 and will be at some of the meetings from this point forward. He noted that they plan to attend the National Association of State Boards of Accountancy (NASBA) Meeting in November.

Ms. Risler suggested Mr. Colgan be more specific with the technology component of the course load that students would be required to take because technology is very broad. She mentioned being very involved in CPA Evolution at Temple and determining curriculum in schools all over in that same process. She noted being unsure of what the names of the new courses are going to be, which will be a challenge.

Ms. Risler recommended including "or any other technology-related course as approved by the State Board of Accountancy" to make it broad in case of a situation where there is a course that does not have the word "data analytics" and does not have "accountancy information systems" in it but is really an accounting course. She suggested putting the language in the proposal to give the Board an opportunity to review it.

2.2

Mr. Colgan stated Ms. Risler had a good suggestion. He commented that other areas mentioned in the curriculum for the courses in the Business Analysis Reporting (BAR) and Information Sciences and Technology (IST) disciplines included information security and forensics. He stated the language can be changed to give the Board some latitude with respect to the courses. He noted economics had been an issue in the past, where the Board accepted it, but it was not listed and could be addressed through either regulation or through practice, but PICPA could add some language.

Ms. Risler commented that Penn State students cannot sit for the exam until the completion of their five years, but a loophole was found, where students go to New York or other neighboring states to receive

their license. She commented that going to another

state is inconvenient for students, because they want

to get their license in Pennsylvania eventually,

noting that Pennsylvania is also losing the fees for

Mr. Colgan agreed that candidates are leaving Pennsylvania and registering in other neighboring states to take the exam, because Pennsylvania's requirement is more stringent than neighboring states that allow individuals to sit without a degree being conferred.

Mr. Colgan commented that an individual still needs a degree to become a CPA, so it is not as though the ability to sit after they have 120 hours of qualifying education is going to make anybody a CPA who is not qualified.

Mr. Colgan thanked the Board for the opportunity to present the information and offered his assistance with any questions the Board may have in the future.]

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the CPA Exam.

21 Report of Prosecutorial Division

22 | [Angela B. Lucci Solomon, Esquire, Board Prosecution

23 Liaison, presented the Consent Agreement for Case Nos.

24 | 19-55-002162 & 20-55-005827.1

25 ***

1 [Sheri L. Risler, CPA, Vice Chair, and Charles A.

2 O'Brien, CPA, exited the meeting at 1:27 p.m. for

3 recusal purposes.]

4 ***

5 | [Matthew Eaton, Administrative Officer II, Bureau of

6 | Professional and Occupational Affairs, on behalf of

K. Kalonji Johnson, Commissioner, placed his name on

8 the record.]

9 MR. ROUSE:

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10 Regarding the Consent Agreement at item

2 on the agenda Case Nos. 19-55-002162 &

12 20-55-005827, I believe the Board would

entertain motion to adopt the Consent

Agreement.

Is there such a motion?

16 CHAIR ELLIS:

17 So moved.

18 MR. KELLY:

19 Second.

20 MR. ROUSE:

21 Any discussion? All those in favor, say

22 aye. All those opposed, say nay.

23 [The motion carried. Ms. Risler and Mr. O'Brien

24 recused themselves from deliberations and voting on

25 the motion. Item 2 is BPOA v. Ernst & Young, LLP,

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Case Nos. 19-55-002162 & 20-55-005827.]
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   [Sheri L. Risler, CPA, Vice Chair, and Charles A.
3
   O'Brien, CPA, reentered the meeting at 1:33 p.m.]
                              * * *
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   [Angela B. Lucci Solomon, Esquire, Board Prosecution
   Liaison, announced Tiffany Raker is no longer with the
   department and that Timothy Smith will be replacing
   her as a new prosecutor for the Board.
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        Timothy Smith, Esquire, Board Prosecutor,
   provided a brief summary of his professional
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12
   background.]
                              * * *
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   [Pursuant to Section 708(a)(5) of the Sunshine Act, at
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   1:33 p.m. the Board entered into Executive Session
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   with Ronald K. Rouse, Esquire, Board Counsel, to have
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   attorney-client consultations and for the purpose of
18
   conducting quasi-judicial deliberations.
                                              The Board
19
   returned to open session at 3:09 p.m.]
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                              * * *
21
   Report of Board Counsel - (cont.)
2.2
   MR. ROUSE:
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Pursuant to Section 708(a)(5) of the Sunshine Act, the Board entered into Executive Session with Board Counsel to

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15 1 have attorney-client consultations and 2 for the purpose of conducting quasi-3 judicial deliberations. 4 Regarding item 3 on the agenda, I 5 believe there is a motion to get the 6 transcript in this matter. 7 Is there such a motion? CHAIR ELLIS: So moved. 10 MR. OCKER: 11 Second. MR. ROUSE: 12 13 Any discussion? All those in favor, say 14 aye. All those opposed, say nay. 15 [The motion carried unanimously.] 16 17 MR. ROUSE: 18 Regarding item 4, Steven Ganley, I believe there is a motion to direct 19 20 Board Counsel to prepare the Board's Final Order in this matter. 21 22 Is there such a motion? 2.3 MR. KELLY: 24 So moved. MR. ROUSE: 25

