

**MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY
MINUTES
March 4, 2021**

The Mississippi State Board of Public Accountancy met telephonically on March 4, 2021, beginning at 10:00 a.m. The following record of that meeting was maintained.

Board Members Present by Video Conference

David Bridgers, Chair
William Kelly, Vice Chair
Charles Prince, Secretary
Rick Elam
Angela Pannell
Mark Peach
Willie Sims, Jr.

Board Staff Present at Board Office

Andy Wright, Executive Director
Sharee Brewer, Associate Director, Investigations

Legal Counsel Present at Board Office

Ed Wiggins, Special Asst. Attorney General

Others Present by Video Conference or Telephone

Vicki Snowden, Board Licensing Administrator
Karen Moody, MSCPA President/CEO
Annette Pridgen, MSCPA Chair
Josh Norris, MSCPA/Board Liaison
Drew Malone, Special Asst. Attorney General, Hearing Officer
Alicia Johnson, Court Reporter

I. General

1. The Board opened the meeting with an invocation from Willie Sims, Jr.
2. The minutes from the January 21, 2021 meeting were approved.
3. The May 1, 2021 due date for the Statement of Economic Interest for Board members was noted.

I. General (Continued)

4. The Board reviewed and approved tentative meeting/activity dates for 2021:

2021 Tentative Dates:

April 12-14	NASBA Exec. Director, Staff & Legal Conf
May 7 (Friday)	10:00 a.m. Board Meeting
May 8	New CPA Ceremony (cancelled)
June 8-10	NASBA West Regional; Colorado Springs, CO
June 17	10:00 a.m. Board Meeting
June 21-23	NASBA East Regional; White Sulphur Springs, WV
June 22-27	MSCPA Convention
August 5	10:00 a.m. Board Meeting
September 16	10:00 a.m. Board Meeting
October 22	10:00 a.m. Board Meeting
October 23	New CPA Ceremony (tentative)
Oct. 31- Nov. 3	NASBA Annual Meeting; San Diego, CA
December 9	10:00 a.m. Board Meeting

The Board unanimously approved travel (if necessary) to any in-person NASBA Regionals or MSCPA Convention.

II. National Regulatory Concerns

1. The Winter 2021, NASBA State Board Report was discussed.
2. The NASBA Regional Directors' Focus Questions were discussed.
3. Executive Director's update on efforts to organize ARPL in MS was heard.

III. Administration

1. The Cash in Treasury for Funds 3845 and 3850 as of January 31, 2021 was noted.
2. The FY 2021 Budget to Actual Comparison – Fund 3845, for the seven months ended January 31, 2021 was reviewed.
3. The future of the new CPA presentation ceremony was discussed.
4. Additional Per Diem days were approved.

IV. CPA Examination, Licensing & Firms

1. The Board noted staff approval of 107 candidate applications (39 initial, 68 reexam) for 160 Sections of the computerized CPA examination received since the January 21, 2021 meeting.
2. Window 4 (Oct – Dec., 2020) examination scores for 196 candidates, 233 examination sections were accepted by the Board.
3. The following actions on applications for CPA licenses, reciprocals, reinstatements, and CPA firm permits were unanimously approved by the Board unless otherwise noted:

Applications for Original CPA License

Name	Number	Action
Amelia Lucile Alford	8066	Approved
Andrew Joseph Bodin	8067	Approved
Payton O. Cornish	8068	Approved
Daniel Zoffee Dahmash	8069	Approved
Charles William Fillmore	8070	Approved
Jonathan Emile Guel	8071	Approved
Daniel Bryce Kettleman	8072	Approved
Alexander Stephen Miller	8073	Approved
Amy Cornelia Miller	8074	Approved
Amy Lynn Pullens	8075	Approved
Joseph Alexander Ray	8076	Approved
Newton H. Riley	8077	Approved
Faith Danley Roberts	8078	Approved
Maxwell Calvin Seage	8079	Approved
Isabelle LaPlace Shall	8080	Approved
Julie Underwood Thompson	8081	Approved

Applications for Reciprocal CPA License

Name	Number	Action
Matthew Clark Earwood	R8082	Approved
Jason Richard Perry	R8083	Approved

