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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF ACCOUNTANCY

TIME: 9:00 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room B
One Penn Center
2601 North Third Street
Harrisburg, PA 17110

May 22, 2019

State Board of Accountancy
May 22, 2019

BOARD MEMBERS:

Erik V. Scully, Esquire, CPA, Chairman
K. Kalonji Johnson, Acting Commissioner, Bureau of
Professional and Occupational Affairs
Barry M. Berkowitz, CPA - Absent
Keri A. Ellis, CPA, Vice Chair
Monique M. Ericson, CPA, Office of Attorney General
Paul J. Kelly III, CPA - Absent
Michael D. Ocker, CPA
Sheri L. Risler, CPA
Michael P. Rollage, CPA
David W. Stonesifer, CPA - Absent
Alfred L. Whitcomb, PA

BUREAU PERSONNEL:

Shana M. Walter, Esquire, Board Counsel
Robert B. Armour, Esquire, Board Prosecution Liaison
Angela B. Lucci, Esquire, Board Prosecutor
Caroline A. Bailey, Esquire, Board Prosecutor
Sara Fox, Board Administrator

ALSO PRESENT:

Peter N. Calcara, Vice President, Government
Relations, Pennsylvania Institute of Certified
Public Accountants
Kimberly Adams, Chief of Fiscal Management, Bureau of
Finance and Operations
Shannon Boop, Fiscal Management Specialist 1, Bureau
of Finance and Operations
Randy L. Brandt, CPA, Pennsylvania Society of Tax
& Accounting Professionals
Marc Farrell, Deputy Policy Director, Department of
State
Sherry L. DeAgostino, Executive Director, Pennsylvania
Society of Tax & Accounting Professionals

1 ***

2 State Board of Accountancy

3 May 22, 2019

4 ***

5 The regularly scheduled meeting of the State
6 Board of Accountancy was held on Wednesday, May 22,
7 2019. Erik V. Scully, Esquire, CPA, Chairman, called
8 the meeting to order at 9 a.m. K. Kalonji Johnson,
9 Acting Commissioner, Bureau of Professional and
10 Occupational Affairs, was not present at the
11 commencement of the meeting.

12 ***

13 Approval of minutes of the January 15, 2019 meeting
14 CHAIRMAN SCULLY:

15 The first item on the agenda is the
16 approval of the last Board meeting
17 minutes of January 15, 2019.

18 Does anybody have any comments?

19 [The Board discussed corrections to the minutes.]

20 Do I have a motion to approve the
21 minutes?

22 MR. WHITCOMB:

23 Motion to approve.

24 CHAIRMAN SCULLY:

25 Do I have a second?

1

2 MR. ROLLAGE:

3

Second.

4 CHAIRMAN SCULLY:

5

Roll call.

6

7

Keri A. Ellis, abstain; Monique M.

8

Ericson, aye; Michael D. Ocker, aye;

9

Sheri L. Risler, aye; Alfred L.

10

Whitcomb, aye; Michael P. Rollage, aye;

11

Erik V. Scully, aye.

12 [The motion carried. Keri A. Ellis abstained from
13 voting on the motion.]

14

15 Report of Prosecutorial Division

16 [Robert B. Armour, Esquire, Board Prosecution Liaison,
17 introduced Angela Lucci as a new Board prosecutor.

18 Ms. Lucci provided a brief summary of her
19 professional background.

20

21 [Mr. Armour presented the Consent Agreements for File
22 No. 13-55-02365 and File No. 15-55-09858.]

23

24 [K. Kalonji Johnson, Acting Commissioner, Bureau of
25 Professional and Occupational Affairs, entered the

1 meeting at 9:03 a.m.]

2

3 [Caroline A. Bailey, Esquire, Board Prosecutor,
4 presented the Consent Agreements for File No. 15-55-
5 15240 and File No. 18-55-001982 & 18-55-009885.]

6

7 [Robert B. Armour, Esquire, Board Prosecution Liaison,
8 reviewed the Office of General Counsel's Mediation
9 Program. He stated the consent agreement will
10 indicate that the decision was made through the
11 mediation process, and the Board will have the
12 authority at all times to approve or not approve any
13 consent agreement. He explained the mediation process
14 involves having a trained mediator of the Commonwealth
15 meet with the two parties to arrive at a resolution.

16 Mr. Armour stated there would be no cost involved
17 to either party. The program is completely voluntary.

18 Mr. Armour reviewed the charges for the mediators
19 are absorbed by the Office of General Counsel and the
20 investigative costs would be incurred prior to an
21 action being filed. Once the Commonwealth has filed
22 an action, all of the costs are paid by the Board.]

