

ARKANSAS STATE BOARD OF PUBLIC ACCOUNTANCY

Robert Redfern CPA, President
Michael M. Watts CPA, JD Secretary
Sherry Chesser CPA, Treasurer
David Vaden CPA



Jeremy Watson CPA
Lloyd Franklin CFE
Jim Gately EdM

Jimmy Corley, CPA
Executive Director

**Board Meeting Minutes
August 18, 2017**

A regular meeting of the Arkansas State Board of Public Accountancy was held in Suite 450 of the Main Street Mall building on August 18, 2017 with Robert Redfern, President, presiding. Other members of the Board in attendance were: Jeremy Watson, Michael Watts, Lloyd Franklin, Sherry Chesser, Jim Gately, and David Vaden. Members of the staff in attendance were: Jimmy Corley, Executive Director; Dale Edge, Investigator; Tim Montgomery, Investigator; Mark Ohrenberger, Legal Counsel; Alan Fortney, April Murphy, and Hanna Windley. Also in attendance were Susan Whitson, Court Reporter*; and Greg Kirkpatrick, Hearing Officer*.

CALL TO ORDER

Mr. Redfern officially called the meeting to order at 9:05 a.m. A quorum was found to be present.

PUBLIC HEARINGS

The Board moved immediately to Public Hearings.

*Susan Whitson, Court Reporter; and Greg Kirkpatrick, Hearing Officer, left at the close of the hearings.

APPROVAL OF MINUTES

A motion was made and seconded to approve the minutes of the June 2, 2017. Board meeting. The motion passed unanimously.

TREASURER'S REPORT

A motion was made and seconded to approve the May 2017, June 2017, and July 2017 Treasurer's Reports, as presented. The motion passed unanimously.

COMMITTEE REPORTS

COMPLIANCE

The Compliance Committee has met once.

Nine new complaints:

CPA has pled guilty to a felony
Two re-licensure requests
Six failure to respond to the 2017 CPE Audit

Requesting closure of 55 complaints; Seven by Consent Order

- 1) **C17-007 – (Non-licensee)** – Non-licensee issued review report that was presented to Contractor’s Licensing Board. CLB did not accept report and non-licensee has been made aware that only a person licensed with the Board can issue Reviews. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure with no further action.
- 2) **C17-011 – (Non-licensee Firm)** – Non-licensee Firm with CPA as minority owner using Certified Public Accountant without “not licensed” disclaimer. Firm has agreed to use disclaimer language on future advertising. Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure of the complaint.
- 3) **C17-021 – (Cert. # 7310)** – Licensee previously surrendered firm license but Secretary of State (SOS) website still reflects firm in good standing. Licensee has removed CPA from name. Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure of the complaint.
- 4) **C17-023 – (Cert. # 1487)** – Retired Licensee previously surrendered firm license but Secretary of State (SOS) website still reflects firm is in good standing. Licensee’s wife said licensee is experiencing significant health issues and she would work with her attorney to correct the matter. Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure of the complaint.
- 5) **C17-024 – (Non-Licensee Firm)** – Non-Licensee Firm issued audit report. Firm has now submitted licensure application. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$500.00 penalty collected.
- 6) **C17-030 – (Cert. # 2488)** – Licensee requested additional time to complete CPE for 2017 renewal due to documented health issues. CPE has been completed and licensee has renewed for 2017. Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure of the complaint.
- 7) **C17-031 – (Cert. # 1109)** – Licensee requested additional time to complete CPE for 2017 renewal due to unexpected circumstances. Request was denied, licensee has completed CPE and renewed for 2017 paying applicable penalties for late CPE.

Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure of the complaint.

