State of Utah
Administrative Rule Analysis

NOTICE OF PROPOSED RULE

* The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301.
* Please address questions regarding information on this notice to the agency.
* The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
* The full text of all rule filings may also be inspected at the Division of Administrative Rules.

DAR file no: 44081 Date filed: 9-16-2019

State Admin Rule Filing Id: Time filed:

		Agency No.		Rule No.		Section No.
Utah Admin. Code Ref (R no.):	R	156	-	26a	-	
Changed to Admin. Code Ref. (R no.):	R		-		-	

1. **Agency:** Commerce/Division of Occupational and Professional Licensing

Room no.:

Building: Heber M. Wells Building

Street address 1: 160 East 300 South

Street address 2:

City, state, zip: Salt Lake City UT 84111-2316

Mailing address 1: PO Box 146741

Mailing address 2:

City, state, zip: Salt Lake City UT 84114-6741

Contact person(s):

Name:	Phone:	Fax:	E-mail:
Robyn Barkdull	801-530-6727	801-530-6511	rbarkdull@utah.gov

(Interested persons may inspect this filing at the above address or at the Division of Administrative Rules during business hours)

2. **Title of rule or section** (catchline):

Certified Public Accountant Licensing Act Rule

3. **Type of notice:**

New ___; Amendment XXXX Repeal ___; Repeal and Reenact ___

4. **Purpose of the rule or reason for the change:**

The purpose of this rule filing is to make changes recommended by the Utah Board of Accountancy, which include adding definitions; clarifying education requirements for licensure; further defining the statutory change enacted by 2019 HB 159 that allows candidates to sit for the qualifying exams at 120 semester hours or 180 quarter hours, clarifying other exam requirements; updating the previously adopted reference, Standards for Performing and Reporting on Peer Reviews, to the December, 2017 edition; adopting, by reference, the AICPA/NASBA Statement on Standards for Continuing Professional Education (CPE); further clarifying CPE reporting requirements; and making non-substantive technical changes throughout the rule to reorganize and renumber the rule for clarity.

State of Utah
Administrative Rule Analysis

NOTICE OF PROPOSED RULE

* The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301.
* Please address questions regarding information on this notice to the agency.
* The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
* The full text of all rule filings may also be inspected at the Division of Administrative Rules.

DAR file no: Date filed:

State Admin Rule Filing Id: Time filed:

		Agency No.	Rule No.	Section No.
Utah Admin. Code Ref (R no.):	**R**	156	- 26a	-
Changed to Admin. Code Ref. (R no.):	**R**		-	-

1. **Agency:** Commerce/Division of Occupational and Professional Licensing

Room no.:

Building: Heber M. Wells Building

Street address 1: 160 East 300 South

Street address 2:

City, state, zip: Salt Lake City UT 84111-2316

Mailing address 1: PO Box 146741

Mailing address 2:

City, state, zip: Salt Lake City UT 84114-6741

Contact person(s):

Name:	Phone:	Fax:	E-mail:
Robyn Barkdull	801-530-6727	801-530-6511	rbarkdull@utah.gov

(Interested persons may inspect this filing at the above address or at the Division of Administrative Rules during business hours)

2. **Title of rule or section** (catchline):

Certified Public Accountant Licensing Act Rule

3. **Type of notice:**

New ___; Amendment XXXX___ Repeal ___; Repeal and Reenact ___

4. **Purpose of the rule or reason for the change:**

The purpose of this rule filing is to make changes recommended by the Utah Board of Accountancy, which include adding definitions; clarifying education requirements for licensure; further defining the statutory change enacted by 2019 HB 159 that allows candidates to sit for the qualifying exams at 120 semester hours or 180 quarter hours, clarifying other exam requirements; updating the previously adopted reference, Standards for Performing and Reporting on Peer Reviews, to the December, 2017 edition; adopting, by reference, the AICPA/NASBA Statement on Standards for Continuing Professional Education (CPE); further clarifying CPE reporting requirements; and making non-substantive technical changes throughout the rule to reorganize and renumber the rule for clarity.

5. **This change is a response to comments from the Administrative Rules Review Committee.**

No XXXX Yes ___

6. **Summary of the rule or change:**

Section R156-26a-102: Proposed amendments in this section define CPA mobility, accepted university accreditations, and CPA-related acronyms which are used throughout the rule. Section R156-26a-201: These proposed amendments update citations and make non-substantive formatting changes for clarity. Section R156-26a-302a: Proposed amendments in this section delete current education language and insert language with an easier to understand format to clarify the education requirement. The proposed amendments also provide an additional educational pathway, with board approval of each individual case, for candidates who earn undergraduate degrees from universities without an accepted accreditation if they go on to earn a graduate degree from an accredited institution. Section R156-26a-302b: This proposed amendment updates the reference to the 2007 Uniform Accountancy Act to the Eighth Edition, January 2018. Section R156-26a-302c: The proposed amendment aligns the rule with the statutory change enacted by 2019 HB 159 which took effect May 14, 2019, allowing Utah CPA candidates to sit for the AICPA Uniform Accountancy Exam at 120 semester hours (180 quarter hours). This language defines what those hours must include for eligibility. New language also clarifies other exam requirements required for licensure. Section R156-26a-303a: This proposed amendment updates the previously adopted reference, Standards for Performing and Reporting on Peer Reviews, to the April, 2019 edition. Section R156-26a-303b: This proposed amendment deletes the current language outlining CPE standards and adopts, by reference, the AICPA/NASBA Statement on Standards for Continuing Professional Education (CPE). Proposed amendments also further clarify the CPE reporting requirements. Section R156-26a-305: This proposed new rule clarifies, defines, and establishes the mobility practice privilege included in Section 58-26a-305 regarding exemptions from licensure. Section R156-26a-307: These proposed amendments make non-substantive formatting changes for clarity. Section R156-26a-501: This proposed amendment updates the reference to the AICPA Code of Professional Conduct to the August 31, 2016 edition.

7. **Aggregate anticipated cost or savings to:**

A) State budget:

Affected: No ___; Yes XXXX

The proposed amendments are not expected to directly impact state government revenues or expenditures because the amendments only add new definitions, redefine and clarify the education requirements, clarify the requirements to comply with the statutory change for examination eligibility, adopt references pertinent to the CPA profession and clarify CPE reporting requirements. State government is not affected by this process. The amendments also make technical, non-substantive changes. However, these proposed amendments to R156-26a will necessitate written notification to all licensees. Currently, there are approximately 5,400 CPA licensees and 695 CPA firms. At a printing/mailing cost of approximately $1.00 per licensee, this will be a one-time cost of $6,095. There will also be a minimal cost to the Division of approximately $75 to print and distribute the rule once the proposed amendments are made effective. Any indirect impacts cannot be estimated.

B) Local government:

Affected: No XXXX Yes ___

The proposed amendments are not expected to impact local government revenues or expenditures because the amendments only add new definitions, redefine and clarify the education requirements, clarify the requirements to comply with the statutory change for examination eligibility, adopt references pertinent to the CPA profession and clarify CPE reporting requirements. Local government is not affected by this process. The amendments also make technical, non-substantive changes.

C) Small businesses ("small business" means a business employing fewer than 50 persons):

Affected: No XXXX; Yes ___

The proposed amendments are expected to have no fiscal benefit or cost impact to small business. Small businesses that provide the services of certified public accountants (NAICS 541211 – Offices of Certified Public Accountants) will not see an increase or a decrease in service costs as a result of these proposed amendments. The Division estimates that this could result in a fiscal neutrality for the approximately 682 small business (NAICS 541211 – Offices of Certified Public Accountants) in the state of Utah. Any indirect impacts cannot be estimated

D) Persons other than small businesses, businesses, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):

Affected: No XXXX Yes ___

The proposed amendments are expected to have no fiscal benefit or cost impact to other persons utilizing the services of individuals who hold a license as a certified public accountant. Any indirect impacts cannot be estimated.

8. **Compliance costs for affected persons:**

The proposed amendments are expected to have no fiscal benefit or cost impact to individuals licensed as a certified public accountant or a certified public accounting fir. Any indirect impacts cannot be estimated.

9. **A) Comments by the department head on the fiscal impact the rule may have on businesses:**

The purpose of this filing is to make the following changes recommended by the Utah Board of Accountancy: (1) add definitions; (2) clarify education requirements for licensure; (3) further define the statutory change enacted by 2019 HB 159 that allows candidates to sit for the qualifying exams at 120 semester hours or 180 quarter hours, and clarify other exam requirements; (4) Update the previously adopted reference, Standards for Performing and Reporting on Peer Reviews, to the December, 2017 edition; (5) Adopt, by reference, the AICPA (American Institute of Certified Public Accountants/NASBA (National Association of State Boards of Accountancy) Statement on Standards for Continuing Professional Education (CPE); (6) Further clarify CPE reporting requirements; and (7) make non-substantive technical changes throughout the rule to reorganize and renumber the rule for clarity. Small Businesses: The proposed amendments are expected to have no fiscal benefit or cost impact to small business. Small businesses that provide the services of certified public accountants (NAICS 541211 – Offices of Certified Public Accountants) will not see an increase or a decrease in service costs as a result of these proposed amendments. The Division estimates that this could result in a fiscal neutrality for the approximately 682 small business (NAICS 541211 – Offices of Certified Public Accountants) in the State of Utah. Any indirect impacts cannot be estimated. Non-Small Businesses: The proposed amendments have no fiscal impact to non-small business. Non-small businesses (NAICS 541211-Offices of Certified Public Accountants) will not see an increase or a decrease in service costs as a result of these proposed amendments. The Division estimates that this could result in a fiscal neutrality for the approximately 13 non-small businesses (NAICS 541-211-Offices of Certified Public Accountants) which employ more than 50 employees within the state of Utah. Any indirect impacts cannot be estimated.

