



STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
TENNESSEE STATE BOARD OF ACCOUNTANCY
500 James Robertson Parkway
Davy Crockett Tower
Nashville, TN 37243-1141
615-741-2550 or 888-453-6150

Program Website: <https://www.tn.gov/commerce/section/accountancy>

A meeting of the Tennessee State Board of Accountancy was held on
Tuesday, October 20, 2020 via WebEx

MEMBERS PRESENT

Kevin Monroe, Chair
Andy Bonner, Vice-Chair
Larry Elmore, Secretary
Stephen Eldridge
Gay Moon
Janet Booker-Davis
Pamela Church
Greg Gilbert
John Griesbeck
Todd Skelton
Judy Wetherbee

LEGAL COUNSEL

Maria Bush, Assistant General Counsel, Regulatory Boards
Stuart Huffman, Assistant General Counsel, Regulatory Boards
Chris Russell, Legal Division staff

STAFF

Toby Compton, Assistant Commissioner, Regulatory Boards
Wendy Garvin, Executive Director
Shari Waugh, Investigator
Karen Condon, Board Staff
Dustin Barati, Regulatory Boards staff

OTHERS PRESENT

Kara Fitzgerald, TSCPA
Brad Floyd, TSCPA
Katie Cheek, TSCPA
Bhupinder Sood, Applicant
Mark Fontenot, Applicant

CALL TO ORDER

Chairman Monroe called the meeting to order at 8:30am.

PUBLIC DISCLAIMER AND ROLL-CALL

Members confirmed their presence via roll call and a quorum was established.

STATEMENT OF NECESSITY (T.C.A § 8-44-102) – Maria Bush, Legal Counsel

Ms. Bush read the statement into the record, confirming the necessity for a remote meeting.

ANNOUNCEMENTS

Mr. Monroe introduced new Board member John Griesbeck, who was recently appointed by Governor Lee to serve a 3-year term. Mr. Griesbeck is representing west Tennessee.

REVIEW AND ADOPT AGENDA

Motion and second to approve the meeting agenda. Motion unanimously passed by roll call vote.

APPROVAL OF MEETING MINUTES

July 28, 2020 Regular Meeting

Motion and second to approve the minutes as presented. Motion unanimously passed by roll call vote.

EXECUTIVE DIRECTOR'S REPORT – Wendy Garvin, Executive Director

Ms. Garvin presented the report (attached).

Motion and second to approve the future meeting date Tuesday, January 25, 2022. Motion unanimously passed by roll call vote.

REVIEW AND APPROVAL OF COMMITTEE ASSIGNMENTS

Motion and second to approve the committee assignments. Motion unanimously passed by roll call vote.

REINSTATEMENT APPLICATION EVALUATION – REVOKED LICENSE

Mark Fontenot – Wendy Garvin, Executive Director, Maria Bush, Legal Counsel

Mr. Fontenot's application was presented to the Board, requesting consideration at the January 2021 meeting. The Board is asked only to decide if the application is complete.

Motion and second to approve the acceptance of the reinstatement application for review and consideration at the January 2021 meeting. Motion unanimously passed by roll call vote.

REINSTATEMENT APPLICATION PRESENTATION – INFORMAL APPEARANCE – REVOKED LICENSE AND FIRM PERMIT

Bhupinder Sood – Wendy Garvin, Executive Director, Maria Bush, Legal Counsel

Ms. Bush discussed the contents of a memorandum she prepared related to the general facts of the case and included a discussion of the Fresh Start Act and its applicability. Mr. Sood's applications were initially presented to the Board at the July 2020 meeting.

Board member Todd Skelton joined the meeting at 9:18am

The Board discussed the applications and questioned Mr. Sood, covering several areas of interest related to the revocation of his license and activities of Mr. Sood since the revocation.

Motion and second to deny reinstatement of the CPA license and firm permit. Motion passed by roll call vote as follows:

Andy Bonner	Aye	John Griesbeck	Aye
Janet Booker-Davis	Nay	Kevin Monroe	Aye
Pamela Church	Aye	Gay Moon	Aye
Stephen E. Eldridge	Aye	Todd Skelton	Aye
Larry Elmore	Aye	Judy Wetherbee	Aye
Gregory Gilbert	Aye		

Motion and second to affirm that the specific criminal conviction of concealment of assets directly relates to the practice of Accountancy. Motion unanimously passed by roll call vote.

Ms. Bush read into the record statements related to the Fresh Start Act. A robust discussion then ensued related to each of the six factors to be considered under the Fresh Start Act and their applicability to the Board's decision regarding the reinstatement applications. **Motion** and second to adopt the Six Factors regarding the Fresh Start Act. Motion unanimously passed by roll call vote.