- 8) **C17-035 – (Non-Licensee)** – Non-licensee firm, owned by former CPA, with CPA in name. Firm has removed CPA from name. Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure of the complaint.
- 9) **C17- 039 – (Cert. # 1757)** – Licensee had a real estate corporation with CPA in name. Licensee is removing CPA from name. Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure of the complaint.
- 10) **C17- 040 – (Cert. # 5735)** – Licensee has an Investment corporation with CPA in name. Licensee has licensed firm with the Board. Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure of the complaint.
- 11) **C17- 042 – (Cert. # 1962R)** – Licensee with corporation that had fictitious name with CPA in it. Licensee has removed CPA from company name. Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure of the complaint.
- 12) **C17-044 – (Cert. # 3410)** – Licensee failed to renew license and became lapsed April 1, 2017. Licensee has requested reinstatement and paid \$150.00 application fee. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement requiring timely renewal for next three (3) years has been signed and \$95.00 renewal fee and late fee collected.
- 13) **C17-045 – (Cert. # 3061)** – Licensee failed to renew license and became lapsed April 1, 2017. Licensee has requested reinstatement and paid \$150.00 application fee. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement requiring timely renewal for next three (3) years has been signed and \$95.00 renewal fee and late fee collected.
- 14) **C17-046 – (Cert. # 9174)** – Licensee failed to renew license and became lapsed April 1, 2017. Licensee has requested reinstatement and paid \$150.00 application fee. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement requiring timely renewal for next three (3) years has been signed and \$105.00 renewal fee and late fee collected.
- 15) **C17-050 – (Cert. # 9322)** – Licensee failed to renew individual Arkansas CPA certificate for 2017. Hearing 17-011 was held June 2, 2017. AR CPA certificate 9322 was revoked. Requesting closure.

- 16) **C17-051 – (Cert. # 7671)** – Licensee failed to renew individual Arkansas CPA certificate for 2017. Hearing 17-012 was held June 2, 2017. AR CPA certificate 7671 was revoked. Requesting closure.
- 17) **C17-052 – (Cert. # 5269)** – Licensee failed to renew individual Arkansas CPA certificate for 2017. Hearing 17-013 was held June 2, 2017. AR CPA certificate 5269 was revoked. Requesting closure.
- 18) **C17-053 – (Cert. # 9260)** – Licensee failed to renew individual Arkansas CPA certificate for 2017. Hearing 17-014 was held June 2, 2017. AR CPA certificate 9260 was revoked. Requesting closure.
- 19) **C17-054 – (Cert. # 6038)** – Licensee failed to renew individual Arkansas CPA certificate for 2017. Hearing 17-015 was held June 2, 2017. AR CPA certificate 6038 was revoked. Requesting closure.
- 20) **C17-056 – (Cert. # 2435)** – Licensee failed to renew individual Arkansas CPA certificate for 2017. Hearing 17-017 was held June 2, 2017. AR CPA certificate 2435 was revoked. Requesting closure.
- 21) **C17-057 – (Cert. # 1572)** – Licensee failed to renew license and became lapsed April 1, 2017. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure based on the licensee’s request to take retired status.
- 22) **C17-058 – (Cert. # 9375)** – Licensee failed to renew license and became lapsed April 1, 2017. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure based on the licensee’s request to surrender AR CPA certificate 9375.
- 23) **C17-059 – (Cert. # 5785R)** – Licensee failed to renew individual Arkansas CPA certificate for 2017. Hearing 17-020 was held June 2, 2017. AR CPA certificate 5785R was revoked. Requesting closure.
- 24) **C17-060 – (Cert. # 2574)** – Licensee failed to renew license and became lapsed April 1, 2017. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure based on the licensee’s request to surrender AR CPA certificate 2574.
- 25) **C17-063 – (Cert. # 999)** – Licensee failed to renew individual Arkansas CPA certificate for 2017. Hearing 17-024 was held June 2, 2017. AR CPA certificate 999 was revoked. Requesting closure.
- 26) **C17-064 – (Cert. # 885)** – Licensee failed to renew license and became lapsed April 1, 2017. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure based on the licensee’s request to take retired status.