Applications for Reinstatement of CPA License

Name	Number	Action
Andrew E. Gay	3013	Approved
Patricia D. Gibbens	4626	Approved
John C. Repult	4019	Approved

IV. CPA Examination, Licensing & Firms (Continued)**Applications for CPA Firm Permit to Practice**

Name	City, State	Number	Action
FGMK, LLC	Bannockbun, IL	8060	Approved
Hinson CPA Firm PLLC	Madison, MS	8061	Approved
Tina James CPA, PLLC	Meridian, MS	8062	Approved
Postlethwaite & Netterville, APA	Hattiesburg, MS	8063	Approved
R. Sessions PG LLC	Trussville, AL	8064	Approved
TRD CPA, LLC	Jackson, MS	8065	Approved

Amendments to Registered Firms

No.	Name	City, State	Change
F1406	Vicki J. Gann, CPA	Corinth, MS	Address Change
F1676	HCJ CPAs & Advisors, PLLC	Little Rock, AR	Name Change from Hudson, Cisne & Co. LLP
7884	Harris CPAs	Meridian, ID	Address Change
F0706	Mike W. Jackson, LLC	Greenville, MS	Name Change from Tarver Tarver Kirby & Jackson, LLC
F1670	McKenzie CPA, PLLC	Brandon, MS	Address Change
F0900	RSM US LLP	Chicago, IL	Address Change

Application for Reinstatement of a CPA Firm Permit to Practice

Number	Name	City, State	Action
F1603	Mary Adams, CPA	Bogue Chitto, MS	Approved
F1541	C. Machel Brown, CPA	Petal, MS	Approved
F1409	Ira K. Hairston, CPA PA	Hollandale, MS	Approved
7963	Henley CPA, PLLC	Madison, MS	Approved
F0783	Wright CPA Group, PLLC	Hattiesburg, MS	Approved

IV. CPA Examination, Licensing & Firms (Continued)

4. The NASBA request for Acceptance of Remote Testing Scores was discussed.
5. The Virginia Board News – Increasing Diversity, was discussed.

V. Continuing Professional Education

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

Sponsor/Title	Dates	Hours	Action
Estate Planning Council of MS			
1. Economic and Market Update	1/14/2020	1	Approved
2. Qualified Opportunity Zones	2/11/2020	1	Approved
3. Life Insurance Settlements	9/8/2020	1	Approved
4. Pre-Election Political Update	10/13/2020	1	Approved
5. Post-Election Tax Planning	11/10/2020	1	Approved
6. Charitable Giving in the Time of COVID	12/8/2020	1	Approved

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

Sponsor/Title	Dates/Type	Hours	Action
Corporate Compliance Insights – The Risk of Undervaluing Culture in a Volatile Market: 12 Strategic Steps to Strengthen Your Focus <i>Requested by Gary Patterson</i>	Co-Author Publication	20	Approved

VI. Rules and Regulations

1. The 2021 MS Senate Bill 2792 was discussed.
2. The 2021 MS Senate Bill 2940 was discussed.
3. Rule (or Statute) change necessary to limit terms of Board members to two (2) Full 5 year terms was discussed.

VII. Regulatory Matters

1. The Board heard a report from Associate Director Sharee Brewer regarding the regulatory activities from January 22, 2021 to March 4, 2021:

Activity	Number
Cases Opened Beginning of Period	152
Cases Opened	0
Cases Closed ①	24
Cases Open End of Period	128
Open Cases Referred to Members	4

① **Cases Closed:**

Case **2019.235** was opened when licensee self-reported an arrest for embezzlement after former fiance' swore out a warrant. Grand jury refused to indict citing lack of evidence. The matter was closed.

Case **2020.014** involved a complaint from a government entity that their predecessor auditor (subject of the complaint) had failed to provide records to the entity's subsequent auditor. After receiving acknowledgement from the complainant that the records had been returned, and learning the licensee had cancelled their individual license and firm permit in Mississippi and there being no other active license per ALD, the matter was closed.

Case **2020.028** involved a licensee and firm permit holder who performed a review engagement for the State Board of Contractors which was undeclared on the individual license renewal and firm permit applications filed for the 2019-2020 period. Case was settled with a Stipulation and Consent order which contained a civil penalty of \$500. The order was approved by the Board at the January 21, 2021 meeting. Matter was closed.

