

**MINUTES OF THE KANSAS BOARD OF ACCOUNTANCY
DECEMBER 9, 2022
9:00 AM
HYBRID MEETING**

1. ADMINISTRATIVE MATTERS:

A. CALL TO ORDER:

John R. Helms, CPA, Vice-Chair called the meeting to order. Other Board members in attendance were Meridith Bihuniak, CPA; S. Lucky DeFries, Public Member; Aron Dunn, CPA; and Jim Gillespie, CPA. Also in attendance was Susan L. Somers, Executive Director; Tim Resner, Disciplinary Counsel to the Board; Darin M. Conklin, General Counsel to the Board; Danielle Hologram and Rita Barnard, on behalf of the Kansas Society of CPAs; and Joyce Schartz, of the Public Accountants Association

B. CONSENT CALENDAR:

1-3. The Board reviewed the minutes of the October 21, 2022 meeting; certificates/permits to practice; firm registrations; and the November 30, 2022 financials. Mr. DeFries moved, and Mr. Dunn seconded to approve the Consent Calendar. Upon a vote, the motion unanimously carried.

2. CPA EXAM:

A. CPA EXAM SCORES: The Board reviewed the CPA exam scores from October 11, 2022 to November 25, 2022. After discussion, Mr. Gillespie moved, and Mr. DeFries seconded to ratify the scores. Upon a vote, the motion carried.

B. Q3 CANDIDATE CARE REPORT: The Board reviewed the third quarter candidate care report. No action was required to be taken.

C. Q3 CANDIDATE PERFORMANCE SUMMARY: The Board reviewed the third quarter candidate performance summary. No action was required to be taken.

D. CARLEY STRICKLAND SCOTT REQUEST FOR WAIVER OF PRODUCTION-OPERATIONS RESEARCH COURSE AND ACCOUNTING INFORMATION SYSTEMS COURSE: Ms. Strickland did not appear. After review and discussion, Mr. Gillespie moved, and Mr. Dunn seconded to deny the request for the reason that Ms. Strickland did not have sufficient work experience to justify a waiver of the courses. Upon a vote, the motion carried.

E. ERIC PAXTON REQUEST FOR WAIVER OF 3 HOURS OF COMMUNICATIONS AND A BUSINESS LAW COURSE: Mr. Paxton appeared virtually to make his request. After discussion, Mr. Dunn moved, and Mr. Gillespie seconded to

waive 3 hours of communications and the business law course, based upon Mr. Paxton's work experience. Upon a vote, the motion carried.

3. CPE/CERTIFICATES/PERMITS TO PRACTICE/PEER REVIEW/FIRM REGISTRATIONS:

A. Ms. Somers presented to the Board the list of firms with peer reviews either due or in process. No action was required to be taken.

B. DISCUSSION OF PEER REVIEW EXTENSION DATES/FIRM REGISTRATION EXPIRATION: Mr. Gillespie moved at 10:20, a.m., and Mr. Dunn seconded for the Board to go into Executive Session for twenty minutes to discuss attorney/client privileged matters relative to statutes and regulations. Upon a vote, the motion carried. The Board reconvened in open session at 10:40 a.m.

C. DARRELL G. STREET REQUEST FOR WAIVER/EXTENSION OF PEER REVIEW: Mr. Street appeared virtually before the Board. Mr. Street's peer review expired November 30, 2022, and due to health issues, he was not able to comply with the due date. He indicated that he wanted to semi-retire or retire going forward, and only wanted to provide tax and compilation services. After discussion, Mr. Dunn moved, and Mr. Gillespie seconded, for the Board to go into closed session for fifteen minutes to deliberate the matter. Upon a vote, the motion carried.

When the Board reconvened, Mr. Gillespie moved, and Mr. Dunn seconded to extend Mr. Street's peer review due date to January 31, 2023. Upon a vote, the motion carried. Mr. Street was encouraged to submit his firm renewal registration for 2023 and to engage someone to complete the Peer Review by the extended due date.

D. TROUTT BEEMAN & CO., P.C. REQUEST FOR EXTENSION OF PEER REVIEW: Butch Beeman appeared virtually before the Board on behalf of the firm. Troutt Beeman's peer review due date was December 31, 2022; however, Mr. Beeman indicated that due to staff shortages and illness of another partner in the firm, that the firm had not been able to issue certain audit reports for 2020, which affected the 2021 audits to be included in the Peer Review. After discussion, Mr. Dunn moved, and Mr. Gillespie seconded, to go into closed session for ten minutes to deliberate the matter. Upon a vote, the motion carried.

