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## NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 801  
**OREGON BOARD OF ACCOUNTANCY**

**FILED**

12/11/2025 2:18 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Updates Board rules to implement Senate Bill 797 (2025) with emphasis on new licensure pathways.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 01/29/2026 9:05 AM

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

CONTACT: Andrew Barlow  
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andrew.barlow@boa.oregon.gov

200 Hawthorne Ave SE Ste D450  
Salem, OR 97301

Filed By:  
Andrew Barlow  
Rules Coordinator

### HEARING(S)

*Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.*

DATE: 01/29/2026

TIME: 9:00 AM

OFFICER: Martin Pittioni

### IN-PERSON HEARING DETAILS

ADDRESS: Board of Accountancy, 200 Hawthorne Ave SE Ste D450, Salem, OR 97301

#### SPECIAL INSTRUCTIONS:

BOA provides assistance upon request such as sign language and spoken language interpreters, written materials in other languages, braille, large print, audio and other formats. If you need assistance or have questions, please contact [boa.info@boa.oregon.gov](mailto:boa.info@boa.oregon.gov) at least 5 days before the meeting.

### REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 1-720-707-2699

CONFERENCE ID: 6589430200

#### SPECIAL INSTRUCTIONS:

#### SPECIAL INSTRUCTIONS:

Join Zoom Meeting: <https://us06web.zoom.us/j/6589430200?pwd=bjI5ZWwrSWdxUnlDRjZBdWJkejUvUT09>

Meeting ID: 658 943 0200

Passcode: mjZS3T

One tap mobile

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Dial by your location

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+1 301 715 8592 US (Washington DC)

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Meeting ID: 658 943 0200

Passcode: 131463

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#### NEED FOR THE RULE(S)

Updates Board rules to implement Senate Bill 797 (2025) with emphasis on new licensure pathways.

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#### DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Laws and Rules Committee documents considered on 12/1/2025 by the Board and approved for exposure on January 1, 2026. Documents may be located on <https://www.oregon.gov/BOA/Pages/Rulemaking.aspx>

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#### STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

Updated licensure pathways are expected to have significant positive equity impacts due to providing a licensure option that allows substitution of one year of post bachelor education in favor of one year of additional supervised experience. This change significantly reduces cost of the education requirement which is expected to benefit economically distressed students.

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#### FISCAL AND ECONOMIC IMPACT:

For registered public accounting firms, these changes reduce the cost of compliance by providing more flexibility to employ licensees in Inactive or Retired status under specified conditions. For applicants for licensure, lower costs are expected due to reduction in education requirements.

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#### COST OF COMPLIANCE:

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

The Board of Accountancy regulates approximately 900 public accounting firms all of which will benefit from the additional flexibility to employ Inactive and Retired status licensees under specified conditions.

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#### DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses are represented on the Laws and Rules Committee of the Board of Accountancy which develop these rules.

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#### WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

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#### RULES PROPOSED:

801-001-0000, 801-001-0025, 801-001-0030, 801-001-0035, 801-001-0040, 801-001-0045, 801-005-0010, 801-010-0010, 801-010-0040, 801-010-0045, 801-010-0050, 801-010-0060, 801-010-0065, 801-010-0073, 801-010-0075, 801-010-0079, 801-010-0080, 801-010-0085, 801-010-0090, 801-010-0100, 801-010-0110, 801-010-0115, 801-010-0119, 801-010-0120, 801-010-0121, 801-010-0130, 801-010-0140, 801-010-0170, 801-010-0340, 801-010-0345, 801-030-0005, 801-030-0010, 801-030-0015, 801-030-0020, 801-040-0010, 801-040-0020, 801-040-0030, 801-040-0040, 801-040-0050, 801-040-0070, 801-040-0095, 801-040-0100, 801-040-0150, 801-040-0160

AMEND: 801-001-0000

RULE SUMMARY: Amends notice requirements for proposed rule provisions.

CHANGES TO RULE:

801-001-0000

Notice of Proposed Rule ~~¶~~

Prior to permanent adoption, amendment or repeal of any rule, the Oregon Board of Accountancy shall give notice of the intended action: ~~¶~~

(1) By publishing Notice at least 21 days prior to the effective date of the rule in the bulletin compiled by the Secretary of State and referred to in ORS 183.360; ~~¶~~

(2) By mailing a copy of the Notice to persons on the Board of Accountancy's mailing list established pursuant to ORS 183.335 at least 28 days before the effective date of the rule; ~~¶~~

(3) By mailing or furnishing a copy of the Notice to the following persons and organizations: ~~¶~~

(a) ~~Capitol Press Room; ¶~~

~~(b) Associated Press; ¶~~

~~(c) Oregon Society of Certified Public Accountants; ¶~~

~~(d) Oregon Association of Independent Accountants; and ¶~~

(4) By providing an electronic copy of the Notice to legislators as provided by ORS 183.335(15).

Statutory/Other Authority: ORS ~~183.366~~ 73.410

Statutes/Other Implemented: ORS ~~183.335, 60, ORS 183.360~~ 35

REPEAL: 801-001-0025

RULE SUMMARY: Repeals authorization for agency staff acting as representation for the board.

CHANGES TO RULE:

801-001-0025

~~Authorization for Agency Representative~~

~~The Oregon Board of Accountancy adopts the following rule to authorize the appearance of its staff as the Board's representative at contested hearings pursuant to ORS 183.452;¶~~

~~(1) Subject to the approval of the Attorney General, an officer or employee of the Board is authorized to appear on behalf of the Board in the following types of hearings conducted by this Board: Administrative Hearings, as designated by the Board.¶~~

~~(2) The Board representative may not make legal argument on behalf of the Board.¶~~

~~(a) "Legal Argument" includes arguments on:¶~~

~~(A) The jurisdiction of the agency to hear contested cases;¶~~

~~(B) The constitutionality of a statute or rule or the application of a constitutional requirement to an agency; and¶~~

~~(C) The application of court precedent to the facts of a particular contested case proceeding¶~~

~~(b) "Legal Argument" does not include presentation of motions, evidence, examination and cross-examination of witnesses or presentation of factual argument or arguments on:¶~~

~~(A) The application of the statutes or rules to the facts in the contested case;¶~~

~~(B) Comparison of prior actions of the agency in handling similar situations;¶~~

~~(C) The literal meaning if the statutes or rules directly applicable to the issues in the contested case;¶~~

~~(D) The admissibility of evidence; and¶~~

~~(E) The correctness of procedures being followed in the contested case hearing.~~

~~Statutory/Other Authority: OL 1999 Ch. 849 Sec. 2-21, ORS 183.310~~

~~Statutes/Other Implemented: ORS 183~~

AMEND: 801-001-0030

RULE SUMMARY: Amends time limit rule by referencing an updated definition for license.

CHANGES TO RULE:

801-001-0030

Extension of time limits created in Administrative Rules ¶¶

(1) The Oregon Board of Accountancy may extend specified time requirements stated in OAR chapter 801 if the person seeking the extension shows good cause for failing to meet the time requirement stated by the applicable rule. A request for an extension of any time requirement must be submitted in writing within a reasonable time.¶¶

(2) Definitions. For the purposes of subsection (1) of this rule:¶¶

(a) "Good cause" exists when the person seeking the extension establishes by satisfactory evidence that the cause of the failure to meet the time requirement stated by the applicable rule was beyond his or her reasonable control.¶¶

(b) "Reasonable time" means that the person acted promptly in filing the request for extension after the cessation of the circumstances that prevented him or her from meeting the time requirement stated by the applicable rule.¶¶

(3) Time limits not subject to extension. The provisions for extension are not applicable to the following time limits:¶¶

(a) Renewal of ~~permit~~licenses described in OAR 801 division 010,¶¶

(b) Renewal of firm registrations described in OAR 801 division 010.

Statutory/Other Authority: ORS 6703.310

Statutes/Other Implemented: ORS 673.4310

AMEND: 801-001-0035

RULE SUMMARY: Updates the board's adoption of professional standards language.

CHANGES TO RULE:

801-001-0035

Professional Standards ¶

The Board adopts professional standards, interpretations, rulings and rules designated and adopted by the Board in OAR Chapter 801 are those in effect as of January 1, 2024 by reference as necessary through administrative rule. When an adoption conflicts with Oregon Revised Statutes or Oregon Administrative Rules, the statute or rule applies, and the standard adopted by reference does not apply. All remaining parts or application of the standard remain in effect. All standards by reference referred to in any rules adopted by the board are made a part of those rules as though fully set forth. Copies are available for inspection in the office of the Board of Accountancy.

Statutory/Other Authority: ORS ~~183.332~~, 673.410

Statutes/Other Implemented: ORS ~~183.337~~, 673.410

AMEND: 801-001-0040

RULE SUMMARY: Proposes minor technical corrections for complaint process language.

CHANGES TO RULE:

801-001-0040

#### Procedure for Complaints ¶

Pursuant to ORS 673.185, the Board is authorized to investigate complaints alleging violations of ORS 673.010 through 673.455 and OAR chapter 801. The following procedures govern complaints received by the Board:¶

(1) The Board may investigate complaints that describe activities that are subject to the jurisdiction of the Board and that provide information in support of the complaint.¶

(2) Anonymous, unsigned complaints, or complaints submitted without a Board-provided complaint form may not be investigated.¶

(3) The Board may also investigate other information of which the Board has knowledge, such as media stories and information provided by law enforcement or other regulatory agencies, which indicates that a violation of the statutes or rules enforced by the Board may have occurred.¶

(4) Any person submitting a complaint may be asked to support the complaint by personal appearance before the Board.¶

(5) The Board may employ private investigators or contract investigators to provide assistance in determining the facts of any case being investigated.¶

(6) A licensee who is the subject of a complaint may meet with the Complaints Committee to discuss the complaint.¶

(7) In accordance with ORS 673.415 the Board may obtain a copy of the signature block, including the name, address and signature of the tax preparer, for any tax return or report permitted or required to be filed with the Oregon Department of Revenue, if the Board has reasonable grounds to believe that a licensee who prepared such tax return or report may have violated any provision of ORS 673.010 to 673.455 or rules promulgated by the Board.¶

(8) If the Board determines that the available evidence is insufficient to indicate that a violation may have occurred, the Board shall dismiss the complaint.¶

(9) If the Board determines that the available evidence is sufficient to indicate that a violation may have occurred, the Board shall make a preliminary finding of a violation(s) and offer the subject of the complaint a contested case hearing.¶

(10) A person under investigation and the Board's Executive Director may negotiate a proposed Stipulated Final Order to conclude a matter.¶

(11) A negotiated settlement as described in paragraph (10) shall not be binding on either party until approved by the Board and signed by the Chairperson of the Board or the Executive Director.

Statutory/Other Authority: ~~ORS 670.310~~, ORS 673.410

Statutes/Other Implemented: ~~ORS 673.170, 85~~, ORS 673.170, ORS 673.4185

AMEND: 801-001-0045

RULE SUMMARY: Updated with respect to statutory authority only.

CHANGES TO RULE:

801-001-0045

Confidentiality of Complaints Received ¶¶

(1) All complaints received by the Board office will be considered confidential.¶¶

(2) Investigatory information developed or obtained by the Board is confidential and is not subject to disclosure by the Board unless a Notice is issued for a contested case hearing or the matter investigated is finally resolved by Board action or Consent Order. ¶¶

(3) The Complaints Committee review and deliberations concerning a pending investigation shall occur only in executive session, pursuant to ORS 192.660(2)(f), to consider information that is exempt by law from public inspection. ¶¶

(4) The Board of Accountancy's review and deliberations concerning a pending investigation shall also occur only in executive session, pursuant to ORS 192.660(2)(f), to consider information that is exempt by law from public inspection. ¶¶

(5) Any action by the Board to approve a final order, make a preliminary finding of violation or dismiss a matter shall take place in a public meeting.

Statutory/Other Authority: ORS ~~183.332~~, ~~673.41~~70

Statutes/Other Implemented: ORS ~~183.337~~, ~~673.410~~



RULE SUMMARY: Updates definitions with emphasis on professional standards effective dates.