Case **2020.030** involved a licensee and firm permit holder who performed multiple engagements which were undeclared on the individual license renewal and firm permit applications filed for the 2018-2019 and 2019-2020 periods. Case was settled with a Consent Order which contained a civil penalty of \$2,000. The order was approved by the Board at the January 21, 2021 meeting. Matter was closed.

VII. Regulatory Matters (continued)

Case **2020.041** involved a complaint against a licensee alleging a lack of integrity. Investigation determined the complaint was without merit. Matter was closed.

Cases **2020.154, 2020.155, 2020.156, 2020.157, 2020.158, 2020.160, 2020.161, 2020.162, 2020.163, 2020.164, 2020.165, 2020.166, 2020.167, 2020.168, 2020.169, 2020.170, 2020.171, and 2020.172** involved licensees who requested extensions and/or medical waivers at the December 17, 2020 Board meeting and were granted. The licensees in all these noted cases have complied and reported as appropriate and were then closed.

Case **2020.173** involved a licensee who requested a waiver due to health status. This was the second consecutive request and the licensee still maintained an active license and firm permit. Waiver request was denied and licensee was informed that cancellation of their licenses was appropriate. Request for cancellation was received from licensee and the matter was closed.

2. Ms. Brewer then discussed the open cases presented on the active case log.

VIII. Trial Board

Trial Board Hearing:

A Continuance Order was approved on **Case 2019.217**.
(Kelly Investigative Committee)

A Continuance Order was approved on **Case 2020.149**.
(Peach Investigative Committee)

A Trial Board Hearing was held on **Cases 2020.054, 2020.055, 2020.080, 2020.086, 2020.108, 2020.116, and 2020.148** involving individual licensees who did not report Continuing Professional Education for the 2019-2020 year and did not respond to multiple attempts made by the Board to reach them to pursue bringing them into compliance.
(Pannell Investigative Committee)

VIII. Trial Board (continued)

No respondents for these cases attended the hearing. Legal Counsel Wiggins requested that since no respondents showed for the hearing, and all cases were facing the same charge, that the cases be consolidated as to be deliberated at one Executive Session. The Board, acting as a Trial Board, decided to hear the cases together to potentially deliberate all cases during one Executive Session.

The Board members present unanimously voted to convene as the Trial Board for the purpose of considering matters related to noncompliance with 2019-2020 Continuing Professional Education requirements and failure to respond to Notices of Hearing and Complaint. The Investigating Board Member, Angela Pannell, was recused and did not participate in the hearing. Edward Wiggins, Jr., Special Assistant Attorney General, was the presenting attorney. Drew Malone, Special Assistant Attorney General, served as the Hearing Officer.

Within the Trial Board, the Board heard evidence from Sharee Brewer, Associate Director – Investigations, concerning the respondents' alleged violations mentioned above. Ms. Brewer testified that legal and proper notice was delivered to the respondents at their address of record on file with the Board. As noted above, no Respondents appeared at this hearing.

After hearing testimony and closing arguments, the Board unanimously voted to close the meeting for the limited purpose of considering whether or not they had a proper subject matter to go into Executive Session upon motion by Board member Prince, seconded by Board member Sims, the Board voted unanimously to consider Executive Session. Consideration was given with advice of Hearing Officer Malone that the Board had proper subject matter to go into Executive Session whereupon motion by Board member Prince, seconded by Board member Kelly, the board voted unanimously to enter Executive Session. Having announced this stated purpose, the Board then entered into Executive Session for this specific purpose.

Within the Executive Session, the Board took the following actions: The Board determined, based upon clear and convincing evidence, to accept the findings of fact presented to the Board that the respondents had indeed violated the Board Rules and Regulations as charged. Motion made by Board member Elam, seconded by Board member Kelly, and voted to revoke the respondents' CPA licenses (license numbers: R3027, 1867, 3042, 1367, 6166, R3289, and 5933) and assess fines (civil penalties) at \$1,000 plus administrative costs of \$150.00 each. Votes were – For: Unanimous; Against: None; Absent: None; and Recused: Pannell.

Upon conclusion of this business, the Board unanimously voted to come out of Executive Session and resumed the open meeting. The Board came out of Executive Session and

VIII. Trial Board (continued)

resumed the open meeting by announcing the actions and votes it had taken in Executive Session.