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                  Is there a second?
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   CHAIR ELLIS:
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                  Second.
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   MR. ROUSE:
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                  Any discussion? All those in favor, say
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                  aye. All those opposed, say nay.
   [The motion carried unanimously.]
   Approval of minutes of the May 18, 2021 meeting
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   MR. ROUSE:
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                  Item 1 on the agenda are the minutes
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                  from our last meeting, which was May 18,
13
                  2021.
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                       Are there any amendments or
15
                  corrections to the minutes?
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                       Is there a motion to accept the
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                  minutes as they are?
   CHAIR ELLIS:
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19
                  So moved.
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   MR. ROUSE:
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                  Is there a second?
22
   MS. RISLER:
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                  Second.
2.4
   MR. ROUSE:
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                  Any discussion? All those in favor, say
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17 1 aye. All those opposed, say nay. 2 [The motion carried unanimously.] 3 4 Report of Board Counsel - Final Adjudication and Order MR. ROUSE: 5 Regarding the matter of the Petition for 6 Reinstatement for Certified Public 7 Accountant of Michael Robert Green, Case 9 No. 20-55-003646 at item 6 on the 10 agenda, I believe the Board would entertain a motion to direct Board 11 12 Counsel to prepare a Final Adjudication 1.3 and Order and to issue the Final 14 Adjudication to the petitioner. 15 Is there such a motion? 16 CHAIR ELLIS: So moved. 17 MR. ROUSE: 18 19 Is there a second? 2.0 MS. ERICSON: 21 Second. 2.2 MR. ROUSE: 2.3 All those in favor, say aye. All those 24 opposed, say nay. 25 [The motion carried unanimously.]

* * *

2 Report of Board Chair

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3 [Ronald K. Rouse, Esquire, Board Counsel, referred to

4 the continuing professional education (CPE) accounting

5 and auditing (A&A) requirements, noting it was just a

6 discussion regarding the 24 hours of attest and audit,

7 where anyone who signs an attestation within a

B biennial renewal period is required to take the 24

9 hours of CPE.]

10

11 Report of Committees

12 | [Ronald K. Rouse, Esquire, Board Counsel, addressed

13 calculation of CPE hours, noting those to be

14 requirements under § 11.641 of Board regulations,

15 where a participant will receive 1 CPE hour for each

16 | 50 minutes of participation in a CPE-sponsored

17 | program.]

18

19 Review of Program Sponsor Applications

20 MR. ROUSE:

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2.4

I believe the Board would entertain a

22 motion to ratify the Program Sponsor

Applications at items 9 and 10 on the

agenda, which are Howmet Aerospace and

Worth & Company, Inc.

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1
                       Is there such a motion?
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   MR. O'BRIEN:
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                  So moved.
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   CHAIR ELLIS:
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                  Second.
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   MR. ROUSE:
                  Any discussion? All those in favor, say
8
                  aye. All those opposed, say nay.
   [The motion carried unanimously.]
                               * * *
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11
   MR. ROUSE:
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                  Regarding item 11 on the agenda, I
13
                  believe the Board would entertain a
14
                  motion to defer a vote for the Program
15
                  Sponsor Application of J. Martin and
16
                  Associates LLC.
17
                       Is there such a motion?
18
   MR. OCKER:
19
                  So moved.
20
   MR. KELLY:
21
                  Second.
22
   MR. ROUSE:
2.3
                  Any discussion? All those in favor, say
24
                          aye. All those opposed, say nay.
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   [The motion carried unanimously.]
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20 * * * 1 Review of Requests - CPE Waivers 2 3 MR. ROUSE: 4 Regarding CPE waivers, items 12 through 5 15 on the agenda, I believe the Board 6 would entertain a motion to ratify the 7 CPE waivers at items 12 and 15. 8 Is there such a motion? MR. Kelly: 10 So moved. 11 MR. ROUSE: 12 Is there a second? 13 MR. OCKER: 14 Second. 15 MR. ROUSE: 16 Any discussion? All those in favor, say 17 aye. All those opposed, say nay. 18 [The motion carried unanimously.] * * * 19 20 Review of Requests - Extension of Peer Review 21 MR. ROUSE: 22 Regarding the Extension of Peer Review, 2.3 I believe the Board would entertain a 2.4 motion to ratify the Extension of Peer 25 Review for items 16 through 17 on the

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21
1
                  agenda.
2
                       Is there such a motion?
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   CHAIR ELLIS:
                  So moved.
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   MS. RISLER:
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                  Second.
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   MR. ROUSE:
                  Any discussion? All those in favor, say
9
                  aye. All those opposed, say nay.
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   [The motion carried unanimously.]
                               * * *
11
   Review of CPA Examination Files
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   MR. ROUSE:
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                  Regarding the Review of Certification
15
                  Application in the matter of Prather, I
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                  believe the Board would entertain a
                  motion to have Mr. Robert Prather come
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18
                  before the Moral Character Committee.
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                       Is there such a motion?
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   MR. OCKER:
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                  So moved.
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   MR. ROUSE:
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                  Is there a second?
2.4
   MR. KELLY:
25
                  Second.
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1 MR. ROUSE:

2 All those in favor, say aye. All those

opposed, say nay.

