

NEW YORK STATE BOARD FOR PUBLIC ACCOUNTANCY

July 27, 2022

**Meeting Minutes
New York State Education Department
1411 Broadway, 10th Floor
New York, NY**

Chair Mr. Langowski called the meeting to order at 10:57 a.m.

<u>The following members were present:</u>	
Carney AuYeung, CPA	Crisy Geerholt
Anthony Bracco, CPA	Brian Krist, Esq
Alexander Buchholz, CPA	Stephen Langowski, CPA
Ann Burstein Cohen, CPA	Joseph Maffia, CPA
Scott Cheslowitz, CPA	Heather Mowat, CPA (left 1:45pm)
Mark Ferm, CPA (left 1:56pm)	James Schnell, CPA
Cynthia Foy	Thomas Sciametta, CPA
<u>Members absent:</u>	
Charles Abraham, CPA	Maria Moran, CPA
Anthony Basile, CPA	Kevin Richards, CPA
Elizabeth Bush, CPA	Shelly Taleporos, CPA
William Kahn, CPA	

Others in attendance:

Jennifer Winters, Executive Secretary, NYSED
Julie McLoughlin, NYSED
Catherine Slattery, NYSED – Executive Session Only
Bradley Kilmer, NYSED – Executive Session Only
Samara Halpern, NYSED – Executive Session Only
Frank Venezia, NY Peer Review Oversight Committee
Ashton Matyi, Ostroff Associates / The Accountants Coalition (TAC)
Jovan Richards, NYSSCPA
Calvin Harris, NYSSCPA
Nina Dorata, St. John's University/NYSSCPA
Sidney Askew, CUNY Borough Manhattan Community College

The Board moved into Executive Session at 10:57 a.m., based on a motion made by Ms. Foy and seconded by Ms. AuYeung. The Board had an introduction to the prosecutors from the Office of Professional Discipline and they provided a brief presentation. The board also discussed the disciplinary cases and the associated penalties.

Executive Session adjourned at 11:37 a.m. based on a motion made by Mr. Bracco and seconded by Mr. Maffia. The Chair moved the Board into Public Session at 11:43 a.m. based on a motion by Mr. Sciametta and seconded by Mr. Maffia.

Review and Approval of Minutes

Based on a motion made by Mr. Schnell and seconded by Mr. Cheslowitz, the Board approved the minutes of the April 27, 2022, Board meeting.

Peer Review Oversight Committee

Mr. Venezia, Chair of the Peer Review Oversight Committee (PROC), presented via WebEx the annual PROC report beginning on page 5 of the board packet. After the report, a discussion took place regarding the monitoring of firms performing peer reviews, availability of information in PRIMA, and limitations of the information obtained due to Ch. 3 of the Peer Review Standards. Mr. Langowski thanked Mr. Venezia for the thorough presentation.

Board Office Update

Ms. Winters reported that the Administrative Assistant 1 position is still vacant, and recruitment is in process. Ms. Winters reported on the compiled licensing statistics that were from the years 2019, 2020, and 2021, including the type of education review for the 150 and 120 semester hour pathways.

Legislative update

Ms. Winters informed the Board that the non-CPA ownership bill passed in the Senate. However, it did not pass in the Assembly. Ms. Winters noted that the same technical comments were provided to the legislature. Mr. Maffia inquired about the bill on the Accountants' Client Protection Fund. Ms. Winters noted that it remained a one house bill and would need to be reintroduced next year.

Regulatory Update

Ms. Winters noted that the updates on the exam, education, and experience within the Regulations of the Commissioner part 52.13, 70.2, 70.3, and 70.4 was presented to the Board of Regents at its May 2022 meeting. The regulations are out for public comment through August 1, 2022. They are slated to be presented to the Board of Regents at their September meeting with a permanent adoption in the fall. Ms. Winters noted that the NYS Society of CPA's Future of Accounting Education Committee sent a comment letter on the associate policies that the Board has been working on. The Society's initial letter and a support letter from a Joseph Grymin were included in the Board packet. Also included was our Education Committee's response to the Society's letter. Ms. Winters noted that the week prior to the Board meeting, another response from the Future of Accounting Education Committee was received. That letter is to be reviewed by our Education Committee at its next Committee meeting on August 11, 2022.

Education Committee

Ms. Cohen reminded the Board members the purpose of the CPA Evolution. The board packet contained the website updates that had been worked on by the Education Committee that provides further guidance on the new regulations. Ms. Winters noted that the website updates had been worked on by additional Department staff. Ms. Cohen noted that there are a few more items under consideration that will be discussed at the committee's next meeting on August 11th.

A discussion ensued about how to get the message out to schools. Several methods were discussed and suggested by the Board members. Ms. Winters noted that the outreach would be segmented into two separate sections: one specifically for licensure qualifying programs and the other for any other school in or outside of New York.

Examination Committee

Mr. Langowski outlined the need to continue to monitor the candidates who received an extension to the 18-month window due to the international travel restrictions. The matter will be reassessed at the October Board meeting.

Mr. Langowski described the transition policy on the new CPA exam that was distributed by NASBA. The letter from NASBA was included in the Board packet on page 60. The recommendation made by NASBA for extensions to the 18-month condition be granted as outlined in the letter: Any candidate with examination credits(s) on January 1, 2024, will have such credits extended to June 30, 2025. The recommendation was approved unanimously with a motion by Ms. Mowat and seconded by Mr. Cheslowitz. Ms. Winters will notify the Department and NASBA of the Board recommendation.

Mr. Langowski reviewed the recommendation that grants a 3-month extension to the 18-month condition requirement due to medical for women who give birth. The candidate would need to provide a birth certificate. Based on a motion made by Ms. Foy and seconded by Mr. Buchholz, the Board approved the extension policy as per the Examination Committee's recommendation.

Ms. Winters reviewed the types of extension requests that were received from April to June 2022 and outlined the nature of the request and for those that were approved or disapproved. Ms. Winters also reviewed a petition to the Board of Regents by an applicant who requested to waive the 18-month condition requirement. The applicant had previously been denied an extension request by the Examination Committee. The Board of Regents denied the petition as well.

Practice Committee

Mr. Bracco reported that the subcommittee of the Practice Committee reviewed a scope of practice matter for a licensee who was determined to be working in the scope of practice.

Licensing Committee

Mr. Buchholz summarized the review conducted by the licensing committee regarding an endorsement applicant's experience.

NASBA Developments

Mr. Langowski noted that NASBA hosted two regional meetings in June and the annual meeting will be held in October. Ms. Winters noted that she was able to attend the Eastern regional meeting in person and it was her first out-of-state NASBA meeting since being in the position for nearly a decade. Ms. Winters noted several items of interest, including on-going discussions with NASBA regarding the principal place of business being further clarified due to virtual work locations and pipeline initiatives, including a review of education and internships. Ms. Cohen's paperwork to attend the Annual meeting is currently under review by the ethics office.

New Business

Mr. Bracco inquired where the regulations stood as far as the consideration of adopting the nano-credits for CPE. Ms. Winters explained that there was new leadership at the Department along with two new attorneys. The initiative was brought up within the new Office of Professions leadership, however, a schedule of regulations updates has not been approved.

The next Board meeting is scheduled for October 19, 2022, the meeting will be held via WebEx at several locations in the state.

The public session adjourned at 2:01 p.m.

Respectfully submitted,

Jennifer B. Winters, CPA
Executive Secretary