

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form.

Board of Accountancy		OAR 801 Division 040
Agency and Division		Administrative Rules Chapter Number
Kimberly Bennett	3218 Pringle Rd SE #110, Salem, OR 97302	503-378-2268
Rules Coordinator	Address	Telephone

RULE CAPTION

Establish CPE requirements for Inactive licensees and modify reinstatement requirements, housekeeping.

Not more than 15 words that reasonably identify the subject matter of the agency's intended action.

November 15, 2011	9:00 a.m.	Board of Accountancy 3218 Pringle Rd SE Salem OR 97302	L. Patrick Hearn
Hearing Date	Time	Location	Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.
ADOPT:

AMEND:
801-040-0010, 801-040-0020, 801-040-0090, 801-040-0100, 801-040-0160

REPEAL:
RENUMBER:
AMEND & RENUMBER:

Stat. Auth.: ORS 670.310, 673.040, 673.060, 673.100, 673.150, 673.160, 197.720, 673.153, 673.220

Other Auth.:

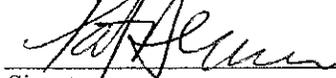
Stats. Implemented: ORS 673.060, 673.410, 192.440, 673.297, 673.050, 673.100, 673.075, 673.040, 673.153, 673.170, 673.220

RULE SUMMARY

Rules were amended to establish CPE requirements for inactive license holders. In addition, reinstatement requirements were modified to require a licensee in lapsed status to renew to active status only.

December 2, 2011

~~Last Day for Public Comment~~ (Last day to submit written comments to the Rules Coordinator)


Signature

L. PATRICK HEARN
Printed name

10/12/11
Date

*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form

Board of Accountancy
Agency of Division

OAR Chapter 801
Administrative Rules Chapter Number

In the Matter of the Board of Accountancy)	Statutory Authority
Amending rules in Chapter 801, Division 040)	Statutes Implemented
Related to applications for CPA Certificate)	Statement of Need
)	Principal Documents Relied Upon
)	Statement of Fiscal Impact

Statutory Authority: ORS Chapter 670.310, 673.040, 673.060, 673.100, 673.150, 673.160, 197.720, 673.153, 673.220

Other Authority: None

Statutes Implemented: ORS Chapter 670.310, 673.040, 673.060, 673.100, 673.150, 673.160, 197.720, 673.153, 673.220, 192.440, 673.297, 673.050

Need for the Rule(s): Rules were amended to establish CPE requirements for inactive license holders. In addition, reinstatement requirements were modified to require a licensee in lapsed status to renew to active status only.

Documents Relied Upon*: House Bill 3181

Fiscal & Economic Impact: Some impact on inactive licensees who will now be required to obtain Continuing Professional Education to maintain their license.

Administrative Rule Advisory Committee consulted? Yes.

The Board had a legislative task force and a rule task force who developed the language and concept for this legislation and the rules to implement.



Authorized Signature

* The documents listed are available for public inspection at the office of the Oregon Board of Accountancy, 3218 Pringle Road SE, Suite 110 Salem, Oregon 97302-6307, during regular business hours, 8:00 am to 5:00 pm, Monday through Friday.

**OREGON ADMINISTRATIVE RULES
CHAPTER 801, DIVISION 040 -- BOARD OF ACCOUNTANCY**

CONTINUING PROFESSIONAL EDUCATION

Basic Requirements

801-040-0010

(1) Biennial CPE requirement for Active licensees. Each biennial renewal period, certified public accountants and public accountants must report satisfactory evidence of having completed 80 hours of continuing professional education (CPE) unless such requirement is waived by the Board under ORS 673.165 and OAR 801-040-0150. The 80-hour CPE requirement must be completed as follows:

(a) At least 24 of the required 80 CPE hours must be completed in each year of the renewal period. Hours carried forward from the previous reporting period (carry-forward hours) may not be used to meet the minimum annual requirement.

(b) CPE hours must be completed during the two-year period immediately preceding the renewal date, except for carry-forward hours described in subsection (c) of this rule.

(c) A maximum of 20 CPE hours in technical subjects may be carried forward from one reporting period to the next and may be used in partial fulfillment of the 80 hour requirement.

(2) Ethics CPE requirement. CPE hours in professional conduct and ethics are included in the 80 hour requirement for each renewal period.

(a) All active licensees who are applying for the first license renewal permit in Oregon are required to complete and report at least four hours of CPE in a professional conduct and ethics program that meets the requirements of section three (3) of this rule.