CHANGES TO RULE:

801-005-0010

Definitions ¶¶

As used in OAR Chapter 801, the following terms or abbreviations have the following meanings, unless otherwise defined therein:¶¶

(1) Accounting Standards Codification (ASC) is published by the Financial Accounting Standards Board (FASB) and is adopted as if fully set forth herein as published on ~~October~~December 2011, 2023~~5~~5, except for any individual ACSC standard that conflicts with or is outside the authority of the Board's statutes. The SFASC can be found on the FASB's website and a copy of it is on file at the Board's office.¶¶

(2) Active means a current license issued by the Oregon Board of Accountancy or other jurisdiction to an individual who has met the requirements to hold a CPA or PA license, ~~maintains the license~~has been properly renewed and is in good standing.¶¶

(3) AICPA means American Institute of Certified Public Accountants.¶¶

(4) AICPA Code of Professional Conduct issued by the AICPA and is adopted as if fully set forth herein as published on ~~October~~December 2011, 2023~~5~~5 except for any individual AICPA Code of Professional Conduct standard that conflicts with or is outside the authority of the Board's statutes. The AICPA Code of Professional conduct can be found on the AICPA's website and a copy of it is on file at the Board's office.¶¶

(5) Applicant means a person applying for a license to practice public accountancy.¶¶

(6) Attestation Services means the following professional services required to be performed under the following standards:¶¶

(a) Any audit or other engagement for which performance standards are included in the Statements on Auditing Standards (SAS), International Standards on Auditing (ISA), or other internationally recognized auditing standards;¶¶

(b) Any review of a financial statement for which performance standards are included in the Statement on Standards for Accounting and Review Services (SSARS);¶¶

(c) Any examination of prospective financial information for which performance standards are included in the Standards for Attest Engagements (SSAE);¶¶

(d) Any examination, review or agreed upon procedures engagement other than an examination described in paragraph (c) of this subsection for which performance standards are included in the Statements on Standards for Attestation Engagements (SSAE); and¶¶

(e) Any engagement for which performance standards are included in the Auditing Standards of the Public Company Accounting Oversight Board in the United States (PCAOB).¶¶

(f) The statements on standards specified in subsections (a) through (d) of this definition are those developed by the AICPA.¶¶

(7) Auditing Standards (AS) issued by the Public Company Accounting Oversight Board (PCAOB) and adopted as if fully set forth herein as published on ~~October~~December 2011, 2023~~5~~5, except for any individual AS that conflicts with or is outside the authority of the Board's statutes. The AS can be found on the PCAOB's website and a copy of it is on file at the Board's office.¶¶

(8) Business Organization means any form of business organization authorized by law, including but not limited to a proprietorship, partnership, corporation, limited liability company, limited liability partnership or professional corporation.¶¶

(9) CPA or Certified Public Accountant means a person who ~~has a certificate of~~holds an active certified public accountant ~~issued under ORS 673.040~~license for the practice of public accountancy.¶¶

(10) CPA Exam means the Uniform Certified Public Accountant Examination.¶¶

(11) CPE means continuing professional education.¶¶

(12) Candidate means a person applying for the CPA Exam.¶¶

(13) Censure means an official written expression of reprimand, by Board action, to a licensee for specified conduct.¶¶

(14) Certificate means a certificate of certified public accountant ~~issued under ORS 673.040~~.¶¶

(15) Circular No. 230 is the Treasury Department Regulations Governing Practice before the Internal Revenue Service, Rev. 6-2014 and is adopted as if fully set forth herein except for any individual Circular No. 230 regulation that conflicts with or is outside the authority of the Board's statutes. Circular No. 230 Rev. 6-14 can be found on the Internal Revenue Service's website and a copy of it is on file at the Board's office.¶¶

(16) Client means a person or entity who ~~agrees with a licensee, or employer of a licensee to receive any~~receives

professional service from the licensee or employer of licensee. An employer is considered a client for inactive status licenses or a person who agrees to receive professional services.¶¶

(17) Commission means a fee calculated as a percentage of the total value of the sale of a product or service that is paid or received in the form of money or other valuable consideration.¶¶

(18) Compilation Services means a professional service required to be performed in accordance with the Statement on Standards for Accounting and Review Services (SSARS) in which the person performing the services presents a financial statement that:¶¶

(a) Is based on the responsibility of the owner or management of the company for which the statement is presented; and¶¶

(b) Does not include assurances by the person that the representations in the financial statement conform to the applicable reporting framework.¶¶

(19) Confidential Client Information is information that is obtained from a source or developed by the licensee in the course of performing professional services for the client, excluding information available to the public.¶¶

(20) Contingent Fee means a fee established for the performance of any professional service and directly or indirectly paid to a licensee pursuant to an arrangement in which no fee will be charged unless a specified finding or result is attained, or in which the amount of the fee is otherwise dependent upon the finding or result of such service. A fee is not contingent if the fee:¶¶

(a) Is fixed by courts or other public authorities; or¶¶

(b) In tax matters, is determined based on the results of judicial proceedings or the findings of governmental agencies.¶¶

(21) Direct Supervision is regular and meaningful interaction between the supervisor licensee and the person being supervised in terms of planning, coordinating, guiding, inspecting, controlling, and evaluating activities, and having authority over the employee being supervised. A licensee acting as a consulting or independent contractor to the applicant's employer will not meet the requirement of direct supervision.¶¶

(22) Enterprise means any person or entity, whether organized for profit or not, for which a licensee provides public accounting services.¶¶

(23) Ethics Exam means the AICPA professional ethics exam or the California Professional Ethics Exam (PETH).¶¶

(24) Expired means a license that has not been renewed after six years from the close of the last license period for which the license was active, inactive or retired.¶¶

(25) Fees include commissions, contingent fees and referral fees.¶¶

(26) Financial Statements means the presentation of financial data, including accompanying notes, that is derived from accounting records and intended to communicate an entity's economic resources or obligations or the changes therein, at a specific point in time, and/or the results of operations for a specific period of time, presented in accordance with generally accepted accounting principles or a applicable reporting framework other than generally accepted accounting principles. Financial presentations included in tax returns are not financial statements. Incidental financial data included in management advisory services reports to support recommendations to a client are not financial statements. The method of preparation (for example, manual or computer preparation) is not relevant to the definition of a financial statement.¶¶

(27) Firm means a business organization as defined in ORS 673.010 that is engaged in the practice of public accountancy and is required to be registered with the Board.¶¶

(28) First Time Candidate means a candidate for the CPA exam who is sitting for the exam for the first time in Oregon.¶¶

(29) Generally Accepted Accounting Principles (GAAP) means accounting principles or standards generally accepted in the United States, including but not limited to Statements of Financial Accounting Standards (SFAS) and interpretations thereof, as published by the Financial Accounting Standards Board (FASB), and Statements of Governmental Accounting Standards (SGAS) and interpretations thereof, as published by the Government Accounting Standards Board (GASB) and the International Financial Reporting Standards (IFRS) as issued by the International Accounting Standards Board (IASB) and is adopted as if fully set forth herein as published on ~~October 1, 2023~~ December 1, 2023, except for any individual GAAP standard that conflicts with or is outside the authority of the Board's statutes. The GAAP can be found on the FASB and GASB websites and a copy of it is on file at the Board's office.¶¶

(30) Generally Accepted Auditing Standards (GAAS) means the Generally Accepted Auditing Standards including but not limited to those standards adopted by the American Institute of Certified Public Accountants, together with interpretations thereof, as set forth in Statements on Auditing Standards issued by the AICPA, and for federal audits, the Single Audit Act and related U.S. Office of Management and Budget Circulars published by the Government Accountability Office, and International Standards on Auditing (ISAs) issued by International Federation of Accountants (IFAC) through the International Auditing and Assurance Standards Board (IAASB) and is adopted as if fully set forth herein as published on December 1, 2025, except for any individual GAAS standard that conflicts with or is outside the authority of the Board's statutes. The GAAS can be found on the FASB and

GASB websites and a copy of it is on file at the Board's office.¶

(31) Holding out as a CPA or PA means to assume or use by oral or written communication the titles or designations "certified public accountant" or "public accountant" or the abbreviations "CPA" or "PA", or any number or other title, sign, card, device or use of any internet domain or e-mail name, tending to indicate that the person holds a valid certificate or license under the authority of ORS 673 as a certified public accountant or a public accountant.¶

(32) Inactive status means a license status granted by the Board to a licensee:¶

~~(a) Whose license is not expired, suspended, revoked or in retired status; and~~¶

~~(b) Who has met and agreed to all conditions and requirements set out in OAR 801-010-0120 relating to inactive status licensure.~~¶

(33) In good standing means the status of a holder of a license or firm registration issued by any jurisdiction that is not suspended, revoked, expired, resigned or, lapsed or on probation. The good standing status of a licensee or registered firm will not be affected by the lapse of a license issued in another jurisdiction provided that the licensee holds an active, inactive or retired license to practice public accountancy in the State of Oregon.¶

(34) International Financial Reporting Standards (IFRS) as issued by the International Accounting Standards Board (IASB) and is adopted as if fully set forth herein as published on ~~October 2011~~, December 2011, 2023, except for any individual IFRS standard that conflicts with or is outside the authority of the Board's statutes. The IFRS can be found on the IASB website and a copy of it is on file at the Board's office.¶

(35) International Standards on Auditing (ISA) issued by International Federation of Accountants (IFAC) through the International Auditing and Assurance Standards Board (IAASB) and is adopted as if fully set forth herein as published on ~~October 2011~~, December 2011, 2023, except for any individual ISA standard that conflicts with or is outside the authority of the Board's statutes. The ISA can be found on the IAASB website and a copy of it is on file at the Board's office.¶

(36) Jurisdiction means the licensing authority for the practice of public accountancy in any state, U.S. Territory or foreign country.¶

(37) Lapsed means a license status that is not renewed within 60 days of the close of a license period.¶

(a) Lapsed licensees are not permitted practice public accounting as defined in OAR 801-005-0010(48).¶

(b) A person in lapsed status must not hold out in any form or manner that they are a CPA or PA.¶

(c) A lapsed license may be reinstated to active, inactive or retired status only prior to becoming expired.¶

(38) License means:¶

~~(a) A certificate, permit or, registration, or a license issued under ORS 673.100, enabling the holder thereof to practice public accountancy in this state; or~~¶

~~(b) A certificate, permit, registration or other authorization issued by a jurisdiction outside this by the Board or by another state, enabling the holder thereof to practice public accountancy in that jurisdiction.~~¶

(39) Licensee means the holder of a license as defined in these rules.¶

(40) Material Participation means participation that is regular, continuous and substantial.¶

(41) Manager means a manager of a limited liability company.¶

(42) Member means a member of a limited liability company.¶

(43) NASBA means National Association of State Boards of Accountancy.¶

(44) Non-licensee Owner means a person who does not hold a certificate, license or permit as a certified public accountant or public accountant in Oregon or in any other jurisdiction.¶

(45) Oregon licensee means the holder of a license issued by the Board.¶

(46) PA or Public Accountant means a person who is the holder of a license issued under ORS 673.100.¶

~~(46) Peer Review means a study, appraisal or review of one or more aspects of the public accountancy work of a holder of a license under ORS 673.150 or of a registered business organization that performs attestation services or compilation services that is conducted by a CPA who holds an active license issued by any state or a public accountant licensed under 673.100 who was required to pass the audit section of the Uniform CPA Exam as a requirement for licensing. The peer reviewer must also be independent of the license holder or registered business organization being reviewed.~~¶

~~(47) Permit means a license to practice public accountancy issued under ORS 673.150.~~¶

~~(48) Practice of Public Accountancy means performance of or any offer to perform one or more services for a client or potential client, including the performance of such services while in the employ of another person by a licensee, professional services of accounting, tax, personal financial planning, litigation support services, and those professional services for which standards are promulgated. These standards include Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC), Statements of Financial Accounting Standards, Statements on Auditing Standards, Statements on Standards for Accounting and Review Services, Statements on Standards for Consulting Services, Statements of Governmental Accounting Standards, International Financial Reporting Standards, International Accounting Standards, International Standards on Auditing, Statements on Standards for Attestation Engagements, and Statements on Standards for Valuation Services.~~¶

(4950) Preparation of Financial Statements means providing a service of any preparation of financial statements engagement to be performed in accordance with the Statements on Standards for Accounting and Review Services (SSARS).¶¶

(501) Principal Place of Business means the office location where the licensee performs public accounting services, and designated by a person for purposes of substantial equivalency and reciprocity of the principal office where a person practices public accounting. ¶¶

(512) Professional means arising out of or related to the specialized knowledge or skills associated with certified public accountants and public accountants including but not limited to attestation, compilation, audit, management advisory, financial advisory, tax or consulting services or issuance of reports on financial statements.¶¶

(523) Professional Services means any services performed or offered to be performed by a licensee for a client or potential client in the course of the practice of public accountancy.¶¶

(534) Regional Accreditation means the college or university is accredited by one of the six regional accrediting associations or by another accrediting body that is recognized by the Board.¶¶

(545) Referral Fee means a referral fee that includes, but is not limited to, a rebate, preference, discount or any item of value, whether in the form of money or otherwise, given or received by a certified public accountant, public accountant or firm, to or from any third party, directly or indirectly, in exchange for the purchase of any product or service, unless made in the ordinary course of business.¶¶

(556) Registration means the authority issued under ORS 673.160 to a business organization to practice public accountancy in this state.¶¶

(567) Report. "Report", when used with reference to attestation services or compilation services means an opinion or other form of language that states or implies assurance as to the reliability of the attested information or compiled financial statements and that also includes or is accompanied by any statement or implication that the person or firm issuing it has special knowledge or competence in accounting or auditing. Such a statement or implication of special knowledge or competence may arise from use by the issuer of the report of names or titles indicating that the person or firm is an accountant or auditor or may arise from the language of the report itself.¶¶

(a) Any form of language that:¶¶

(A) Disclaims an opinion when the form of language implies any positive assurance as to the reliability of the attested information or the compiled financial statements referred to or of the special knowledge or competence on the part of the person or firm issuing the language;¶¶

(B) Implies any positive assurance as to the reliability of the attested information or compiled financial statements referred to or of the special knowledge or competence on the part of the person or firm issuing the language; or¶¶

(C) Relates to the affairs of a person and that is conventionally used by licensees in reports or financial statements.¶¶

(b) Language Not Constituting a Report: The following statement, signed by a person who does not hold a license issued under ORS 673.150, shall not constitute a report under ORS 673.320 so long as the statement is not accompanied by any wording indicating the person is an accountant or auditor or other language prohibited by ORS 673.020, 673.030, 673.310 or 673.320:¶¶

"The accompanying balance sheet (or . . .) of XYZ Company as of (date) and the related statements of income (or retained earnings or cash flows) for the year then ended have been prepared by me (us). The information presented in these financial statements is the responsibility of management (owners)."¶¶

(578) Retired status means a license status conferred by the Board upon a licensee who:¶¶

(a) At any age, has held an active license in good standing to practice public accountancy for a combined period of not less than 20 years, and¶¶

(b) Has met and agreed to all conditions and has met the requirements set out in OAR 801-010-0120 relating to retired status licensure.¶¶

(589) Returning Candidate means a person who has received grades for any section of the Uniform CPA exam who applies to sit for any part of the CPA exam in Oregon.¶¶

(59) Revoked means a license, certificate or permit that has been fully canceled and cannot be reinstated.¶¶

(60) Single Audit Act means the Single Audit Act with the Single Audit Act Amendments of 1996, as published by the United States Government Accountability Office, Office of Management and Budget and related U.S. Office of Management and Budget (OMB) Circulars, and is adopted as if fully set forth herein as published on October 201, 20234, except for any individual standard that conflicts with or is outside the authority of the Board's statutes. The current OMB Circulars can be found on the Federal Register website and a copy is on file at the Board's office. Past circulars are archived on the White House's OMB website. All related OMB guidance can also be found in Title 2 of the Code of Federal Regulations.¶¶

(61) Sole Practitioner/Sole Proprietor means a CPA or PA who practices independently and may include unlicensed support personnel, but does not include any other licensed CPA's or PA's.¶¶

