

Secretary of State

**NOTICE OF PROPOSED RULEMAKING**

A Statement of Need and Fiscal Impact accompanies this form.

Board of Accountancy	OAR 801 Division 010	
Agency and Division Number	Administrative Rules Chapter	
Kimberly (Sisk) Fast	3218 Pringle Rd SE #110, Salem, OR 97302	503-378-2268
Rules Coordinator	Address	Telephone

**RULE CAPTION**

Recognize the National Association of State Boards of Accountancy as foreign credentialing agency.

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

**RULEMAKING ACTION**

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

**ADOPT:**

**AMEND:**

801-010-0050, 801-010-0085

**REPEAL:**

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth: ORS 673.040, 673.050, 673.015, 673.060

Other Auth.:

Stats. Implemented.: ORS 673.040, 673.050, 673.015, 673.060

**RULE SUMMARY**

Summary: The amendment recognizes the National Association of State Boards of Accountancy (NASBA) as the foreign credentialing agency for individuals who obtained their education in a foreign country and wish to apply for either the CPA examination or a CPA license in the State of Oregon.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

December 23, 2013 at 5:00 p.m.

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

Signature	Martin Pittioni	November 15, 2013
	Printed name	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

801, Division 010

Agency and Division  
Number

Administrative Rules Chapter

Recognize the National Association of State Boards of Accountancy as foreign credentialing agency

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: The Board of Accountancy amending rules in Chapter 801, Division 010

Statutory Authority: ORS 673.040, 673.015, 673.060

Other Authority:

Stats. Implemented: ORS 673.040, 673.015, 673.060

Need for the Rule(s): The amendment recognizes the National Association of State Boards of Accountancy (NASBA) as the foreign credentialing agency for individuals who obtained their education in a foreign country and wish to apply for either the CPA examination or a CPA license in the State of Oregon

Documents Relied Upon, and where they are available: None

Fiscal and Economic Impact: None

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

No fiscal

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:

Any impact is voluntary. Rule does not require reimbursement of exam related fees to employees of small businesses.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: None

c. Equipment, supplies, labor and increased administration required for compliance: None

How were small businesses involved in the development of this rule? Policy reflected in rule discussed in presence of the Oregon Society of Certified Public Accountants (OSCPA) and the Oregon Association of Independent Accountants (OAIA)

Administrative Rule Advisory Committee consulted?: No

If not, why?: Minor to non-existent impact

Signature

Printed name

Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

## Application for Uniform CPA Examination

### 801-010-0050 (1) Definitions

**(a) Authorization to Test (ATT):** Issued by the Board of Accountancy to eligible exam candidates to authorize the candidate to test for specified sections of the CPA exam. The ATT may be issued for one or more CPA exam sections. Each ATT authorizes the candidate to take each CPA exam section designated in the ATT one time only. The ATT may become expired as to one exam section named in the ATT, and remain valid as to other specified exam sections. The candidate must submit an application and re-examination fee to the Board of Accountancy for any exam section that is expired under the ATT or to retake any section of the CPA Exam not passed.

**(b) Notice to Schedule (NTS):** Issued by NASBA and enables the candidate to schedule testing at an examination test center. The NTS must remain open until the candidate schedules testing or until six months have elapsed since the NTS was issued, whichever occurs first.

**(c) Testing Center:** Board approved computer testing facilities, at which candidates may take the CPA examination, are listed on the Board website. Testing centers are located throughout the United States and in Guam, Puerto Rico the Virgin Islands, Japan, United Arab Emirates, Kuwait, Lebanon and Bahrain.

**(d) Testing Opportunity:** Each testing window is considered a testing opportunity. There are four testing opportunities per year. A candidate may test for a particular section only once per testing window. A candidate may not retake a failed test section(s) in the same testing window.

**(e) Testing Windows:** The testing window is comprised of two months in which the examination is available to be taken and one month in which the examination will not be offered so that exam sections can be graded and maintenance may be performed.

### **(2) Applications.**

**(a)** Applications for the CPA exam must be submitted on a form provided by the Board and must be accompanied by the appropriate fee. The act of filing an application for the CPA exam constitutes an agreement by the candidate to observe and comply with the CPA Exam rules adopted by the Board.

**(b)** An application will not be reviewed until the application fee and all required supporting documents have been received, including proof of identity (as determined by the Board and specified on the application form), official transcripts and evidence that the candidate has met eligibility requirements.