(b) Licensees who are not renewing for the first time and whose principal place of business is located in another jurisdiction may meet the ethics requirement of this rule by demonstrating compliance with the other jurisdiction's professional conduct and ethics CPE requirement. The number of CPE Ethics hours that meets the Ethics requirement of such other jurisdiction will be accepted in Oregon, so long as the other jurisdiction requires the licensee to complete an ethics program as a condition of renewal.

(c) An active licensee who is not renewing for the first time and whose principal place of business is in another jurisdiction that does not have a professional conduct and ethics CPE requirement must complete the ethics requirement described in subsection (2)(d) of this rule.

(d) All other active licensees are required to complete and report four hours of CPE in professional conduct and ethics with each biennial renewal application, which may be satisfied by any ethics program that meets the general CPE requirements described in OAR 801-040-0030.

(3) CPE ethics programs. CPE programs in professional conduct and ethics required by subsection (2)(a) of this rule are eligible for CPE credit if the program is offered by a sponsor registered with the Board and includes information pertaining to each of the following topics:

(a) Oregon Administrative Rules and Oregon Revised Statutes pertaining to the practice of public accountancy;

OREGON ADMINISTRATIVE RULES
CHAPTER 801, DIVISION 040 -- BOARD OF ACCOUNTANCY

(b) Examples of issues or situations that require an understanding of statutes, rules and case law relevant to all licensees.

(c) The Code of Professional Conduct adopted by the Board and set forth in OAR Chapter 801, Division 030; and

(d) Review of recent case law pertaining to ethics and professional responsibilities for the accounting profession.

(4) Biennial CPE Requirements for Inactive Licensees. A licensee who is granted inactive status must:

(a) Obtain 32 hours of qualified continuing professional education during a two-year renewal period;

(A) A maximum of 8 hours may be in non-technical subjects;

(b) Four hours of ethics must be taken.

(b) CPE programs in professional conduct and ethics required by subsection (4)(c) of this rule are eligible for CPE credit if the program is offered by a sponsor registered with the Board and includes information pertaining to each of the following topics:

(A) Oregon Administrative Rules and Oregon Revised Statutes pertaining to the practice of public accountancy;

(B) Examples of issues or situations that require an understanding of statutes, rules and case law relevant to all licensees.

(C) The Code of Professional Conduct adopted by the Board and set forth in OAR Chapter 801, Division 030; and

(D) Review of recent case law pertaining to ethics and professional responsibilities for the accounting profession.

Stat. Auth.: ORS 670.310, 673.040, 673.050 & 673.410

Stats. Implemented: ORS 673.165

Hist.: AB 1-1985, f. & ef. 3-21-85; AB 5-1991, f. & cert. ef. 7-1-91; AB 1-1994, f. & cert. ef. 1-21-94; AB 4-1994, f. & cert. ef. 9-27-94; BOA 5-1999, f. & cert. ef. 7-23-99; BOA 6-1999, f. 12-21-99, cert. ef. 1-1-00; BOA 5-2000, f. 12-7-00, cert. ef. 1-1-01; BOA 7-2001, f. 12-31-01, cert. ef. 1-1-02; BOA 6-2002, f. 12-27-02, cert. ef. 1-1-03; BOA 6-2004, f. 12-30-04, cert. ef. 1-1-05; BOA 10-2005, f. 11-22-05, cert. ef. 1-1-06; BOA 4-2006, f. 12-22-06, cert. ef. 1-1-07; BOA 4-2008, f. 12-30-08, cert. ef. 1-1-09; BOA 6-2009, f. 12-15-09 cert. ef. 1-1-10

Controls and Reporting

801-040-0020 (1) Reporting requirement. As a requirement of renewal of an active permit license, licensees are required to certify that the licensee has fulfilled the CPE requirement by signing the certification section on the renewal form. Licensees are required to report the following information for each CPE program listed on the renewal form:

(2) CPE programs.

(a) Name of program sponsor;

(b) Program title or description of content;

(c) Type of CPE program, using designations provided on renewal form;

(d) For self-study programs, the program sponsor's QAS number;

(e) Date(s) attended or date of completion; and

Division 040

Effective January 1, 2014

Page 2

OREGON ADMINISTRATIVE RULES
CHAPTER 801, DIVISION 040 -- BOARD OF ACCOUNTANCY

(f) Number of hours claimed.

(3) Published articles and books. The CPE report must include the following information for publications to be eligible for CPE credit:

- (a) Name and address of the publisher;
- (b) Title of publication;
- (c) Description of content;
- (d) Dates of publication; and
- (e) Number of hours claimed.