- 27) **C17-065 – (Cert. # 3192)** – Licensee failed to renew individual Arkansas CPA certificate for 2017. Hearing 17-026 was held June 2, 2017. AR CPA certificate 3192 was revoked. Requesting closure.
- 28) **C17-066 – (Cert. # 4837)** – Licensee failed to renew individual Arkansas CPA certificate for 2017. Hearing 17-027 was held June 2, 2017. AR CPA certificate 4837 was revoked. Requesting closure.
- 29) **C17-067 – (Cert. # 8965)** – Licensee failed to renew license and became lapsed April 1, 2017. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure based on the licensee’s request to surrender AR CPA certificate 8965.
- 30) **C17-068 – (Cert. # 9516R)** – Licensee failed to renew license and became lapsed April 1, 2017. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure based on the licensee’s request to surrender AR CPA certificate 9516R.
- 31) **C17-069 – (Cert. # 8736)** – Licensee failed to renew license and became lapsed April 1, 2017. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure based on the licensee’s request to surrender AR CPA certificate 8736.
- 32) **C17-070 – (Cert. # 3681)** – Licensee failed to renew license and became lapsed April 1, 2017. Licensee has provide documentation supporting extenuating circumstances for her late renewal. Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure of the complaint.
- 33) **C17-073 – (Cert. # 3367)** – Licensee failed to renew individual Arkansas CPA certificate for 2017. Hearing 17-034 was held June 2, 2017. AR CPA certificate 3367 was revoked. Requesting closure.
- 34) **C17-074 – (Cert. # 3397)** – Licensee failed to renew license and became lapsed April 1, 2017. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure based on the licensee’s request to surrender AR CPA certificate 3397.
- 35) **C17-075 – (Cert. # 4202)** – Licensee failed to renew individual Arkansas CPA certificate for 2017. Hearing 17-036 was held June 2, 2017. AR CPA certificate 4202 was revoked. Requesting closure.
- 36) **C17-076 – (Cert. # 8196)** – Licensee failed to renew individual Arkansas CPA certificate for 2017. Hearing 17-037 was held June 2, 2017. AR CPA certificate 8196 was revoked. Requesting closure.
- 37) **C17-077 – (Cert. # 3065)** – Licensee failed to renew license and became lapsed April 1, 2017. Compliance Committee recommends a finding of probable cause to

proceed with disciplinary proceedings but recommends closure based on the licensee's request to take retired status.

- 38) **C17-078 – (Cert. # 1026R)** – Licensee failed to renew license and became lapsed April 1, 2017. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure based on the licensee's request to take retired status.
- 39) **C17-080 – (Cert. # 9472)** – Licensee failed to renew license and became lapsed April 1, 2017. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure based on the licensee's request to surrender AR CPA certificate 9472.
- 40) **C17-081 – (Firm Cert. # 912C)** – Licensee Firm failed to renew AR Firm Registration and became lapsed April 1, 2017. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure based on the licensee's request to surrender AR CPA certificate 912C.
- 41) **C17-082 – (Firm Cert. # 720C)** – Licensee Firm failed to renew AR Firm Registration and became lapsed April 1, 2017. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure based on the licensee's request to surrender AR CPA certificate 720C.
- 42) **C17-083 – (Firm Cert. # 248LC)** – Licensee Firm failed to renew AR Firm Registration for 2017. Hearing 17-044 was held June 2, 2017. AR CPA certificate 248LC was revoked. Requesting closure.
- 43) **C17-084 – (Firm Cert. # 891C)** – Licensee Firm failed to renew AR Firm Registration and became lapsed April 1, 2017. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure based on the licensee's request to surrender AR CPA certificate 891C.
- 44) **C17-085 – (Firm Cert. # 9SP)** – Licensee Firm failed to renew AR Firm Registration for 2017. Hearing 17-046 was held June 2, 2017. AR CPA certificate 9SP was revoked. Requesting closure.
- 45) **C17-091 – (Cert. # 8127)** – Licensee failed to respond to the 2017 CPE audit. Licensee has now responded. Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure of the complaint.
- 46) **C17-092 – (Cert. # 9231)** – Licensee failed to respond to the 2017 CPE audit. Licensee has now responded. Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure of the complaint.

A motion was made and seconded to accept the Compliance Committee's recommended findings and proposed resolutions as to items 1 through 46, listed above. The motion passed unanimously.

CLOSING SEPARATELY

- 1) **C16-134 – (Cert. # 3046)** – Licensee allegedly misstated CPE hours and failed to timely respond to a Board certified letter. Hearing H17-007 was held June 2017. The Board found that licensee failed to obtain the required CPE hours to renew his CPA license for 2016 and 2017. That licensee reported CPE hours on his 2016 and 2017 license renewal application that he did not, in fact, attend, and that he failed to timely respond to two certified letters from the Board. Licensee was assessed an \$11,000 penalty, current status of license is suspended until such time as licensee completes eighty (80) hours of acceptable CPE with documentation for 2016 and 2017 licensure. Licensee has written the Board requesting the penalty be reduced to \$3,000 (**C16-134 Exhibit**). The Compliance Committee is requesting closure of the above complaint with a recommendation that the penalty not be reduced.

A motion was made and seconded to accept the Compliance Committee's recommended findings and proposed resolutions as to C16-134. The motion passed unanimously.

