

**MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY
MINUTES
December 16, 2011**

The Mississippi State Board of Public Accountancy met at the Board office at 5 Old River Place, Suite 104, Jackson, Mississippi, on December 16, 2011, beginning at 8:30 a.m. The following record of that meeting was maintained.

Board Members Present

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

Board Staff Present

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

Legal Counsel Present

Gloria Green, Special Assistant Attorney General

Others Present

Gary Walker, MSCPA

I. General

1. The Board opened the meeting with an invocation from Willie Sims.
2. The Board members approved the minutes from the November 18, 2011, meeting.
3. The Board members signed the CPA certificates of licensure from the November 18, 2011, meeting.

I. General (Continued)

4. The Board reviewed the tentative meeting dates and activities for 2012. The Board members unanimously canceled the February meeting and changed the January 2012 meeting date.

Jan 20 27	Meeting	June 21-24	MSCPA Annual
February 17	Meeting (canceled)	July 20	Meeting
March 23	Meeting	August 24	Meeting
April 20	Meeting	September 21	Meeting
April 21	Ceremony	October 28-31	NASBA Annual
May 18	Meeting	November 16	Meeting
June 13-15	NASBA E. Regional	November 17	Ceremony
June 27-29	NASBA W. Regional	December 14	Meeting

5. The Board members unanimously approved attendance for upcoming NASBA conferences: 30th Annual Conference for Executive Directors & State Board Staff March 11-14, 2012, and the 17th Annual Conference for State Board Legal Counsel March 11-13, 2012, in San Antonio.

II. National Regulatory Concerns

1. The Board reviewed and discussed topics in the November 2011 NASBA *State Board Report*.
2. The Board members reviewed the AICPA - *Ethically Speaking*, December 2011.
3. The Board members reviewed the AICPA Professional Ethics Division Omnibus Exposure Draft, *Proposed New Interpretations and Proposed Deletion of Ethics Ruling*, but took no action.
4. The Board members noted and discussed the following recent Public Accounting Oversight Board (PCAOB) release: *PCAOB Publishes Staff Audit Practice Alert on Addressing and Responding to Risk in the Current Economic Environment*.
5. The Board members discussed possible NASBA Vice Chair nominees, but took no action.

IV. CPA Examination, Licensing and Firms (Continued)

2. Applications (Continued)

Applications for Reciprocal CPA Licenses

File Number	Name	Number	Date	Approved
13075	Amber Elkins Ash	R3573	12/16/11	Yes
13193	Michael Corey Hancock	R3574	12/16/11	Yes
13202	Jody Matlock Lappi	R3575	12/16/11	Yes

Applications for Reinstatement of CPA Licenses

File Number	Name	Number	Approved
10004	Joseph P. Sullivan	5176	Yes

Applications for CPA Firm Permit to Practice

Name	Number	Approved
Vince W. Barr, III, CPA Madison, MS	F1473	Yes
Robbie Rogers Coleman, CPA Corinth, MS	F1474	Yes
Corkern & Norris, PLLC Ridgeland, MS	F1475	Yes
Daniel DeBlanc, CPA Picayune, MS	F1476	Yes
H M Drake Jr., CPA PA Port Gibson, MS	F1477	Yes
John L. Ellisor, Jr., CPA Mobile, AL	F1478	Yes
D A Harden, CPA Southaven, MS	F1479	Yes
Terry Horne CPA Inc Lebanon, TN	F1480	Yes
Matheny, CPA LLC Madison, MS	F1481	Yes

IV. CPA Examination, Licensing and Firms (Continued)

2. Applications (Continued)

Applications for CPA Firm Permit (Continued)