Stat. Auth.: ORS 670.310, 673.040, 673.050 & 673.410

Stats. Implemented: ORS 673.165

Hist.: AB 1-1985, f. & ef. 3-21-85; AB 6-1992, f. & cert. ef. 8-10-92; AB 4-1994, f. & cert. ef. 9-27-94; BOA 2-1999, f. & cert. ef. 2-22-99; BOA 6-1999, f. 12-21-99, cert. ef. 1-1-00; BOA 5-2000, f. 12-7-00, cert. ef. 1-1-01; BOA 7-2001, f. 12-31-01, cert. ef. 1-1-02; BOA 6-2004, f. 12-30-04, cert. ef. 1-1-05

Programs that Qualify for CPE Credit

801-040-0030 (1) Qualifying programs. In order to qualify for CPE credit under these rules, a CPE program must be a formal program of learning that contributes directly to the professional competence of the licensee. It is the obligation of each licensee to select a course of study that contributes to the licensee's professional competence in public accountancy. The licensee may take programs in a variety of topics that are relevant to the licensee's practice.

(2) Program requirements. CPE programs must meet the following requirements to qualify for CPE credit:

- (a) An outline of the program is prepared in advance and preserved;
- (b) The program is at least one hour (fifty-minute period) in length;
- (c) A record of attendance is maintained by the sponsor; evidence of completion is provided to participating licensees;
- (d) The program is conducted by a qualified instructor whose background, training, education or experience qualifies the person to teach or lead a discussion on the subject matter of the particular program.

(3) Eligible programs. The following programs will qualify for CPE credit provided they also meet the requirements of section (2) of this rule:

- (a) Programs presented by national, state or local accounting organizations;
- (b) Programs offered by a firm to licensees;
- (c) Programs sponsored by organizations that provide professional educational programs on a regular basis;
- (d) University or college courses are eligible for CPE credit at the rate of 15 CPE hours for each semester hour credit and 10 CPE hours for each quarter hour credit. University or college courses that do not earn college credit are eligible for one CPE hour for each classroom hour of learning;
- (e) Distance learning programs offered by an accredited university or college are eligible for CPE credit as described in subsection (3)(d), without meeting the requirement of NASBA Quality Assurance Service approval described in section (4) of this rule.

(f) Other programs may qualify for CPE credit if the program meets the requirements of section 2 of this rule.

(4) Individual study programs.

Division 040

Effective January 1, 2014

Page 3

OREGON ADMINISTRATIVE RULES
CHAPTER 801, DIVISION 040 -- BOARD OF ACCOUNTANCY

(a) Correspondence courses or other individual study programs do not qualify for CPE credit unless both the CPE sponsor and the specific CPE program are approved by the NASBA Quality Assurance Service (QAS).

(5) Programs not eligible for CPE credit. The following programs do not qualify for CPE credit:

(a) Courses taken to fulfill the requirements for licensure as a certified public accountant or public accountant;

(b) Ethics courses that were taken to fulfill the Ethics exam requirement for licensure; and

(c) CPA exam review or study courses.

Stat. Auth.: ORS 670.310, 673.040, 673.050 & 673.410

Stats. Implemented: ORS 673.165

Hist.: AB 1-1985, f. & ef. 3-21-85; AB 1-1994, f. & cert. ef. 1-21-94; AB 2-1996, f. & cert. ef. 9-25-96; BOA 1-1999, f. & cert. ef. 1-20-99; BOA 5-1999, f. & cert. ef. 7-23-99; BOA 6-1999, f. 12-21-99, cert. ef. 1-1-00; BOA 5-2000, f. 12-7-00, cert. ef. 1-1-01; BOA 7-2001, f. 12-31-01, cert. ef. 1-1-02; BOA 6-2002, f. 12-27-02, cert. ef. 1-1-03; BOA 6-2004, f. 12-30-04, cert. ef. 1-1-05; BOA 4-2007, f. 12-27-07 cert. ef. 1-1-08

Acceptable Subject Matter

OAR 801-040-0040 (1) Examples listed not all-inclusive. The subjects listed in this rule serve as examples only, and are not all inclusive of technical and non-technical subjects that may qualify for CPE credit.

(2) Technical subjects. Qualified continuing education programs in the following subjects are eligible for CPE credit as technical subjects:

(a) Accounting

(b) Auditing and assurance

(c) Consulting

(d) Specialized knowledge and applications

(e) Management

(f) Taxation

(g) Professional ethics

(h) Other subjects may be acceptable if they maintain or improve the licensee's professional competence.