Stipulation and Consent Orders for Board Approval:

A Stipulation and Consent Order was approved in **Case 2020.039** involving a firm who received a peer review report with a fail rating on their engagement review. The highest level of engagement included was a review. The firm committed in writing their intention to cease performing engagements subject to peer review. The stipulation and consent order requires the firm to schedule an accelerated peer review with a date acceptable to the Board if they become engaged to perform reviews or audits in the future. The order does not contain a financial penalty.

(Peach Investigative Committee)

Stipulation and Consent Orders were approved in **Cases 2020.042, 2020.043, 2020.045, 2020.047, 2020.048, and 2020.137** involving individual licensees who 1) did report their Continuing Professional Education for the 2019-2020 year by December 1, 2020 but HAD NOT obtained the required 40 hours, and 2) requested informal settlement of their case. All orders have the same language requiring licensee to obtain deficient CPE hours, 50% penalty hours on the deficiency, and document same to the Board by February 1, 2021. All hours have been documented to Board staff. All orders call for a \$250 financial penalty for failing to obtain the required hours by October 31, 2020. All financial penalties have been paid.

(Pannell Investigative Committee)

Stipulation and Consent Orders were approved in **Cases 2020.050, 2020.051, 2020.053, 2020.056, 2020.065, 2020.069, 2020.070, 2020.073, 2020.074, 2020.075, 2020.083, 2020.090, 2020.091, 2020.095, 2020.099, 2020.101, 2020.104, 2020.106, 2020.110, 2020.111, 2020.114, 2020.124, 2020.132, 2020.140, 2020.143, and 2020.146** involving individual licensees who 1) did not report Continuing Professional Education for the 2019-2020 year by December 1, 2020 but HAD obtained their required 40 hours, and 2) requested informal settlement of their case. All orders have the same language requiring licensee to document hours obtained. All hours have been documented to Board staff.

Orders call for a \$250 financial penalty for failing to report the required 40 hours by December 1, 2020 if settled prior to a Notice of Hearing and Complaint being issued. Orders call for a \$500 financial penalty for doing so after a Notice of Hearing and Complaint was issued. All financial penalties have been paid.

(Pannell Investigative Committee)

VIII. Trial Board (continued)

Stipulation and Consent Orders were approved in **Cases 2020.079, 2020.087, 2020.089, 2020.093, 2020.133, 2020.135, 2020.136, 2020.150, and 2020.151** involving individual licensees who 1) did not report Continuing Professional Education for the 2019-2020 year by December 1, 2020, 2) were deficient in obtaining the required 40 hours, 3) did not timely request an extension of time, and 4) requested informal settlement of their case. All orders have the same language requiring licensee to obtain deficient CPE hours, 50% penalty hours on the deficiency, and document same to the Board by February 1, 2021. All hours have been documented to Board staff. Orders call for a \$500 financial penalty for failing to obtain the required 40 hours by October 31, 2020 as well as failing to report by December 1, 2020 if settled prior to a Notice of Hearing and Complaint being issued. Orders call for a \$750 financial penalty for doing so after a Notice of Hearing and Complaint was issued. All financial penalties have been paid with the exception of **2020.093 and 2020.135**.

(Pannell Investigative Committee)

Stipulation and Consent Orders were approved in **Cases 2020.049, 2020.052, 2020.059, 2020.061, 2020.062, 2020.063, 2020.071, 2020.072, 2020.076, 2020.084, 2020.085, 2020.097, 2020.098, 2020.115, 2020.118, 2020.119, 2020.120, 2020.121, 2020.125, 2020.130, 2020.134, 2020.138, and 2020.142** involving individual licensees who 1) did not report Continuing Professional Education for the 2019-2020 year by December 1, 2020, 2) were licensed, primarily employed, and complied with CPE reporting requirements of the other state of licensure, 3) failed to report the exemption by December 1, 2020, and 4) requested informal settlement of their case. All orders have the same language requiring documentation of active licensure in the other state. All orders call for a \$100 financial penalty for failing to report the exemption by December 1, 2020. All financial penalties have been paid.

(Pannell Investigative Committee)

MSBPA Minutes

March 4, 2021

APPROVED:

Chair

Board Member

Vice Chair

Board Member

Secretary

Board Member

Board Member