4 [The motion carried unanimously.]

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6 Miscellaneous - Next Meeting Dates

7 | [Keri A. Ellis, CPA, Chair, referred to 2021 and 2022

| Board meeting dates, noting no changes from those

9 approved at the last meeting.]

10 ***

11 Miscellaneous - National Association of State Boards

12 of Accountancy (NASBA)

13 [Keri A. Ellis, CPA, Chair, noted the NASBA 2021 Q1

14 Quarterly Candidate Care Report for the Board's

15 review.

16 Chair Ellis referred to the AICPA-NASBA Reply to

17 | the Institute of Management Accountants (IMA) Letter

18 for the Board's review.

19 Chair Ellis noted her attendance at the 2021

20 NASBA Regional Meeting virtually and the Great Lakes

21 Region breakout session. She reported many good

22 topics were discussed at the regional meeting

23 regarding testing and CPA Evolution and encouraged

24 everyone to attend NASBA meetings.

25 Chair Ellis announced that the 2021 NASBA Annual

Meeting will be held October 31 through November 3 in 2 San Diego, CA, both live and virtually.

2.0

Chair Ellis referred to NASBA's CPA Examination

Transition Policy and reported a lot of discussion

during the regional meeting, also noting there will be

discussion at the national meeting. She reported it

to be a well-thought-out approach, keeping it as

simple as possible for the candidates to be able to

transition to the new CPA Exam.

Chair Ellis noted the United States CPA Exam has been expanded to Canada for convenience of Canadian candidates with respect to COVID.

Chair Ellis referred to NASBA's 2021 Annual Meeting Travel Survey requesting attendance information. She mentioned that only vaccinated individuals are permitted to attend the meeting, and the Board must provide attendance information by the end of July. She encouraged Board members to attend virtually.

Ms. Fox requested Board members also contact her so she could obtain approval and forward it through the process. She addressed the scholarships process when attending meetings, explaining that historically scholarships were able to be used in the past but allowed only two individuals to attend regardless of

1 | whether one is on a scholarship and the other is not.

Ms. Fox noted also being required to submit

documentation to their contract attorney to determine

whether or not the scholarship could be used. She

mentioned that the scholarship cannot be over and

mentioned that the scholarship cannot be over and

6 above what is paid in yearly membership dues.

Ms. Risler questioned whether the Board is permitted to travel in Pennsylvania.

Ms. Fox commented that she was unaware of whether travel is allowed, but she must undergo the preapproval process before any documentation is started.

Chair Ellis stated that the Board needs to know whether they are able to travel before responding to the survey. She requested those who want to attend, either virtually and/or live, contact her and then the Board will go from there.]

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19 Adjournment

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20 CHAIR ELLIS:

21 Motion to adjourn the meeting.

22 MR. OCKER:

So moved.

24 MS. RISLER:

25 Second.

1 CHAIR ELLIS: 2 All those in favor, say aye. Opposed? 3 [The motion carried unanimously.] 4 5 [There being no further business, the State Board of Accountancy Meeting adjourned at 3:26 p.m.] 6 * * * 8 9 CERTIFICATE 10 11 I hereby certify that the foregoing summary 12 minutes of the State Board of Accountancy meeting, was reduced to writing by me or under my supervision, and 13 14 that the minutes accurately summarize the substance of 15 the State Board of Accountancy meeting. 16 17 18 19 Evan Bingaman, Minute Clerk 20 21 Sargent's Court Reporting 22 Service, Inc. 2.3 24 25

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		July 20, 2021	
	TIME	AGENDA	
	9:01	Official Call to Order	
	9:02	Roll Call	
	9:05 10:31	Formal Hearing - Howard Drossner	
	10:32 10:52	Recess Return to Open Session	
	11:00 1:07	Formal Hearing - Steven Ganley	
	1:10	Report of Board Counsel	
	1:26	Report of Prosecutorial Division	
	1:33 3:09	Executive Session Return to Open Session	
	3:09	Report of Board Counsel (Continued)	
	3:11	Approval of Minutes	
	3:12	Report of Board Counsel (Continued)	
	3:18	Report of Board Chair	
	3:18	Report of Committees	
	3:19	Review of Program Sponsor Application	ns
	3:21	Review of Requests	
	3:22	Review of CPA Examination Files	
	3:22	Miscellaneous	
	3 : 26	Adjournment	