(3) Non-technical subjects. Qualified continuing education programs in subjects other than those listed in section (2) of this rule are non-technical subjects and are eligible for CPE credit if the program directly contributes to the licensee's professional competence.

(a) Credit for programs in non-technical subjects is limited to 16 CPE hours per renewal period.

(b) Non-technical subject hours may not be carried forward to the next reporting period.

(c) The following are examples of non-technical subjects:

(A) Interpersonal management skills;

(B) Public relations;

(C) Practice development; and

(D) Practice administration.

Stat. Auth.: ORS 670.310, 673.040, 673.050; 673.410

Stats. Implemented: ORS 673.165

OREGON ADMINISTRATIVE RULES
CHAPTER 801, DIVISION 040 -- BOARD OF ACCOUNTANCY

Hist.: AB 1-1985, f. & ef. 3-12-85; AB 5-1991, f. & cert. ef. 7-1-91; AB 4-1994, f. & cert. ef. 9-27-94; AB 1-1996, f. & cert. ef. 1-29-96; BOA 1-1999, f. & cert. ef. 1-20-99; BOA 2-1999, f. & cert. ef. 2-22-99; BOA 6-1999, f. 12-21-99, cert. ef. 1-1-00; BOA 5-2000, f. 12-7-00, cert. ef. 1-1-01; BOA 7-2001, f. 12-31-01, cert. ef. 1-1-02; BOA 6-2004, f. 12-30-04, cert. ef. 1-1-05

Credit Allowed and Evidence of Completion

801-040-0050(1) Credit hours. Eligible CPE credit is measured by program length, with one 50 minute period equal to one CPE credit. CPE credit may be issued in half increments (equal to 25 minute program periods) after the first credit has been earned.

(2) Evidence of completion. Licensees are required to document all CPE programs claimed for CPE credit and to provide the appropriate proof of completion for the number of qualifying CPE credits claimed for each program. Licensees must retain proof of completion for each CPE program reported for a period of 5 years after completion of the program.

(3) Group study programs.

(a) CPE credit is allowed for actual class hours attended.

(b) Evidence of completion includes a written course outline and certificate of completion or attendance record provided by each program sponsor. The evidence of completion must include the sponsor name, course title, date of attendance or date of completion, name of participating licensee, statement that the program and sponsor are QAS approved, if appropriate, and the number of CPE hours earned;

(4) Individual study programs.

(a) Individual study programs are eligible for CPE credit only if the program is offered by a NASBA-QAS approved sponsor and the program itself is QAS approved;

(b) CPE credit will be awarded in an amount equal to the average completion time determined by the QAS approved sponsor.

(c) The date for which CPE credit is allowed is the completion date specified on the evidence of completion provided by the sponsor.

(d) Evidence of completion must include the name of the participating licensee, sponsor name, program title, date of completion, Instructor name, if applicable and number of QAS CPE hours allowed.

(5) Lecturer, discussion leader or speaker.

(a) CPE credit for a lecture, training session or speaking engagement at which the licensee was an instructor, discussion leader or speaker is allowed provided that the lecture, training or engagement meets CPE requirements for the participants;

(b) One CPE hour is allowed for each 50 minute period completed as an instructor or discussion leader for the first presentation of the subject material if such activity increases the instructor's professional competence. CPE credit may be allowed for additional presentations if the substantive content of the program was substantially changed and the licensee provides evidence that such change required significant additional study or research;

(c) CPE credit for preparation time allowed for an instructor, discussion leader, or a speaker shall be calculated on the basis of two CPE hours of preparation for each hour of teaching;

(d) The maximum CPE credit allowed for preparation and teaching under this section and for published articles described in section (6) of this rule, combined, must not exceed one-half of the total number of CPE hours required for the renewal period;

OREGON ADMINISTRATIVE RULES
CHAPTER 801, DIVISION 040 -- BOARD OF ACCOUNTANCY

(e) Evidence of completion includes a copy of the agenda or outline provided for each presentation, lecture or speaking engagement, stating the date of presentation and name of the sponsoring organization.

(6) Published articles.

