

MINUTES OF THE KANSAS BOARD OF ACCOUNTANCY
JUNE 15, 2021
9:00 AM
VIRTUAL MEETING

1. ADMINISTRATIVE MATTERS:

A. CALL TO ORDER:

Sean P. Weaver, CPA called the meeting to order. Other Board members in attendance were Meridith Bihuniak, CPA; Jeff Bottenberg, Public Member; Jim Gillespie, CPA; John Helms, CPA; Allison Koehn, Public Member; and Julie Spiegel, 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; Natasha Schamberg 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 April 23, 2021 meeting; certificates/permits to practice; firm registrations; and the May 30, 2021 financials. Ms. Spiegel moved, and Mr. Gillespie seconded to approve the Consent Calendar. Upon a roll call vote, the motion unanimously carried.

2. CPA EXAM:

A. The Board reviewed the CPA exam scores for March 18, 2021 to April 22, 2021. Mr. Gillespie moved, and Ms. Spiegel seconded, to ratify the scores. Upon a vote, the motion unanimously carried.

B. The Board reviewed the Q1 2021 Candidate Performance Report. No action was required to be taken.

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.

4. HEARINGS AND DISCIPLINARY ACTION:

A. CHRISTINA M. BROWN, CPA STIPULATION AND CONSENT ORDER: Mr. Bottenberg, the investigator, recused himself from this matter. Ms. Brown 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

Respondent had been practicing through a Firm that was not registered with the Board; committed dishonesty or deceit in obtaining a permit; willful violation of a rule of professional conduct; and engaged in conduct reflecting adversely on her fitness to practice certified public accountancy. The terms of the Stipulation and Consent Order required Respondent to appear before the Board; pay a fine in the amount of \$2,000.00 and costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees; and censure. After discussion, Mr. Gillespie moved, and Mr. Helms seconded to approve the Stipulation and Consent. Upon a roll call vote, the motion carried, with Mr. Bottenberg not participating.

B. URLAUB & CO., PLCC STIPULATION AND CONSENT ORDER: Mr. Weaver, the investigator, recused himself from this matter. Ronald Urlaub virtually appeared on behalf of the firm. This matter was before the Board for approval of a Stipulation and Consent Order that arose 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 appear before the Board; pay a fine in the amount of \$500.00 plus costs, pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees; and censure. After discussion, Mr. Gillespie moved, and Ms. Koehn seconded to accept the Stipulation and Consent Order. Upon a roll call vote, the motion unanimously carried, with Mr. Weaver not participating.

C. MARCUM, LLP STIPULATION AND CONSENT ORDER: Mr. Gillespie, the investigator, and Sean Weaver recused themselves from the matter. Greg Giugliano, CPA, appeared virtually on behalf of the firm. Also present during the hearing were Bruce Braun and Caroline Wong, legal counsel for Marcum, LLP. This matter was before the Board for approval of a Stipulation and Consent Order that arose from an investigation wherein it was determined that Respondent had practiced without a valid firm registration; had been disciplined by the PCAOB on two occasions; violated provisions of the Accountancy Act; and willfully violated a rule of professional conduct, specifically committed acts discreditable to the profession to wit the failure to disclose the existence of pending PCAOB investigations on renewal applications. The terms of the Stipulation required Respondent to appear before the Board; pay a fine in the amount of \$55,000.00 plus costs, pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees; disclose all investigations of which Respondent is aware or has received notice of, whether pending or completed, by any state or federal agency, the PCAOB, a state CPA society or the AICPA since January 1, 2020 and all disciplinary agreements or actions taken against Respondent or any individual associated with Respondent by any state or federal agency, the PCAOB, a state CPA society or the AICPA, since January 1, 2020; and shall make the same disclosures to the Board by June 1 of each successive year during which Respondent is registered with the Board up to and including a final required disclosure on or before June 1, 2027. Respondent's application for firm registration was approved. After discussion, Mr. Bottenberg moved, and Ms. Bihuniak seconded to accept the Stipulation and Consent Order. Upon a roll call vote, the motion unanimously carried, with Mr. Gillespie and Mr. Weaver not participating.

D. THOMAS HANCOCK STIPULATION AND CONSENT ORDER: Ms. Koehn, the investigator, recused herself from this matter. Respondent was not required to appear. This matter was before the Board for approval of a Stipulation and Consent Order that arose from an investigation wherein it was determined that Respondent had engaged in the practice of certified public accountancy without holding a valid Kansas permit. The terms of the Stipulation required Respondent to pay a fine in the amount of \$500.00, plus costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees; and censure. Respondent's application for reinstatement of permit was approved. After discussion, Mr. Gillespie moved, and Ms. Bihuniak seconded, to accept the Stipulation Regarding Amount of Costs. Upon a roll call vote, the motion unanimously carried, with Ms. Koehn not participating.

5. OTHER:

A. Mr. Weaver advised the Board that he would be sending out forms individually to the Board members for the Executive Director's annual review, which will be compiled and discussed at the July 16, 2021 meeting.

B. Ms. Somers reported that she was going to have a meeting with the Oklahoma Board of Accountancy and the South Dakota Board of Accountancy relative to sharing the Peer Review Oversight Committee (PROC) of the Oklahoma Board, as the Oklahoma Society of CPAs now administers Peer Reviews for Kansas firms, as well as for South Dakota, to seek use of the PROC for oversight of Kansas Peer Reviews.

Ms. Somers also reported that CPA Evolution and transition to the new CPA exam scheduled to launch January of 2024, would be discussed at the NASBA regional meeting June 22 and 23 and encouraged all CPA Board members to attend virtually, if they could. More information will be disseminated during June and July. Ms. Somers hoped that the Kansas colleges could attend the Board's August meeting, virtually, to discuss the matters.

6. ADJOURN

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

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