23

24 Appointment - Bureau of Finance and Operations Annual
25 Budget Presentation

1 [Kimberly Adams, Chief of Fiscal Management, Bureau of
2 Finance and Operations, introduced herself and Shannon
3 Boop, Fiscal Management Specialist 1.

4 Ms. Adams addressed licensee population from a
5 revenue standpoint. She noted the licensee count when
6 the report was written at 29,320, increasing recently
7 to 88 for a total of 29,408. She reviewed growth from
8 2014-2016 of 1,003, 2016-2018 of 605, and recently at
9 of 1,696, showing significant growth.

10 Ms. Adams stated 96.1% of revenue is from
11 renewals and applications with a current biennial
12 total of \$3,324,636.26. She noted the last renewal
13 fee increase was in 2009.

14 Ms. Adams stated expenses are incurred through
15 direct cost, timesheet-based cost, and licensee-based
16 fees. She reviewed the categorical breakdown of
17 administrative and legal expenses for FY 2016-2017 and
18 FY 2017-2018, FY 2018-2019 budget, and expenses as of
19 April 29, 2019. She noted a recent increase in
20 expenses.

21 Ms. Adams addressed revenues and expenses with
22 the budget for FY 2018-2019. She stated revenues
23 continue to exceed expenditures and continued licensee
24 growth brings a healthy bottom line for the board.

25 Ms. Adams provided a breakdown of Board member

1 expenses for FY 2016-2017 and FY 2017-2018, noting the
2 budget for FY 2018-2019 that will be carried over to
3 FY 2019-2020.

4 Ms. Adams reviewed the expenditure sheet
5 depicting a pictorial overview of the fluctuation of
6 expenses since 2006.]

7

8 Report of Board Counsel

9 [Shana M. Walter, Esquire, Board Counsel, noted a
10 Motion to Enter Default and Deem Facts Admitted,
11 status of cases report, a final Adjudication and
12 Order, and correspondence received by the Board for
13 discussion during executive session.]

14

15 Report of Regulatory Counsel

16 [Shana M. Walter, Esquire, Regulatory Counsel, stated
17 the bureau had a few regulations to move forward to
18 the Independent Regulatory Review Commission (IRRC).
19 She stated the Bureau of Professional and Occupational
20 Affairs' (BPOA) regulation 16A-060 regarding
21 expungement was moving quickly, and the licensee
22 population will be notified when the regulation is
23 final.]

24

25 Report of Board Chairman - Board Committee Assignments

1 [Erik V. Scully, Esquire, CPA, Chairman, addressed the
2 decrease in program sponsors and suggested acquiring
3 additional sponsorships to educate the general
4 population.

5 Chairman Scully noted the Gift Ban Policy and the
6 Pennsylvania Sunshine Act.]

7 ***

8 Report of Commissioner

9 [K. Kalonji Johnson, Acting Commissioner, Bureau of
10 Professional and Occupational Affairs, expressed his
11 eagerness for the opportunity to work with the Board.
12 He noted his previous position as policy director for
13 the Department of State, where he was responsible for
14 moving regulation packages through the internal
15 processes.

16 Acting Commissioner Johnson introduced his
17 replacement, Marc Farrell, from the Governor's Office,
18 where he was responsible for shepherding regulatory
19 packages from across the Commonwealth through the IRRC
20 process.

21 Mr. Farrell addressed 16A-060 regarding
22 expungement, noting that it went through the 30-day
23 public comment period, IRRC issued comments in
24 January, and the final form draft was being reviewed.

25 Acting Commissioner Johnson further explained

1 that once IRRC approves the regulation that it is
2 published as a final regulation and becomes effective
3 within 30-60 days. He noted the completion of work
4 within the Pennsylvania Licensing System (PALS) for
5 the promulgation of a regulation.

6 Acting Commissioner Johnson also announced
7 Stephen Latanishen as the Director of
8 Intergovernmental Affairs to interface between the
9 professional communities, stakeholder organizations,
10 Boards, and legislative affairs.

11 Acting Commissioner Johnson discussed peer review
12 audits and continuing professional education (CPE)
13 audits. He noted the process of pulling data from
14 PALS to generate the candidates for CPE audit. He
15 commented that letters will soon be sent with a 30-day
16 window to respond. He requested to have the
17 information back to the Board by November.]

18 ***

19 Report of Board Administrator

20 [Sara Fox, Board Administrator, noted board member
21 cost center codes for rental car travel, 2019 Code of
22 Conduct, and the PA Sunshine Act.]