When the Board reconvened, Mr. Dunn moved, and Mr. DeFries seconded to grant an extension of the firm's Peer Review to March 31, 2023. Upon a vote, the motion carried.

E. REQUEST FROM DAVID LUNDGREN & COMPANY, CPAs, CHTD. FOR EXTENSION OF USE OF FIRM NAME AFTER FALLING OUT OF COMPLIANCE: Mr. Lundgren appeared virtually before the Board. Mr. Lundgren's firm name is "David Lundgren & Company, CPAs, Chartered"; however, the firm fell out of compliance with K.A.R. 74-5-406. Mr. Lundgren was before the Board seeking permission pursuant to

K.A.R. 74-5-406(f) to extend the use of the current firm name until the firm could hire a Kansas licensed CPA. After discussion, Mr. Dunn moved, and Ms. Bihuniak seconded, to go into closed session for five minutes to deliberate the matter. Upon a vote, the motion carried.

When the Board reconvened, Mr. Gillespie moved, and Mr. Dunn seconded to extend the use of the firm name to December 31, 2022.. Upon a vote, the motion carried.

4. HEARINGS AND DISCIPLINARY ACTIONS:

A. JACOB A. WISDOM, CPA; WISDOM CPAS, LLC F/K/A WISDOM CPA, LLC STIPULATION AND CONSENT ORDER: Mr. Dunn, the investigator in this matter, recused himself. Mr. Wisdom appeared virtually and with counsel, Joel Krieger. The Board appeared by disciplinary counsel Timothy Resner. This matter was before the Board for approval of a Stipulation and Consent Order arising from an investigation and subsequent determination that Respondent firm failed to comply with applicable professional standards, and used a name not registered with the Board; thus, committing a willful violation of a rule of professional conduct. Respondent Wisdom had engaged in conduct reflecting adversely on his fitness to practice certified public accountancy and failed to comply with applicable professional standards. The terms of the Stipulation and Consent Order required Respondents to appear virtually before the Board; Respondent Wisdom to pay a fine in the amount of \$1,500.00; Respondent to reimburse the Board's costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees; and censure. Respondents were further prohibited from performing or offering to perform attest services for Kansas clients without written permission from the Board; required to undergo a post-issuance review of any preparation engagement and compilation performed by Wisdom and/or Respondent Firm; and undergo a pre-issuance review of future preparation engagements and compilations to be performed by Wisdom individually or in the course of operations of the Firm's business or on behalf of any other entity. Respondent's application for firm registration was approved. After discussion, Mr. DeFries moved, and Mr. Gillespie seconded to approve the Stipulation and Consent Order. Upon a vote, the motion carried, with Mr. Dunn not participating. Mr. Gillespie thereafter moved, and Mr. DeFries seconded for the Board to issue a protective order pursuant to K.S.A. 1-501. Upon a vote the motion carried with Mr. Dunn not participating.

B. GARY C. ALLERHEILIGEN, CPA STIPULATION AND CONSENT ORDER: Ms. Spiegel, the investigator in this matter, was not present at the meeting. Mr. Allerheiligen appeared virtually before the Board. This matter was before the Board for approval of a Stipulation and Consent Order arising from an investigation and subsequent determination that Mr. Allerheiligen had failed to maintain compliance with the requirements for renewal of his permit in that he did not obtain satisfactory continuing education to meet the required 80 hours of continuing education for his 2020 and 2022 permit renewals. The terms of the Stipulation and Consent Order required Mr. Allerheiligen to appear before the Board; payment of a fine in the amount of \$500.00; reimbursement of costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees; censure; and completion of continuing education. After discussion, Mr.

Gillespie moved, and Mr. Dunn seconded, to approve the Stipulation and Consent Order. Upon a vote, the motion unanimously carried, with Ms. Spiegel not participating.

C. JOSH EVERETT MAUER, CPA STIPULATION AND CONSENT ORDER: Ms. Bihuniak, the investigator in this matter, recused herself. Mr. Mauer appeared virtually before the Board. This matter was before the Board for approval of a Stipulation and Consent Order arising from an investigation and subsequent determination that Mr. Mauer failed to exercise due professional care in the performance of professional services. The terms of the Stipulation and Consent Order required Mr. Mauer to virtually appear before the Board; payment of a fine in the amount of \$1,200.00; reimbursement of costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees; completion of continuing education in the area of practice management within sixty days; and censure. After discussion, Mr. Dunn moved, and Mr. Gillespie seconded, to approve the Stipulation and Consent Order. Upon a vote, the motion unanimously carried, with Ms. Bihuniak not participating.

