

West Virginia Board of Accountancy

405 Capitol Street, Suite 908
Charleston, West Virginia 25301-1744

Jim Justice, Governor



Board Members:
Theodore A. Lopez, CPA – President
Barry L. Burgess, CPA – Vice President
Keith D. Fisher, Esq., Public Member- Secretary
Horace W. Emery, CPA-Assit. Sec.
Richard A. Hudson, CPA
Virginia C. Slack, CPA
Jason P. Staats, CPA

Kristi A. Justice, Executive Director

Friday, January 27, 2023, 9:30 a.m. Board Meeting Minutes Page 1 of 4

The Board of Accountancy met on Friday, January 27, 2023 at 9:30 a.m. virtually.

Board Members in Attendance were:

Theodore A. Lopez, CPA - President
Barry L. Burgess, CPA - V. President
Keith D. Fisher, Esq. - Secretary
Horace W. Emery, CPA – Assist. Secretary
Richard A. Hudson, CPA
Virginia C. Slack, CPA- via Zoom
Jason P. Staats, CPA

Others in Attendance were:

Kristi A. Justice, Executive Director
Stefani D. Young, Board Staff
Sara B. Short, Board Staff
Judy Proctor, WVSCPA

The meeting was called to order at 9:35 a.m. by Ted Lopez, Board President, for which the following actions were recorded.

1. Approval of Minutes

Upon motion by Horace Emery and second by Barry Burgess the Minutes of the September 30, 2022 meeting, were approved as presented. Motion carried.

2. Complaints/Executive Session

Upon motion by Barry Burgess and second by Keith Fisher, the Board went into Executive Session at 9:40 a.m. to consider disciplinary matters pursuant to W. Va. Code § 6-9A-4. Motion carried.

Upon motion by Horace Emery and second by Virginia Slack, the Board came out of Executive Session at 11:15 a.m. and made the following actions part of the record:

2023-01: The Complaint Committee reported this matter is still under investigation. Upon motion by Horace Emery and second by Richard Hudson, the Board will request an informal conference with the licensee. Motion Carried.

2023-02: Upon motion by Virginia Slack and second by Horace Emery, The Board voted to dismiss this matter. The Board found no probable cause for a violation of its statutes or regulations. Motion carried.

2023-03: The Compliant Committee reported this matter is still under investigation.

Peer Review Matters: The Complaint Committee reported Peer Review Matters are being monitored.

CPE Audit Incompliance Matters: Letters will be sent to licensees who were noncompliant with the CPE audit requesting additional information.

3. Legislative Matters

Executive Director provided the Board on update regarding the 2023 WV Legislative Session. SB361 and HB2692(Authorizing Board of Accountancy to promulgate legislative rule relating to board rules of professional conduct) have been introduced. A member from the WVBOA Legislative Committee and Kristi Justice will attend the committee meeting when appropriate.

Kristi Justice provide the Board an update regarding the virtual meetings with ARPL (Alliance for Responsible Professional Licensing).

4. CPA Examination

Upon motion by Horace Emery and second by Virginia Slack, the six exam candidates for 2022 Q4 were approved. Motion carried.

The Board reviewed the exam candidate performance reports provided by NASBA for 2022 Q3.

5. Financial Report / P Card / Budget

The Board received the *Receipts and Disbursements Report* for the period ending December 31, 2022, as follows:

Beginning Cash Balance, July 1, 2022	\$ 555,039.88
Total Receipts	\$ 39,530.00
Total Disbursements	\$(187,140.89)
Ending Cash Balance, September 19, 2022	\$ 407,428.99

Upon motion by Richard Hudson and second by Keith Fisher, the Board approved the financial report. Motion carried.

Upon motion by Horace Emery and second by Keith Fisher, the Board ratified the P-Card purchases for 2022 Q4. Motion Carried.

6. Licensing / CPE / Firms

The Board reviewed an email and considered a request regarding an exam candidate's education credit hours obtained. Upon motion by Horace Emery and seconded by Virginia Slack, the request was denied. Motion carried.

The Board reviewed an email received regarding Principal Place of Business for firms and individual licensees. The Board recommended Kristi Justice, Executive Director, respond to the email and provide the language in WV Code 30-9-16 *Substantial equivalency practice privileges and 1CSR1* (Board Rules and Rules of Professional Conduct) 1-1-10. *Substantial Equivalency Practice Privileges*.

The Board discussed a firm matter regarding a PLLC having one CPA on staff and the requirements of a firm permit. According to West Virginia Chapter 30 Code the definition of firm is the following: §30-9-2. *Definitions. (16) "Firm" means any business entity, including, but not limited to, accounting corporations and professional limited liability companies, in which two or more certified public accountants or public accountants hold an ownership or membership interest, in terms of the financial interests and voting rights of all partners, officers, shareholders, members or managers, and the primary business activity of which is the provision of professional services to the public by certified public accountants or public accountants.*

Stefani Young, CPE Coordinator, provided the Board an update of the results of the FY2021 CPE audit, as well as, a status report of current CPE reporting by licensees.

7. NASBA / AICPA

Kristi Justice, Executive Director, provided the Board a document with a message from NASBA and AICPA Leadership.

Kristi Justice, Executive Director, provided the Board the press release of the updated Uniform CPA Examination Blueprint for the redesign of the CPA Exam.

Kristi Justice, Executive Director, provided the Board correspondence from NASBA regarding the pathway to CPA.

The NASBA Annual Meeting was held on October 30 – November 2, 2022 in San Diego, California. Executive Director and Board President attended the annual meeting.

Kristi Justice, Executive Director, provided the Board a letter from NASBA of her appointment to the NASBA Enforcement Resource Committee for 2022-23.

8. Other

Executive Director provided the Board feedback from the WVBOA newsletter.

The Board discussed updates to the current online database system from Albertson, Inc. A discussion was held regarding the WVBOA process of application approvals.

Executive Director provided the Board an oral and written Office Report for October 1 to December 31, 2022.

9. Future Board Meetings

April 28, 2023

10. Quarterly Reports


The following reports were made part of the quarterly record and available to each member for 2022 Q3:

- I. Exam Candidates Who Sat
- II. Approved Exam Candidates
- III. Approved Firms
- IV. Approved Licensees
- V. Candidate Care Report


With no further business to come before the Board, upon motion made by Keith Fisher and second by Barry Burgess, the meeting was adjourned at 1:40 p.m.

We certify that this is a true copy of the Minutes of the West Virginia Board of Accountancy for January 27, 2023.


Board President


Secretary


Assistant Secretary


Recorder