- 2) **C17-072 – (Cert. # 7263)** – Licensee failed to renew individual Arkansas CPA certificate for 2017. Hearing 17-034 was held June 2, 2017. AR CPA certificate 3367 was revoked. On June 8, 2017, Licensee's affidavit to surrender was walked in to the Board's office, with the explanation that forms had been mailed earlier but without postage (**C17-072 Exhibit**). The finding of fact for hearing H17-034 has not been sent. The Compliance Committee is asking if the Board wishes to reconsider its finding and accept this surrender. The Compliance Committee is requesting closure of the above complaint.

A motion was made and seconded to accept the Compliance Committee's recommended findings and proposed resolutions as to C17-072. The motion passed unanimously.

CONSENT ORDERS

- 1) **C17-026 - Consent Order (Void Cert. 6371)** – Applicant failed to renew for 2007 through 2009 and in 2010 certificate became void. Applicant has requested to reinstate to inactive status. Applicant is not currently working in public accounting. The Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed consent order. Applicant has signed the order and agreed to pay current and prior year licensing fees totaling \$580.00. Requesting closure by Consent Order contingent on receipt of monies and acceptable background check.

A motion was made and seconded to accept the Compliance Committee's recommended finding and proposed resolution and to close C17-026. The motion passed unanimously.

- 2) **C17-027 - Consent Order (Void Cert. 5605)** – Applicant failed to renew for 2002 through August 2006 and in August 2006 certificate became void. Applicant has requested to reinstate to inactive status. Applicant is not currently working in public accounting. The Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed consent order. Applicant has signed the order and paid current year fee (2017), prior year fees and late fees (2002-2006) for a total of \$620.00. Licensee has also agreed to renew timely for the next three (3) years. Requesting closure by Consent Order.

A motion was made and seconded to accept the Compliance Committee’s recommended finding and proposed resolution and to close C17-027. The motion passed unanimously.

- 3) **C17-049 - Consent Order (Lapsed Cert. 5124)** – Lapsed Licensee failed to renew for 2017, was notified by certified letter to reinstate or surrender license. Licensee did not respond to Board letter. Notice of Hearing was issued. The Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed consent order. Licensee has signed consent order and paid current year fee (2017), late fees and a \$500.00 penalty for a total of \$605.00. Licensee has also agreed to renew timely for the next three (3) years. Requesting closure by Consent Order.

A motion was made and seconded to accept the Compliance Committee’s recommended finding and proposed resolution and to close C17-049. The motion passed unanimously.

- 4) **C17-061 - Consent Order (Lapsed Cert. 1974)** – Lapsed Licensee failed to renew for 2017, was notified by certified letter to reinstate or surrender license. Licensee did not respond to Board letter. Notice of Hearing was issued. The Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed consent order. Licensee has signed consent order and paid current year fee (2017), late fees and a \$500.00 penalty for a total of \$735.00. Licensee has also agreed to renew timely for the next three (3) years. Requesting closure by Consent Order.

A motion was made and seconded to accept the Compliance Committee’s recommended finding and proposed resolution and to close C17-061. The motion passed unanimously.

- 5) **C17-071 - Consent Order (Lapsed Cert. 4982R)** – Lapsed Licensee failed to renew for 2017, was notified by certified letter to reinstate or surrender license. Licensee did not respond to Board letter. Notice of Hearing was issued. The Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed consent order. Licensee has signed consent order and paid current year fee (2017), late fees and a \$500.00 penalty for a total of \$605.00. Licensee has also agreed to renew timely for the next three (3) years. Requesting closure by Consent Order.

A motion was made and seconded to accept the Compliance Committee's recommended finding and proposed resolution and to close C17-071. The motion passed unanimously.

- 6) **C17-079 - Consent Order (Lapsed Cert. 8764)** – Lapsed Licensee failed to renew for 2017, was notified by certified letter to reinstate or surrender license. Licensee did not respond to Board letter. Notice of Hearing was issued. The Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed consent order. Licensee has signed consent order and paid current year fee (2017), late fees and a \$500.00 penalty for a total of \$605.00. Licensee has also agreed to renew timely for the next three (3) years. Requesting closure by Consent Order.

A motion was made and seconded to accept the Compliance Committee's recommended finding and proposed resolution and to close C17-079. The motion passed unanimously.

- 7) **C17-090 - Consent Order (Void Cert. 3761)** – Applicant failed to renew for 2010 through 2012 and certificate became void January 1, 2013. Applicant has requested to reinstate to inactive status. Applicant is not currently working in public accounting. The Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed consent order. Applicant has signed the order and paid current year fee (2017), prior year fees and late fees (2010-2012) for a total of \$580.00. Licensee has also agreed to renew timely for the next three (3) years. Requesting closure by Consent Order.