**(c)** ~~All foreign academic credentials submitted as evidence of eligibility for the CPA exam are required to be evaluated by a credentialing agency that is a member of the National Association of Credential Evaluation Services, Inc. (NACES);~~ All foreign academic credentials submitted as evidence of eligibility for the CPA exam are required to be evaluated by NASBA International Evaluation Services (NIES). Applications for the CPA exam received prior to June 1, 2014, involving foreign credentials will not be required to be submitted to NIES if the applicant chooses to submit a credential evaluation from a provider that is a member of the National Association of Credential Evaluation Services, Inc. (NACES);

**(d)** An application for the CPA examination must be complete in every particular within 3 months from the date it is received at the Board office. If an application is incomplete, the candidate will be found ineligible and the file will be closed. A candidate whose file has been closed as described herein is required to submit a new application, application fee and all required documents.

**(e)** Candidates shall pay the CPA exam application fee designated in OAR 801-010-0010 to the Board. All other fees associated with the CPA exam are required to be paid to NASBA. All CPA exam fees are non-refundable. If a candidate fails to appear for a scheduled testing at an approved test center, all fees paid will be forfeited for the examinations scheduled on that day.

(f) At the time of application and during the time any ATT issued by the Oregon Board of Accountancy is open, the candidate must not have an open ATT for the same section in any other state or jurisdiction.

(g) The candidate must certify at the time of application that he or she is in compliance with subsection (f) of this rule. Falsifying this certification or including any false, fraudulent, or materially misleading statements on the application for the examination, or including any material omission on the application for the examination is cause for disciplinary action under ORS 673.170.

(h) The Board or its designee will forward authorization to test (ATT) for the computer-based CPA exam to the candidate and to the NASBA National Candidate Database once eligibility is determined.

(i) The Board will offer a candidate the opportunity to voluntarily disclose the candidate's social security number to the Board so that the Board may provide the social security number to NASBA for identification purposes.

**(3) Eligibility under education requirements.** Candidates for admission to the CPA exam after January 1, 2000 that apply under the educational requirements of ORS 673.050(1)(a) must demonstrate eligibility as follows:

**(a) 150 Hour rule:** Satisfactory evidence that the candidate has successfully completed 150 semester hours or 225 quarter hours, including:

**(A)** A baccalaureate or higher degree from a regionally accredited college or university as described in ORS 673.050(1)(a);

**(B)** A minimum of 24 semester hours or 36 quarter hours, or the equivalent thereof, in the study of accounting; and

**(C)** A minimum of 24 semester hours or 36 quarter hours in accounting or related subjects. Related subjects are defined as business, finance, economics, and written and oral communication.

**(D)** The required number of hours in accounting or related subjects may be obtained by satisfactory completion of such hours taken from divisions of continuing education extended by a regionally accredited four-year college or university, or from a community college, providing the community college courses are transferable as equivalent courses to an accredited four-year college or university.

**(E)** Credit for community college courses. Applicants who have earned a baccalaureate or higher degree from a regionally accredited college or university may obtain additional hours from a community college, if such hours would be transferable to an accredited college or university. However, completion of 150 hours consisting entirely of courses taken from a community college or divisions of continuing education shall not be considered equivalent to a baccalaureate or higher degree from a four-year accredited college or university under the requirements of ORS 673.050.

**(b) Candidates who applied before January 1, 2000:** Returning candidates after January 1, 2000 who do not meet the educational requirement under ORS 673.050(1)(a) are required to sit for at least two sections of the CPA exam, per calendar year, in order to maintain eligibility under the requirements of ORS 673.050, which were in effect prior to January 1, 2000. Returning candidates must provide satisfactory evidence that:

**(A)** The candidate met CPA exam eligibility requirements that were in effect in Oregon at the time the candidate sat for the CPA exam for the first time in any jurisdiction; and

**(B)** The candidate sat for and received grades for at least one of the Uniform CPA Examinations in any jurisdiction in 1998 or 1999.

**(c) Evidence of eligibility.** Candidates must meet all requirements under this rule at the time of application. Satisfactory evidence of the educational requirement may be provided in the following manner:

**(A)** Candidates who have completed all course requirements and been awarded a baccalaureate or higher degree must provide an official transcript(s) demonstrating successful completion of all courses required under these rules, and that a degree was awarded.