(a) CPE credit may be allowed for authoring published articles or books, provided the work directly contributes to the professional competence of the licensee;

(b) CPE credit for authoring published articles or books is allowed as of the date of publication and is only allowed for the first publication of such writing. The number of CPE hours is based on the time spent writing the published article,

(c) Authorship of a published article does not contribute to the professional competence of the licensee unless the published article is suitable for a professional audience. Published articles may be reviewed on a case-by-case basis to determine whether such articles contribute to the licensee's professional competence

(d) The maximum credit for published articles and books allowed under this section and for preparation and teaching under section (5) of this rule, combined, is no more than one-half of the total CPE requirement for the renewal period.

(e) A licensee may request additional CPE credit for authoring a published article by submitting an explanation of the circumstances which justify greater credit than is otherwise allowed. The Board shall determine whether additional credit is justified.

(f) Evidence of completion includes a copy of the title page or other pages that show the title, date of publication and a description of the content for each article reported for CPE credit.

(7) Reviewing peer review reports for Board approved Peer Review Programs.

(a) Licensees who serve as volunteer members of the Review Acceptance Body or any other committee that reviews peer review reports on behalf of a board approved peer review program are allowed two hours of CPE credit per meeting attended, for a maximum of 16 hours for the renewal period.

(b) Evidence of completion includes proof of attendance, provided by the sponsor of the approved Peer Review Program, for each meeting attended.

(8) State Legislative Joint Ways and Means Committee members.

(a) Licensees who serve as members of the Oregon Joint Ways and Means Legislative Committee are allowed up to 16 hours of the total CPE requirement for the renewal period during which the licensee served on the legislative committee.

(b) Evidence of completion shall be a copy of the membership roster published during the legislative session indicating the specific section of the Joint Ways and Means sub-committee on which the licensee served.

(9) University and college courses.

(a) CPE credit allowed is described in OAR 801-040-0030.

(b) An official copy of the college transcript is evidence of completion for courses that earn college credit.

(c) An attendance schedule or sign-in sheet demonstrating the licensee's attendance and prepared and maintained by the college will provide evidence of completion for courses that do not earn college credit.

Stat. Auth.: ORS 670.310, 673.040, 673.050; 673.410

Stats. Implemented: ORS 673.165

Hist.: AB 1-1985, f. & ef. 3-21-85; AB 5-1991, f. & cert. ef. 7-1-91; AB 7-1992, f. & cert. ef. 12-15-92; AB 4-1993, f. & cert. ef. 5-14-

Division 040

Effective January 1, 2014

OREGON ADMINISTRATIVE RULES

CHAPTER 801, DIVISION 040 -- BOARD OF ACCOUNTANCY

93; AB 4-1994, f. & cert. ef. 9-27-94; AB 5-1995, f. & cert. ef. 8-22-95; AB 4-1997, f. & cert. ef. 7-25-97; BOA 1-1998, f. & cert. ef. 1-26-98; BOA 6-1998 f. & cert. ef. 7-29-98; BOA 2-1999, f. & cert. ef. 2-22-99; BOA 5-1999, f. & cert. ef. 7-23-99; BOA 6-1999, f. 12-21-99, cert. ef. 1-1-00; BOA 1-2000, f. 3-22-00, cert. ef. 3-24-00; BOA 5-2000, f. 12-7-00, cert. ef. 1-1-01; BOA 7-2001, f. 12-31-01, cert. ef. 1-1-02; BOA 6-2002, f. 12-27-02, cert. ef. 1-1-03; BOA 6-2004, f. 12-30-04, cert. ef. 1-1-05

Evidence of Completion, 801-040-0060

This section is deleted. The contents have been moved to other sections of OAR 801 Division 040 for clarifications.

Stat. Auth.: ORS 670.310; ORS 673.040, 673.050; 673.410

Stat. Implemented: ORS 673.165

Hist.: AB 1-1985, f. & ef. 3-21-85; AB 1-1995, f. & cert. ef. 1-25-95; BOA 2-1999, f. & cert. ef. 2-22-99; BOA 4-1999, f. & cert. ef. 7-23-99; BOA 5-1999, f. & cert. ef. 7-23-99; BOA 6-1999, f. 12-21-99, cert. ef. 1-1-00; BOA 5-2000, f. 12-7-00, cert. ef. 1-1-01

Verification

801-040-0070 (1) The Board may verify CPE reports submitted by licensees. When selected for verification licensees are required to provide the following information for each CPE program selected by the Board:

(a) Certificate of completion or similar documentation that confirms attendance at the program and the number of eligible CPE hours, and

(b) Upon request from the Board, a written statement describing how a CPE program directly contributes to the licensee's professional competency.