(62) Standards for Accounting and Review Services (SARS) means the Statements on Standards for Accounting

and Review Services published by the AICPA and is adopted as if fully set forth herein as published on October 20, 2023, except for any individual GAPP standard that conflicts with or is outside the authority of the Board's statutes. The GAAP can be found on the FASB and GASB websites and a copy of it is on file at the Board's office.¶¶

(63) Standards for Board Approved Peer Review Programs means the Standards for Performing and Reporting on Peer Reviews published by the AICPA.¶¶

(64) Standards for Performing and Reporting on Peer Reviews (SPRPR) issued by the AICPA is adopted as if fully set forth herein as published on ~~October 20, 2023~~ December 201, 2023, except for any individual SPRPR standard that conflicts with or is outside the authority of the Board's statutes. The SPRPR can be found on the AICPA's website and a copy of it is on file at the Board's office.¶¶

(65) Statements of Governmental Accounting Standards and interpretations thereof (SGAS) is published by the Government Accounting Standards Board (GASB) and is adopted as if fully set forth herein as published on ~~October 20, 2023~~ December 201, 2023, except for any individual SGAS standard that conflicts with or is outside the authority of the Board's statutes. The SGAS can be found on the GASB website and a copy of it is on file at the Board's office.¶¶

(66) Statements of Financial Accounting Standards and interpretations thereof (SFAS) is published by the Financial Accounting Standards Board (FASB) and is adopted as if fully set forth herein as published on ~~October 20, 2023~~ December 201, 2023, except for any individual SFAS standard that conflicts with or is outside the authority of the Board's statutes. The SFAS can be found on the FASB's website and a copy of it is on file at the Board's office.¶¶

(67) Statements on Auditing Standards (SAS) and interpretations thereof as issued by the AICPA is adopted as if fully set forth herein as published on ~~October 20, 2023~~ December 201, 2023, except for any individual SAS standard that conflicts with or is outside the authority of the Board's statutes. The SAS can be found on the AICPA's website and a copy of it is on file at the Board's office.¶¶

(68) Statements on Standards for Consulting Services (SCS) issued by the AICPA is adopted as if fully set forth herein as published on October 20, 2023, except for any individual SCS statement that conflicts with or is outside the authority of the Board's statutes. The SCS can be found on the AICPA's website and a copy of it is on file at the Board's office.¶¶

(69) Statements on Standards for Accounting and Review Services (SSARS) issued by the AICPA is adopted as if fully set forth herein as published on ~~October 20, 2023~~ December 201, 2023, except for any individual SSARS standard that conflicts with or is outside the authority of the Board's statutes. The SSARS can be found on the AICPA's website and a copy of it is on file at the Board's office.¶¶

(70) Statements on Standards for Attestation Engagements (SSAE) means the statements by that name issued by the AICPA is adopted as if fully set forth herein as published on ~~October 20, 2023~~ December 201, 2023, except for any individual SSAE standard that conflicts with or is outside the authority of the Board's statutes. The SSAE can be found on the AICPA's website and a copy of it is on file at the Board's office.¶¶

(71) Statements on Standards for Valuation Services (SSVS) as issued by the AICPA is adopted as if fully set forth herein as published on October 20, 2023, except for any individual SSVS standard that conflicts with or is outside the authority of the Board's statutes. The SSVS can be found on the AICPA's website and a copy of it is on file at the Board's office.¶¶

(72) State ~~means~~ includes any state, territory or insular possession of the United States, and the District of Columbia of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, American Samoa, Guam and the Commonwealth of the Northern Mariana Islands.¶¶

(73) Substantial Equivalency means:¶¶

(a) ~~An individual that holds a valid license as a certified public accountant from another state that requires an individual, as a condition of licensure as a certified public accountant to achieve a passing grade on the Uniform Certified Public Accountant Examination and;~~¶¶

(Aa) ~~Complete at least 150 semester hours of college education and, obtain a baccalaureate or higher degree conferred by a college or university;~~¶¶

(B) ~~Achieve a passing grade on the Uniform Certified Public Accountant Examination; and and possess at least one year of experience, verified by a licensee, providing any type of service or advice involving the use of accounting, attestation, compilation, management advisory, financial advisory, tax or related consulting skills, obtained through public practice or government, industry or academic work; or~~¶¶

(b) ~~Obtain a baccalaureate degree and possess at least two years or of experience verified by a license holder in providing any type of service involving the use of accounting, attestation, compilation, management advisory, financial advisory, tax or related consulting skills obtained through public practice or government, industry or academic work;~~¶¶

(Cc) ~~PObtain a master's degree and possess at least one year or more of experience, verified by a licensee, holder in providing any type of service or advice involving the use of accounting, attestation, compilation, management advisory, financial advisory, tax or related consulting skills; obtained through public practice or government,~~

industry or academic work; ¶

(d) Meet requirements otherwise prescribed by the Board; or ¶

~~(b)~~ (e) An individual licensee who holds a valid license from another state but that state does not have the qualifications specified in (a), (b), (c), or (d) but can provide evidence that they have met the requirements of (a), (b), (c) or (d) will be deemed substantially equivalent. ¶

~~(742)~~ Supervisor Licensee is a licensee who provides direct supervision to an applicant and provides verification of any experience requirement. Supervisor licensee must have held a valid license during the period of supervision. ¶

~~(753)~~ Suspended means a licensee who is not permitted to practice public accountancy for a period of time. ¶

~~(764)~~ Uniform Accountancy Act (UAA) is a model bill and set of regulations designed by the AICPA and NASBA to provide a uniform approach to regulation of the accounting profession, provisions of which may or may not be adopted by state boards of accountancy. ¶

~~(775)~~ Working papers: include but are not limited to all statements, records, schedules, general ledgers, journals, trial balances and depreciation schedules made by the licensee incident to or in the course of rendering services to a client or former client. Working papers are and shall remain the property of the licensee in the absence of an express agreement to the contrary between the licensee and client. In addition to the requirements specified in paragraph above, attest documentation shall include, but not be limited to, the following: ¶

(a) The objectives, scope and methodology, including any sampling criteria used; ¶

(b) Documentation of the work performed to support significant conclusions and judgments, including descriptions of transactions and records examined that would enable a reviewer with relevant knowledge and experience, having no previous connection with the attest engagement, to examine the same transactions and records; and ¶

(c) Evidence of any supervisory review of the work performed. ¶

~~(786)~~ Valid means a certified public accountant or a public accountant license, municipal roster authority, firm registration or chartered accountant certificate that is in active status and in good standing with the appropriate licensing authority. A license in active status is one that is not revoked, suspended, subject to probation, lapsed, inactive, retired or expired. ¶

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 670.~~33~~.410

Statutes/Other Implemented: ORS 670.~~33~~.410

AMEND: 801-010-0010

RULE SUMMARY: Specifies statutory authority for civil penalties.

CHANGES TO RULE:

801-010-0010

Fees, Civil Penalties and Cost Recovery ¶¶

For the purpose of ORS 673.010 to 673.45~~7~~5 and 297.670 to 297.740, the Board of Accountancy shall charge the following fees: ¶¶

(1) Application fees. All application fees are non-refundable. ¶¶

(a) CPA Examination: all fees associated with the CPA examination process are listed on the NASBA website. ¶¶

(b) CPA or PA License application fee - \$225. ¶¶

(c) Municipal Auditor Roster Application - \$150. ¶¶

(d) Lapsed license reinstatement application fee for active and inactive status - \$225. ¶¶

(e) Lapsed retired status license reinstatement to retired status - \$100. ¶¶

(f) Reciprocity / Temporary Military application fee -- \$225 ¶¶

(2) Initial license and registration fees: ¶¶

(a) Initial / Reciprocity CPA or PA License - \$255. ¶¶

(b) Municipal Auditor - \$150. ¶¶

(c) Firm Registration - \$265. ¶¶

(3) Biennial renewal application fees: ¶¶

(a) Active CPA or PA License - \$255. ¶¶

(b) Inactive CPA or PA - \$50. ¶¶

(c) Municipal Auditor - \$100. ¶¶

(d) Firm Registration - \$265. ¶¶

(e) Retired License - \$50. ¶¶

(4) Late renewal fees: ¶¶

(a) Active CPA or PA License - \$255. ¶¶

(b) Inactive CPA and PA - \$50. ¶¶

(c) Municipal Auditor Late Fee - \$100. ¶¶

(d) Firm Registration - \$265. ¶¶

(e) Retired License - \$50. ¶¶

(5) Miscellaneous fees: ¶¶

(a) Copies of existing mailing lists may be provided for a fee equal to the amount necessary to prepare each list, including the cost of materials, if any, and the cost of staff time. ¶¶

(b) Municipal Auditor lists shall be provided at no charge to municipal entities that are subject to audit law. ¶¶

(c) Copies of records made on a standard office copy machine may be charged. (d) Staff time required to research, locate, produce, summarize or otherwise provide records may be charged. ¶¶

(6) Civil Penalties that may be assessed for Specific Violations in Accordance with ORS 183.430: ¶¶

(a) Failure to provide change of address in 30 day - \$100. ¶¶

(b) Failure to renew firm registration by January 31 - \$500. ¶¶

(c) Failure to respond to Notice of CPE audit and all follow-up in 21 days - \$250. ¶¶

(7) Cost Recovery. The Board may recover costs associated with a contested case hearing in which the Board has prevailed. The following costs may be included in cost recovery: ¶¶

(a) Attorney General Fees. ¶¶

(b) Administrative Hearing Costs. ¶¶

(c) Cost of Investigation. ¶¶

(d) Expert Witness Fees. ¶¶

(8) Form of Payment: ¶¶

(a) Checks or money orders shall be made payable to "Oregon Board of Accountancy". ¶¶

(b) Credit card payments may be submitted online only. Any credit card that is rejected by the bank and requested to be confiscated will be retained and returned to the bank. All payments by credit card that are rejected must be paid in full by another credit card, check or money order within ten days from notification of rejection. All payments received after Board deadlines, including, but not limited to payments for renewals, applications and civil penalties, will be considered late and a late penalty will be assessed.

Statutory/Other Authority: ORS 670.33, 673.010, 673.040, 673.060, 673.100, 673.150, 673.160, 297.720, ~~673.153~~

Statutes/Other Implemented: 297.720, ~~ORS 673~~, 192.440





AMEND: 801-010-0040

RULE SUMMARY: Updated with respect to statutory authority only.

CHANGES TO RULE:

801-010-0040

CPA and PALicenses Remain Property of the Board ¶

Every license of Certified Public Accountant or Public Accountant, while it is in the possession of the holder, shall be preserved by the holder, but such license shall nevertheless remain the property of the Board. In the event that the license is revoked or resigns in the manner prescribed by law, the holder is required to deliver the license to the Board immediately upon demand.

Statutory/Other Authority: ORS 670.33.410

Statutes/Other Implemented: ORS 673.410

AMEND: 801-010-0045

RULE SUMMARY: Updates reference document name only.

CHANGES TO RULE:

801-010-0045

Uniform Certified Public Accountant Exam ¶

CPA exam rules. The Board Recognizes the rules of conduct for CPA examination candidates as published in the CPA Exam Candidate Bulletin. The Board may deny credit for any or all sections of the exam and may prohibit candidates from retaking the exam for any of the following reasons:¶

(1) Conduct that violates the CPA Examination Rules of Conduct,¶

(2) Violation of the confidentiality provisions of the CPA Examination Rules of Conduct, which shall result in denial of credit for the candidate's scores on the CPA exam and the candidate shall be prohibited from retaking the CPA exam for a period of ten years.

Statutory/Other Authority: ORS 670.33, 673.060

Statutes/Other Implemented: ORS 673.060, 673.410

AMEND: 801-010-0050

RULE SUMMARY: Updates eligibility criteria to sit for the CPA exam by removing the specific reference to 120 semester hours in favor of a more candidate friendly requirement for bachelor's degree. Clarifies when applicants for Public Accountant licensure need to obtain their supervised experience.

CHANGES TO RULE:

801-010-0050

Application for Uniform CPA Examination ¶¶

(1) Definitions.¶¶

(a) Authorization to Test (ATT): Issued by NASBA on behalf of 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 NASBA 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 will remain open until the candidate schedules testing or until six months have elapsed since the NTS was issued, whichever occurs first.¶¶

(c) Testing Opportunity: Each NTS issued for an exam section is considered a testing opportunity. A candidate may not retake a failed exam section(s) until the score for that section has been released.¶¶

(2) Applications.¶¶

(a) Applications for the CPA exam must be submitted to NASBA on a form provided by NASBA and must be accompanied by the appropriate fee as provided for by NASBA. 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/or evaluation of foreign credentials from NASBA International Evaluation Services (NIES) 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 NASBA International Evaluation Services (NIES).¶¶

(d) An application for the CPA examination must be complete in every particular within 90 days from the date it is received by NASBA. 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 NASBA's CPA exam application fee and all other fees associated with the CPA exam 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 NASBA on behalf of 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 they are 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.¶¶

(3) Eligibility under education requirements. Candidates for admission to the CPA exam applying ~~under the educational requirements of ORS 673.050(1)~~ to be licensed as a Certified Public Accountant must demonstrate eligibility as follows:¶¶

(a) ~~120 Hour Rule: Submit~~ satisfactory evidence that the candidate has successfully completed ~~120 semester hours or 180 quarter hours, including:~~¶¶

~~(A) At the following:~~¶¶

~~(A) Obtained a~~ baccalaureate or higher degree from a college or university that is accredited by one of the six regional accrediting associations or by another accrediting body that is recognized by the Board ~~as described in ORS 673.050(1);~~¶¶

~~(B) A;~~¶¶

~~(B) Completed~~ a minimum of 24 semester hours or 36 quarter hours, or the equivalent thereof, in the study of core

accounting coursework at the upper division or graduate level in some or all of the subject-matter content areas listed below:¶¶