A motion was made and seconded to accept the Compliance Committee's recommended finding and proposed resolution and to close C17-090. The motion passed unanimously.

REQUESTING PERMISSION TO ISSUE NOTICE OF HEARING IF NEEDED.

C17-096 – (7808) – Licensee was selected for 2017 CPE Audit and has failed to provide supporting documentation for CPE hours reported. Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings and issuance of a notice to the licensee for a formal hearing before the Board.

A motion was made and seconded to accept the Compliance Committee's recommended finding and to reissue a notice of hearing in the matter of C17-096. The motion passed unanimously.

CPE

Based on findings from the 2016 & 2017 CPE Audits and the 2017 Annual Registration the CPE Committee is requesting closure of the following 45 CPE complaints. All by Compliance Statement:

- 1) **CE16-273 – (CERT # 6008)** – Licensee was deficient 3 hours Ethics CPE. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$375.00 penalty paid.
- 2) **CE17-114 – (CERT # 6956)** - Licensee was deficient 3 hours Ethics CPE. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed, \$375.00 penalty paid, and 3 additional CPE hours taken.
- 3) **CE17-170 – (CERT # 806)** – Licensee was deficient 1 hour CPE. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed, \$100.00 penalty paid, and 1 additional CPE hour taken.
- 4) **CE17-207 – (CERT # 8667)** – Licensee aggregated all or part of their CPE hours during their 2017 Annual Registration. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 5) **CE17-221 – (CERT # 9292)** - Licensee was deficient 0.5 hours Ethics CPE. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed, \$125.00 penalty paid, and 1 additional CPE hour has been approved to be taken.
- 6) **CE17-228 – (CERT # 8796)** - Licensee was deficient 1 hour Arkansas Ethics CPE. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed, \$125.00 penalty paid, and 1 additional Arkansas Ethics CPE hour has been approved to be taken.
- 7) **CE17-238 – (CERT # 1421)** - Licensee was deficient 1 hour Arkansas Ethics CPE. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed, \$125.00 penalty paid, and 1 additional Arkansas Ethics CPE hour has been approved to be taken.
- 8) **CE17-247 – (CERT # 5519R)** – Licensee was deficient 2.5 hours Group CPE. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed, \$100.00 penalty paid, and 2.5 additional Group CPE hours taken.
- 9) **CE17-262 (CERT # 9335)** – Licensee was deficient 13 hours Group CPE. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance

Statement has been signed, \$390.00 penalty paid, and 13 additional Group CPE hours has been approved to be taken.

- 10) CE17-270 (CERT # 966)** – Licensee was deficient 1 hour Arkansas Ethics CPE. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed, \$125.00 penalty paid, and 1 additional Arkansas Ethics CPE hour has been approved to be taken.
- 11) CE17-330 – (CERT # 1736)** – Licensee was deficient 1 hour Content CPE. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed, \$100.00 penalty paid, and 1 additional Content CPE hour taken.
- 12) CE17-351 – (CERT # 4708)** – Licensee was deficient 5 hours Content CPE. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed, \$150.00 penalty paid, and 5 additional Content CPE hours taken.
- 13) CER17-001 – (CERT # 8969)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 14) CER17-002 – (CERT # 4463)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 15) CER17-003 – (CERT # 9430)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 16) CER17-004 – (CERT # 8223)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 17) CER17-005 – (CERT # 6285)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to

proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.

- 18) **CER17-008 – (CERT # 5954R)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 19) **CER17-009 – (CERT # 1736)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 20) **CER17-010 – (CERT # 8230)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 21) **CER17-011 – (CERT # 8230)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 22) **CER17-012 – (CERT # 1845)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 23) **CER17-013 – (CERT # 8542)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 24) **CER17-014 – (CERT # 9410)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 25) **CER17-015 – (CERT # 3847)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to

proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.

- 26) CER17-016 – (CERT # 3342)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 27) CER17-017 – (CERT # 5232)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 28) CER17-018 – (CERT # 8189R)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 29) CER17-019 – (CERT # 4721)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$200.00 penalty paid.
- 30) CER17-020 – (CERT # 7321)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 31) CER17-021 – (CERT # 8831)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 32) CER17-022 – (CERT # 9493R)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$200.00 penalty paid.
- 33) CER17-023 – (CERT # 9292)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to

proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$200.00 penalty paid.