D. DANIEL P. POSCH, CPA STIPULATION AND CONSENT ORDER: Ms. Spiegel, the investigator in this matter, was not present at the meeting. Mr. Posch appeared virtually before the Board. This matter as before the board for approval of a Stipulation and Consent Order arising from an investigation and subsequent determination that Mr. Posch had failed to maintain compliance for the renewal of his permit in that he did not obtain satisfactory continuing education to meet the required 80 hours of continuing education for his 2022 permit renewal and willfully violated a rule of professional conduct. The terms of the Stipulation and Consent Order required Mr. Posch to appear before the Board; payment of a fine in the amount of \$500.00; reimbursement of costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees; censure; and completion of continuing education. After discussion, Mr. Gillespie moved, and Mr. DeFries seconded, to approve the Stipulation and Consent Order. Upon a vote, the motion unanimously carried, with Ms. Spiegel not participating.

E. BRYON THOMAS ROSINE, CPA; WRIGHT CPA GROUP, P.A. STIPULATION AND CONSENT ORDER: Ms. Bihuniak, the investigator in this matter, recused herself. Mr. Rosine appeared virtually before the Board on behalf of himself, and the firm. This matter was before the Board for approval of a Stipulation and Consent Order arising from an investigation and subsequent determination that Mr. Rosine had practiced certified public accountancy without a valid permit. The Board concluded that Mr. Rosine violated the Act, committed a willful violation of rule of professional conduct and engaged in conduct reflecting adversely on his fitness to practice certified public accountancy. The Board further determined that Respondent Firm failed to comply with K.S.A. 1-308. , The terms of the Stipulation and Consent Order required Mr. Rosine to appear before the Board; to pay a fine in the amount of \$1,000.00; Respondents to reimburse costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees; and censure of both Mr. Rosine and the firm. After discussion, Mr. Gillespie moved, and Mr. Dunn seconded to approve the Stipulation and Consent Order. Upon a vote, the motion unanimously carried, with Ms. Bihuniak not participating.

F. BRISCOE, BURKE & GRIGSBY, LLP STIPULATION AND CONSENT ORDER: Mr. Dunn, the investigator in this matter, recused himself. Warren Grigsby and Michael Burke appeared before the Board virtually on behalf of the firm. This matter was before the Board for approval of a Stipulation and Consent Order arising from an investigation and subsequent determination that the firm had failed to timely comply with Peer Review. The terms of the Stipulation and Consent Order required Respondent to pay a fine in the amount of \$1,000.00; reimbursement of costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees; and the submission to the Board of a Peer Review in process letter with a December 2022 date or a letter of completion, along with the firm's application for renewal of its registration for 2023. Respondent was also censured. After discussion, Mr. Gillespie moved, and Mr. DeFries seconded, to approve the Stipulation and Consent Order. Upon a vote, the motion carried.

THE FOLLOWING SUMMARY ORDER OF REVOCATION WAS ISSUED AND SIGNED BY THE BOARD CHAIR. NO ACTION WAS REQUIRED TO BE TAKEN.

G. KIRK F. WOLTERS, CPA: Revocation of CPA certificate and permit for failure to maintain the requirements to renew his permit; deficiency of 158 hours of continuing education for his 2020 and 2022 renewals. . The Respondent was ordered to pay a fine in the amount of \$2,500.00; reimburse costs pursuant to K.S.A. 1-26, to include attorney's fees; return of his certificate and permit; and censure.

5. UPDATE ON DATABASE CONVERSION: Ms. Somers reported that the Agreement of Work previously entered into with the Board of Healing Arts to convert the agency's database to their database had fallen through. She also reported that there is currently a request for proposal for a licensing system that can be used by state agencies, but that the contract had not yet been awarded. There is SPARK (Strengthening the People and Revitalizing Kansas) funding that the State Finance Council will be meeting on, and hopefully approving, which can be used for efficiency and modernization for I.T. purposes. She reported that she would continue to monitor that and make every effort to secure funds that can be used toward a database conversion.

6. ADJOURN: There being no further business to come before the Board, Mr. Gillespie moved, and Mr. Dunn seconded to adjourn the meeting. Upon a vote, the motion carried.

/s/ Susan L. Somers
Susan L. Somers, Executive Director