(2) Licensees who do not meet CPE requirements described in OAR 801-040-0010 and section (1) of this rule will be notified of the deficiency and a designated number of days will be allowed for the applicant to correct the deficiencies.

Stat. Auth.: ORS 670.310 & 673.410

Stats. Implemented: ORS 673.165

Hist.: AB 1-1985, f. & ef. 3-21-85; AB 4-1994, f. & cert. ef. 9-27-94; BOA 6-1999, f. 12-21-99, cert. ef. 1-1-00; BOA 5-2000, f. 12-7-00, cert. ef. 1-1-01; BOA 7-2001, f. 12-31-01, cert. ef. 1-1-02; BOA 7-2003, f. 12-23-03 cert. ef. 1-1-04; BOA 6-2004, f. 12-30-04, cert. ef. 1-1-05; BOA 10-2005, f. 11-22-05, cert. ef. 1-1-06

801-040-0080, Reciprocity

This section is deleted. Or Laws 1999, ch 322 repealed ORS 673.080, which authorized licensing by reciprocity. The provisions of OAR 801-040-0080 are replaced in OAR 801-040-0020 and 801-040-0095 and pertain to licensees who receive a permit license under the provisions of substantial equivalency, which replaced reciprocity under Or Laws 1999, ch 322.

Stat. Auth.: ORS 670.310, 673.040, 673.050 & OL 1999, Ch. 322

Stats. Implemented: ORS 673.165

Hist.: AB 1-1985, f. & ef. 3-21-85; AB 5-1991, f. & cert. ef. 7-1-91; BOA 5-2000, f. 12-7-00, cert. ef. 1-1-01

Reinstatement Requirements Lapsed, Suspended or Inactive to Active Status 801-040-0090

(1) Lapsed permit licenses. Permit Licenses that are not properly renewed shall lapse. Lapsed licenses may be reinstated only if to reinstate a "lapsed" permit active status, the holder of such permit shall: To reinstate to active status an individual must:

(a) Provide a detailed written description of the business and professional activities of the holder individual of such permit during the period of lapse, stating and

**OREGON ADMINISTRATIVE RULES
CHAPTER 801, DIVISION 040 -- BOARD OF ACCOUNTANCY**

indicate whether the licensee individual was holding out as a CPA or PA during the period of lapse;

(b) Submit an application for reinstatement on a form provided by the Board;

(c) Submit payment of the application fee and the active renewal fee for each renewal period that the permit license was lapsed, and

(d) Complete and report the appropriate CPE hours described in this rule, plus a penalty of an additional 16 CPE hours.

(e) CPE hours submitted for reinstatement must meet the requirements for CPE credit under these rules.

~~(2) Permits lapsed within the first renewal period. Holders of permits that lapse within the first renewal period shall complete and report the number of CPE hours that were required to renew the permit at its last expiration date, including any professional conduct and ethics requirement.~~

~~(3) Permit~~ **Holders of licenses that are lapsed lapsed less than two years**

shall:

~~more than two, but less than five years. Holders of permits that lapse more than two, but less than five years shall:~~

~~_____ (a) Complete and report 80 CPE hours, which shall be completed within the 12 month period immediately preceding the date of application for reinstatement; and~~

~~_____ (b) Comply with CPE requirements under these rules for the period following reinstatement until the next renewal date on a pro rata basis, such hours to be completed at a rate of 3 1/3 hours per month, including the month of reinstatement, from the date of reinstatement to the end of the renewal period in which reinstatement occurs.~~

~~(c) Complete and report four CPE hours in professional conduct and ethics.~~

~~(4) Permits~~

~~(3) Holders of licenses that are lapsed more than five more than two and less than six years shall:~~ **Holders of licenses that are lapsed more than five more than two and less than six shall:**

~~(a) Complete and report 160 CPE hours which shall be completed within the 24 12 month period immediately preceding the date of application for reinstatement;~~

~~(b) Comply with CPE requirements under these rules for the period following reinstatement until the next renewal date on a pro rata basis, to be calculated at the rate of 3-1/3 hours per month, including the month of reinstatement, from the date of reinstatement to the end of the renewal period in which reinstatement occurs; and~~

~~(c) Complete and report four CPE hours in professional conduct and ethics.~~

~~(d) In lieu of meeting the CPE requirements described in this section, the holder of a lapsed permit license may elect to take and pass the CPA exam within the five years immediately preceding the date of application for reinstatement. A person who elects this option must meet the requirements of OAR 801-010-0060.~~