- (i) Financial accounting and reporting for business organizations.¶¶
- (ii) Financial statement auditing¶¶
- (iii) Taxation¶¶
- (iv) Accounting information systems¶¶
- (v) Financial accounting and reporting for government and not-for-profit entities.¶¶
- (vi) Attestation engagements¶¶
- (vii) Managerial or cost accounting¶¶
- (viii) Mergers and acquisitions¶¶
- (ix) Tax and financial planning¶¶
- (x) Fraud examination¶¶
- (xi) Internal controls and risk assessment¶¶
- (xii) Financial statements analysis¶¶
- (xiii) Accounting research analysis¶¶
- (xiv) Tax research and analysis¶¶
- (xv) Data analytics, data interrogation techniques, and/or digital acumen in accounting context, whether taken in the business school or in another college or university program, such as the engineering, computer science, or math programs.¶¶
- (xvi) Ethics (accounting course)¶¶
- (xvii) Other accounting-related content areas included in the Uniform CPA Examination Blueprints or as may be approved by the board.¶¶

(C) ACompleted a minimum of 24 semester hours or 36 quarter hours in business or accounting courses, at the undergraduate and/or graduate level, covering some or all of the following subject-matter content:¶¶

- (i) Business law¶¶
- (ii) Economics¶¶
- (iii) Management¶¶
- (iv) Marketing¶¶
- (v) Finance¶¶
- (vi) Business communications: whether taken in the business school or in another college or university program, such as English, Speech Communications, or other courses designed to improve a student's communication skills.¶¶
- (vii) Statistics¶¶
- (viii) Quantitative methods¶¶
- (ix) Information systems or technology¶¶
- (x) Data analytics, data interrogation techniques, and/or digital acumen, whether taken in the business school or in another college or university program, such as the engineering, computer science, or math programs.¶¶
- (xi) Ethics (business course)¶¶
- (xii) Other business-related content areas included in the Uniform CPA Examination Blueprints or as may be approved by the Board.¶¶

(xiii) Additional accounting courses in excess of 24 semester hours or 36 quarter hours.¶¶

(D) 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.¶¶

(E) Internship or Accounting Internship courses are limited to a maximum of 12 semester hours or 18 quarter hours. A maximum of four semester hours or six quarter hours may be counted toward the core accounting courses if the credit is upper division and accounting coded.¶¶

(F) Courses taken for CPA Exam preparation or review do not qualify toward the accounting specific course requirement or the related subject course requirements.¶¶

(G) A candidate will only receive credit for a course one time.¶¶

(b) 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 NASBA by the issuing college or university will be accepted.¶
- (D) Colleges or universities which are accredited by one of the six regional accrediting associations or by another accrediting body that is recognized by the Board will be accepted.¶
- (4) Public Accountant 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 801-010-0065(2). This experience must be completed before the candidate sits for the relevant portions of the CPA exam and two years of experience means having a minimum of 24 months and at least 4,000 hours of supervised experience.¶
- (5) Authorization to Test (ATT) and Notice to Schedule (NTS).¶
- (a) An ATT authorizes the candidate to test for those sections of the CPA exam that are specified in the ATT. An ATT is effective for 90 days, pending payment of the exam section fees to NASBA. The ATT will expire 90 days after it is issued if the candidate has not paid the appropriate fees.¶
- (b) Suspension of the ATT. An ATT may be suspended by NASBA if it determines that a problem related to the candidate is identified on the National Candidate Database, or for other good cause as determined by the Board.¶
- (c) 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 NASBA, with the appropriate CPA exam fee, to receive another ATT.¶
- (d) NTS. When the candidate receives an ATT from NASBA, 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 when:¶
- (i) The candidate schedules and takes a designated exam section; or¶
- (ii) The candidate schedules a testing date for a designated exam section but fails to appear and take the section at the scheduled time; or¶
- (iii) The candidate fails to schedule a designated exam section within the six-month period defined by the NTS; or¶
- (e) Testing. A candidate may schedule testing at an approved testing center in Oregon or in another jurisdiction. A list of approved testing centers is available through NASBA. Candidates must comply with the procedures and rules of the test center.¶
- (f) Re-examination. A completed re-examination application and payment of the appropriate fee to NASBA is required:¶
- (A) To take an exam section for which the candidate has not previously applied; or¶
- (B) To retake any exam section that the candidate does not pass; or¶
- (C) To obtain an ATT for any exam section that the candidate failed to schedule during the six-month period for which a previous NTS was issued; or¶
- (D) To obtain an ATT 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.¶
- (g) Request for extension of NTS. The Board, in its discretion, may grant a request for extension of the 6-month NTS window for:¶
- (A) Reasons of health, certified by a medical doctor, that prevent the candidate from completing the CPA exam section(s) listed on the NTS; or¶
- (B) A candidate on active military duty who is deployed during the 6-month period of the NTS; or¶
- (C) Other good cause, to be determined by the Board on a case-by-case basis.¶
- (D) A request for extension of a valid NTS must be submitted to NASBA in writing prior to the expiration of the NTS and must include documentation supporting the conditions for extension.
- Statutory/Other Authority: ORS 670.33.410, 673.050, 673.100
- Statutes/Other Implemented: ~~ORS 673.050, 673.100, 673.410~~

RULE SUMMARY: Clarifies thirty (30) month window that applies to passed CPA exam section credits.

CHANGES TO RULE:

801-010-0060

Credit for Uniform CPA Examination Sections ¶

(1) Exam section requirements. ¶

~~(a) A candidate~~Certified public accountant candidates are required to pass all four sections of the CPA exam. Candidates who are eligible to take the CPA exam as a certified public accountant candidate are required to pass all sections of the exam and may sit for any of the sections of the computer-based CPA exam individually and in any order. A candidate who fails to pass any section of the exam may retake that section; however, a candidate may not retake a failed section until the score has been released for that section.¶

~~(b) Candidates who are eligible under ORS 673.050(2) (2001 Edition)~~ to take the CPA exam as a public accountant candidate are required to take and pass the following two sections of the CPA exam within a thirty (30) month window: Financial Accounting and Reporting (FAR), and Regulation (REG).¶

(2) Credit for CPA exam sections. ¶

(a) Passing Grade. The passing grade for each section of the exam is 75 or higher. ¶

~~(b) Credit for Computer-Based CPA Exam~~PA Exam Sections. A candidate may take the required exam sections individually and in any order. ~~Credit for any exam section(s) passed is valid for thirty (30) months from the date NASBA publishes the score for that section(s), without having to attain a minimum score on any failed section and without regard to whether the candidate has taken other exam sections provided that:¶~~

~~(A) A candidate who fails to pass any section of the exam may retake that section, however, a candidates must pass all core sections and 1 discipline section of the CPA exam within a rolling thirty (30) month period, which begins on the date the score of the first passed section is released;¶~~

~~(B) Upon passing any CPA exam section, the passing date of that section is the date the candidate took the section; and¶~~

~~(C) Candidates who do not pass all sections of the CPA exam within the rolling thirty (ay not retake a failed section until the score has been released for that section. Each exam section passed is valid for 30) month period lose credit for any section passed outside the thirty (30) month period ands from the date that section must be retaken.¶~~

~~(c) The Board may extend the period for conditional credite score was released from NASBA. All four an exam section upon demonstration by the candidate that the credit was lost because of circumstances beyond the candidate's control, sections of the exam must be passed within a 30-month period.¶~~

~~(dc) The time limitations for a candidate to complete all sections of the CPA exam may be extended by the Board on a case-by-case basis due to illness, accident or other exigent circumstance, and shall be extended during the time a candidate is in active military service. A written request must be received by the Board that includes documentation supporting the request for extension.¶~~

~~(e) Notwithstanding the provisions in OAR 801-010-0060(2)(c)(d), in response to significant health, economic, education, and travel disruptions resulting in CPA Examination candidate hardships, the Board will extend credit periods through June 30, 2025 for CPA Examination credits that expired from January 30, 2020 through May 11, 2023 which have not been subsequently replaced by new credits for the same sections.¶~~

(3) Transfer of CPA exam scores from other jurisdictions. The Board allows NASBA to transfer CPA exam scores and grant credit to a candidate who has successfully completed any section of the CPA exam in another jurisdiction if NASBA determines that: ¶

(a) The examination for which credit is requested is the Uniform Certified Public Accountant Examination; ¶

(b) The candidate received a grade of 75 or higher in the section passed; and ¶

(c) A candidate who first sat for the CPA exam after January 1, 2000, and met the ~~120-hour~~ educational requirement at the time the section was taken and passed for which grades are requested to be transferred. Candidates must provide NASBA with official transcripts to verify the educational requirements have been met.¶  
(d) An exam score transferred from another jurisdiction is valid for thirty (30) months from the date the exam section was passed.

Statutory/Other Authority: ORS ~~670.310~~, 673.410

Statutes/Other Implemented: ORS 673.050, 673.060, 673.075

AMEND: 801-010-0065

RULE SUMMARY: Updates qualifications for initial licensure to reflect additional pathways to licensure as authorized by Senate Bill 797 (2025).

CHANGES TO RULE:

801-010-0065

Qualifications for Licensure ¶¶

(1) Requirements. Applicants for the license of Certified Public Accountant must ~~meet~~submit the following ~~requirements~~: ¶¶

(a) ~~CA completed an~~application in a form prescribed by the Board; ¶¶

(b) Evidence of passing all sections of the CPA exam with a score of 75 or above; ¶¶

~~(b) Complete and Evidence of passing an ethics exam that has been adopted by the Board with a score of 90 or above; and~~ ¶¶

~~(c) Show satisfactory evidence that the candidate has successfully~~d) Evidence of both graduation from a college or university that is accredited, and experience as follows: ¶¶

(A) Show satisfactory evidence that the candidate has obtained a baccalaureate degree and completed the courses referenced in OAR 801-010-0050(3) and has a minimum of 24 months and at least 4,000 hours of supervised employment experience; ¶¶

(B) Show satisfactory evidence that the candidate has obtained a master's degree and completed the courses as referenced in OAR 801-010-0050(3) and has a minimum of 12 months and at least 2,000 hours of supervised employment experience; or ¶¶

(C) Show satisfactory evidence that the candidates has obtained a baccalaureate degree or higher and has completed 150 semester hours or 225 quarter hours of college education that meet the requirements in OAR 801-010-0050(3); and ¶¶

~~(d) H~~ave a minimum of 12 months and at least 2,000 hours of supervised employment experience. ¶¶

(e) Applicants for the CPA license must obtain the employment experience in each of the seven competencies as described in sections (2) through (4) of this rule. ¶¶

(f) Except as provided in section six (6) of this rule, the experience, ethics and examination requirements must be obtained and completed within eight years immediately preceding the date the application for license was received at the Board office. ¶¶

(2) Experience Requirements: ¶¶

(a) Supervisor Licensee is a person who qualifies under this rule as a supervisor for the purpose of verifying the experience requirement of an applicant for a CPA license under OAR 801-010-0065 or the experience requirement of an applicant for a public accountant license under 801-010-0100. ¶¶

(b) To qualify as a supervisor licensee the person providing supervision must hold an active CPA license issued by any state or a PA license issued under ORS 673.100 in good standing during the period of supervision and for at least five of the past seven years immediately prior to such supervision. Notwithstanding, a public accountant (PA) may not act as a supervising licensee or verify an applicant's experience relating to attestation services. ¶¶

(c) A supervisor licensee must provide direct supervision over an applicant and shall certify to the Board whether or not the applicant has gained qualifying experience under this rule. ¶¶

(d) "Direct supervision" as used in this rule means that there is a regular and meaningful interaction between the supervisor licensee and the person being supervised in terms of planning, coordinating, guiding, inspecting, controlling, and evaluating activities, and having authority over the employee being supervised. A licensee acting as a consultant or independent contractor to the applicant's employer will not meet the requirement of direct supervision. ¶¶

(e) The experience required under ORS 673.040 consists of activities generally performed by Oregon licensed CPAs and PAs engaged in the practice of public accountancy. Experience obtained while performing attest, compilations, financial advisory services or tax advisory services must be performed while employed at a public accounting firm. ¶¶

(3) Experience requirement. The applicant must develop experience that demonstrates to the satisfaction of the Board that the applicant has achieved each of the following competencies, together with the supervisory licensee verification. ¶¶

(a) Understanding of the Code of Professional Conduct promulgated and adopted by the Board; ¶¶

(b) Ability to assess the achievement of a client's objectives by demonstrating knowledge of various business organizations, understanding of the objectives and goals of business entities, ability to develop and analyze performance measures and critical success factors, and understanding of the economic and regulatory trends that affect the environment of a business entity. ¶¶