23 ***

24 Review of Program Sponsor Applications

25 [Erik V. Scully, Esquire, CPA, Chairman, noted review

1 of program sponsor applications.]

2 ***

3 MS. ELLIS:

4 I'll make a motion to approve the
5 following program sponsor application,
6 Lundy Beldecos & Milby.

7 CHAIRMAN SCULLY:

8 Do I have a second?

9 MR. WHITCOMB:

10 Second.

11 CHAIRMAN SCULLY:

12 Roll call.

13

14 Keri A. Ellis, aye; Monique M. Ericson,
15 aye; Michael D. Ocker, aye; Sheri L.
16 Risler, aye; Alfred L. Whitcomb, aye;
17 Michael P. Rollage, aye; Erik V. Scully,
18 aye; K. Kalonji Johnson, aye.

19 [The motion carried unanimously.]

20 ***

21 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
22 10:09 a.m. the Board entered into Executive Session
23 with Shana M. Walter, Esquire, Board Counsel, for the
24 purpose of conducting quasi-judicial deliberations and
25 to receive advice from Counsel. The Board returned to

1 open session at 12:31 p.m.]

2 ***

3 MOTIONS

4 MS. WALTER:

5 We are returning from executive session
6 where the Board received legal advice
7 and deliberated on matters that are set
8 forth on the agenda.

9 CHAIRMAN SCULLY:

10 At this point, I have the following file
11 number cases, and we are going to decide
12 whether or not they have been approved
13 or rejected.

14 I need a motion to approve the
15 following file numbers: File No. 13-55-
16 02365, File No. 15-55-09858, and File
17 No. 18-55-001982.

18 Do I have a motion to approve?

19 MR. JOHNSON:

20 So moved.

21 CHAIRMAN SCULLY:

22 Do I have a second?

23 MS. ELLIS:

24 Second.

25 CHAIRMAN SCULLY:

1 Roll call.

2

3 Keri A. Ellis, aye; K. Kalonji Johnson,
4 aye; Monique M. Ericson, aye; Michael D.
5 Ocker, aye; Alfred L. Whitcomb, aye;
6 Sheri L. Risler, aye; Michael P.

7 Rollage, aye; Erik V. Scully, aye.

8 [The motion carried unanimously. The Respondent's
9 name for File No. 13-55-02365 is David Alan Price,
10 CPA. The Respondent's name for File No. 15-55-09858
11 is Ramzi A. Haddad. The Respondent's name for File
12 Nos. 18-55-001982 & 18-55-009885 is Michael E. Rohner,
13 Accounting and Bookkeeping Solutions, Inc.]

14

15 CHAIRMAN SCULLY:

16 At this point, I am entertaining a
17 motion to reject the following Consent
18 Agreement for File No. 15-55-15240.

19 Do I have a motion to reject?

20 MR. WHITCOMB:

21 So moved.

22 CHAIRMAN SCULLY:

23 Do I have a second?

24 MS. ELLIS:

25 Second.

1 CHAIRMAN SCULLY:

2 Roll call.

3

4 K. Kalonji Johnson, aye; Keri A. Ellis,
5 aye; Monique M. Ericson, aye; Michael D.
6 Ocker, aye; Alfred L. Whitcomb, aye;
7 Sheri L. Risler, aye; Michael P.
8 Rollage, aye; Erik V. Scully, aye.

9 [The motion carried unanimously.]

10

11 CHAIRMAN SCULLY:

12 May I have a motion to Enter Default and
13 Deem Facts Admitted for File No. 14-55-
14 04357 and to direct counsel to draft an
15 Adjudication and Order in accordance
16 with discussions during executive
17 session.

18 Do I have a motion?

19 MS. ELLIS:

20 So moved.

21 CHAIRMAN SCULLY:

22 Do I have a second?

23 MR. OCKER:

24 Second.

25 CHAIRMAN SCULLY:

1 Roll call.

2

3 K. Kalonji Johnson, aye; Keri A. Ellis,
4 aye; Monique M. Ericson, aye; Michael D.
5 Ocker, aye; Alfred L. Whitcomb, aye;
6 Sheri L. Risler, aye; Michael P.
7 Rollage, aye; Erik V. Scully, aye.

8 [The motion carried unanimously.]