<u>Name</u>	<u>Number</u>	<u>Approved</u>
Amy B. McKenzie, CPA Madison, MS	F1482	Yes
Henry Moore, CPA, LLC Ridgeland, MS	F1483	Yes
Robert D. Parker, CPA Ridgeland, MS	F1484	Yes
Gary D. Rosetti Biloxi, MS	F1485	Yes
Paul C. Shelton, CPA PA Madison, MS	F1486	Yes
David Stotts, CPA Madison, MS	F1487	Yes
Daniel M. Thomas, Jr., CPA Flowood, MS	F1488	Yes

Application for Reinstatement of a CPA Firm Permit to Practice

<u>Name</u>	<u>Number</u>	<u>Approved</u>
Purkey, Carter, Compton, Swann & Carter PLLC Morristown, TN	F0610	Yes

3. The Board members present unanimously took the following actions related to requests for amendments to the 2011 CPE compliance requirements:

<u>Name</u>	<u>Number</u>	<u>Board Action</u>
Quandice J. Green	5501	Extension to 12/31/11 - 9 CPE hours
Thomas R. Sanderson	4368	Waiver - Medical

IV. CPA Examination, Licensing and Firms (Continued)

4. The Board reviewed and discussed information related to the CPA examination including:
 - NASBA Candidate Concerns 11Q3, and
 - CBT Steering Group, Quarterly Summary Report.

5. The Board members discussed some issues related to individuals misunderstanding the requirements related to the CPA (retired) status and other issues and determined to review the Rules and Regulations in 2012 to provide clarification in this and other areas.

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.	Division of Business Services, College of Business, MSU	12/5-6/11		
	1. 2011 Annual Income Tax Course	12/6-7/11 12/7-8/11 12/8-9/11	16 with 1 general ethics	Yes
B.	Electric Power Associations of MS			
	1. Electric Power Associations of MS - Accounting & Finance Meeting	10/26- 27/11	4	Yes
C.	Frances Rushton Scholarship Trust			
	1. Auditing, Accounting and Tax Update	11/4/11	8	Yes
D.	Mississippi Association of Public Accountants			
	1. Gear Up 1040 Seminar	12/1-2/11	16	Yes

V. Continuing Professional Education (Continued)

1. CPE Sponsor Applications (Continued)

	<u>Sponsor/Program Title</u>	<u>Dates</u>	<u>Hours</u>	<u>Approved</u>
E.	Mississippi Society of CPAs			
	1. Government Accounting & Auditing Conference	8/18-19/11	16	Yes
	2. Business and Industry Conference	10/18/11	8	Yes
	3. Accounting Educators Symposium	10/28/11	8	Yes
	4. Not-for-Profit Conference	11/4/11	8	Yes
	5. Accounting Ethics	11/8/11	4 Ethics	Yes
		11/15/11	3 general	
		12/12/11	1 rules	
	6. Estates and Trusts: Mastering Complex Income Tax Issues	11/9/11	4	Yes
	7. AICPA's Advanced Course: Overview of the AICPA Peer Review Program Standards	11/14/11	8	Yes
	8. Business Valuation & Litigation Services Seminar	11/14/11	8	Yes
	9. Mississippi Tax Institute	11/21-22/11	16	Yes
F.	Piltz, Williams, LaRosa & Co.			
	1. GASB Statement 54	12/1/11	1	Yes

2. The Board members present unanimously authorized the following actions concerning CPE request from individuals.

	<u>Sponsor/Program Title</u>	<u>Dates</u>	<u>Hours</u>	<u>Approved</u>
A.	Partners in Business			
	1. 35 th Annual Accounting Conference	10/20/11	8	Yes
	<i>Requested by Kimberly Rogers</i>			

VI. Regulatory Matters

1. The Board heard a report from Investigator Ransom Jones and approved the regulatory activities from November 18 to December 16, 2011:

<u>Activity</u>	<u>Number</u>
Cases Opened	0
Cases Closed	10
Cases referred to Members	0
Total Cases Open	19

2. The Investigator reviewed and discussed closed cases, as follows:

Cases 2011.12-03; 12-05; 12-08; 12-10; 12-12; and 12-14 - opened October 20, 2011. Respondents failed to submit 2011 CPE reporting forms and did not respond to the Board Notice of Hearing. A Trial Board administrative hearing was held on November 18, 2011, and the Board revoked the CPA licenses, fined each person \$500, and required cost recovery.