- (c) Experience in preparing working papers that include sufficient relevant data to support the analysis and conclusions required by the applicant's work. ¶
- (d) Understanding transaction streams and information systems, including the ability to understand how individual transactions aggregate at the organizational level, to infer how transactions impact the organization as a whole, and to evaluate the integrity and reliability of various client information systems, including relevant computer aspects. ¶
- (e) Skills in risk assessment and verification demonstrated by a sufficient understanding of accounting and other information systems to; ¶
- (A) Assess the risk of misstatement in an information system; ¶
- (B) Obtain sufficient relevant data based on the risk of misstatement and the nature of the engagement to determine the appropriateness of underlying data in terms of its completeness, existence and occurrence, valuation and allocation, rights and obligations, presentation and disclosures. ¶
- (f) Skills in decision making, problem solving, critical analytical thinking, including the ability to evaluate and interpret sufficient relevant data in a variety of engagements and settings. ¶
- (g) Ability to express scope of work, findings, and conclusions, including the ability to determine when it is appropriate to issue reports on financial statements, system reliability, or reports expressing scope of work, findings and conclusions. ¶
- (4) Qualifying experience. An applicant must demonstrate to the satisfaction of the Board that the portfolio of experience submitted is of sufficient quality and diversity to meet the requirements of this rule. Qualifying experience may be obtained in the following categories: ¶
- (a) Attest Experience that demonstrates the competencies prescribed in section (3) of this rule must be obtained while the applicant is: ¶
- (A) Employed in public practice on the staff of a certified public accountant or a firm of certified public accountants; ¶
- (B) Employed in an organization where employment is equivalent to that described in paragraph (4)(a)(A) of this rule if a peer review is conducted or if such employment is with audit agencies, internal audit departments or other organizations where a peer review is conducted and the audit agency, internal audit department, or other organization is independent of the entity. ¶
- (C) Experience under this subsection must include: ¶
- (i) Conducting attest-oriented functions where third party reliance is an objective of the report; ¶
- (ii) Drafting reports in accordance with professional standards; ¶
- (iii) Drafting or evaluating the completeness and accuracy of financial statements with footnotes in accordance with generally accepted accounting principles or applicable reporting framework. ¶
- (D) "Third party reliance" as used in this rule means: ¶
- (i) Actual third party reliance, such as takes place with respect to the reader of financial statements upon which an audit opinion has been rendered by a public accountant licensed in Oregon or a certified public accountant; ¶
- (ii) Audits performed by government agencies, including tax authorities, on organizations which are not subject to management control by the auditing agency; or ¶
- (iii) Financial audits performed by independent working groups where the purpose of the audit is reliance by the board of directors on the fairness of the presentation of internally generated financial statements in accordance with generally accepted accounting principles or applicable reporting framework. ¶
- (E) Attest experience may be evaluated on a case-by-case basis to ensure that experience meets the criteria of subsections (3)(a) through (g). ¶
- (b) Tax Experience that demonstrates the competencies prescribed in section (3) of this rule must be obtained while the applicant is: ¶
- (A) Employed in public practice on the staff of a public accountant, a certified public accountant or a firm of public accountants or certified public accountants; ¶
- (B) Engaged in employment that is equivalent to that described in paragraph (4)(b)(A) of this rule. ¶
- (C) Tax experience related to subsection (3)(a) of this rule will include the practice of tax with integrity, objectivity, independence, professional judgment, due professional care, and professional skepticism. ¶
- (D) Tax experience related to subsection (3)(b) of this rule will be in the context of federal and state tax law, federal and state tax regulation, judicial precedence and other technical tax sources applied to a variety of taxable and nontaxable business entities, non-business entities, individuals, families, estates and trusts. ¶
- (E) Tax experience related to subsection (3)(c) of this rule will be in the context of records that are clearly organized, complete, cross-referenced and with adequate documentation and support for positions taken or proposed within the context of federal and state tax law, federal and state tax regulations, judicial precedence and other technical tax sources. ¶
- (F) Tax experience related to subsection (3)(d) of this rule will be in the context of the application of tax law to various types of transactions both individually and in the aggregate and both actual and proposed. ¶



(G) Tax experience related to subsection (3)(e) of this rule will be in the context of the evaluation of the reasonableness of data provided by clients and the sufficiency and adequacy of the data to support reasonable tax positions and conclusions. ¶

(H) Tax experience related to subsection (3)(f) of this rule will be in the context of identifying tax issues, researching technical guidance, choosing appropriate courses of action and proposing solutions. ¶

(I) Tax experience related to subsection (3)(g) of this rule will be in the context of researching and preparing supporting documents for technical tax positions. ¶

(J) Tax experience may be evaluated on a case-by-case basis to ensure that experience meets criteria of subsections (3)(a) through (g). ¶

(c) Industry, government and not-for-profit experience. Experience that demonstrates the competencies described in section (3) of this rule may also be obtained while the applicant is employed under the direct supervision of a public accountant or certified public accountant as provided under this rule. ¶

(A) Industry experience related to subsection (3)(a) of this rule, will include the practice of accountancy with integrity, objectivity, independence, professional judgment, due professional care and professional skepticism. ¶

(B) Industry experience related to subsection (3)(b) of this rule, will be in the context of assessing the objectives and goals, performance measures, critical success factors and the economic and regulatory trends affecting the applicant's company and industry. ¶

(C) Industry experience related to subsection (3)(c) will be in the context of documenting an analysis of a financial accountancy issue affecting the applicant's company from the collection and summarization of financial data to the identification of alternative conclusions such that others of equal training and experience can trace information to source data and draw similar conclusions. ¶

(D) Industry experience related to subsection (3)(d) of this rule will be in the context of understanding the entity's transactions streams and information systems and evaluating the integrity and reliability of the resultant information. ¶

(E) Industry experience related to subsection (3)(e) of this rule will be in the context of evaluating risks of misstated financial data within the applicant's company and taking action to mitigate those risks. ¶

(F) Industry experience related to subsection (3)(f) of this rule will be in the context of identifying significant data trends and the impact of the trends on the applicant's company on both a short and long term basis. ¶

(G) Industry experience related to subsection (3)(g) of this rule will be in the context of both written and oral presentation of financial information and related accounting conventions within the applicant's company that include the significance of the financial information, applicable accounting rules and consideration of alternatives and conclusions drawn. ¶

(H) Industry, government, and not-for-profit experience may be evaluated on a case-by-case basis to ensure that experience meets criteria of subsections (3)(a) through (g). ¶

(d) Experience, other than experience described in subsections (4)(a), (b), and (c) of this rule will be evaluated by the Board on a case-by-case basis to ensure that experience meets the criteria of subsections (3)(a) through (g). ¶

(5) Submitting applications to the Board. ¶

(a) An applicant's file must be complete in every particular within three months of the date of application or the file will be closed. The application fee is not refundable. ¶

(b) An applicant's file may be included on the agenda of any meeting of the Board if the file is complete in every particular no less than fourteen days prior to the date of a scheduled Board meeting. ¶

(6) If more than eight years have lapsed since an applicant completed and passed all sections of the CPA exam, an applicant may apply for a Certified Public Accountant license as follows: ¶

(a) Submit a completed application on a form provided for by the Board; ¶

(b) Pay an initial application fee as provided for in OAR 801-010-0010(1)(b); ¶

(c) Complete and report 80 CPE hours which must be completed within the 12 month period immediately preceding the date the application for a restored permit is received at the Board office and which are subject to the following: ¶

(i) ~~A~~ Credit for programs in non-technical subjects is limited to 16 CPE hours; and ¶

(ii) ~~B~~ Submit proof of completion certificates for each CPE course submitted; and ¶

(iii) ~~C~~ CPE hours used to qualify for initial licensure under this section cannot be claimed on a renewal application. ¶

(d) Provide proof of passing a Board approved ethics exam with a score of 90 percent or higher within the 12 month period immediately preceding the date the application for a restored permit is received at the Board office (any CPE credit obtained in the course of completing the ethics exam can be applied to the 80 hours of CPE in subsection (c) above); and ¶

(e) Provide proof of completion of ~~one year of supervised public accountancy experience completed within three years immediately preceding the date the application for initial licensure is received at the board office. The one year of experience must comply in compliance~~ with the experience requirements as provided for in OAR 801-010-0065(2),(3),(4).

Statutory/Other Authority: ORS ~~670.310~~, 673.410  
Statutes/Other Implemented: ORS 673.040

AMEND: 801-010-0073

RULE SUMMARY: Clarifies supervisor licensee rules without substantive changes.

CHANGES TO RULE:

801-010-0073

Certification of Applicants Experience ¶¶

(1) Requirement to provide verification of experience.¶¶

(a) An applicant is responsible for providing to the Board, written documentation of their experience on an affidavit developed by the Board. The applicant's supervisor licensee is required to verify the written documentation prepared by the applicant, in a format prescribed by the Board.¶¶

(b) A supervisor licensee must not commit any act, which unjustly jeopardizes an applicant's ability to obtain a license in this or any jurisdiction.¶¶

(2) The person who directly supervises the applicant's experience must certify to the Board that the applicant's experience is obtained under professional standards approved by the Board of Accountancy, including but not limited to the Statements on Auditing Standards (SAS) for audits or other engagements, Statements on Standards for Tax Services (SSTs) for tax engagements, or standards of the Financial Accounting Standards Board (FASB) or the Governmental Accounting Standards Board (GASB) or other applicable financial reporting framework for those with experience in Industry, Government, or Not-For-Profit organizations.¶¶

(3) Cooperation of licensee. ~~Asupervisor licensee. A supervisor~~ licensee who has verified the applicant's experience must fully cooperate with any Board inquiry pertaining to such certification.

Statutory/Other Authority: ORS 670.310, ~~673.043~~ 673.040

Statutes/Other Implemented: ORS 673.040

AMEND: 801-010-0075

RULE SUMMARY: Updates the rules for Public Accountants transitioning to Certified Public Accountant licensure to reflect the new licensure pathways authorized by Senate Bill 797 (2025)

CHANGES TO RULE:

801-010-0075

Public Accountants Applying for Certificate of Public Accountancy ¶¶

A public accountant licensed in Oregon who is applying for a certified public accountant license must: ¶¶

(1) Hold an active public accountant license issued under ORS 673.100 that is not revoked, suspended, on probation or lapsed; ¶¶

(2) Present satisfactory evidence that the candidate has successfully completed ~~150 semester hours or 225 quarter hours as required in OAR 801-010-0050~~ one of the pathways described in SB 797 2025 Section 6. ¶¶

(3) Successfully complete all sections of the CPA exam. Credit may be received for sections of the CPA exam previously completed, and not expired, if the requirements of OAR 801-010-0060 are satisfied; and ¶¶

(4) ~~Satisfy the e~~ Experience requirements under ORS 673.040 and OAR 801-010-0065. ¶¶

~~(5) The experience and~~ are satisfied by experience requirements submitted for public accountant license. ¶¶

~~(5) The~~ examination requirements must be obtained and completed within eight years immediately preceding the date the application is received at the Board office. ¶¶

(6) Licensee must surrender the Public Accountant license issued before the CPA license will be issued.

Statutory/Other Authority: ~~ORS 670.310, 673.410~~

Statutes/Other Implemented: ORS 673.040

AMEND: 801-010-0079

RULE SUMMARY: Updates add good standing requirement to applicants applying under this section.

CHANGES TO RULE:

801-010-0079

Experience Obtained in Foreign Countries ¶

Experience obtained by an applicant outside the United States that is claimed to be equivalent to public accountancy experience obtained in the United States may be acceptable under ORS 673.040 provided that the experience meets all of the requirements of OAR 801-010-0065. The applicant's experience must be directly supervised by: ¶

(1) A licensed public accountant or a certified public accountant whose license is valid and in good standing, and who held an active license during the period of supervision and for at least five of the past seven years immediately prior to such supervision and meets the provisions set forth in 801-010-0065(2)(b)(A), or ¶

(2) A chartered accountant licensed by a jurisdiction that is eligible for reciprocal licensing under agreement with the International Qualifications Appraisal Board (IQAB) as described in OAR 801-010-0085, who also meets the following requirements: ¶

(a) The chartered accountant holds a valid license in good standing; ¶

(b) The chartered accountant held an active chartered accountant license during the period of supervision and for at least five of the past seven years immediately prior to such supervision; and ¶

(3) The person who directly supervises the applicant's experience must certify to the Board that the applicant's experience is obtained under professional standards approved by the Board of Accountancy, including but not limited to the Statements on Auditing Standards (SAS) for audits or other engagements, Statements on Standards for Tax Services (SSTs) for tax engagements, or standards of the Financial Accounting Standards Board (FASB) or the Governmental Accounting Standards Board (GASB) or other applicable financial reporting framework for those with experience in Industry, Government, or Not-For-Profit organizations, or similarly recognized International Standards. ¶

(4) That the applicant's experience is obtained under professional standards deemed by the Board of Accountancy to be equivalent to experience obtained in the practice of public accountancy in this state.¶

(5) Applicants for the CPA license must obtain the experience competencies as described in OAR 801-010-0065(3).

Statutory/Other Authority: ORS ~~670.310~~, 673.410

Statutes/Other Implemented: ORS 673.040

AMEND: 801-010-0080

RULE SUMMARY: Updates requirements for reciprocity applications to conform with the requirements of Senate Bill 797 (2025).

CHANGES TO RULE:

801-010-0080

~~Holders of Certificates or License in Other States, US Territories or Foreign Countries~~Applications by Reciprocity  
¶

~~(1) An individual whose principal place of business is not in this state, who has an active license in good standing as a certified public accountant issued by another jurisdiction, and who meets the standards of substantial equivalency as defined in ORS 673.010(21) and OAR 801-005-0010(59), may practice public accountancy in this state.~~¶

~~(2) Applications by reciprocity. Individuals who hold a valid CPA license in another jurisdiction~~state and wish to obtain a license in Oregon must:¶

~~(a) Complete an application provided by the Board;~~¶

~~(b) Pay fees specified in OAR 801-010-0010;~~¶

~~(c) Demonstrate~~Provide evidence of one of the following:¶

~~(A) That they meet the requirements of substantial equivalency as provided for in OAR 801-005-0010(59)(a) or (b).~~¶

~~(d) Provide a written statement from the jurisdiction on which the application is based confirming that the applicant:~~¶

~~(A) Holds a valid license in that jurisdiction;~~¶

~~(B) Has not been disciplined for violations of that jurisdiction's standards of conduct or practice;~~¶

~~(C) Has no pending actions alleging violations of that jurisdiction's standards of conduct or practice;~~¶

~~(D) Is in compliance with S.B. 797 2025 Section 1; or~~¶

~~(B) That the person has been practicing as a certified public accountant~~meeting education requirements of the licensing jurisdiction, and ¶

~~(E) Has taken and passed an ethics exam with a passing score in their home jurisdiction.~~¶

~~(e) An applicant's file must be complete in every particular within three months of the date of application or the file will be closed. The application fee is non-refundable.~~¶

~~(f) Reciprocity applicants who wish to establish a principal place of business in this state must apply for a CPA license under this section within 60 days from the start date of Practicing Public Accountancy in Oregon.~~¶

~~(3) Temporary License for Spouse or Domestic Partner of a Member of the Armed Forces of the United States~~¶

~~(a) Application Requirements for Temporary Spouse or Domestic Partner Authorization in Oregon:~~¶

~~(A) Provide official documentation from the Armed Forces verifying that the spouse or domestic partner is a member of the Armed Forces of the United States and is stationed in Oregon;~~¶

~~(B) Submit an application on a form provided by the Board;~~¶

~~(C) Pay the application fee as specified in OAR 801-010-0010(1)(e); and~~¶

~~(D)ant for a period of four years or more within the last 10 years immediately preceding the person's application for an Oregon certified public accountant license~~¶

~~(d) Provide a written statement from the jurisdiction~~state on which the application is based confirming that the applicant:¶

~~(iA) Holds a valid license in good standing in that jurisdiction;~~¶

~~(ii)that state;~~¶

~~(B) Has not been disciplined for violations of that jurisdiction~~state's standards of conduct or practice;¶

~~(iiiC) Has no pending actions alleging violations of that jurisdiction~~state's standards of conduct or practice;¶

~~(ivD) Is in compliance with continuing education requirements of the licensing jurisdiction;~~state, and ¶

~~(vE) Has taken and passed an ethics exam with a passing score in their home jurisdiction; or~~¶

~~(vi) Meets the requirements of substantial equivalency as defined by OAR 801-005-0010(59).~~¶

~~(b) Authorizations are valid:~~¶

~~(A) For a 2-year period after the date of issuance; or~~¶

~~(B) The date the spouse or domestic partner~~state.¶

~~(e) An applicant's file must be complete in every particular within three months of the date of application ofr the person to whom the authorization was issued completes the spouse's term of service in this state; or~~¶

~~(C) The date the person's authorization issued by an~~file will be closed. The application fee is non-refundable.¶

~~(f) Reciprocity applicants must apply for an Oregon CPA license under this section within 60 days from the~~state expires.¶

~~(D) Authorizations under this section are not renewable.~~ rt date of Practicing Public Accountancy in Oregon.¶

(42) Verification of National Qualification Appraisal Service comparable licensing standards. The Board reviews the licensing requirements of other jurisdictionstates as needed to verify substantial equivalency eligibility. The Board may use information developed by NASBA to make this determination.

