

MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY
MINUTES
April 23, 2010

The Mississippi State Board of Public Accountancy met at the Board office at 5 Old River Place, Suite 104, Jackson, Mississippi, on April 23, 2010, beginning at 10:00 a.m. The following record of that meeting was maintained.

Board Members Present

David Clarke, Chair
David L. Miller, Vice Chair
Shelly B. Boone, Secretary
Jim E. Burkes
Rick Elam
Willie B. Sims, Jr.

Board Staff Present

Susan M. Harris, Executive Director
Ransom C. Jones, Investigator

Legal Counsel Present

Onetta Whitley, Deputy Attorney General

Others Present

Suzanne Jolicoeur, AICPA
Perry Smith, MAPA
Gary Walker, MSCPA

I. General

1. The Board opened the meeting with an invocation from Jim Burkes.
2. The Board unanimously approved the minutes from the March 26, 2010, meeting.
3. The Board members signed the CPA certificates of licensure from the March 26, 2010, meeting.
4. The Board members set the time for next meeting and reviewed the tentative meeting dates and activities for the first part of 2010. The Board canceled the August 20, 2010, Board meeting due to conflicts:

May 26	8:30 a.m.	Meeting
June 9-11		NASBA Eastern Regional Meeting
June 24-27		MSCPA Annual Meeting
July 23		Meeting

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I. General (Continued)

5. The Board noted that registrations are due on or before May 10, 2010, for the NASBA Regional meeting and registrations are due now for the MSCPA Annual Meeting.
6. The Board members noted that the *Statement of Economic Interest* is due to the Mississippi Ethics Commission by May 1, 2010.

II. National Regulatory Concerns

1. The Board reviewed and discussed the NASBA *State Board Report* for March 2010.
2. The Board members noted the March 29, 2010, NASBA email regarding Committee Interest Forms that are due May 10, 2010.
3. The Board members noted the April 6, 2010, Alabama State Board of Accountancy memorandum nominating Ken Odom for 2010-2011 Southeast Regional Director (third term).
4. The Board members recognized Suzanne Jolicoeur, AICPA Manager State Regulatory Outreach, attending the Board meeting and heard a report from her concerning current activities.
5. The Board members reviewed Public Accounting Oversight Board (PCAOB) recent releases including:
 - *PCAOB Proposes Auditing Standard on Communications with Audit Committees, Amendments to PCAOB Interim Standards* and
 - *PCAOB Issues Staff Audit Practice Alert on Auditor Considerations of Significant Unusual Transactions*

III. Administration

1. The Board members reviewed and discussed the SAAS Summary Trial Balances as of March 31, 2010, for Treasury Funds 3845 and 3850, and the Treasury Fund 3845 SAAS Appropriation/Actual Expenditures for the nine months ended March 31, 2010.

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III. Administration (Continued)

2. The Board members discussed the proposed fiscal year 2011 budget, Senate Bill 3157. Through House Concurrence 121, the normal Legislative calendar was suspended.
3. The Board members present unanimously approved extra per diem days as follows:

IV. CPA Examination, Licensing and Firms

1. The Board members present unanimously ratified the Window 1 - January - February 2010 CPA examination scores for 182 candidates, 230 examination sections. Twenty (20) candidates completed all four examination sections.
2. The Board members unanimously accepted the listing of candidate applications for the computerized examination (8 initial, 49 reexam) received since the March 26, 2010, meeting. The Board reviewed and discussed a special candidate situation related to good moral character - initial applicant number 12826. Based on its careful evaluation of criminal misdemeanor conviction and all other requirements being met, the Board members unanimously approved the applicant to sit for the examination as a Mississippi candidate.
3. The Board members present unanimously acted upon the applications for CPA licenses, reciprocals, reinstatements, and CPA firm permits as presented herein:

Applications for Original CPA License

File Number	Name	Number	Date	Approved
10924	Daniel Heath Castile	6047	4/23/10	Yes
11837	Stephen Toler Hood	6048	4/23/10	Yes
11863	Kevin Wayne Lively	6049	4/23/10	Yes
12301	Erica Maureen Mason	6050	4/23/10	Yes
12142	Shawna Leigh Post	6051	4/23/10	Yes
10395	Troy Daniel Rankin	6052	4/23/10	Yes

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IV. CPA Examination, Licensing and Firms (Continued)

3. Applications (Continued)

Applications for Original CPA License (Continued)

File Number	Name	Number	Date	Approved
11964	Sheila Von Rice	6053	4/23/10	Yes
12821	Brittany Leigh Sherrill	6054	4/23/10	Yes
12610	Lauren Bailey Trussell	6055	4/23/10	Yes

Applications for Reciprocal CPA Licenses

File <u>Number</u>	<u>Name</u>	<u>Number</u>	<u>Date</u>	<u>Approved</u>
12752	Toijuan Anthony Bell	R3510	4/23/10	Yes
12146	Shaun Tyler Benesch	R3511	4/23/10	Yes
12818	John Henry Herman	R3512	4/23/10	Yes

Applications for Reinstatement of CPA Licenses

File <u>Number</u>	<u>Name</u>	<u>Number</u>	<u>Approved</u>
08255	Brian E. Hull	4551	Yes
10870	Rachel N. Soper	5661	Yes

Applications for CPA Firm Permit to Practice

<u>Name</u>	<u>Number</u>	<u>Approved</u>
Bell & Associates, CPA Chicago, IL	F1275	Yes
Kennedy and Kennedy, PLLC Germantown, TN	F1276	Yes
Shoab Kharawala, CPA Ballwin, MO	F1277	Yes
Pedelahore & Co., LLP New Orleans, LA	F1278	Yes
Willard M. Wade Dunwoody, GA	F1279	Yes