**(B)** Candidates who have completed all course requirements at the time of application, but for whom a baccalaureate degree has not yet been awarded must provide an official transcript(s) showing successful completion of all courses required under these rules, together with a letter from the Registrar's Office of the college or university stating that the candidate has met the degree requirements and the date that the degree will be awarded.

**(C)** Only official transcripts that are forwarded directly to the Board office by the issuing college or university will be accepted.

**(D)** Colleges or universities, which are accredited by one of the six regional accrediting associations and listed as accredited in the *Directory of Post secondary Institutions*, published by the National Center for Education Statistics, are recognized by the Board.

**(4) Eligibility under experience standards.** Candidates for the CPA exam who are applying under the experience requirements of ORS 673.050(2) to be licensed as a Public Accountant must submit satisfactory evidence that:

**(a)** The candidate graduated from a high school with a four-year program, or the equivalent; and

**(b)** The candidate completed two years of experience in public accountancy or the equivalent satisfactory to the Board that meets the requirements of OAR 801-010-0100(2) and OAR 801-010-0065(2).

**(c)** Returning candidates after January 1, 2002 who were eligible to take two sections of the CPA Exam under provisions of ORS 673.100 in effect prior to January 1, 2002, are required to sit for at least one exam section in any two testing windows each year in order to maintain eligibility under those requirements.

**(5) Authorization to Test and Notice to Schedule**

**(a)** An ATT authorizes the candidate to test one time for those sections of the CPA exam that are specified in the ATT. An ATT is effective for six months from the date on which the corresponding NTS is issued or until the NTS expires, whichever occurs first; however, the ATT will expire ninety (90) days after it is issued if the candidate has not paid the appropriate fees to NASBA.

**(b)** Expiration of the ATT. Authorization to take a specified exam section will expire on any of the following events:

**(A)** When the candidate schedules and takes a designated exam section;

**(B)** If the candidate schedules a testing date for a designated exam section but fails to appear and take the section at the scheduled time;

**(C)** If the candidate fails to schedule a designated exam section within the six-month period defined by the NTS; or

**(D)** If the candidate fails to request an NTS and pay the appropriate fees to NASBA within 90 days of the date the ATT is issued.

**(c) Suspension of the ATT.** An ATT may be suspended by the Board of Accountancy based on a report from NASBA that a problem related to the candidate is identified on the National Candidate Database, or for other good cause as determined by the Board.

**(d) Payment of CPA Exam testing fees.** To obtain a Notice to Schedule (NTS), the candidate must remit the CPA exam testing fees required for the CPA exam sections specified in the ATT to NASBA within ninety (90) days from the date the ATT is issued. Failure to remit the required fees and obtain the NTS will cause the ATT to expire, and the candidate must submit a re-examination application to the Board, with the appropriate CPA exam fee, to receive another ATT.

**(e) NTS.** When the candidate receives an ATT from the Board, the candidate is required to:

**(A)** Submit to NASBA payment of all fees related to testing of the CPA exam sections authorized by the ATT;

**(B)** Upon receipt of the NTS, contact an approved test center to schedule the time and place for testing of the exam sections authorized by the NTS. CPA exam sections do not have to be scheduled on the same date.

**(C)** The NTS remains valid for each exam section until the candidate schedules testing for that specific section, or for six months from the date the NTS was issued, whichever occurs first.

**(D)** The NTS expires as to each individual exam section when the candidate schedules testing for that section, whether or not the candidate appears at the scheduled testing appointment.

**(f) Testing.**

**(A)** A candidate may schedule testing at an approved testing center in Oregon or in another jurisdiction. A list of approved testing centers is on the Board of Accountancy website.

**(B)** Candidates must comply with the procedures and rules of the test center.

**(g) Re-examination.** A completed re-examination application and payment of the appropriate fee to the Board of Accountancy is required:

**(A)** To retake any exam section that the candidate does not pass;

**(B)** To obtain an NTS for any exam section that the candidate failed to schedule during the six-month period for which a previous NTS was issued;

**(C)** To obtain an NTS for any exam section for which the candidate failed to obtain an NTS during the ninety (90) day period after the date the ATT was issued.