B) Name and title of department head commenting on the fiscal impacts:

Francine A. Giani, Executive Director

10. **This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.**
State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :

Section 58-26a-101 Subsection 58-1-106(1)(a)

Subsection 58-1-202(1)(a)

11. **This rule adds, updates, or removes the following title of materials incorporated by references** (a copy of materials incorporated by reference must be submitted to the Division of Administrative Rules;*if none, leave blank*):

	First Incorporation	**Second Incorporation**
Official Title of Materials Incorporated (from title page)	Uniform Accountancy Act	AICPA Standards for Performing and Reporting on Peer Reviews
Publisher	National Association of State Boards of Accountancy (NASBA)	American Institute of Certified Public Accountants (AICPA)
Date Issued	January 2018	
Issue, or version	Eighth Edition	April 1, 2019
ISBN Number (optional)		
ISSN Number (optional)		
Cost of Incorporated Reference	.00	.00
Action: Adds, updates, or removes	Updates	Updates

(If this rule incorporates more than two items by reference, please attach additional pages)

12 **The public may submit written or oral comments to the agency identified in box 1.** (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy): 10/31/2019

B) A public hearing (optional) will be held:

On (mm/dd/yyyy):	**At** (hh:mm AM/PM):	**At** (place):
10/9/2019	1:30 PM	160 East 300 South, Conference Room 402 (4th floor), Salt Lake City, Utah

13 **This rule change may become effective on** (mm/dd/yyyy): 11/07/2019

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

14 **Indexing information -- keywords** (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid"); may not include the name of the agency:

accountants licensing

peer review continuing professional education

15 **Attach an RTF document containing the text of this rule change** (filename): R156-26a.pro

To the agency: Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin*, and delaying the first possible effective date.

AGENCY AUTHORIZATION

Agency head or designee, and title: Mark B. Steinagel, Director **Date** (mm/dd/yyyy): 09/16/2019

R156-26a - Certified Public Accountant Licensing Act Rule

Box 11 - additional incorporation by reference documents

Official Title: AICPA/NASBA Statement on Standards for Continuing Professional Education (CPE) Programs
Publisher: AICPA/NASBA
Date Issued: August 2016
Cost: .00
Action: Adds

Official Title: AICPA Code of Professional Conduct
Publisher: AICPA
Date Issued: August 31, 2016
Cost. .00
Action: Updates

Appendix 1: Regulatory Impact Summary Table*

Fiscal Costs	FY 2020	FY 2021	FY 2022
State Government	$6,170	$0	$0
Local Government	$0	$0	$0
Small Businesses	$0	$0	$0
Non-Small Businesses	$0	$0	$0
Other Person	$0	$0	$0
Total Fiscal Costs:	**$6,170**	**$0**	**$0**
Fiscal Benefits			
State Government	$0	$0	$0
Local Government	$0	$0	$0
Small Businesses	$0	$0	$0
Non-Small Businesses	$0	$0	$0
Other Persons	$0	$0	$0
Total Fiscal Benefits:	**$0**	**$0**	**$0**
Net Fiscal Benefits:	($6,170)	$0	$0

***This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described above. Inestimable impacts for Non-Small Businesses are described below.**

Appendix 2: Regulatory Impact to Non-Small Businesses

The proposed amendments have no fiscal impact to non-small business. Non-small businesses (NAICS 541211-Offices of Certified Public Accountants) will not see an increase or a decrease in service costs as a result of these proposed amendments. The Division estimates that this could result in a fiscal neutrality for the approximately 13 non-small businesses (NAICS 541-211-Offices of Certified Public Accountants) which employ more than 50 employees within the state of Utah. Any indirect impacts cannot be estimated.

Include agency head sign-off here. The head of the Department of Commerce, Francine Giani, has reviewed and approved this fiscal analysis.

R156. Commerce, Occupational and Professional Licensing.
R156-26a. Certified Public Accountant Licensing Act Rule.
R156-26a-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 26a, as defined or used in this rule:

(1) "Administering organization" means an organization approved by the Division of Occupational and Professional Licensing and the Utah Board of Accountancy which will administer peer reviews in the Peer Review Program.

(2) [~~"AICPA" means American Institute of Certified Public Accountants.~~]"Accepted university accreditations" mean the following:

(a) the Association to Advance Collegiate Schools of Business ("AACSB");

(b) the Accreditation Council for Business Schools and Programs ("ACBSP"); or

(c) an institution receiving "regional accreditation", meaning an institution receiving accreditation through:

(i) the Northwest Accreditation Commission ("NAC");

(ii) the North Central Association of Colleges and Schools ("NCA");

(iii) the Middle States Association of Colleges and Schools ("MSA");

(iv) the New England Association of Schools and Colleges ("NEASC");

(v) the Southern Association of Colleges and Schools ("SACS"); or

(vi) the Western Association of Schools and Colleges ("WASC").

(3) "Mobility", a practice privilege included in Section 58-26a-305 regarding exemptions from licensure, is defined and further clarified in Section R156-26a-305.[~~"Incidental to regular practice" as defined in Subsection 58-26a-305(1)(b) is further defined to mean:~~

~~(a) An individual or a firm licensed as a certified public accountant or equivalent designation in any other state, district, or territory of the United States or any foreign country may perform services in this state for a client whose principal office or residence is located outside of this state as long as the services are incidental to primary services being performed outside of this state for that client.~~

~~(b) An individual or firm licensed in another jurisdiction, as incidental to their practice in such other jurisdiction, may advertise in this state that their services are available by any means including, but not limited to television, radio, newspaper, magazine or Internet advertising provided such representations are not false, misleading or deceptive, and provided that such individual or firm does not establish a CPA/Client relationship to perform services requiring a CPA license or CPA firm registration with any individual, business or other legal entity~~

~~having its principal office or residence in this state without first obtaining a CPA license and CPA firm registration in this state.~~

~~(c) Incidental to regular practice in another jurisdiction includes a licensed CPA or equivalent designation continuing a CPA/Client relationship with an individual which originated while the client's residence was located outside of this state but thereafter the client moved their residence to this state.~~]

(4) "Qualified continuing professional education (CPE)" as used in this rule means continuing education that meets the standards set forth in Section R156-26a-303b.

(5) "Standard setting bodies" means [~~the Financial Accounting Standards Board, the Government Accounting Standards Board, the American Institute of Certified Public Accountants, the Securities and Exchange Commission, and the Federal Accounting Standards Advisory Board and other~~]any generally recognized accounting standard setting bodies.

(6) "Unprofessional conduct" as defined in Title 58, Chapters 1 and 26a, is further defined, in accordance with Subsection 58-1-203(1)(e), in Section R156-26a-501.

(7) "Year of review" means the calendar year during which a peer review is to be conducted.

R156-26a-201. Advisory Peer Committees Created - Membership - Duties.

(1) There is created in accordance with Subsection 58-1-203(1)(f)[~~,~~] the Education Advisory Committee to the Utah Board of Accountancy, consisting of one full-time faculty member from each of five or more colleges or universities in Utah which has an accredited program as set forth in [~~Section~~]Subsections R156-26a-302a(1)(a) through (c), a majority of which [~~committee are to~~]shall be licensed CPAs.

(2) The Education Advisory Committee shall be appointed and serve in accordance with Section R156-1-205. The duties and responsibilities of the Education Advisory Committee shall include assisting the Division in collaboration with the Board in their duties, functions, and responsibilities and shall include:

(a) advising the Board as to the acceptability of an educational institution;

(b) assisting the Board to make a final determination pursuant to R156-26a-302a([~~4~~]5)(c) of whether an applicant is qualified to sit for the AICPA examination; and

(c) advising the Board regarding proposed changes to rules.

(3) The committee shall consider, when advising the Board of the acceptability of the educational institution, the following:

(a) the institution's accreditation;

(b) the acceptability by other state licensing boards;

(c) the faculty qualifications; and

(d) other educational resources.

(4) There is created in accordance with Subsection 58-1-203(1)(f), the Peer Review Committee to the Utah Board of Accountancy consisting of not more than ten licensed CPAs. The committee shall be appointed and serve in accordance with Section R156-1-205.

(5) The duties and responsibilities of the Peer Review Committee shall be advising the Board on peer reviews matters and shall include:

(a) reviewing the results of peer reviews administered by approved organizations and requiring corrective action of firms with significant deficiencies noted in the review process when considered necessary in addition to those required by the administering organization;

(b) evaluating compliance of CPE programs;

(c) performing random audits to determine compliance with the CPE requirements and the standards for CPE programs;

(d) reviewing complaints and recommending whether certain acts, practices or omissions violate the ethical standards of the profession;

(e) providing technical assistance to the Division; and

(f) serving as expert witnesses at administrative hearings.

R156-26a-302a. Qualifications for CPA Licensure - Education Requirements.