~~(5) Lapsed more than six years or three renewal periods~~

~~(a) A license that is lapsed for more than three renewal periods will expire.~~

~~(b) An expired license may be restored only upon the Board's determination that there is just cause.~~

OREGON ADMINISTRATIVE RULES
CHAPTER 801, DIVISION 040 -- BOARD OF ACCOUNTANCY

(5) Inactive ~~permit~~licenses. To reinstate a ~~permit~~license from inactive to active status, the holder of such ~~permit~~license shall meet the requirements for reinstatement of lapsed ~~permit~~licenses described in section (1) of this rule, with the following exceptions:

~~(a) Payment of the active renewal fee described in subsection (1)(c) of this rule for each renewal period that the permit was inactive is not required for reinstatement from inactive to active status; and~~

~~(b) The 16 hour CPE penalty described in subsection (1)(d) of this rule, is not required for applicants reinstating from inactive to active status so long as the reinstatement application is submitted more than two years after the last active renewal.~~

~~(c) Credit for CPE taken while on inactive status will be given for the first two bienniums only (maximum of 64 hours).~~

(6) Suspended ~~permit~~licenses. To reinstate a ~~permit~~license that is suspended under ORS 673.170, the holder of such ~~permit~~license shall:

(a) Provide evidence of satisfaction or completion of all terms and conditions stated in the Order of Suspension; and

(b) Meet the requirements for reinstatement of a ~~lapsed~~ inactive ~~permit~~license as stated in this rule.

(7) ~~Permit~~License holders in other jurisdictions. Licensees who hold an active ~~permit~~license to practice public accountancy issued under the laws of another jurisdiction, whose principal place of business is in such other jurisdiction, and who wish to reinstate an Oregon ~~permit~~license that has been lapsed or inactive for more than two years shall:

(a) Submit evidence that the applicant holds an active ~~permit~~license to practice public accountancy, in good standing, issued by another jurisdiction; and

(b) Submit payment of the initial ~~permit~~license fee stated in OAR 801-010-0010(2)(a) plus the biennial renewal application fee stated in OAR 801-010-0010(3)(a).

(c) Upon reinstatement, licensee shall complete CPE requirements described in these rules on a pro rata basis, calculated at 3-1/3 hours per month, including the month of reinstatement until the end of the renewal period in which reinstatement occurs.

(8) 24 Hour Minimum annual CPE requirement. Licensees whose ~~permit~~licenses are reinstated under this rule are required to meet the 24 hour minimum annual CPE requirement at the pro-rated calculation of two (2) CPE hours for each month, including the month of reinstatement, until June 30 of the year in which the licensee is reinstated.

Stat. Auth.: ORS 670.310, 673.040, 673.050 & 673.410

Stats. Implemented: ORS 673.165 & 673.210

Hist.: AB 1-1985, f. & ef. 3-21-85; AB 5-1991, f. & cert. ef. 7-1-91; AB 1-1994, f. & cert. ef. 1-21-94; AB 3-1994, f. & cert. ef. 8-10-94; AB 4-1994, f. & cert. ef. 9-27-94; AB 2-1996, f. & cert. ef. 9-25-96; AB 1-1997, f. & cert. ef. 1-28-97; BOA 1-1998, f. & cert. ef. 1-26-98; BOA 2-1999, f. & cert. ef. 2-22-99; BOA 5-1999, f. & cert. ef. 7-23-99; BOA 6-1999, f. 12-21-99, cert. ef. 1-1-00; BOA 5-2000, f. 12-7-00, cert. ef. 1-1-01; BOA 7-2001, f. 12-31-01, cert. ef. 1-1-02; BOA 7-2003, f. 12-23-03 cert. ef. 1-1-04; BOA 6-2004, f. 12-30-04, cert. ef. 1-1-05; BOA 10-2005, f. 11-22-05, cert. ef. 1-1-06; BOA 4-2008, f. 12-30-08, cert. ef. 1-1-09

801-040-0095, Reinstatement Requirements/Inactive to Active Status

The provisions of this rule are removed from this section and included in OAR 801-040-0090 to minimize duplication.

Stat. Auth.: ORS 670.310

Stat. Implemented: ORS 673.165

Division 040

Effective January 1, 2014

OREGON ADMINISTRATIVE RULES
CHAPTER 801, DIVISION 040 -- BOARD OF ACCOUNTANCY

Hist.: AB 2-1996, f. & cert. ef. 9-25-96; BOA 1-1998, f. & cert. ef. 1-26-98; BOA 5-1999, f. & cert. ef. 7-23-99; BOA 6-1999, f. 12-21-99, cert. ef. 1-1-00

New Permit Licenses

801-040-0100 (1) CPE Requirement for new licensees.