Stat. Auth.: ORS 670.310, 673.050 & 673.100

Stats. Implemented: ORS 673.050, 673.100 & 673.410

Hist.: 1AB 10, f. 2-7-63; 1AB 14, f. 8-15-68; 1AB 20, f. 10-22-71, ef. 11-15-71; 1AB 34, f. 1-29-74, ef. 2-25-74; 1AB 41, f. & ef. 12-2-76; 1AB 44, f. & ef. 3-31-77; 1AB 48, f. & ef. 7-21-77; 1AB 6-1978, f. & ef. 6-22-78; 1AB 7-1981, f. & ef. 7-27-81; 1AB 2-1983, f. & ef. 9-20-83; AB 3-1988, f. & cert. ef. 6-9-88; AB 2-1989, f. & cert. ef. 1-25-89; AB 4-1991, f. & cert. ef. 7-1-91; AB 4-1994, f. & cert. ef. 9-27-94; AB 1-1995, f. & cert. ef. 1-25-95; AB 5-1995, f. & cert. ef. 8-22-95; AB 1-1996, f. & cert. ef. 1-29-96; AB 1-1997, f. & cert. ef. 1-28-97; BOA 5-1998, f. & cert. ef. 7-9-98; BOA 6-1998, f. & cert. ef. 7-29-98; BOA 7-1998(Temp), f. & cert. 7-29-98 thru 1-25-99; BOA 8-1998, f. & cert. ef. 10-22-98; BOA 4-1999, f. & cert. ef. 7-23-99; BOA 6-1999, f. 12-21-99, cert. ef. 1-1-00; BOA 4-2001, f. 12-28-01, cert. ef. 1-1-02; BOA 3-2002, f. 12-27-02, cert. ef. 1-1-03; BOA 4-2003, f. 12-23-03 cert. ef. 1-1-04; BOA 1-2004(Temp), f. & cert. ef. 3-15-04 thru 7-1-04; BOA 2-2004(Temp), f. & cert. ef. 7-2-04 thru 12-29-04; BOA 4-2004, f. 12-30-04, cert. ef. 1-1-05; BOA 7-2005, f. 11-22-05, cert. ef. 1-1-06; BOA 2-2006, f. 12-22-06, cert. ef. 1-1-07; BOA 2-2008, f. 12-30-08, cert. ef. 1-1-09

## **Holders of Foreign Licenses, Certificates, Credentials or Degrees**

**801-010-0085 (1)** The Board recognizes the International Qualifications Appraisal Board (IQAB), a joint body of NASBA and AICPA. IQAB is charged with:

**(a)** Evaluating the professional credentialing process of certified public accountants or their equivalents in countries other than the United States; and

**(b)** Negotiating principles of reciprocity agreements with the appropriate professional and/or governmental bodies of other countries seeking recognition as having requirements substantially equivalent to requirements in the United States to qualify for and receive the license of certified public accountant.

**(2)** The Board shall honor the principles of reciprocity agreements issued by IQAB.

**(3)** An applicant for a certified public accountant license in Oregon who holds a license, credential or degree issued by a foreign country that is claimed to be comparable to a license issued by the Board, or an applicant who holds a certificate or license issued by the licensing body of any state or US Territory that is based upon the certificate, credential or degree granted by a foreign country that is not recognized under any IQAB Reciprocity Agreement is required to meet the following requirements:

**(a)** Satisfy the educational requirement under ORS 673.050 for admission to the CPA exam. ~~The applicant's academic credentials shall be evaluated by a credentialing agency that is a member of the National Association of Credential Evaluation Services, Inc. (NACES)~~ **(b)** Pass all sections of the CPA exam required by ORS 673.060; and

**(c)** Complete the experience requirement under ORS 673.040, ORS 673.100 and OAR 801-010-0065.

Stat. Auth.: ORS 670.310 & 673.410

Stats. Implemented: ORS 673.040 & 673.060

Hist.: 1AB 2-1986, f. & ef. 10-15-86; AB 1-1994, f. & cert. ef. 1-21-94; AB 4-1994, f. & cert. ef. 9-27-94; AB 5-1995, f. & cert. ef. 8-22-95; BOA 6-1998, f. & cert. ef. 7-29-98; BOA 6-1999, f. 12-21-99, cert. ef. 1-1-00; BOA 4-2001, f. 12-28-01, cert. ef. 1-1-02; BOA 3-2002, f. 12-27-02, cert. ef. 1-1-03; BOA 4-2003, f. 12-23-03 cert. ef. 1-1-04; BOA 4-2004, f. 12-30-04, cert. ef. 1-1-05