The education requirements for CPA licensure in Subsection 58-26a-302(1)(d) are defined, clarified, or established as follows:

(1) An applicant shall submit transcripts showing completion of course work consisting of a minimum of 150 semester hours (225 quarter hours), and one of the following[~~ as follows~~]:

(a) a graduate degree in accounting or taxation from an institution whose business education is accredited by the AACSB or the ACBSP;

(b) a Master of Business Administration degree from an institution whose business education program is accredited by the AACSB or the ACBSP and which includes no less than:

(i) 24 semester hours (36 quarter hours) in upper division or graduate level accounting courses covering the following subjects:

(A) financial accounting;

(B) auditing;

(C) taxation; and

(D) management accounting;

(ii) 15 semester hours (23 quarter hours) graduate level accounting courses covering the following subjects:

(A) financial accounting;

(B) auditing;

(C) taxation; and

(D) management accounting; or

(iii) an equivalent combination of graduate and upper division accounting courses covering the subjects of financial accounting, auditing, taxation, and management accounting, with one hour of graduate level course work being equivalent to 1.6 hours of upper division course work;

(c) a baccalaureate degree in business or accounting from an institution whose business education program is accredited by the AACSB or the ACBSP, and which includes no less than:

(i) 24 semester hours (36 quarter hours) in upper division or graduate level accounting courses covering at least one course in each of the following subjects:

(A) financial accounting;

(B) auditing;

(C) taxation; and

(D) management accounting; and

(ii) 30 additional hours in graduate or upper division accounting and business courses; or

(d) A baccalaureate or graduate degree from an institution accredited by a regional accrediting body with no less than:

(i) 24 semester hours (36 quarter hours) in non-accounting business or related courses providing a minimum of two semester hours (three quarter hours) in each of the following subjects:

(A) business law;

(B) computers;

(C) economics;

(D) business ethics;

(E) finance;

(F) business statistics and quantitative methods;

(G) written and oral business communications;

(H) business administration such as marketing, production, management, policy or organizational behavior;

(ii) 24 semester hours (36 quarter hours) in upper division or graduate level accounting courses with a minimum of two semester hours (three quarter hours) in each of the following subjects:

(A) auditing;

(B) finance;

(C) managerial or cost;

(D) systems; and

(E) taxes; and

(iii) 30 additional hours in graduate or upper division accounting and business courses.

(2) The Division in collaboration with the Board or the Education Advisory Committee may accept a baccalaureate degree in business or accounting from an institution not having an accepted accreditation as defined in Subsection R156-26a-102(4), if the applicant:

(a) has obtained a graduate degree in accounting from an institution whose business education program is accredited by the AACSB or the ACBSP;

(b)(i) has obtained a graduate degree in taxation or a Master of Business Administration from an institution whose business education program is accredited by the AACSB or the ACBSP; and

(ii) meets the requirements in Subsection R156-26a-302a(1)(b)(i), (ii), or (iii); or

(c)(i) has obtained a graduate degree in accounting, taxation, or a Master of Business Administration from an institution accredited by a regional accrediting body; and

(ii) meets the requirements in Subsection R156-26a-302a(1)(d).

[~~a graduate or undergraduate program within an institution whose business or accounting education program is accredited by the Association of Advanced Collegiate Schools of Business (AACSB), or the Accreditation Council for Business Schools and Programs (ACBSP), from which the applicant received one of the following:~~

~~(i) a graduate degree in accounting;~~

~~(ii) a graduate degree in taxation, or a master of business administration degree which includes not less than:~~

~~(A) 24 semester hours (36 quarter hours) in upper division accounting courses covering the subjects of financial accounting, auditing, taxation, and management accounting;~~

~~(B) 15 semester hours (23 quarter hours) graduate level accounting courses covering the subjects of financial accounting, auditing, taxation, and management accounting;~~

~~(C) an equivalent combination of graduate and upper division accounting courses covering the subjects of financial accounting, auditing, taxation, and management accounting with one hour of graduate level course work being equivalent to 1.6 hours of upper division course work; or~~

~~(iii) a baccalaureate degree in business or accounting and 30 semester hours (45 quarter hours) beyond the requirements for a baccalaureate degree which includes not less than:~~

~~(A) 16 semester hours (24 quarter hours) in upper division accounting courses, which when combined with the accounting courses listed in Subsection (B) below, have at least one course with a minimum of two semester hours (three quarter hours) each covering the subjects of financial accounting, auditing, taxation, and management accounting;~~

~~(B) eight semester hours (12 quarter hours) in graduate level accounting courses, which when combined with the accounting courses listed in Subsection (A) above, have at least one course each covering the subjects of financial accounting, auditing, taxation, and management accounting;~~

~~(C) 12 semester hours (18 quarter hours) in upper division non-accounting business courses;~~

~~(D) 12 semester hours (18 quarter hours) in graduate level business or accounting courses; and~~

~~(E) 10 semester hours (15 quarter hours) of either graduate or upper division accounting or business courses.~~

~~(b) a graduate or undergraduate program from an institution accredited by the Northwest Commission on Colleges and Universities, North Central Association of Colleges and Schools, Middle States Association of Colleges and Schools, New England Association of Colleges and Schools, Southern Association of Colleges and Schools and Western Association of Schools and Colleges from which the applicant received a baccalaureate or graduate degree with not less than:~~

~~(i) 30 semester hours (45 quarter hours) in business or related courses providing a minimum of two semester hours (three quarter hours) in each of the following subjects:~~

~~(A) business law;~~

~~(B) computers;~~

~~(C) economics;~~

~~(D) ethics;~~

~~(E) finance;~~

~~(F) statistics and quantitative methods;~~

~~(G) written and oral communications; and~~

~~(H) business administration such as marketing, production, management, policy or organizational behavior;~~

~~(ii) 24 semester hours (36 quarter hours) in upper division accounting courses with a minimum of two semester hours (three quarter hours) in each of the following subjects:~~

~~(A) auditing;~~

~~(B) finance;~~

~~(C) managerial or cost;~~

~~(D) systems; and~~

~~(E) taxes; and~~

~~(iii) 30 semester hours (45 quarter hours) beyond the requirements for a baccalaureate degree of additional business related course work including not less than:~~

~~(A) eight semester hours (12 quarter hours) in graduate accounting courses;~~

~~(B) 12 semester hours (18 quarter hours) in graduate accounting or graduate business courses; and~~

~~(C) 10 semester hours (15 quarter hours) of additional business related hours shall be taken in upper division undergraduate or graduate level courses.~~]

([~~2~~]3) The Division in collaboration with the Board or the [~~education subcommittee of the board~~]Education Advisory Committee may make a written finding for cause that a particular accredited institution or program is not acceptable.

([~~3~~]4) The Division in collaboration with the Board or the [~~education subcommittee of the board~~]Education Advisory Committee may accept education of a person who holds a license as a certified public accountant or equivalent designation in a foreign country, if the applicant has obtained from [~~the National Association of State Boards of Accountancy (~~]NASBA[~~)~~] verification of compliance with the terms of an agreement for reciprocal licensure between the foreign country and the

International Qualifications Appraisal Board of NASBA, which agreement provides the applicant's examinations, education and experience is determined to be substantially equivalent to the [~~2007~~]Eighth Edition, January 2018 Uniform Accountancy Act licensure requirements or a version of the Uniform Accountancy Act having substantially equivalent requirements.[

~~(4) In accordance with Section 58-26a-306, the qualifications to sit for the AICPA examination are clarified or supplemented as follows:~~

~~(a) In accordance with Subsection 58-26a-306(1)(a), the form of application approved by the Division shall be the application that CPA Examination Services (CPAES) requires in order to sit for the examination.~~

~~(b) In accordance with Subsection 58-26a-306(1)(b), the fee shall be the fee charged by CPAES. No additional fee shall be due to the Division.~~

~~(c) In accordance with Subsections 58-26a-306(1)(c) and (d), the Board has approved CPAES to make the determination of whether the applicant has met the education requirements, provided however that, if an applicant disputes the finding of CPAES, the Board shall make a final determination of whether the applicant is qualified to sit for the AICPA examination.~~]

R156-26a-302b. Qualifications for Licensure - Experience Requirements.

In accordance with Subsections 58-1-203(1)(b) and 58-1-301(3), the experience requirements for licensure in Section 58-26a-302 are clarified, or supplemented as follows:

(1) The Division in collaboration with the board may accept experience of a person who holds a license as a certified public accountant or equivalent designation in a foreign country, if the applicant has obtained from [~~the National Association of State Boards of Accountancy (~~]NASBA[~~)~~] verification of compliance with the terms of an agreement for reciprocal licensure between the foreign country and the International Qualifications Appraisal Board of NASBA, which agreement provides the applicant's examinations, education and experience is determined to be substantially equivalent to the [~~2007~~]Eighth Edition, January 2018 Uniform Accountancy Act licensure requirements or a version of the Uniform Accountancy Act having substantially equivalent requirements.

R156-26a-302c. Qualifications for Licensure - Examinations.

The examination requirements in Subsection 58-26a-306 are defines, clarified, or established as follows:

(1) In accordance with Subsection 58-26a-306(1)(a), the form of application approved by the Division shall be the application that CPA Examination Services ("CPAES") requires to sit for the AICPA Uniform CPA Examination.

(2) In accordance with Subsection 58-26a-306(1)(b), the fee shall be the fee charged by CPAES. No additional fee shall be due to the Division.