9

10 CHAIRMAN SCULLY:

11 At this point, may I have a motion to
12 enter a final Adjudication and Order on
13 Case No. 14-55-07006?

14 Do I have a motion?

15 MR. ROLLAGE:

16 So moved.

17 CHAIRMAN SCULLY:

18 Second?

19 MR. WHITCOMB:

20 Second.

21 CHAIRMAN SCULLY:

22 Roll call.

23

24 K. Kalonji Johnson, aye; Keri A. Ellis,
25 aye; Monique M. Ericson, aye; Michael D.

1 Ocker, aye; Alfred L. Whitcomb, aye;
2 Sheri L. Risler, aye; Michael P.
3 Rollage, aye; Erik V. Scully, aye.

4 [The motion carried unanimously. The name for Case
5 No. 14-55-07006 is Dale Arnold Hotz, CPA.]

6 ***

7 CHAIRMAN SCULLY:

8 Do I have a motion to grant the waiver
9 for Tanner Fitzgerald, CPA and Robert F.
10 Yarosh, CPA?

11 MS. ERICSON:

12 So moved.

13 CHAIRMAN SCULLY:

14 Second?

15 MR. WHITCOMB:

16 Second.

17 CHAIRMAN SCULLY:

18 Roll call.

19
20 K. Kalonji Johnson, aye; Keri A. Ellis,
21 aye; Monique M. Ericson, aye; Michael D.
22 Ocker, aye; Alfred L. Whitcomb, aye;
23 Sheri L. Risler, aye; Michael P.
24 Rollage, aye; Erik V. Scully, aye.

25 [The motion carried unanimously.]

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CHAIRMAN SCULLY:

I need a motion to approve extensions for the following CPA examination credits:

MS. WALTER:

Dawn I. Adams is AUD, FAR, and REG, approved until June 30, 2019. Terry Dale Blesh is AUD. The initial request was until September 30, 2019. The second request was until December 31, 2019. Russell Buchman is AUD and BEC until September 30, 2019. Lauren Feldman is BEC and REG until June 30, 2020. Matthew J. Ferguson is AUD until June 30, 2019. Eric Kritzstein is REG until June 30, 2019. Chris McCrea is BEC until March 31, 2019. Maria Musko is AUD and BEC. The initial request was an extension until June 30, 2019. The second request is for AUD and BEC until September 30, 2019. Jessica Reitenbach is AUD and BEC until September 30, 2019.

CHAIRMAN SCULLY:

Do we have a motion to ratify?

1 MR. JOHNSON:

2 So moved.

3 CHAIRMAN SCULLY:

4 Second?

5 MR. ROLLAGE:

6 Second.

7 CHAIRMAN SCULLY:

8 Roll call.

9

10 K. Kalonji Johnson, aye; Keri A. Ellis,
11 aye; Monique M. Ericson, aye; Michael D.
12 Ocker, aye; Alfred L. Whitcomb, aye;
13 Sheri L. Risler, aye; Michael P.
14 Rollage, aye; Erik V. Scully, aye.

15 [The motion carried unanimously.]

16

17 CHAIRMAN SCULLY:

18 At this point, I'd like to request a
19 motion to grant CPA certification for
20 Abdiel Brown.

21 Do I have a motion?

22 MR. JOHNSON:

23 So moved.

24 CHAIRMAN SCULLY:

25 Second?

1 MS. ELLIS:

2 Second.

3 CHAIRMAN SCULLY:

4 Roll call.

5

6 K. Kalonji Johnson, aye; Keri A. Ellis,
7 aye; Monique M. Ericson, aye; Michael D.

8 Ocker, aye; Alfred L. Whitcomb, aye;

9 Sheri L. Risler, aye; Michael P.

10 Rollage, aye; Erik V. Scully, aye.

11 [The motion carried unanimously.]

12

13 CHAIRMAN SCULLY:

14 In addition, I'd like a motion to grant
15 the Extension for Peer Review, the
16 second request from Donna L. McCoy until
17 July 31, 2019.

18 Do I have a motion?

19 MR. WHITCOMB:

20 So moved.

21 CHAIRMAN SCULLY:

22 Second?

23 MR. OCKER:

24 Second.

25 CHAIRMAN SCULLY:

1 Roll call.

2

3 K. Kalonji Johnson, aye; Keri A. Ellis,
4 aye; Monique M. Ericson, aye; Michael D.
5 Ocker, aye; Alfred L. Whitcomb, aye;
6 Sheri L. Risler, aye; Michael P.
7 Rollage, aye; Erik V. Scully, aye.

8 [The motion carried unanimously.]