Ms. Bush read the Board's justification statement regarding their decision to deny the application. **Motion** and second to adopt the Board's justification statement regarding their decision to deny the application. Motion unanimously passed by roll call vote.

NASBA UPDATES

Members provided reports from their service on NASBA Boards and Committees.

NASBA Board of Directors - J. Andy Bonner

Audit Committee - Larry Elmore and Judy Wetherbee

CBT (Computer-Based Test) Examination Administration Committee - Pamela Church

Nominating Committee - Janet Booker-Davis

Examination Review Board - Janet Booker-Davis

BOARD COMMITTEE REPORTS

Licensing – Gay Moon, Committee Chair

Conditional Credit Extension Requests -- Chandler, Harper, Sharpe, Wang

Motion and second to approve an extension of the BEC exam conditional credit to 12/31/2020 for Carter Chandler. Motion unanimously passed by roll call vote.

Motion and second to deny a request for extension of all parts of the CPA exam for Elizabeth Harper. Motion unanimously passed by roll call vote with Mr. Bonner and Dr. Church recused.

Motion and second to deny an extension of the REG exam conditional credit for Mary Claiborne Sharpe. Motion unanimously passed by roll call vote.

Motion and second to approve a request for an extension of the BEC and AUD exam conditional credits to 12/31/2021 for Angela Wang. Motion unanimously passed by roll call vote.

State Specific Ethics Update and Review of Proposed 2021 Course Outline

The Board reviewed feedback from the State Specific Ethics course over the prior year and the proposed revisions to the State Specific Ethics course outline for 2021.

Motion and second to approve the outline as presented. Motion unanimously passed by roll call vote.

BEC Exam Review Courses

The Board is asked to consider accepting BEC exam review courses from appropriately accredited colleges and universities to qualify as accounting credit for exam and licensing requirements.

Motion and second to approve BEC exam review courses from appropriately accredited colleges and universities as qualifying for accounting credit for exam and licensing requirements. Motion passed by roll call vote as follows:

Andy Bonner	Aye	John Griesbeck	Aye
Janet Booker-Davis	Aye	Kevin Monroe	Aye
Pamela Church	Aye	Gay Moon	Aye
Stephen E. Eldridge	Nay	Todd Skelton	Nay
Larry Elmore	Aye	Judy Wetherbee	Aye
Gregory Gilbert	Aye		

Enforcement – Committee Chair, Andy Bonner

Legal Report

Mr. Bonner reviewed committee recommendations for items on the legal report. Mr. Bonner began with a review of each complaint found in the Consent Agenda section of the legal report.

During his review of the consent items a **Motion** and second was made to forgo further discussion of each complaint and to accept the recommendations for items 1-8 in the legal report consent agenda, as revised by the Committee. Mr. Bonner reviewed the changes made to item 8 by the Committee. Motion unanimously passed by roll call vote.

Mr. Bonner provided a summary of the three cases (items 9-11) in the legal report where discipline is recommended.

Motion and second to accept the recommendations for items 9-11 in the legal report. Motion unanimously passed by roll call vote.

Mr. Bonner provided a summary of each complaint re-presented to the Board (items 12-15) highlighting new facts and revised discipline recommendations.

Motion and second to accept the recommendations for items 12-15 in the legal report as revised by the Committee. Motion unanimously passed by roll call vote.

Mr. Monroe noted that this year's CPE audit resulted in no complaints for non-response.

Law and Rules –Larry Elmore, Committee Chair

Draft rule change 0020-05-.03 - adding State Ethics Course to Reinstatement/Reactivation and renewal of initial license requirements

Motion and second to approve new rule language requiring the Board-approved 2-hour state ethics course for reinstatement or reactivation of a CPA license. Motion unanimously passed by roll call vote.

Motion and second to grant Ms. Bush authority to set a rule-making hearing. Motion unanimously passed by roll call vote.

Executive – Kevin Monroe, Committee Chair

Peer Review Update

Representatives from TSCPA gave Board members an update on peer review program activities

2020 CPE Audit Results

Director Garvin presented an overview of the CPE audit results, including a non-compliance rate of less than 3%. The new renewal procedure of requiring a listing of CPE credits appears to have resulted in the high rate of audit compliance providing a greater level of protection to the public

FY20 YTD Closing and FY21 YTD Financial Results

The Committee reviewed FY20 and FY21 financial information.

FY22 Budget Proposal

The Committee reviewed the proposed FY22 Budget and recommended its approval to the Board.

Motion and second to approve the proposed budget. Motion unanimously passed by roll call vote.

Mr. Monroe recognized the presence of TSCPA representatives in attendance at the meeting, and thanked them for their robust peer review update in the committee meetings held the previous day.

ADJOURN

The meeting was adjourned at 11:08 am.



Chair



Secretary