(3) In accordance with Subsection 58-26a-306(1)(c) and (d), the Board designates CPAES as the organization that shall determine whether an applicant has met the education requirements and is approved to sit for the AICPA examinations. However, if an applicant disputes CPAES's determination, the Board shall make the final determination.

(4) In accordance with Subsection 58-26a-306(1)(c), the minimum 120 semester hours (180 quarter hours) of the education requirement that an applicant shall complete before sitting for the AICPA Uniform CPA Examination, shall include completion of at least the following requirements as described in Section R156-26a-302a:

(a) 24 semester hours (36 quarter hours) in upper division or graduate level accounting courses covering the following subjects:

(i) financial accounting;

(ii) auditing;

(iii) taxation; and

(iv) management accounting; and

(b) 24 semester hours (36 quarter hours) in non-accounting business or related courses covering the following subjects:

(i) business law;

(ii) computers;

(iii) economics;

(iv) business ethics;

(v) finance;

(vi) business statistics and quantitative methods;

(vii) written and oral business-related communications; and

(viii) business administration such as marketing, productions, management, policy or organizational behavior.

(5) An applicant for licensure as a certified public accountant shall also pass:

(a) the AICPA Examination of Professional Ethics for CPAs with a score of at least 90%; and

(b) the Utah (CPA) Laws and Rules Examination with a score of at least 75%.

(6) The Division in collaboration with the Board may accept testing of a person who holds a license as a certified public accountant or equivalent designation in a foreign country, if the applicant has obtained from [~~the National Association of State Boards of Accountancy (~~]NASBA[~~)~~] verification of compliance with the terms of an agreement for reciprocal licensure between the foreign country and the International Qualifications Appraisal Board of NASBA, which agreement provides the applicant's examinations, education and experience is determined to be substantially equivalent to the [~~2007~~]Eighth Edition, January 2018 Uniform Accountancy Act licensure requirements or a version

of the Uniform Accountancy Act having substantially equivalent requirements.

R156-26a-303a. Renewal Requirements - Peer Review.

(1) General.

In accordance with Subsections 58-1-308(3)(b) and 58-26a-303(2)(b), there is created a peer review requirement as a condition for renewal of licenses issued under the Certified Public Accountant Licensing Act, providing for review of the work products of CPA and CPA firm licensees.

(a) The purpose of the program is to monitor compliance with professional standards.

(b) The program shall emphasize education and may include other remedial actions when non-compliance is found.

(c) If a licensee is unwilling or unable to comply with or intentionally disregards professional standards, the administering organization shall refer the matter to the Division for consultation and determination of appropriate action.

(2) Scheduling of the Peer Review.

(a) A firm's initial peer review shall be assigned a due date to require that the initial review be started no later than 18 months after the date of the issuance of its initial report as defined in Subsection 58-26a-102(20).

(b) [~~Not less than~~]At least once [~~in each~~]every three years a firm engaged in the practice of public accounting shall undergo, at its own expense, a peer review commensurate in scope with its practice.

(c) The administering organization [~~will~~]shall assign the year of review.

(d) A portion of the peer review may be performed by a regulatory body if the [~~Utah~~]Board [~~of Accountancy~~]approves the regulatory body as an administering organization. This does not by itself satisfy the peer review requirement unless the other standards as specified in this rule are fulfilled by the regulatory body.

(3) Selection of a Peer Reviewer or inspector in the case of inspections mandated by law or regulatory bodies.

A firm scheduled for peer review shall engage a reviewer qualified to conduct the peer review. Regulatory bodies [~~will~~]shall assign inspectors.

(4) Qualifications of a Peer Reviewer and inspectors.

(a) Peer reviewers must provide evidence of one of the two following minimum qualifications to the administering organization:

(i) acceptance as a peer reviewer by the AICPA; or

(ii) compliance with the qualifications required by the AICPA to qualify as a peer reviewer.

(b) Peer reviewers [~~must~~]shall be licensed or hold a permit to practice as a CPA in [~~the state of~~]Utah or another state or jurisdiction of the United States.

(c) The administering organization [~~will~~]shall approve reviewers for [~~those~~]reviews not administered by the AICPA.

(d) Regulatory bodies [~~will~~]shall determine the qualifications of inspectors.

(5) Conduct of the Peer Review or inspection. Peer reviews shall be conducted as follows:

(a) Peer reviews shall be conducted according to the "Standards for Performing and Reporting on Peer Reviews" promulgated by the AICPA, effective April 2019[~~1, 2017 as amended~~], which are hereby incorporated by reference and adopted as the minimum standards for peer reviews of all firms. This section shall not require any firm or licensee to become a member of the AICPA or any administering organization.

(b) The [~~Utah~~]Board [~~of Accountancy~~]may review the standards used by the regulatory body to determine if those standards are sufficient to satisfy all or part of the peer review requirements, or what additional review may be required to meet the peer review requirements under this rule.

(6) If an administering organization finds that a peer review was not performed in accordance with this rule or the peer review results in a pass with deficiencies or fail report, the Peer Review Committee may require remedial action to assure that the review or performance of the CPA or CPA firm being reviewed meets the objectives of the peer review program.

(7) Review of Multi-State Firms.

(a) With respect to a multi-state firm, the Division may accept a peer review based solely upon work conducted outside of this state as satisfying the requirement to undergo peer review under this rule, if:

(i) the peer review is conducted during the year scheduled or rescheduled under R156-26a-303a(2);

(ii) the peer review is performed in accordance with requirements equivalent to those of this state;

(iii) the peer review:

(A) studies, evaluates, and reports on the quality control system of the firm as a whole in the case of system reviews; or

(B) results in an evaluation and report on selected engagements in the case of engagement reviews;

(iv) the firm's internal inspection procedures require that the firm's personnel from another office outside the state perform the inspection of the office located in this state not less than once in each three year period; and

(v) at the conclusion of the peer review, the peer reviewer issues a report equivalent to that required by R156-26a-303a(5) or in the case of an approved regulatory body, a report is issued under their standards.

(b) A multi-state firm seeking approval under R156-26a-303a(7)(a) shall submit an application to the administering organization by February 1 of the year of review establishing

that the peer review it proposes to undergo meets all of the requirements of R156-26a-303a(5).

(8) A firm which does not perform services encompassed in the scope of minimum standards as set out in R156-26a-303a(5)(a) or (b) is exempt from peer review and shall notify the Division[~~of Occupational and Professional Licensing~~] of the exemption at the time of renewal of its registration. A firm which begins providing these services must commence a peer review within 18 months of the date of the issuance of its initial report as defined in Subsection 58-26a-102(16).

(9) Mergers, Combinations, Dissolutions or Separations.

(a) Mergers or combinations: [~~In the event that~~]If two or more firms are merged or sold and combined, the surviving firm shall retain the year of review of the largest firm.

(b) Dissolutions or separations: [~~In the event that~~]If a firm is divided, the new firms shall retain the year of review of the former firm. [~~In the event that~~]If this period is less than 12 months, a new year shall be assigned so that the review occurs after 12 months of operation.

(c) Upon application to the administering organization and a showing of hardship caused solely by compliance with R156-26a-303a(10), the Division may authorize a change in a firm's year of review.

(10) If [~~the~~]a firm can demonstrate that the time established for the conduct of a peer review will create an unreasonable hardship upon the firm, the Division may approve an extension not to exceed 180 days from the date the peer review was originally scheduled[~~.~~], as follows:

(a) A request for extension shall be addressed in writing by the firm to the Division with a copy to the administering organization responsible for administration of that firm's peer review.

(b) The written request for extension [~~must~~]shall be received by both the Division and the administering organization [~~not less than~~] at least 30 days prior to the date of scheduled review or the request will not be considered.

(c) The Division shall inform the administering organization of the approval of any extension.

(11) Retention of Documents Relating to Peer Reviews.

(a) All documentation necessary to establish that each peer review was performed in conformity with peer review standards adopted by the Board, including the peer review working papers, the peer review report, comment letters and related correspondence indicating the firm's concurrence or nonconcurrence, and any proposed remedial actions and related implementation, shall be [~~maintained.~~

~~(b) The documents described in R156-26a-303a(11)(a) shall be~~] retained for [~~a period of time corresponding to the designated retention period of~~]the relevant administering organization's designated retention period or 120 days, whichever

is longer. [~~In no event shall the retention period be less than 120 days.~~]

(12) Costs and Fees for Peer Review.

(a) All costs associated with firm-on-firm reviews will be negotiated between the firm and the reviewer and paid directly to the reviewer. All costs associated with committee assigned review team (CART) reviews will be set by the administering organization. The administering organization will collect the fees associated with CART reviews and pay the reviewer.

(b) All costs associated with the administration of the review process [~~will~~]shall be paid from fees charged to the firms. The fees [~~will~~]shall be collected by the administering organization. The schedule of fees [~~will~~]shall be included in the administering organization's proposal. The fee schedule [~~will~~]shall specify how much is to be paid each year and [~~will~~]shall be based on the firm size.

(13) All financial statements, working papers, or other documents reviewed are confidential. Access to those documents shall be limited to being made available, upon request, to the Peer Review Committee or the technical reviewer for purposes of assuring that peer reviews are performed according to professional standards.

R156-26a-303b. Continuing Professional Education (CPE).

The continuing professional education (CPE requirements in Section 58-26a-304 are defined, clarified, or established as follows:

(1) A CPA shall complete at least 80 CPE hours in each two-year licensure cycle ending on December 31 of each even-numbered year, except that no CPE hours are required at a first renewal after initial licensure.