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IV. CPA Examination, Licensing and Firms (Continued)

4. The Board reviewed amendments to registered CPA firms, as follows:

<u>Name</u>	<u>Number</u>	<u>Description</u>
BDO USA, LLP Memphis, TN	F0148	Name Change from BDO Seidman, LLP
BDO USA, LLP Dallas, TX	F1227	Name Change from BDO Seidman, LLP
Tolleson-Keenum CPA Group, PA Pascagoula, MS	F0722	Name Change from Michael D. Tolleson , CPA PA

5. The Board reviewed and granted a request for NTS extension from examination candidate 12733 (BEC, FAR, REG) from April 19, 2010, to November 30, 2010, due to his father's illness.
6. The Board discussed details for the April 24, 2010, CPA Presentation Ceremony and approved the ceremony.

7. The Board heard a report from Executive Director Susan Harris concerning her communication with NASBA and request for on-line score reporting for Mississippi candidates. NASBA has agreed to support the request for on-line reporting of Mississippi candidate scores as the Board begins participation in the ALD (Accountancy Licensee Data Base). The program will most probably be available this summer.

V. Continuing Professional Education

1. The Board members present unanimously authorized the following actions on CPE sponsor programs submitted for approval.

	<u>Sponsor/Program Title</u>	<u>Dates</u>	<u>Hours</u>	<u>Approved</u>
A.	American Institute on Federal Taxation 1. Thirty-fourth Annual American Institute on Federal Taxation	6/23-25/10	21.5	Yes
B.	Copeland, Cook, Taylor and Bush, P.A. 1. 200 Estate and GST Tax Repeal	2/17/10 3/4/10 3/26/10 3/29/10	1	Yes

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V. Continuing Professional Education (Continued)

1. CPE Sponsor Applications (Continued)

	<u>Sponsor/Program Title</u>	<u>Dates</u>	<u>Hours</u>	<u>Approved</u>
C.	Financial Planning Association of Mississippi 1. Where Do We Go From Here?	4/30/10	8	Yes
D.	Mississippi Association of Public Accountants 1. MAPA Annual Forum	5/24/10	3 Ethics (2 General 1 Rules)	No (1)
E.	Mississippi Institutions of Higher Learning 1. A "How To" on Fraud, Control & Assessment	5/5/10	8 (1 Ethics General)	Yes

F.	MSCPA			
1.	An Overview of the Estate and Probate Process and Wills versus Trusts in Estate Planning	7/16/09	1	Yes
2.	Businesses Beware: Tips for Advising Business Clients on the Bankruptcy Context	8/20/09	1	Yes
3.	Recession Era Funding Sources for Small Businesses	9/17/09	1	Yes
4.	Update on Rules and Regulations of the State Board of Public Accountancy	10/15/09	1 Ethics Rules	Yes
5.	Effective Financial and Healthcare Decision Making	11/19/09	1	Yes
6.	Serving Seniors-Focusing on Serving Senior Citizens in the Ongoing Care of Their Financial Affairs	1/21/10	1	Yes
7.	Update From the State Auditor's Office	2/18/10	1	Yes
8.	Modern Retirement Theory	3/18/10	1	Yes
G.	National Indian Gaming Commission (NIGC)			
1.	Washington, D.C. Regional Training	1/19-21/10	18	Yes

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VI. Rules and Regulations

1. The Board members discussed the process for changes to rules effective after July 1, 2010, related to legislative mobility.

VII. Regulatory Matters

1. The Board heard a report from Investigator Ransom Jones and approved the regulatory activities from March 26, 2010, to April 23, 2010:

<u>Activity</u>	<u>Number</u>
Cases Opened	1
Cases Closed	3
Cases referred to Members	2
Total Cases Open	14

2. Cases closed:

Case 2005.15 - opened November 17, 2005. The United States Federal Court found this

national CPA firm guilty of selling illegal tax shelters including at least one in Mississippi. The Jim Burkes Investigative Committee offered the firm a consent order including a \$15,000 voluntary payment and reimbursement of administrative and legal costs. The Trial Board approved the consent order at the March 26, 2010, meeting. The investigative committee closed the case.

Case 2009.18 - opened December 18, 2009. A former client alleged that errors and omissions were made in the licensee's accounting and tax work for his companies [Rule 6.8. Competence]. The Board Investigator added a charge of violation of Rule 6.17.17 - non cooperation with the Board due to the CPA's failure to respond in writing to the Board complaint. Since receipt of the complaint, the Board office received many client complaints concerning return of their records. The licensee failed to register for 2010, and communicated verbally reporting mental and health issues causing closing of her CPA practice. A cease and desist letter was sent to the respondent at her current employment. A "Show Cause" hearing will be required if the respondent applies for reinstatement.

Case 2010.04 - opened March 15, 2010. A non-licensee held-out as a CPA in a newspaper advertisement. The investigator closed the case with no probable cause to investigate further after the individual applied and received a reciprocal license at the March 26, 2010, Board meeting.

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VII. Regulatory Matters (Continued)

3. The Investigator reviewed the open case log by general description and reported on the investigative activities.

VIII. Trial Board

1. The Board members present unanimously voted to convene as the Trial Board for the purpose of considering matters related to disciplinary cases.
2. The Board did convene as Trial Board to receive an update on four open complaints noticed for administrative disciplinary hearings but tabled until a later date.
3. Upon conclusion of Trial Board business, the Board adjourned as Trial Board and adjourned the meeting.

APPROVED:

Chair

Board Member

Vice Chair

Board Member

Secretary

Board Member