Statutory/Other Authority: ORS ~~670.310~~, 673.410, 673.153

Statutes/Other Implemented: ORS 673.040, 673.153

AMEND: 801-010-0085

RULE SUMMARY: Updates statutory authority reference only.

CHANGES TO RULE:

801-010-0085

Holders of Foreign Licenses, Certificates, Credentials or Degrees ¶¶

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

(a) Evaluation of the foreign credential equivalency and professional credentialing process of certified public accounts or their equivalents in countries other than the United States; and ¶¶

(b) Negotiating principles of Mutual Recognition Agreements (MRAs) 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 in a NASBA jurisdiction. ¶¶

(2) The Board shall honor the principles of MRAs 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 may fall under the provisions of an MRA recognized by the Board must apply directly to NASBA for a determination of eligibility under the potentially applicable MRA. The applicant must meet the following additional requirements:¶¶

(a) Submit a completed application for initial licensure to the Board with payment of the applicable fee.¶¶

(b) Supply a certification from NASBA together with the application for initial licensure that the applicant has met applicable provisions of an MRA recognized by the Board, including but not limited to passage of the IQEX (if required under the MRA), and any restrictions on practice in the United States.¶¶

(c) Complete and pass an initial licensure ethics exam that has been adopted by the Board.¶¶

(4) 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 Mutual Recognition Agreement is required to meet the following requirements: ¶¶

(a) Satisfy the educational requirement under ORS 673.050 for admission to the CPA exam; ¶¶

(b) Pass all sections of the CPA exam required by ORS 673.060; ¶¶

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

(d) Complete and pass an ethics exam that has been adopted by the Board.

Statutory/Other Authority: ~~ORS 670.310, 673.410~~

Statutes/Other Implemented: ORS 673.040, 673.060



ADOPT: 801-010-0090

RULE SUMMARY: Establishes practice permit criteria for service members, spouses or domestic partners.

CHANGES TO RULE:

801-010-0090

Servicemember, Spouse or Domestic Partner Practice Permit

(1) If a servicemember or the spouse or domestic partner of a servicemember has a covered license as defined in section (3) of this rule and relocates residence because such servicemember receives military orders for military service in Oregon, such covered license shall be considered valid for the scope of practice in Oregon if such servicemember, spouse or domestic partner submits to the Oregon Board of Accountancy an application described in section (2).¶

(2) An application described in this subsection includes the following:¶

(a) Proof of military orders described in section (1).¶

(b) If the applicant is the spouse or domestic partner of a servicemember, a copy of the marriage certificate.¶

(c) A notarized affidavit affirming, under the penalty of law, that:¶

(A) The applicant is the person described and identified in the application;¶

(B) All statements made in the application are true and correct and complete;¶

(C) The applicant has read and understands the requirements to receive a license, and the scope of practice, of the Oregon Board of Accountancy;¶

(D) The applicant certifies that the applicant meets and shall comply with requirements described in subparagraph (C); ¶

(E) The applicant is in good standing in all States in which the applicant holds or has held a license; and ¶

(F) The applicant holds a covered license as defined in section (3). ¶

(3) The term "covered license" means a professional license that, with respect to a scope of practice, that:¶

(a) Is in good standing with the licensing authority that issued such license; ¶

(b) Has not been revoked or had discipline imposed by any State;¶

(c) Does not have an investigation relating to unprofessional conduct pending in any State relating to it; and¶

(d) Has not been voluntarily surrendered while under investigation for unprofessional conduct in any State.¶

(4) A person qualified for authorization to practice under this rule is not required to apply under this rule and may apply for any other applicable form of licensure for which they qualify.¶

(5) A permit issued under this rule is valid for the duration of the military orders and will expire based on the date of the military orders as long as the covered license is maintained active and in good standing. A person authorized to practice under this rule is responsible for providing the Board the military orders ending military service in Oregon.

Statutory/Other Authority: ORS 673.410, ORS 673.153

Statutes/Other Implemented: ORS 673.410, ORS 673.153

AMEND: 801-010-0100

RULE SUMMARY: Conforms Public Accountant license requirements with the provisions of Senate Bill 797 (2025).

CHANGES TO RULE:

801-010-0100

Public Accountant Licenses ¶

(1) Application requirements. Applicants for the license of public accountant must ~~meet~~submit the following requirements: ¶

(a) ~~CA completed and application on a form as provided from the Board;~~ ¶

(b) ~~Evidence of passing the required Financial Accounting and Reporting, Taxation and Regulation sections of the CPA exam as described in ORS 673.100 and OAR 801-010-0060; with a score of 75 or higher;~~ ¶

(b) ~~Complete and Evidence of passing an ethics exam with a score of 90 or above that has been adopted by the Board with a score of 90 or above; and~~ ¶

(c) ~~Meet the Evidence of experience requirements stated obtained after passing the required portions of the CPA exam as required in by ORS 673.100 by obtaining one year of experience. This experience must be at least one year, which means having a minimum of 12 months and at least 2,000 hours of supervised employment.~~ ¶

(d) ~~The experience and examination requirements must be obtained and completed within eight years immediately preceding the date of application for license.~~ ¶

(e) An applicant's file must be complete in every particular within three months of the date of application or the file will be closed. The application fee is non-refundable. ¶

(2) Experience requirements. ¶

(a) Applicants must meet the experience requirements described in OAR 801-010-0065(2); ~~& (3).~~ ¶

(b) The experience required under ORS 673.100 consists of activities generally performed by Oregon licensed CPAs and PAs engaged in public practice. Typical public practice experience for a Public Accountant includes tax return preparation, compiling financial statements, and financial advisory services. Experience obtained by an applicant for a Public Accountant license must be performed while employed at a public accounting firm. ¶

(3) ~~Experience. The applicant's experience must meet the requirements stated in OAR 801-010-0065(3).~~ ¶

(4) Public Accountant practice restrictions. Licensed public accountants who qualified for the CPA exam after January 1, 2002 are not permitted to perform audits.

Statutory/Other Authority: ~~ORS 670.340~~, 673.410, 673.100

Statutes/Other Implemented: ORS 673.100, 673.150, 673.103

AMEND: 801-010-0110

RULE SUMMARY: Provides for technical clarifications for licensure renewals.

CHANGES TO RULE:

801-010-0110

Renewal of License ¶

- (1) Unless properly renewed, ~~licenses issued under ORS 673.150~~ active, inactive and retired licenses that end in even numbers expire on June 30 of even-numbered years and licenses that end in odd numbers expire on June 30 of odd-numbered years. To renew an active, inactive or retired license, the license holder must: ¶
- (a) Submit the current renewal form published by the Board, fully completed and received no later than June 30 of the year in which the license expires. Applications that are submitted after June 30 must include a late fee described in OAR 801-010-0010; ¶
- (b) Pay the renewal fee specified in OAR 801-010-0010; and ¶
- (c) If applying for renewal of an active or inactive license, provide evidence that the applicant has satisfied the continuing education requirements as provided in OAR 801-040-0010. ¶
- (2) An active, inactive or retired licensee that does not renew by June 30 of the year in which the license expires shall not hold out in any way as a CPA or PA nor can they practice public accounting until the license is renewed. A ~~permit~~ active, inactive or retired license that is not renewed within 60-days after the close of the ~~permit~~ license period for which it was issued ~~or renewed~~ will lapse. An active, inactive or retired licensee whose license has lapsed shall not hold out in any way as a CPA or PA nor can they practice public accounting ~~as defined in OAR 801-005-0010(40)~~ until the license is reinstated. Lapsed licensees may not hold ownership interest in a registered CPA or PA firm. ¶
- (3) The Board will pro-rate a licensee's initial license fee in six month increments, depending on the date of issuance. ¶
- (4) The Board will pro-rate the continuing education requirements for licensee's first renewal. ¶
- (5) The Board may waive the renewal fee if an initial CPA/PA license is issued in May or June of the year in which the license is due for renewal.

Statutory/Other Authority: ORS ~~670.33~~ 410, 673.410

Statutes/Other Implemented: ORS 673.150

RULE SUMMARY: Corrects statutory references in rule.

CHANGES TO RULE:

801-010-0115

Resignation of License by Licensee ¶¶

(1) Resigning licenses that are not the subject of pending complaints or Board investigations. A certified public accountant or public accountant may resign and surrender a license ~~issued under ORS 673.040, 673.100 and 673.150~~, by submitting a written resignation, together with the original certificate or license issued to the Board office. All resignations are effective upon the Board's receipt of the written resignation and certificate. In the event that a person wishes to reapply for a license to practice public accountancy after such a resignation, the person will be required to meet all requirements for initial licensure of ORS Chapter 673 and OAR chapter 801. ¶¶

(2) Resigning licensees that are the subject of pending complaints or Board investigation. If a licensee is the subject of a complaint filed with the Board or a Board investigation, or if disciplinary proceedings are pending against a licensee, the resignation by such licensee shall be treated as and deemed to be a revocation for cause. A resignation under this section is not effective unless and until approved by the Board. A licensee who resigns under this section will be required to provide written notification to all clients of the effective date of resignation, together with a copy of the Final Order and provide the Board with a list of addresses of each client notified. A licensee may also be required to secure advance approval by the Board of any written notice of resignation to clients under this section. ¶¶

(a) The Board may refuse to accept a resignation under this provision if the written resignation does not include a written acknowledgment by the resigning licensee of the following: ¶¶

(A) That the licensee is required to return the CPA or PA wall certificate and wallet license card to the Board. ¶¶

(B) That the licensee has knowledge of any pending investigation or disciplinary proceedings and does not wish to contest or defend the matter. ¶¶

(C) If required by the Board, that the licensee has provided written notice of resignation under this section to all clients and informed all clients of where client records and work papers will be stored and of the clients' right to secure copies of all such records and work papers at no cost to the client. ¶¶

¶¶  
(D) A resigning licensee of a registered firm is required to give written notice to only those firm clients for which the resigning licensee was the sole or primary CPA on an engagement, an engagement leader or the client relationship manager. ¶¶

(E) That the licensee agrees to comply with any and all terms or conditions imposed by the Board. ¶¶

(b) Unless otherwise expressly provided by the Board in writing, a resignation under this section will be treated as a revocation for cause and reflected accordingly in Board records and communications. ¶¶

(c) The licensee understands that, in the event the licensee submits a subsequent application to be licensed to practice public accountancy, the licensee shall not be entitled to a reconsideration or re-examination of the facts, complaints, or instances of misconduct upon which investigations or disciplinary proceedings were pending at the time of the resignation. ¶¶

(d) Upon any subsequent application to practice public accountancy, the licensee must meet all requirements of ORS Chapter 673 and OAR chapter 801 and reinstatement of a license following resignation under this provision is discretionary with the Board. ¶¶

(3) Requirements upon resignation. Upon resignation, a former licensee is required to: ¶¶

(a) Surrender the CPA certificate or PA license to the Board; ¶¶

(b) Take all reasonable steps to avoid foreseeable harm to any client, including but not limited to providing written notice of resignation under this section to all clients and inform all clients of where client records and work papers will be stored and of the clients' right to secure copies of all such records and work papers at no cost to the client; ¶¶

(c) Maintain client records per OAR 801-030-0030 for a period of at least seven years, notify clients of the location of their records for collection or return such records to the client; and ¶¶

(d) Continue to comply with the requirements of OAR Chapter 801 Division 030 pertaining to confidential information and client records. ¶¶

(e) For the purpose of subsection (b) above and unless otherwise required by the Board, a resigning licensee of a registered firm is required to give written notice to only those firm clients for which the resigning licensee was the sole or primary CPA on an engagement, an engagement leader, or the client relationship manager. ¶¶

(4) Unless otherwise ordered by the Board, any pending investigation or disciplinary proceeding shall be closed upon acceptance of the licensee's resignation under subsection (2) above. ¶¶

(5) Formal acceptance by the Board of a resignation is not required unless the licensee is currently or has been the

subject of a complaint or disciplinary investigation.  
Statutory/Other Authority: ORS ~~670.310~~, 673.410  
Statutes/Other Implemented: ORS 673.410

ADOPT: 801-010-0119

RULE SUMMARY: Provides eligibility criteria and scope of practice for retired status licenses.