(2) CPE hours shall include at least:

(a) one hour of CPE that covers Title 58, Chapter 26a, the Certified Public Accountant Licensing Act, and Rule R156-26a, the Certified Public Accountant Licensing Act Rule; and

(b) three hours of ethics education that cover one or more of the following areas:

(i) the AICPA Code of Professional Conduct;

(ii) case-based instruction focusing on real-life situational learning;

(iii) ethical dilemmas faced by accounting professionals; or

(iv) business ethics.

(3) A CPA shall maintain current knowledge, skills, and abilities in all areas in which the CPA provides services, in order to provide services in a competent manner. To maintain or to obtain the knowledge, skills, and abilities to competently provide services, a CPA may be required to obtain CPE above and beyond the 80 minimum CPE credits specified in Section 58-26a-304.

(4) The Division incorporates and adopts by reference the AICPA/NASBA Statement on Standards for Continuing Professional Education (CPE) Programs, revised August 2016. These standards have been broadly stated in recognition of the diversity of practice and experience among CPAs. They establish a framework for the development, presentation, measurement, and reporting of CPE programs and thereby help to ensure that CPAs maintain the required knowledge, skills, and abilities necessary to competently provide services and to enable the CPA to provide evidence of meeting the minimum CPE requirements.

[~~(1) All CPAs are required to maintain current knowledge, skills, and abilities in all areas in which they provide services in order to provide services in a competent manner. To maintain or to obtain the knowledge, skills and abilities to competently provide services, a CPA may be required to obtain CPE above and beyond the 80 minimum CPE credits specified in Section 58-26a-304.~~

~~The following standards have been broadly stated in recognition of the diversity of practice and experience among CPAs. They establish a framework for the development, presentation, measurement, and reporting of CPE programs and thereby help to ensure that CPAs maintain the required knowledge, skills and abilities necessary to competently provide services and to enable to the CPA to provide evidence of meeting the minimum CPE requirements specified under this rule.~~

~~(2) General Standards for CPAs.~~

~~(a) Standard No. 1. All CPAs must participate in CPE learning activities that maintain and/or improve their professional competence. This CPE must include a minimum of 80 hours of CPE in each two-year period ending on December 31 of each even-numbered year, except that no CPE hours shall be required at the first renewal after initial licensure and except that 120 hours of CPE shall be required for the extended reporting period ending on December 31, 2018.~~

~~(i) The minimum required CPE hours shall include at least:~~

~~(A) one hour of education on the Utah Certified Public Accountant Licensing Act and Certified Public Accountant Licensing Act Rule; and~~

~~(B) three hours of ethics education covering one or more of the following areas:~~

~~(I) the AICPA Code of Professional Conduct;~~

~~(II) case-based instruction focusing on real-life situational learning;~~

~~(III) ethical dilemmas faced by accounting professionals; or~~

~~(IV) business ethics.~~

~~(ii) The term "must", as used in these standards, means departure from those specific standards is not permitted. The term "should", as used in these standards, means that CPAs and CPE program sponsors are expected to follow such standards as~~

~~written and are required to justify any departures from such standards when unusual circumstances warrant such departures.~~

~~(iii) Selection of CPE learning activities should be a thoughtful, reflective process addressing the individual CPA's current and future professional plans, current knowledge and skills level, and desired or needed additional competence to meet future opportunities and/or professional responsibilities.~~

~~(iv) A CPA's field of employment does not limit the need for CPE. CPAs performing professional services need to have a broad range of knowledge, skills, and abilities. Thus, the concept of professional competence should be interpreted broadly. Accordingly, acceptable continuing education encompasses programs contributing to the development and maintenance of both technical and non-technical professional skills.~~

~~(v) Acceptable CPE subjects include accounting, assurance/auditing, consulting services, specialized knowledge and applications, management, taxation, and ethics. Other subjects, including personal development, may also be acceptable if they maintain and/or improve the CPA's professional competence. Such subjects may include, but are not limited to: accounting and auditing, taxation, management advisory services, information technology, communication arts, mathematics, statistics, probability and quantitative analysis, economics, business law and litigation support, functional fields of business such as finance, production, marketing, personnel relations, development and management, business management and organizations, social environment of business, and specialized areas of industry such as film industry, real estate, or farming.~~

~~(vi) To help guide their professional development, CPAs may find it useful to develop a learning plan. The learning plan can be used to evaluate learning and professional competence development.~~

~~(A) A learning plan means a structured process that helps guide CPAs in their professional development. A learning plan is used to evaluate and document learning and professional competence development. A learning plan should be reviewed regularly and modified as a CPA's professional competence needs change. A learning plan should include:~~

~~(I) a self-assessment of the gap between current and needed knowledge, skills, and abilities;~~

~~(II) a set of learning objectives arising from this assessment; and~~

~~(III) learning activities to be undertaken to fulfill the learning plan.~~

~~(b) Standard No 2. CPAs should comply with all applicable CPE requirements and should claim CPE credit only for CPE programs when the CPE program sponsors have complied with the Standards for CPE Program Presentation (Nos. 8 - 11) and Standard for CPE Program Reporting No. 17.~~

~~(i) In addition to minimum CPE requirements specified in this rule, CPAs are responsible for compliance with all applicable CPE requirements, rules, and regulations of other state licensing bodies, other governmental entities and other professional organizations or bodies who have standard setting authority. CPAs should contact each appropriate entity to which they report to determine its specific requirements or any exceptions it may have to the standards presented herein.~~

~~(ii) Periodically, CPAs may participate in learning activities which do not comply with all applicable CPE requirements, for example specialized industry programs offered through industry sponsors. If CPAs propose to claim credit for such learning activities, they should retain all relevant information regarding the program to provide documentation to the Division, other state licensing bodies, and/or all other professional organizations or bodies showing that the learning activity is equivalent to one which meets all these or other applicable Standards.~~

~~(c) Standard No. 3. CPAs are responsible for accurate reporting of CPE credits earned and should retain appropriate documentation of their participation in learning activities, including: name and contact information of CPE program sponsor, title and description of content, date of program, location and number of CPE credits, all of which should be included in documentation provided by the CPE program sponsor.~~

~~(i) Although CPAs are required to document a minimum level of CPE hours, through periodic reporting of CPE, the objective of CPE must always be maintenance/enhancement of professional competence, not just attainment of minimum credits.~~

~~(ii) Compliance with regulatory and other requirements mandates that CPAs keep documentation of their participation in activities designed to maintain and/or improve professional competence. In the absence of legal or other requirements for longer retention, a CPA must retain documentation for a minimum of five years from the end of the year in which the learning activities were completed.~~

~~(iii) Participants must document their claims of CPE credit. Examples of acceptable evidence of completion include:~~

~~(A) For group and independent study programs, a certificate or other verification supplied by the CPE program sponsor.~~

~~(B) For self-study programs, a certificate supplied by the CPE program sponsor after satisfactory completion of an examination.~~

~~(C) For instruction credit, a certificate or other verification supplied by the CPE program sponsor.~~

~~(D) For a university or college course that is successfully completed for credit, a record or transcript of the grade the participant received.~~

~~(E) For university or college non-credit courses, a certificate of attendance issued by a representative of the university or college.~~

~~(F) For published articles, books, or CPE programs, (1) a copy of the publication (or in the case of a CPE program, course development documentation) that names the writer as author or contributor, (2) a statement from the writer supporting the number of CPE hours claimed, and (3) the name and contact information of the independent reviewer or publisher.~~

~~(d) Standard No. 4. CPAs who complete sponsored learning activities that maintain or improve their professional competence should claim the CPE credits recommended by CPE program sponsors.~~

~~(i) CPAs may participate in a variety of sponsored learning activities, such as workshops, seminars and conferences, self-study courses, Internet-based programs, and independent study. While CPE program sponsors determine credits, CPAs should claim credit only for activities through which they maintained or improved their professional competence. CPAs who participate in only part of a program should claim CPE credit only for the portion they attended or completed.~~

~~(ii) In order to qualify as CPE, an Internet-based program must qualify as a group program as provided in Subsection R156-26a-303b(3)(b)(i) or as a self-study program as provided in Subsection R156-26a-303b(3)(g).~~

~~(e) Standard No. 5. CPAs may engage in independent study under the direction of a CPE program sponsor who has met the applicable standards for CPE program sponsors when the subject matter and level of study maintain or improve their professional competence.~~

~~(i) Independent study is an educational process designed to permit a participant to learn a given subject under the guidance of a CPE program sponsor one-on-one. Participants in an independent study program should:~~

~~(A) Enter into a written learning contract with a CPE program sponsor who must comply with the applicable standards for CPE program sponsors.~~

~~(B) Accept the written recommendation of the CPE program sponsor as to the number of credits to be earned upon successful completion of the proposed learning activities. CPE credits will be awarded only if:~~

~~(I) all the requirements of the independent study as outlined in the learning contract are met;~~

~~(II) the CPE program sponsor reviews and signs the participant's report;~~

~~(III) the CPE program sponsor reports to the participant the actual credits earned, and~~

~~(IV) the CPE program sponsor provides the participant with contact information.~~

~~(ii) The credits to be recommended by an independent study CPE program sponsor should be agreed upon in advance and should~~

~~be equated to the effort expended to improve professional competence. The credits cannot exceed the time devoted to the learning activities and may be less than the actual time involved.~~