(a) Licensees who receive an initial permit license to practice public accountancy shall comply with the CPE requirements from the date of issuance of the permit license on a prorated basis calculated at 3-1/3 CPE hours per month, including the month of issuance, until June 30 of the renewal period in which the permit license is issued.

(b) The 24 hour annual CPE requirement shall also be prorated at two (2) CPE hours per month, including the month of issuance, until June 30 of the renewal period in which the permit license was issued.

(c) CPE hours earned during any month of the two-year renewal cycle during which the initial permit license was issued shall be eligible to meet the initial CPE requirement.

(2) Requirement for licensed public accountants who become licensed as certified public accountants. Licensees who hold a permit license to practice public accountancy as a licensed public accountant under ORS 673.100, and who receive an initial certificate and permit license to practice public accountancy as a certified public accountant shall, in addition to the requirement under section (1) of this rule, complete and report 3-1/3 CPE hours for each month of the renewal period during which the person held a permit license as a public accountant. CPE hours earned during any month of the two year renewal cycle during which the initial permit license was issued shall be eligible for credit to meet this requirement.

Stat. Auth.: ORS 670.310, 673.040, 673.050 & 673.410

Stats. Implemented: ORS 673.165

Hist.: AB 1-1985, f. & ef. 3-21-85; AB 4-1989, f. & cert. ef. 3-13-89; AB 4-1994, f. & cert. ef. 9-27-94; BOA 5-2000, f. 12-7-00, cert. ef. 1-1-01; BOA 7-2001, f. 12-31-01, cert. ef. 1-1-02; BOA 7-2003, f. 12-23-03 cert. ef. 1-1-04; BOA 6-2004, f. 12-30-04, cert. ef. 1-1-05

Waivers

801-040-0150 (1) CPE waivers. The Board, in its discretion, may waive CPE requirements for:

(a) Reasons of health, certified by a medical doctor, that prevent the licensee from complying with CPE requirements;

(b) A licensee who is on extended active military duty, who does not practice public accountancy during the renewal period, and who provides a copy of orders to active military duty; and

(c) Other good cause, to be demonstrated as the Board requests.

(2) Requests for waivers. A request for waiver of CPE requirements must be submitted in writing for each renewal period during which the conditions supporting the waiver exist.

(3) Waivers not available for inactive status. The provisions of this rule are not available for licensees on inactive status granted under OAR 801-010-0120.

Stat. Auth.: ORS 670.310, 673.040, 673.050 & 673.410

Stats. Implemented: ORS 673.165 & 673.170

Hist.: AB 1-1985, f. & ef. 3-21-85; AB 5-1991, f. & cert. ef. 7-1-91; AB 4-1994, f. & cert. ef. 9-27-94; BOA 6-1999, f. 12-21-99, cert. ef. 1-1-00; BOA 5-2000, f. 12-7-00, cert. ef. 1-1-01; BOA 7-2001, f. 12-31-01, cert. ef. 1-1-02; BOA 6-2004, f. 12-30-04, cert. ef. 1-1-05

Division 040

Effective January 1, 2014

OREGON ADMINISTRATIVE RULES
CHAPTER 801, DIVISION 040 -- BOARD OF ACCOUNTANCY

Failure to Comply

801-040-0160 (1) 16-hour CPE penalty. Licensees who submit an application for renewal of a ~~permit~~ license and who have not complied with the CPE requirements described in OAR 801-040-0010 are required to complete and report an additional 16 hours of qualifying CPE.

(2) Failure to comply with CPE requirements. Licensees who do not meet the CPE requirements are subject to disciplinary action under ORS 673.170 (L), unless CPE requirements have been waived under OAR 801-040-0150.

Stat. Auth.: ORS 670.310 & 673.410

Stat. Implemented: ORS 673.165 & 673.170

Hist.: AB 1-1985, f. & ef. 3-21-85; AB 5-1991, f. & cert. ef. 7-1-91; AB 4-1994, f. & cert. ef. 9-27-94; BOA 6-1999, f. 12-21-99, cert. ef. 1-1-00; BOA 7-2001, f. 12-31-01, cert. ef. 1-1-02; BOA 7-2003, f. 12-23-03 cert. ef. 1-1-04; BOA 6-2004, f. 12-30-04, cert. ef. 1-1-05