CHANGES TO RULE:

#### 801-010-0119

##### Retired Licensee Status

(1) An Oregon CPA or PA licensee that is not expired, revoked or suspended can apply for retired status when that licensee has held an active CPA or PA license in good standing for a combined period of not less than 20 years.¶

(2) A Retired Licensee cannot:¶

(a) Practice public accountancy; or¶

(b) Hold an ownership interest in a registered CPA or PA firm.¶

(3) A Retired Licensee can:¶

(a) Volunteer or provide pro bono tax services so long as there is no compensation or remuneration of any kind offered or paid; or¶

(b) Be employed by a public accounting firm, performing any work that someone without a CPA or PA license is entitled to perform in a public accounting firm. The work of a retired licensee must be supervised by an active Oregon licensee. ¶

(4) Application for Retired Status:¶

(a) An application for retired status must be made on a form provided by the Board and must be accompanied by a fee prescribed by OAR 801-010-0010.¶

(b) An applicant for retired status must hold at the time of application an Oregon CPA or PA license that is not expired, revoked or suspended.¶

(c) An applicant for retired status must provide sufficient evidence to the Board that the applicant has held an active CPA or PA license in good standing for a combination of 20 years.¶

(d) If an applicant for retired status works for a CPA firm, PA firm or Sole Practitioner the applicant must:¶

(A) Certify to the Board that the retired status licensee does not perform any work that someone without a CPA or PA license is not entitled to perform in a public accounting firm; and¶

(B) Provide the name, contact information and license number of the Oregon active licensee supervising the retired status licensee. ¶

(5) Renewal Requirements. A licensee granted retired status must renew in accordance with OAR 801-010-0110 and if working in a CPA firm, PA firm or for a Sole Practitioner, certify on the renewal form:¶

(a) That they have not performed any work that someone without a CPA or PA license is not entitled to perform in a public accounting firm; and ¶

(b) Provide the name, contact information and license number of the Oregon active licensee supervising the retired status licensee. ¶

(6) CPE. Retired licensees are not required to obtain or report CPE. ¶

(7) Retired Licensees Use of CPA or PA Designation. A licensee who is granted retired status cannot use the CPA or PA designation unless the word "Retired" is used in conjunction with designation, such as "CPA Retired," and the term retired is listed in the same font size as CPA or PA. ¶

(8) Reinstatement. A licensee in retired status will be permitted to reinstate to retired, active or inactive status in accordance with the provisions in OAR 801-010-0130.¶

(9) Reporting Requirements. In addition to any other reporting requirements required for licensees, retired licensees must notify the Board within thirty days of:¶

(a) Initiating employment with a CPA firm, PA firm or Sole Practitioner:¶

(b) Any changes of employment with a CPA firm, PA firm or Sole Practitioner; or¶

(c) Any changes with the Oregon active licensee supervising the retired licensee.

Statutory/Other Authority: ORS 673.150, ORS 673.220

Statutes/Other Implemented: ORS 673.410

AMEND: 801-010-0120

RULE SUMMARY: Updates Inactive Status licensure rules to conform with the provisions of Senate Bill 797 (2025).

CHANGES TO RULE:

801-010-0120

Inactive Status and Retired Status ¶

(1) Inactive Status: ¶

(a) An application for inactive license status must be made on a form provided by the Board and must be accompanied by a fee prescribed by OAR 801-010-0010. ¶

(b) The licensee ~~An Oregon CPA or PA that is not expired, suspended or revoked~~ can applying for inactive status must certify to the Board that: ¶

(A2) The licensee holds a license issued under ORS 673.150 that is not lapsed, expired, retired, revoked or suspended; ¶

(B) The licensee is not employed in a firm; ¶

(C) The licensee is not a sole practitioner; ¶

(D) Except as expressly authorized in writing by the Board or provided for in this rule, the licensee does not perform or offer to perform for compensation or remuneration in Oregon or for an Oregon client, services involving the use of accounting or attestation skills, including but not limited to issuance of reports on financial statements, management advisory, financial advisory, consulting services, preparation of tax returns or the furnishing of advice on tax or tax planning matter. ~~An Inactive Licensee cannot:~~ ¶

(a) Practice public accountancy; ¶

(b) Hold an ownership interest in a registered CPA or PA firm; or ¶

(c) Be a sole practitioners. ¶

(e3) An ~~inactive~~ licensee not working in a ~~Firm~~ is permitted to CPA or PA firm can practice public accountancy for their employer as follows: ¶

(a) In private industry for ~~one business entity~~ government as a staff accountant, CFO or similar position; ¶

(db) ~~The inactive licensees may not hold ownership interest in a registered CPA or PA firm. can only practice public accountancy for their employer; and~~ ¶

(2c) Renewal Requirements. A licensee who is granted inactive status: ¶

(a) Must renew on or before June 30; ¶

(A) Licensees with a license number that is even will renew in even-numbered year The employer of the inactive licensee cannot provide public accountancy services. ¶

(B4) Licensees with a license number that is odd will renew in odd-numbered years. Application for Inactive Status: ¶

(ba) Renewal ~~An applications that are postmarked by the US Postal Service or other delivery service, electronically stamped by fax machine or submitted by an online process managed by the Board after June 30 must include a late~~ for inactive status must be made on a form provided by the Board and must be accompanied by a fee ~~prescribed in OAR by 801-010-0010; and~~ ¶

(eb) Must satisfy the continuing education requirements as provided in OAR 801-040-0010. ¶

(3) An inactive licensee may be employed by a governmental unit or private industry employer in which accounting skills are used or required provided, however, that: ¶

(a) An inactive licensee may not be employed by more than a single governmental entity or private industry employer at any one time; and ¶

(b) An inactive licensee employed by a governmental unit or private industry employer may not provide services to more than one client. An applicant for inactive status must hold at the time of application an Oregon CPA or PA license that is not expired, revoked or suspended. ¶

(c) If an applicant for inactive status works for a CPA firm, PA firm or Sole Practitioner, the applicant must: ¶

(eA) For purpose of this provision, affiliated entities under common control may be considered a single employer. Provide the name of the CPA firm, PA firm or Sole Practitioner where the applicant works; and ¶

(4B) Inactive Licensees' Use of CPA or PA Designation. A licensee who Certify to the Board that is granted inactive status shall not use the CPA or PA designation unless the word "Inactive" is used in conjunction with the designation, such as "CPA Inactive," and is listed the applicant will not practice public accountancy including services involving the same font size. ¶

(5) To the extent applicable, an inactive licensee use of accounting or attestation skills, is subject to the Code of Profession ance of reports on financial Standards and Conduct set forth in OAR Chapter 801, Division 030. ¶

(6) Retired Status: ¶

(a) An application for retired license status must be made on a form provided by the Board and must be

accompanied by a fee prescribed by OAR 801-010-0010: tements, management advisory, financial advisory, consulting services, preparation of tax returns or the furnishing of advice on tax or tax planning matters. ¶

(b5) The licensee applying for retired status must certify to the Board that: ¶

(A) The licensee meets the age or experience requirements for retired status as set forth in OAR 801-005-0010(50); ¶

(B) The licensee holds a license issued under ORS 673.150 that is not lapsed, expired, revoked or suspended; ¶

(C) Retired Renewal Requirements. A licensee who is granted inactive status must renew in accordance with OAR 801-010-0110 and if the inactive licensee works for a CPA firm, PA firm or Sole Practitioner, the inactive licensees may use accounting skills as a volunteer or to provide pro bono tax services work so long as there is no compensation or remuneration; ¶

(a) Provide the name of the CPA firm, PA firm or Sole Practitioner where the inactive licensee works; and ¶

(b) Compensation of any kind offered or paid; ¶

(D) A retired licensee may be employed by a public accounting firm, performing any work that someone without a CPA license is entitled to perform in a CPA firm. The work of a retired CPA should be reviewed and supervised by an active licensee. ¶

(E) The licensee does not perform or offer to perform in Oregon or for an Oregon entity to the Board that the inactive licensee does not practice public accountancy including services involving the use of accounting or attestation skills, issuance of reports on financial statements, financial management advisory, tax planning or financial consulting services. ¶

(F) Retired licensees may not hold ownership interest in a registered CPA or PA firm. ¶

(c) Must renew on or before June 30. ¶

(A) A retired status licensee is not required to obtain or report any CPE, financial advisory, consulting services, preparation of tax returns or the furnishing of advice on tax or tax planning matters. ¶

(B6) Licensees with a license number that is even will renew in even-numbered years. ¶

(C) Licensees with a license number that is odd will renew in odd-numbered years. Reinstatement to Active Status. An inactive licensee can reinstate to inactive, active status in accordance with OAR 801-010-0130. ¶

(7) Retired Inactive Licensee's Use of CPA or PA Designation. A licensee who is granted retired inactive status shall not use the CPA or PA designation unless the word "Retired Inactive" is used in conjunction with the designation, such as "CPA Retired," and is listed in the same font size. ¶

(8) To the extent applicable, a retired Inactive, and the term inactive is listed in the same font size as CPA or PA. ¶

(8) CPE. Inactive Licensee is subject to s must comply with the Code of Professional Conduct set forth in OAR Chapter 801, Division 030. ¶

(9) A licensee in retired status will be permitted to reinstate to active or inactive status in accordance with the provisions PE requirements as provided for in OAR 801-0140-0130(7) and OAR 801-010-0130(8). ¶

(10) Ability of Inactive and 010. ¶

(9) Reporting Retired Status Licensees to Serve as Trustee of a Trust or a Court Appointed Receiver, Trustee, Guardian, Conservator, or Personal Representative of an Estate. Notwithstanding the limitations set forth above, inactive and tments. In addition to any other reporting required status licensees may serve as a trustee for a trust, or as a court appointed receiver, trustments required for licensees, guardian, conservator, or personal representative/executor of an estate; provided, however, th inactive licensees must comply with all fiduciary duties and responsibilities of the position, may not perform attestation work for the entity or individual for which the service is provided, and may not work as a court appointed trustee, receiver, guardian or conservator, or in other fiduciary positions for hire notify the Board within thirty days of initiating employment with a CPA firm, PA firm or sole practitioner.

Statutory/Other Authority: ORS 670.33, 410, 673.220

Statutes/Other Implemented: ORS 673.220



ADOPT: 801-010-0121

RULE SUMMARY: Permits inactive and retired status licensees to serve as trustees, court appointed receivers, trustees, guardians, conservators, and personal representatives of an estate.

CHANGES TO RULE:

801-010-0121

Ability of Inactive and Retired Status Licensees to Serve as Trustee of a Trust or a Court Appointed Receiver, Trustee, Guardian, Conservator, or Personal Representative of an Estate.

Notwithstanding the limitations set forth above, inactive and retired status licensees may serve without compensation as a trustee for a trust, or as a court appointed receiver, trustee, guardian, conservator, or personal representative/executor of an estate; provided, however, the licensee must comply with all fiduciary duties and responsibilities of the position and cannot perform attestation work for the entity or individual for which the service is provided.

Statutory/Other Authority: ORS 673.150, ORS 673.220

Statutes/Other Implemented: ORS 673.410

AMEND: 801-010-0130

RULE SUMMARY: Provides for a small technical update in reinstatement rules.

CHANGES TO RULE:

801-010-0130

Reinstatement Requirements: Lapsed, Suspended, Retired or Inactive to Active Status. ¶

(1) CPE Requirements applicable to all reinstatements. ¶

(a) CPE taken for reinstatement purposes must comply with the CPE requirements in Division 40 of the Board's CPE rules, including but not limited to contributing to the licensee's professional competence and relevancy to their practice as required by OAR 801-040-0030(1). ¶

(b) Upon reinstatement, licensee shall complete CPE requirements described in these rules on a pro rata monthly basis, including the month of reinstatement, until the end of the renewal period in which reinstatement occurs. ¶

(c) CPE hours used for reinstatement may not be claimed on a future renewal application in this jurisdiction. ¶

(2) Lapsed licenses. Licenses that are not properly renewed shall lapse. Lapsed licensees are not permitted to practice public accounting or work at a public accounting firm. A Lapsed license may be reinstated to active, inactive or retired status. To reinstate to active status an individual holding a lapsed license must: ¶

(a) Provide a detailed written description of the business and professional activities of the individual during the period of lapse, and indicate whether the 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 license was lapsed; ¶

(d) Complete and report 80 CPE hours including 4 hours of ethics; ¶

(e) Submit proof of completion certificates no older than 24 months from the date of the reinstatement application for each CPE course supporting the application for reinstatement. ¶

(f) Credit for programs in non-technical subjects is limited to 16 CPE hours. ¶

(3) Reinstatement from Lapsed Status to Inactive Status: A person who is lapsed may apply to reinstate the license to inactive status by: ¶

(a) Submitting an application for reinstatement on a form provided by the Board; ¶

(b) Paying the application and the inactive renewal fee for the renewal period in which the application is submitted; ¶

(c) Providing a detailed written description of the business and professional activities of the individual during the period of lapse, and indicating whether the individual was holding out in any way as a CPA or PA during the period of lapse; and ¶

(d) Completing and submitting 32 hours of CPE including 4 hours of ethics CPE with proof of completion certificates for CPE courses taken within 24 months immediately preceding the date the reinstatement application is received at the Board office. ¶

(e) Credit for programs in non-technical subjects is limited to 8 CPE hours. ¶

(4) Reinstatement from Lapsed status to Retired Status: A person who is lapsed may apply to reinstate to retired status by: ¶

(a) Submitting an application for reinstatement on a form provided by the Board; ¶

(b) Paying the application and retired renewal fee for the renewal period in which the application is submitted; and ¶

(c) Verifying eligibility for retired status as defined in OAR 801-010-0120(6). ¶

(5) A license that is lapsed for more than six years or three renewal periods expires and cannot be reinstated. If a license has expired the person can: ¶

(a) Elect to take and pass the CPA exam and apply for initial licensure. A person who elects this option must meet the requirements of OAR 801-010-0050, 801-010-0060, and 801-010-0065; ¶

(b) If the person is licensed in another state the person can submit a reciprocity application as outlined in OAR 801-010-0080; or ¶

(c) Seek to have the expired permit restored pursuant to OAR 801-010-0140. ¶

(6) Inactive Status licenses reinstating to Active Status. To reinstate a license from inactive status to active status, the holder of such license shall: ¶

(a) Submit an application for reinstatement on a form provided by the Board together with payment of the application fee and active license fee; ¶