~~(iii) Retain the necessary documentation to satisfy regulatory requirements as to the content, inputs, and outcomes of the independent study.~~

~~(iv) Complete the program of independent study in 15 weeks or less.~~

~~(3) Standards for CPE Program Sponsors (Standard 1), Standards for CPE Program Development (Standards 2-7), Standards for CPE Program Presentation (Standards 8-11), Standards for Program Measurement (Standards 12-16), and Standards for CPE Program Reporting (Standards 17-18). "CPE sponsor", as used herein, means the individual or organization responsible for setting learning objectives, developing the program materials to achieve such objectives, offering a program to participants, and maintaining the documentation required by these standards. The term "CPE program sponsor" may include associations of CPAs, whether formal or informal, as well as employers who offer in-house programs.~~

~~(a) Standard No. 1. CPE program sponsors are responsible for compliance with all applicable standards and other CPE requirements.~~

~~(i) In addition to the minimum requirements under this rule, CPE program sponsors may have to meet specific CPE requirements of other state licensing bodies, other governmental entities, and/or other professional organizations or bodies. CPE program sponsors should contact the appropriate entity to determine requirements.~~

~~(b) Standard No. 2. Sponsored learning activities must be based on relevant learning objectives and outcomes that clearly articulate the knowledge, skills, and abilities that can be achieved by participants in the learning activities.~~

~~(i) Learning activities, meaning an educational endeavor that improves or maintains professional competence, provided by CPE program sponsors for the benefit of CPAs, should specify the level, content, and learning objectives so that potential participants can determine if the learning activities are appropriate to their professional competence development needs. Learning activity levels include, for example, basic, intermediate, advanced, update, and overview as defined as follows.~~

~~(A) Advanced. Learning activity level most useful for individuals with mastery of the particular topic. This level focuses on the development of in-depth knowledge, a variety of skills, or a broader range of applications. Advanced level programs are often appropriate for seasoned professionals within organizations; however, they may also be beneficial for other professionals with specialized knowledge in a subject area.~~

~~(B) Basic. Learning activity level most beneficial to CPAs new to a skill or an attribute. These individuals are often at the staff or entry level in organizations, although such programs may also benefit a seasoned professional with limited exposure to the area.~~

~~(C) Intermediate. Learning activity level that builds on a basic program, most appropriate for CPAs with detailed knowledge in an area. Such persons are often at a mid-level within the organization, with operational and/or supervisory responsibilities.~~

~~(D) Overview. Learning activity level that provides a general review of a subject area from a broad perspective. These programs may be appropriate for professionals at all organizational levels.~~

~~(E) Update. Learning activity level that provides a general review of new developments. This level is for participants with a background in the subject area who desire to keep current.~~

~~(c) Standard No. 3. CPE program sponsors should develop and execute learning activities in a manner consistent with the prerequisite education, experience, and/or advance preparation of participants.~~

~~(i) To the extent it is possible to do so, CPE program sponsors should make every attempt to equate program content and level with the backgrounds of intended participants. All programs must clearly identify prerequisite education, experience, and/or advance preparation, if any, in precise language so that potential participants can readily ascertain whether they qualify for the program.~~

~~(d) Standard No. 4. CPE program sponsors must use activities, materials, and delivery systems that are current, technically accurate, and effectively designed, and may include discussions of ethical issues that may apply to the subject matter. CPE program sponsors must be qualified in the subject matter.~~

~~(i) To best facilitate the learning process, sponsored programs and materials must be prepared, presented and updated in a timely manner. Learning activities must be developed by individuals or teams having expertise in the subject matter. Expertise may be demonstrated through practical experience or education.~~

~~(ii) CPE program sponsors must review the course materials periodically to ensure that they are accurate and consistent with currently accepted standards relating to the program's subject matter.~~

~~(e) Standard No. 5. CPE program sponsors of group and self-study programs must ensure learning activities are reviewed by qualified persons other than those who developed them to ensure that the program is technically accurate and current and addresses the stated learning objectives. These reviews must~~

~~occur before the first presentation of these materials and again after each significant revision of the CPE programs.~~

~~(i) Individuals or teams qualified in the subject matter must review programs. When it is impractical to review certain programs in advance, such as lectures given only once, greater reliance should be placed on the recognized professional competence of the instructors or presenters. Using independent reviewing organizations familiar with these standards may enhance quality assurance.~~

~~(f) Standard No. 6. CPE program sponsors of independent study learning activities must be qualified in the subject matter.~~

~~(i) A CPE program sponsor of independent study learning activities must have expertise in the specific subject area related to the independent study. The CPE program sponsor must also:~~

~~(A) Review, evaluate, approve and sign the proposed independent study learning contract, including agreeing in advance on the number of credits to be recommended upon successful completion.~~

~~(B) Review and sign the written report developed by the participant in independent study.~~

~~(C) Retain the necessary documentation to satisfy regulatory requirements as to the content, inputs, and outcomes of the independent study.~~

~~(g) Standard No. 7. Self-study programs must employ learning methodologies that clearly define learning objectives, guide the participant through the learning process, and provide evidence of a participant's satisfactory completion of the program.~~

~~(i) To guide participants through a learning process, CPE program sponsors of self-study programs must elicit participant responses to test for understanding of the material, offer evaluative feedback to incorrect responses, and provide reinforcement feedback to correct responses. To provide evidence of satisfactory completion of the course, CPE program sponsors of self-study programs must require participants to successfully complete a final examination with a minimum-passing grade of at least 70 percent before issuing CPE credit for the course.~~

~~(A) Evaluative feedback, as used in this subsection, means: specific response to incorrect answers to questions in self-study programs. Unique feedback must be provided for each incorrect response, as each one is likely to be wrong for differing reasons.~~

~~(B) Reinforcement feedback, as used in this subsection, means: specific responses to correct answers to questions in self-study programs. Such feedback restates why the answer selected was correct.~~

~~(ii) Examinations may contain questions of varying format (for example, multiple-choice, essay and simulations.) If~~

~~objective type questions are used, at least five questions per CPE credit must be included on the final examination. For example, the final examination for a five-credit course must include at least 25 questions.~~

~~(iii) Self-study programs must be based on materials specifically developed for instructional use. Self-study programs requiring only the reading of general professional literature, IRS publications, or reference manuals followed by a test will not be acceptable. However, the use of the publications and reference materials in self-study programs as supplements to the instructional materials could qualify if the self-study program complies with each of the CPE standards.~~

~~(h) Standard No. 8. CPE program sponsors must provide descriptive materials that enable CPAs to assess the appropriateness of learning activities. To accomplish this, CPE program sponsors must inform participants in advance of: learning objectives, prerequisites, program level, program content, advance preparation, instructional delivery methods, recommended CPE credit, and course registration requirements. Instructional delivery methods, as used in this subsection, means: delivery strategies such as case studies, computer-assisted learning, lectures, group participation, programmed instruction, teleconferencing, use of audiovisual aids, or work groups employed in group, self-study, or independent study programs.~~

~~(i) For potential participants to effectively plan their CPE, the program sponsor should disclose the significant features of the program in advance (e.g., through the use of brochures, Internet notices, invitations, direct mail, or other announcements). When CPE programs are offered in conjunction with non-educational activities, or when several CPE programs are offered concurrently, participants should receive an appropriate schedule of events indicating those components that are recommended for CPE credit. The CPE program sponsor's registration policies and procedures should be formalized, published, and made available to participants.~~

~~(ii) CPE program sponsors should distribute program materials in a timely manner and encourage participants to complete any advance preparation requirements. All programs should clearly identify prerequisite education, experience, and/or advance preparation requirements, if any, in the descriptive materials. Prerequisites should be written in precise language so that potential participants can readily ascertain whether they qualify for the program.~~

~~(i) Standard No. 9. CPE program sponsors must ensure instructors are qualified with respect to both program content and instructional methods used.~~

~~(i) Instructors are key ingredients in the learning process for any group program. Therefore, it is imperative that CPE program sponsors exercise great care in selecting qualified~~

~~instructors for all group programs. Qualified instructors are those who are capable, through training, education, or experience of communicating effectively and providing an environment conducive to learning. They should be competent and current in the subject matter, skilled in the use of the appropriate instructional methods and technology, and prepared in advance. As used in this subsection, Group Program means: An educational process designed to permit a participant to learn a given subject through interaction with an instructor and other participants either in a classroom or conference setting or by using the Internet.~~

~~(ii) CPE program sponsors should evaluate the instructor's performance at the conclusion of each program to determine the instructor's suitability to serve in the future.~~

~~(j) Standard No. 10. CPE program sponsors must employ an effective means for evaluating learning activity quality with respect to content and presentation, as well as provide a mechanism for participants to assess whether learning objectives were met.~~

~~(i) The objectives of evaluation are to assess participant satisfaction with specific programs and to increase subsequent program effectiveness. Evaluations, whether written or electronic, should be solicited from participants and instructors for each program session, including self-study, to determine, among other things, whether:~~

~~(A) Stated learning objectives were met.~~

~~(B) If applicable, prerequisite requirements were appropriate.~~

~~(C) Program materials were accurate.~~

~~(D) Program materials were relevant and contributed to the achievement of the learning objectives.~~