9

10 MS. WALTER:

11 During executive session, the Board
12 discussed Item No. 37, No. 38, and
13 No. 39. The agenda relative to Item No.
14 38, the inquiry by the Louisiana Board
15 of Accountancy regarding the use of
16 @Attorney-CPA.com as a domain name.

17 I believe the Board would entertain
18 a motion to direct Board counsel to
19 respond to the Louisiana Board pursuant
20 to the discussions in executive session.

21 CHAIRMAN SCULLY:

22 So moved. Do I have a second?

23 MS. ELLIS:

24 Second.

25 CHAIRMAN SCULLY:

1 Roll call.

2

3 K. Kalonji Johnson, aye; Keri A. Ellis,
4 aye; Monique M. Ericson, aye; Michael D.
5 Ocker, aye; Alfred L. Whitcomb, aye;
6 Sheri L. Risler, aye; Michael P.
7 Rollage, aye; Erik V. Scully, aye.

8 [The motion carried unanimously.]

9

10 MS. WALTER:

11 The Board also discussed No. 39, which
12 was a letter submitted to the Board by
13 an individual currently residing in the
14 United Kingdom regarding the Royal
15 Charter and some different items the
16 Board discussed and determined that a
17 response was not necessary.

18

19 MS. WALTER:

20 Number 40 on the agenda is a letter from
21 PSTAP regarding the AICPA Professional
22 Ethics Standards. The Board discussed
23 this today, and a specific response to
24 the question in the letter would
25 constitute either legal advice or an

1 advisory opinion, which the Board is not
2 permitted to do.

3 The Board has directed counsel to
4 submit this information in writing and
5 direct PSTAP numbers to the appropriate
6 sections of the Board's Practice Act and
7 regulations. That will be forthcoming,
8 probably in the next week or so.

9 ***

10 CHAIRMAN SCULLY:

11 During executive session, we discussed
12 some of the issues with NASBA. At this
13 open meeting, we are looking at NASBA
14 Item No. 33, No. 34, No. 35, and No. 36
15 on the agenda. The NASBA 4th quarter
16 candidate stats information, NASBA 4th
17 quarter candidate care, NASBA CBT fee
18 letter, and the NASBA continuous testing
19 rules change.

20 MS. WALTER:

21 I believe the Board would entertain a
22 motion to table any discussions
23 regarding No. 36 on the agenda, the
24 NASBA continuous testing rules change
25 until NASBA actually changes their rules

1 to remove the blackout dates.

2 Is there a motion to table any of
3 those discussions?

4 CHAIRMAN SCULLY:

5 So moved.

6 MS. ELLIS:

7 Second.

8 CHAIRMAN SCULLY:

9 Roll call.

10

11 K. Kalonji Johnson, aye; Keri A. Ellis,
12 aye; Michael D. Ocker, aye; Monique M.
13 Ericson, aye; Alfred L. Whitcomb, aye;
14 Sheri L. Risler, aye; Michael P.
15 Rollage, aye; Erik V. Scully, aye.

16 [The motion carried unanimously.]

17

18 Adjournment

19 CHAIRMAN SCULLY:

20 Do I have a motion to adjourn?

21 MS. ELLIS:

22 So moved.

23 CHAIRMAN SCULLY:

24 Do I have a second?

25 MS. ERICSON:

1 Second.

2 CHAIRMAN SCULLY:

3 Roll call.

4

5 K. Kalonji Johnson, aye; Keri A. Ellis,
6 aye; Monique M. Ericson, aye; Michael D.
7 Ocker, aye; Alfred L. Whitcomb, aye;
8 Sheri L. Risler, aye; Michael P.
9 Rollage, aye; Erik V. Scully, aye.

10 [The motion carried unanimously.]

11 ***

12 [There being no further business, the State Board of
13 Accountancy Meeting adjourned at 12:44 p.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Accountancy meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Accountancy meeting.



Seth R. Baier,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF ACCOUNTANCY
REFERENCE INDEX

May 22, 2019

	TIME	AGENDA
1		
2		
3		
4		
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6		
7		
8	9:00	Official Call to Order
9		
10	9:01	Approval of Minutes
11		
12	9:02	Report of Prosecutorial Division
13		
14	9:35	Appointment - Bureau of Finance and
15		Operations Annual Budget Presentation
16		
17	9:47	Report of Board Counsel
18		
19	9:51	Report of Board Chair
20		
21	9:57	Report of Acting Commissioner
22		
23	10:07	Report of Board Administrator
24		
25	10:09	Executive Session
26	12:31	Return to Open Session
27		
28	12:31	Motions
29		
30	12:44	Adjournment
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