Case 2011.12-06 - opened October 20, 2011. The respondent failed to send in a 2011 CPE reporting form but did respond to the Board Notice of Hearing with a letter requesting cancellation of her license. The Board issued a Trial Board order remanding the issue to her file.

Case 2011.12-07 - opened October 20, 2011. The respondent failed to send in a 2011 CPE reporting form but did respond to the Board Notice of Hearing with a letter requesting an extension. Subsequently, the Investigative Committee accepted her amended CPE report and her excuse for late filing and closed the case.

Case 2011.12-13 - opened October 20, 2011. The respondent failed to send in a 2011 CPE reporting form. The licensee's daughter did respond to the Board Notice of Hearing with a letter stating that her father was mentally incapacitated. She provided a copy of a power of attorney and the respondent's doctor provided a letter describing his disability. The Investigative Committee closed the case and placed the request for a medical CPE waiver on the December agenda.

Case 2011.12-15 - opened October 20, 2011. The respondent failed to send in a 2011 CPE reporting form. The licensee was sent a Notice of Hearing and was required to attend the hearing. After receiving the testimony at the hearing, the Trial Board issued an order which requires her to make up 60 hours (40 deficit + 20 penalty) and required cost recovery.

VI. Regulatory Matters

3. The Investigator reviewed the open case log by general description and reported on the investigative activities.
4. The Board members received the replacement annual report from the Peer Review Oversight Committee. After review and discuss, the Board determined to hold a conference call with the PROC, preferably in January, to discuss procedures and the activities of the committee.

VII. 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. David Miller, Trial Board President, was the presiding officer. Gloria Green, Special Assistant Attorney General, was the hearing officer.
2. The Board continued as Trial Board for the purpose of hearing complaint 2011.11 concerning licensee 4127. David Miller was recused. The Board office received a request from the respondent to continue the hearing until the next Board meeting and the Investigative Committee accepted the request. Upon motion by Shelly Ford with second from Rick Elam, the Board accepted the Investigative Committee decision and approved the continuance of the hearing until the January 27, 2012, meeting. Votes were - For: Shelly Ford, Willie Sims, Jim Burkes, David Clarke, Rick Elam, Angela Pannell; Against: None; Absent: None; and Recused: David Miller.
3. The Board continued as Trial Board for the purpose of hearing complaint 2009.17 concerning licensee R2545. Jim Burkes was recused. The Board office received a request from the respondent to continue the hearing until for 90 days (until the March 23, 2012, Board meeting) and the Investigative Committee accepted the request. In addition the committee determined that the individual should also be demanded to cease and desist all activities in the State due to practicing without a CPA firm permit. Upon motion by Shelly Ford with second from Angela Pannell the Board accepted the Investigative Committee decision, approved the continuance of the hearing until the March 23, 2012 meeting, and included a cease and desist of public accounting activities for Mississippi clients. Votes were - For: David Miller, Shelly Ford, Willie Sims, David Clarke, Rick Elam, Angela Pannell; Against: None; Absent: None; and Recused: Jim Burkes.

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VII. Trial Board (Continued)

4. The Board continued as Trial Board noting the status of two complaints continued from the November 18, 2011, meeting. The Board noted that the Investigative Committee has communicated with respondents for complaints 2011.12-07 and 2011.12-13 and accepted the licensees' resolution of the matters based on valid excuses and a medical waiver. The Board members noted and accepted the Investigative Committee's actions.
5. Upon conclusion of Trial Board business, the Board adjourned as Trial Board.

APPROVED:

Chair

Board Member

Vice Chair

Board Member

Secretary

Board Member

Board Member