~~(E) Time allotted to the learning activity was appropriate.~~

~~(F) If applicable, individual instructors were effective.~~

~~(G) Facilities and/or technological equipment was appropriate.~~

~~(H) Handout or advance preparation materials were satisfactory.~~

~~(I) Audio and video materials were effective.~~

~~(ii) CPE program sponsors should periodically review evaluation results to assess program effectiveness and should inform developers and instructors of evaluation results.~~

~~(k) Standard No. 11. CPE program sponsors must ensure instructional methods employed are appropriate for the learning activities. Instructional methods means: delivery strategies such as case studies, computer-assisted learning, lectures, group participation, programmed instruction, teleconferencing, use of audiovisual aids, or work groups employed in group, self-study, or independent study programs. Learning activities should be presented in a manner consistent with the descriptive and technical materials provided.~~

~~(i) CPE program sponsors should evaluate the instructional methods employed for the learning activities to determine if the delivery is appropriate and effective. Integral aspects in the learning environment that should be carefully monitored include the number of participants and the facilities and technologies employed in the delivery of the learning activity.~~

~~(ii) CPE program sponsors are expected to present learning activities that comply with course descriptions and objectives. Appropriate supplemental materials may also be used.~~

~~(l) Standard No. 12. Sponsored learning activities are measured by program length, with one 50-minute period equal to one CPE credit. One-half CPE credit increments (equal to 25 minutes) are permitted after the first credit has been earned in a given learning activity.~~

~~(i) For learning activities in which individual segments are less than 50 minutes, the sum of the segments should be considered one total program. For example, five 30-minute presentations would equal 150 minutes and should be counted as three CPE credits.~~

~~(ii) When the total minutes of a sponsored learning activity are greater than 50, but not equally divisible by 50, the CPE credits granted should be rounded down to the nearest one-half credit. Thus, learning activities with segments totaling 140 minutes should be granted two and one-half CPE credits.~~

~~(iii) While it is the participant's responsibility to report the appropriate number of credits earned, CPE program sponsors must monitor group learning activities to assign the correct number of CPE credits.~~

~~(iv) For university or college credit courses that meet these CPE Standards, each unit of college credit shall equal the following CPE credits: semester system 15 credits; quarter system 10 credits.~~

~~(v) For university or college non-credit courses that meet these CPE standards, CPE credits shall be awarded only for the actual classroom time spent in the non-credit course.~~

~~(vi) Credit is not granted to participants for preparation time.~~

~~(vii) Only the portions of committee or staff meetings that are designed as programs of learning and comply with these standards qualify for CPE credit.~~

~~(m) Standard No. 13. CPE credit for self-study learning activities must be based on a pilot test of the average completion time.~~

~~(i) A sample of intended professional participants should be selected to test program materials in an environment and manner similar to that in which the program is to be presented. The sample group of at least three individuals must be independent of the program development group and possess the appropriate level of knowledge before taking the program.~~

~~(ii) The sample does not have to ensure statistical validity. CPE credits should be recommended based on the average completion time for the sample. If substantive changes are subsequently made to program materials, further pilot tests of the revised program materials should be conducted to affirm or amend, as appropriate, the average completion time.~~

~~(n) Standard No. 14. Instructors or discussion leaders of learning activities should receive CPE credit for both their preparation and presentation time to the extent the activities maintain or improve their professional competence and meet the requirements of these CPE standards.~~

~~(i) Instructors, discussion leaders, or speakers who present a learning activity for the first time should receive CPE credit for actual preparation time up to two times the number of CPE credits to which participants would be entitled, in addition to the time for presentation. For example, for learning activities in which participants could receive 8 CPE credits, instructors may receive up to 24 CPE credits (16 for preparation plus 8 for presentation).~~

~~(ii) For repeat presentations, CPE credit can be claimed only if it can be demonstrated that the learning activity content was substantially changed and such change required significant additional study or research.~~

~~(iii) The maximum credit for instructors, discussion leaders or speakers cannot exceed 50 percent of the CPE requirement.~~

~~(o) Standard No. 15. Writers of published articles, books, or CPE programs should receive CPE credit for their research and writing time to the extent it maintains or improves their professional competence.~~

~~(i) Writing articles, books, or CPE programs for publication is a structured activity that involves a process of learning. For the writer to receive CPE credit, the article, book, or CPE program must be formally reviewed by an independent party. CPE credits should be claimed only upon publication.~~

~~(ii) The maximum credit for books or articles cannot exceed 25 percent of the CPE requirement.~~

~~(p) Standard No. 16. CPE credits recommended by a CPE program sponsor of independent study must not exceed the time the participant devoted to complete the learning activities specified in the learning contract.~~

~~(i) The credits to be recommended by an independent study CPE program sponsor should be agreed upon in advance and should be equated to the effort expended to improve professional competence. The credits cannot exceed the time devoted to the learning activities and may be less than the actual time involved.~~

~~(q) Standard No. 17. CPE program sponsors must provide program participants with documentation of their participation, which includes the following: CPE program sponsor name and~~

~~contact information, participant's name, course title, course field of study, date offered or completed, if applicable, location, the name of the CPE registry issuing approval, and the approval number assigned to that program by the Registry, type of instructional/delivery method used, amount of CPE credit recommended, verification by CPE program sponsor representative.~~

~~(i) CPE program sponsors should provide participants with documentation to support their claims of CPE credit. Acceptable evidence of completion includes:~~

~~(A) For group and independent study programs, a certificate or other verification supplied by the CPE program sponsor.~~

~~(B) For self-study programs, a certificate supplied by the CPE program sponsor after satisfactory completion of an examination.~~

~~(C) For instruction credit, a certificate or other verification supplied by the CPE program sponsor.~~

~~(D) For a university or college course that is successfully completed for credit, a record or transcript of the grade the participant received.~~

~~(E) For university or college non-credit courses, a certificate of attendance issued by a representative of the university or college.~~

~~(F) For published articles, books, or CPE programs: (1) a copy of the publication (or in the case of a CPE program, course development documentation) that names the writer as author or contributor, (2) a statement from the writer supporting the number of CPE hours claimed, and (3) the name and contact information of the independent reviewer(s) or publisher.~~

~~(r) Standard No. 18. CPE program sponsors must retain adequate documentation for five years to support their compliance with these standards and the reports that may be required of participants.~~

~~(i) Evidence of compliance with responsibilities set forth under these Standards which is to be retained by CPE program sponsors includes, but is not limited to: records of participation, dates and locations, instructor names and credentials, number of CPE credits earned by participants, and results of program evaluations.~~

~~(ii) Information to be retained by developers includes copies of program materials, evidence that the program materials were developed and reviewed by qualified parties, and a record of how CPE credits were determined.~~

~~(iii) For CPE program sponsors offering self-study programs, appropriate pilot test records must be retained regarding the following:~~

~~(A) When the pilot test was conducted.~~

~~(B) The intended participant population.~~

~~(C) How the sample was determined.~~

~~(D) Names and profiles of sample participants.~~

~~(E) A summary of participants' actual completion time.~~

~~(4) Programs or Activities Which Do Not Qualify. The following activities do not satisfy the standards for programs of this section and are not eligible for satisfaction of CPE requirements:~~

~~(a) Personal study: personal study includes reading professional journals and publications, studying and researching matters such as tax code revisions, practicing software programs on a computer and watching video movies of a conference; and~~

~~(b) Committee meetings, dinner and luncheon meetings, firm meetings or other activities that do not meet the standards outlined in this section.~~]

(5) Reporting Requirements.

(a) The license renewal deadling and the CPE reporting period deadline shall have the same date of December 31 of even-numbered years.

(b) Except as otherwise authorized by the Division, CPE shall be reported online on the Division website.

(c) [~~Each~~]A licensee applying for license renewal shall report[~~,~~] by December 31 of each even-[~~-~~]numbered year, demonstrating completion of at least the minimum number of [~~credits~~]CPE hours required [~~in~~]under Section 58-26a-304 and this Section.[~~for qualified continuing professional education hours completed for the preceding two years.~~]

(d) Each person applying for license reinstatement shall [~~file a~~] report to the Division at the time of application, demonstrating completion of the CPE required under S[~~ubs~~]ection R156-26a-307.[

~~(a) Such report shall be by means of one of the following:~~

~~(i) certification from an approved continuing professional education registry of the hours of qualified continuing education completed; or~~

~~(ii) a report to the Division for review and approval of continuing professional education.~~

~~(b) It is the responsibility of the applicant or licensee to demonstrate to the Division that the applicant or licensee successfully completed all CPE reported and meets the requirements of this section or that the CPE has been approved by an approved continuing professional education registry and that reported courses maintained or increased the professional competence of the applicant or licensee.~~

~~(6) Continuing Professional Education Registry. To obtain approval as a continuing professional education registry, an organization shall:~~

~~(a) be a professional association primarily consisting of individuals licensed as certified public accountants;~~

~~(b) be organized and in good standing according to the laws of the state;~~

~~(c) enter into a written agreement with the Division under which the organization agrees to:~~

([~~i~~]a) A licensee who completes more than the required hours of CPE during the reporting period may carry forward up to 40 hours to the next succeeding reporting period.

([~~ii~~]b) CPE taken in the current reporting period and CPE hours carried forward from the previous reporting period shall qualify as general CPE hours only for the current reporting period.

([~~c~~]7) Failure to comply with CPE requirements.

([~~i~~]a) [~~Failure to meet the minimum hour requirement. An individual holding a current Utah license~~]A licensee who fails to complete the required minimum CPE by the reporting deadline [~~will~~]may not [~~be allowed to~~]renew their license until the required CPE hours have been completed and reported.