- 34) CER17-024 – (CERT # 4709)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$300.00 penalty paid.
- 35) CER17-026 – (CERT # 7723)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$200.00 penalty paid.
- 36) CER17-027 – (CERT # 5574)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$200.00 penalty paid.
- 37) CER17-028 – (CERT # 6954)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$100.00 penalty paid.
- 38) CER17-029 – (CERT # 8752)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$300.00 penalty paid.
- 39) CER17-030 – (CERT # 3450)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$300.00 penalty paid.
- 40) CER17-032 – (CERT # 6530)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$300.00 penalty paid.
- 41) CER17-034 – (CERT # 3938R)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to

proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$300.00 penalty paid.

- 42) CER17-035 – (CERT # 1962R)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$300.00 penalty paid.
- 43) CER17-036 – (CERT # 8204R)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$300.00 penalty paid.
- 44) CER17-037 – (CERT # 7118)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$300.00 penalty paid.
- 45) CER17-038 – (CERT # 1109)** – Licensee was deficient in the required number of CPE hours completed on or before December 31, 2016. Additional hours were taken during 2017. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. Compliance Statement has been signed and \$500.00 penalty paid.

A motion was made and seconded to accept the CPE Committee's recommended findings and proposed resolutions as to items 1 through 45, listed above. The motion passed unanimously.

A motion was made and seconded to allow licensees to take Inactive Status in lieu of making up deficient CPE. Licensees must pay all penalties and sign a Compliance Statement prior to going Inactive, and will be required to make up any deficient CPE hours prior to upgrading back to Active Status. The motion passed unanimously.

QUALITY REVIEW

The 2017 Quality Review Program will take place August 22nd through 24th of 2017.

OLD BUSINESS

Rule Changes

A motion was made and seconded to approve the proposed Rule Changes with certain modifications identified during the discussion and to proceed with the rule-making process on the basis of those modified proposed rules. The motion also called for the proposed amendment to Rule 302 to the Board's Code of Professional Conduct to proceed through the rule-making process separately from the rest of the rules because of the extended timeline required

amendments to the Code of Professional Conduct under Ark. Code Ann. sec. 17-12-203(c)(2).
The motion passed unanimously.

Nano Learning

The discussion regarding Nano Learning was tabled until the next meeting.

NEW BUSINESS

2018 Meeting Dates

Tentative 2018 Meeting Dates to be approved at the next meeting:

January 12
April 20
June 1
August 17
September 28
November 16

Proposed Declaratory Order – Medical Marijuana

A motion was made to approve the proposed Declaratory Order as written. The motion failed due to the lack of a second.

A motion was made and seconded to approve the proposed Declaratory Order with a modification to the language in paragraph 9 specified during the Board's discussion. The motion passed unanimously.

Use of Titles Letter to NASBA

A motion was made and seconded to approve the letter addressed to the NASBA UAA Committee as written. The motion passed unanimously.

Reciprocal License Application Question

A motion was made and seconded to accept substantial equivalency and grant a license to the applicant. The motion passed.

CPE Aggregation Penalty

A motion was made and seconded to assess an additional fee of \$500.00, in addition to the \$100.00 fine for reporting aggregated CPE, for failure to comply and correctly report non-aggregated CPE hours in a timely manner (30 days). The motion passed unanimously.

OTHER BUSINESS

2017 Legislation Overview

Mr. Ohrenberger made a presentation to the Board concerning legislation from the 2017 regular session of the Arkansas General Assembly that Mr. Ohrenberger identified as pertinent to the Board and its operations. In connection with Mr. Ohrenberger's presentation, Mr. Corley presented a proposed "Report on Review of Statutes Enacted in 2017 Regular Legislative Session Potentially Necessitating Rule-Making," which is mandated by Ark. Code Ann. sec. 25-15-216. Following the presentations, a motion was made and seconded to approve and adopt the Executive Director's proposed report. The motion passed unanimously.

November 17 Meeting – UCA

The November 17, 2017 Board meeting will be held at the UCA campus in Conway.

NASBA Annual Meeting

The 110th NASBA Annual Meeting will be held October 29th through November 1, 2017 in New York, NY.

Recognition of Service – Jeremy Watson and Lloyd Franklin

Mr. Corley presented Mr. Jeremy Watson and Mr. Lloyd Franklin with plaques recognizing their years of service with the Board.

REVIEW OF LICENSING ACTIVITY

Mr. Corley presented to the Board the Licensing Activity Report.

ADJOURNMENT

A motion was made and seconded to adjourn. The motion passed. The meeting adjourned at 2:15 p.m.