([~~ii~~]b) [~~Waiver for Medical Reasons. A~~]Pursuant to Subsection 58-26-304(4), a licensee may request the Board to waive the requirements or grant an extension for [~~continuing professional education~~]CPE on the basis that the licensee was not able to complete the continuing professional education due to medical or related conditions confirmed by a qualified health care provider.

(i) Such medical confirmation shall include the beginning and ending dates during which the medical condition would have prevented the licensee from completing the [~~continuing professional education~~]CPE, the extent of the medical condition and the effect that the medical condition had upon the ability of the licensee to continue to engage in the practice of accountancy.

(ii) The Board in determining whether the waiver is appropriate shall consider whether or not the licensee continued to be engaged in the practice of accountancy practice on a full or part time basis during the period specified by the medical confirmation.

(iii) Granting a waiver of meeting the minimum CPE hours [~~shall~~]is not [~~be construed as~~]a waiver of a CPA being required to provide services in a competent manner with current knowledge, skill and ability. When medical or other conditions prevent the CPA from providing services in a competent manner, the CPA shall refrain from providing such services.[

~~(d) Mandatory Online Reporting.~~

~~(i) Except as otherwise authorized by the Division, CPE shall be reported online on the Division website.~~]

R156-26a-305. Exemptions from Licensure - Mobility.

The mobility practice privilege included in Section 58-26a-305 is further clarified, defiend, and established as follows:

(1) As used in this section and Section 58-26a-305:

(a) "Mobility" means a practice privilege that generally permits a licensed CPA in good standing rom a substantially equivalent state/jurisdiction where their principal place of business is located, to practice outside of that

state/jurisdiction without obtaining another license. CPA mobility is a uniform approach endorsed by the AICPA and NASBA through the AICPA/NASBA Uniform Accountancy Act (UAA), allowing no-notification interstate practice by CPAs whose home jurisdiction or who individually are substantially equivalent where they meet the UAA licensure standard. The individual and firm automatically consent to the jurisdiction of the mobility state, and the mobility state's ability to discipline under the provision is based on the performance of services within the mobility state, whether physically, electronically, or otherwise.

(b) "Individual mobility" means an individual CPA meets the requirements of Subsection 58-26a-305(1)(a) and Section R156-26a-305 to perform services through mobility in Utah. A CPA with individual mobility does not need to obtain a Utah CPA license or otherwise register with the Division.

(c) "Firm mobility" means a CPA firm meets the requirements of Subsection 58-26a-305(1)(a) and Section R156-26a-305 to perform services through mobility in Utah. A CPA firm with firm mobility does not need to obtain a Utah CPA firm license or register with the Division.

(d) "Home jurisdiction", for purposes of Section 58-26a-305 and this Section, means the jurisdiction where a CPA or CPA firm is licensed and their principal place of business is located.

(e) "Mobility tool" means the online tool developed by the AICPA and NASBA to help CPAs and CPA firms understand mobility and determine their eligibility for mobility, available at https://cpamobility.org.

(2) A CPA or CPA firm performing services through mobility in Utah shall hold an active, unrestricted license in good standing in their home jurisdiction. An inactive or restricted CPA or CPA firm license is invalid pursuant to Subsection 58-26a-305(1)(a)(ii)(C).

(3) A CPA performing services through mobility shall only perform the same level of services (attest or non-attest) in the mobility jurisdiction as they are permitted to perform in their home jurisdiction.

(4) A CPA firm not licensed in Utah may perform services through mobility in Utah as a person exempt from licensure pursuant to Subsection 58-26a-305(1)(a), if:

(a) the CPA firm's principal place of business is not in Utah;

(b) the CPA firm holds an active, unrestricted CPA firm license in good standing in its home jurisdiction; and

(c) the CPA firm meets the ownership and peer review requirements of the mobility jurisdiction pursuant to Subsection 58-26a-302(3)(a)(iii) and Subsection R156-26a-303a.

(5) A licensed CPA or CPA firm may obtain information regarding their eligibility for mobility by using the mobility tool at https://cpamobility.org.

R156-26a-307. Reinstatement of Licenses.

(1) An individual [~~having~~]who held a Utah license which has expired for failure to renew for nonpayment of fees, or an individual applying for reinstatement from emeritus status, may be relicensed upon satisfactory completion of:

(a) submission of an application on forms supplied by the Division which shall contain information as to why the [~~person~~]individual allowed their license to lapse; and

(b) 80 hours of [~~acceptable~~]qualified CPE[~~,~~] completed within the 12 months preceding the submission of [~~an~~]the application for reinstatement, which shall include:

(i) [~~a minimum of~~]at least 16 hours in accounting or auditing or both; and

(ii) [~~shall include~~]successful completion of the AICPA Professional Ethics for CPAs[~~Ethics Self-Study~~] Examination and the Utah CPA Laws and Rules Examination with [~~a~~]minimum scores of at least the minimum score required for initial licensure, [~~. Successful completion of the two examinations will~~] which shall count as eight hours of CPE towards the 80 hour requirement.

([~~1~~]2) The requirements in Subsection R156-26-307(1)(b) [~~are~~]may be waived if the reinstatement applicant:

(a) has not been practicing within [~~the state of~~]Utah since the expiration of the license being reinstated[~~,~~];

(b) [~~the reinstatement applicant~~]has continuously since the expiration been licensed and practicing in another state; and

(c) [~~the reinstatement applicant~~]demonstrates that the applicant has met all the CPE requirements that would have been applicable in [~~the state of~~]Utah during the time the license was expired in [the state of]Utah.

([~~ii~~]3) The requirements in Subsection R156-26a-307(1)(b) [~~are~~] may be waived[~~,~~] if:

(a) the applicant failed to renew because of inadvertent failure to pay the renewal fees, to sign application documents, or to meet similar technical application requirements;

(b) [~~and~~]the application for reinstatement is filed with the Division within 24 months after expiration date of the license; and

(c) at time of application for reinstatement the applicant demonstrates by proof of attendance at acceptable CPE courses that at all times the applicant was in full compliance with the CPE requirements.

([~~2~~]4) The number of hours required to reinstate a license [~~shall~~]may not satisfy in whole or part any of the minimum hours of CPE that may be required for subsequent renewal of the license.

R156-26a-501. Unprofessional Conduct.

"Unprofessional conduct" includes:

~~(i) review and approve only those programs which meet the standards set forth under this section;~~

~~(ii) publish and disseminate to their members or other CPAs on request, listings of continuing professional education programs which meet the standards and are approved for qualified continuing professional education credit;~~

~~(iii) maintain accurate records of qualified continuing professional education completed by each of its registrants and provide each of its registrants with a certificate on a timely basis to permit the registrant to file that certificate with the registrant's application to the Division for renewal or reinstatement of his license as a certified public accountant. The certificate shall contain the name of the instructor, the date of the program, location of the program, title of the program, the name of the sponsor, the name of the CPE registry issuing approval, and the approval number assigned to that program by the Registry, and the number of CPE hours granted; and~~

~~(iv) make records of approved of qualified continuing professional education programs and records of qualified continuing professional education completed by registrants available for audit by representatives of the Division, the Board or peer advisory committees of the board.~~

~~(7) Fees. A registry may charge a reasonable fee to registrants for services provided for approval of courses. Sponsors of approved courses may charge a lower fee to members of the sponsoring association for participation as a registrant than it charges to non-members of the association.~~

~~(8) Other CPE requirements and failure to complete CPE requirements.~~

~~(a) Implementation of CPE reporting and license-renewal alignment, effective December 31, 2018.~~

~~(i) Effective December 31, 2018, the license renewal deadline and the CPE reporting period deadline shall have the same date of December 31 of even years.~~]

(e) If a licensee reports required CPE and renews their license prior to December 31 of an even-numbered year, any additional CPE completed by that licensee through the remainder of the even-numbered year may be reported and carried forward toward the next succeeding CPE reporting period.

[~~(ii) For the reporting period ending December 31, 2018, the minimum CPE hour requirement under Subsection R156-26a-303b(2)(a) shall be 120 hours.~~

~~(iii) The CPE reporting period deadline of December 31, 2017, is extended to December 31, 2018.~~

~~(iv) A licensee may carry forward all CPE hours completed between December 31, 2015, and December 31, 2018, to the reporting period ending December 31, 2018.~~

~~(v) A license expiring September 30, 2018, shall be extended to December 31, 2018.~~]

([~~b~~]6) Carry Forward Provision.

(1) willfully failing to comply with continuing professional education or fraudulently reporting continuing professional education;

(2) commission of an act or omission that fails to conform to the accepted and recognized standards and ethics of the profession including those stated in the AICPA Code of Professional Conduct, effective December 15, 2014, updated through August 31, 2016, which is hereby incorporated by reference; or

(3) a CPA firm using the name of a person who is not a licensed certified public accountant as part of the CPA firm name, with the exception that a CPA firm may continue to use the name of a former owner who was a CPA but who has retired or is no longer active in the CPA firm.

KEY: accountants, licensing, peer review, continuing professional education
Date of Enactment or Last Substantive Amendment: [~~November 7, 2017~~]2019
Notice of Continuation: October 6, 2016
Authorizing, and Implemented or Interpreted Law: 58-26a-101; 58-1-106(1)(a); 58-1-202(1)(a)