(b) Provide a detailed written description of the business and professional activities of the individual during the period of inactive status, and indicate whether the individual was holding out as a CPA or PA during the period of inactive status; and ¶

- (c) Complete and report 80 hours of CPE including 4 hours of ethics CPE completed within the 24 month period immediately preceding the date the application for reinstatement is received at the Board office, together with proof of completion certificates for all hours reported.¶¶
- (d) Credit for programs in non-technical subjects is limited to 16 CPE hours.¶¶
- (7) Reinstatement from Retired Status to Inactive Status: A retired status licensee may apply to reinstate the license to inactive status by:¶¶
  - (a) Submitting an application for reinstatement on a form provided by the Board together with payment of the application fee and inactive license fee;¶¶
  - (b) Providing a detailed written description of the business and professional activities of the individual during the period of retired status, and indicating whether the individual was holding out as a CPA or PA during the period of retired status; and¶¶
  - (c) Completing and submitting 32 hours of CPE including 4 hours of ethics CPE with proof of completion certificates that were taken within 24 months immediately preceding the date the reinstatement application is received at the Board office.¶¶
  - (d) Credit for programs in non-technical subjects is limited to 8 CPE hours.¶¶
- (8) Reinstatement from Retired Status to Active Status: A retired status licensee may apply to reinstate the license to active status by:¶¶
  - (a) Submitting an application for reinstatement on a form provided by the Board together with payment of the application fee and active license fee;¶¶
  - (b) Providing a detailed written description of the business and professional activities of the individual during the period of retired status, and indicating whether the individual was holding out as a CPA or PA during the period of retired status; and¶¶
  - (c) Submitting 80 hours CPE including a minimum of 4 hours of ethics CPE, completed within the 24 month period immediately preceding the date the application for reinstatement is received at the Board office, together with proof of completion certificates for all hours reported. ¶¶
  - (d) Credit for programs in non-technical subjects is limited to 16 CPE hours.¶¶
- (9) Reinstatement of Suspended licenses. To reinstate a license that is suspended under ORS 673.170 to active status, the holder of such license shall: ¶¶
  - (a) Provide evidence of satisfaction or completion of all terms and conditions stated in the order suspending the license; ¶¶
  - (b) Provide a detailed written description of the business and professional activities engaged in by the suspended licensee during the period of suspension and certify that the suspended licensee was not holding out or otherwise representing him/herself as a CPA or PA during the period of suspension;¶¶
  - (c) Submit an application for reinstatement on a form provided by the Board; ¶¶
  - (d) Submit payment of the application fee and the active renewal fee for each renewal period that the license was suspended;¶¶
  - (e) Complete and report the appropriate CPE hours as follows:¶¶
    - (A) If the license has been suspended for less than two years, complete and report 80 CPE hours plus a 16-hour CPE penalty, which must be completed within the 12 month period immediately preceding the date the reinstatement application is received at the Board office together with proof of completion certificates; or¶¶
    - (B) If the license has been suspended two years or more, complete and report 160 CPE hours plus a 16-hour CPE penalty, which must be completed within the 12 month period immediately preceding the date the reinstatement application is received at the Board office together with proof of completion certificates; ¶¶
    - (C) Complete and report (4) CPE hours of ethics. ¶¶
    - (D) Credit for programs in non-technical subjects is limited to 16 CPE hours.¶¶
  - (f) The holder of a suspended license shall remain in suspended status until the holder's application for reinstatement has been approved by the Board. ¶¶
- (10) License holders in other jurisdictions. Licensees who hold an active 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 license to active status must: ¶¶
  - (a) Submit a reinstatement application provided by the Board along with evidence that the applicant holds a valid license to practice public accountancy issued by another jurisdiction; and ¶¶
  - (b) Submit payment of the reinstatement application fee stated in OAR 801-010-0010(1)(d) together with the renewal application fee stated in OAR 801-010-0010(3)(a). ¶¶
- (11) 20 Hour Minimum annual CPE requirement for active status permits. Licensees whose licenses are reinstated under this rule to active status are required to meet the 20 hour minimum annual CPE requirement on a pro-rated basis, ~~including the month of reinstatement, until the end of the renewal period in which the licensee is reinstated as described in OAR 801-040-0100(1)(b).~~

Statutory/Other Authority: ~~ORS 670.33~~ 410, 673.220

Statutes/Other Implemented: ORS 673.220

AMEND: 801-010-0140

RULE SUMMARY: Corrects 2 citation errors in this rule.

CHANGES TO RULE:

801-010-0140

Restoration of an Expired Permit

- (1) A permit that is not renewed for six years after the close of the permit period expires pursuant to ORS 673.150(5)(~~e~~3). The Board may restore an expired permit upon determination of just cause pursuant to ORS 673.150(5)(~~d~~4). The determination of just cause is in the discretion of the Board.¶
- (2) The Board may determine that an expired permit can be restored for just cause when a person with an expired permit submits the following:¶
- (a) A completed application to request to restore an expired permit on a form provided for by the Board;¶
- (b) A fee in the amount of \$990;¶
- (c) Complete and report 80 CPE hours which must be completed within the 12 month period immediately preceding the date the application for a restored permit is received at the Board office and is subject to the following:¶
- (i~~A~~) Credit for programs in non-technical subjects is limited to 16 CPE hours;¶
- (ii~~B~~) Complete and report four CPE hours in ethics; and¶
- (iii~~C~~) Submit proof of completion certificates for each CPE course submitted; and¶
- (iv~~D~~) CPE hours used for restoration of an expired permit cannot be claimed on a renewal application.¶
- (d) Proof of passing a Board approved ethics exam with a score of 90 percent or higher; and¶
- (e) Proof of completion of one year of supervised public accountancy experience within 3 years immediately preceding the date the application for a restored permit is received at the Board office. The one year of experience must comply with the experience requirements as provided for in OAR 801-010-0065(2) - (4).

Statutory/Other Authority: ORS 673.150, 673.410

Statutes/Other Implemented: ORS 673.150

AMEND: 801-010-0170

RULE SUMMARY: Corrects statutory authority only.

CHANGES TO RULE:

801-010-0170

Publication of Disciplinary Action II

The Board in its discretion will publicize disciplinary action taken under ORS 673.170 in such manner and for such period as it may direct.

Statutory/Other Authority: ORS ~~670.310~~; 673.410

Statutes/Other Implemented: ORS 673.170

AMEND: 801-010-0340

RULE SUMMARY: Updates minority ownership rules to allow for employee stock ownership plans (ESOPs) in accordance with Senate Bill 797 (2025).

CHANGES TO RULE:

801-010-0340

Non-CPA and Non-PA Ownership of Business Organizations ¶¶

(1) Requirements of non-CPA or non-PA ownership. The ownership of a business organization, defined in ORS 673.010 and registered as a firm under ORS 673.160 and OAR 801-010-0345, that is lawfully engaged in the practice of public accountancy in this state may include owners who are not licensed as certified public accountants or public accountants if the following conditions are met:¶¶

(a) Licensed certified public accountants and public accountants shall, in the aggregate, directly or beneficially, hold ownership of more than half of the equity capital and a majority of voting rights; ¶¶

(b) If the business organization has its principal place of business in this state and performs public accountancy services in this state, licensees under the provisions of ORS 673.150 or 673.100 shall, in the aggregate, directly or beneficially, hold ownership of more than half of the equity capital and a majority of voting rights; ¶¶

(c) The business organization shall designate in writing a license holder under ORS 673.150 who shall be responsible for the management and registration of the business organization in this state; ¶¶

(d) A license holder under ORS 673.150 shall have ultimate responsibility for each financial statement, review and/or attestation service engagement performed in this state; ¶¶

(e) Non-licensee owners shall be material participants in the business of the firm or an entity affiliated with the firm; ¶¶

(f) Non-licensee owners may be natural persons or legal entities provided that each ultimate beneficial owner of an equity interest in such entity shall be a natural person who materially participates in the business conducted by the firm. ¶¶

(g) A non-licensee owner can be an employee stock ownership plan. ¶¶

(h) Non-licensee owners must not hold themselves out as certified public accountants or public accountants and must not have a license in Oregon or any other jurisdiction that has been suspended or revoked for disciplinary reasons. ¶¶

(h) Inactive, lapsed, suspended, revoked, and retired licensees may not hold an ownership interest in a registered CPA or PA firm. ¶¶

(i) Business organizations with non-CPA or non-PA ownership that are registered under OAR 801-010-0345 must comply with the requirements for peer review as provided in ORS 673.455 if such business organization performs attestation services or compilation services. ¶¶

(j) For purposes of this rule, "material participation" means an activity that is regular, continuous and substantial. ¶¶

(2) Registration. A business organization with non-licensee ownership that is registered in this state under OAR 801-010-0345 must certify at the time of registration and at each renewal that the business organization is in compliance with the provisions of this rule. ¶¶

(3) Request for extension. If the licensee ownership of a registered business organization whose principal place of business is in this state does not meet the requirements of section (1) of this rule because of a death or other unforeseen circumstance, the business organization may request an extension of 180 days, or until the next renewal period, whichever is longer, for the business organization to meet such requirement. ¶¶

(4) CPA designation. A business organization, of which the majority ownership is held by individuals licensed as public accountants under ORS 673.100, must not use the term "CPA firm" or any similar name that would indicate that a majority of the owners of the firm hold CPA certificates issued under ORS 673.040.

Statutory/Other Authority: ~~ORS 670.310, 673.410, 673.160~~

Statutes/Other Implemented: ORS 673.160

AMEND: 801-010-0345

RULE SUMMARY: Makes technical correction to branch office section of firm registration rules.

CHANGES TO RULE:

801-010-0345

Registration of Business Organizations ¶¶

(1) Requirement to register as a firm. A business organization organized for the practice of public accountancy that is located in Oregon or serving Oregon clients, must register with the Board as a firm if the business organization: ¶¶

(a) Uses the terms "certified public accountant," "CPA," "public accountant" or "PA," or any derivation of such terms; ¶¶

(b) Holds out to clients or to the public that the business organization is in any way engaged in the practice of public accountancy; ¶¶

(c) Holds out to clients or the public that it is comprised of more than one licensee; or ¶¶

(d) Is located in Oregon and performs attestation, or compilation services, as defined by these rules. ¶¶

(2) Registration of sole proprietors. A business organization organized as a sole proprietorship, a professional corporation, a limited liability company, or other form of business entity authorized by statute, and comprised of a single license holder under ORS 673.150, is required to register as a firm if the business organization engages in any attestation or compilation work. ¶¶

(3) Out of State Firms. Firms that are not located in Oregon but serve Oregon clients must comply with the registration requirements in (1) above if the firm performs any of the following services: ¶¶

(a) Attestation engagements. ¶¶

(b) Engagements for which performance standards are included in the auditing standards of the Public Company Accounting Oversight Board (PCAOB) ¶¶

(c) Out of State firms that are required to register under the criteria in (3) above, must provide to the Board: the name, license number, and contact information for the person who is a license holder under ORS 673.150 or meets the substantial equivalency requirements of ORS 673.153, and that is responsible for supervising attestation services and signs or authorizes someone to sign the accountant's report on the financial statements on behalf of the business organization. ¶¶

(4) Application requirements. ¶¶

(a) A business organization that is required to be registered as a firm in Oregon must submit a Firm Registration Application provided by the Board and accompanied by the appropriate fee, stated in OAR 801-010-0010. ¶¶

(b) In the event a registered firm changes its form of business to a different entity type, a new firm registration application must be completed. ¶¶

(c) Registration applications and each renewal application must provide the following information in writing: ¶¶

(A) Name of the firm; ¶¶

(B) Identification by name and by certificate number of each CPA and PA who is associated with, or is employed by the business organization and serves Oregon clients; ¶¶

(C) Identification by name and by percentage of ownership of all individuals who have an ownership interest in the business organization. Licensees who do not hold an Oregon license must provide the name and licensing information relating to the jurisdiction in which they are licensed; ¶¶

(D) The physical address of every office and branch office in this state; ¶¶

(E) A list of the states in which the business organization is currently authorized to practice public accountancy; ¶¶

(F) Notice of every denial, revocation, practice restriction, limitation or probation, lapse or suspension of authority to perform any type of public accountancy services or other disciplinary action that is or has been issued by any jurisdiction against the firm or any Oregon licensee associated with the business organization; and ¶¶

(G) A letter showing proof of enrollment in Peer Review if the firm intends to perform attestation, review or compilation services in this state. Upon request, the firm shall provide a copy of the firm's two most recent peer review reports, acceptance letters, response letters and completion letters. ¶¶

(H) Confirmation of registration is required if the firm has a physical location in Oregon and is required by the Oregon Secretary of State Business Registry Office to be registered. ¶¶

(5) Firms with non-CPA and non-PA ownership. In addition to the information required under section (4) of this rule, business organizations with non-CPA or non-PA owners that are required to register as a firm must provide evidence to the satisfaction of the Board that the business organization satisfies the requirements of OAR 801-010-0340 with the application for initial registration and with each registration renewal. ¶¶

(6) Issuance of firm registration. The Board shall, upon receipt of an application that satisfies all the requirements of these rules and payment of the registration fee, issue a certificate of registration, which shall remain in effect



until December 31 of the odd-numbered year following the date of such registration. The business organization shall: ¶

(a) Renew the firm registration on or before December 31 of each odd-numbered year by submitting a completed renewal form provided by the Board, together with the appropriate registration renewal fee. The Board may waive the renewal fee if an initial firm registration is issued in November or December of the year in which the registration is due for renewal. ¶

(b) Business organizations subject to registration that fail to renew a registration by the end of the month following the close of the renewal period (January 31), will be terminated. Firms may be reinstated by submitting a reinstatement application together with the required renewal fee plus any applicable penalties to the Board office. ¶

(c) Notify the Board in writing of any change in the firm name, firm ownership or the entity type within 30 days of such change. Firms that have an entity change must submit an initial firm registration application with the Board office. ¶

(d) In addition to the notice that is required upon application and for each renewal of the firm registration under section (4) of this rule, business organizations are required to provide written notice to the Board pursuant to OAR 801-030-0020(2). ¶

(e) Display the letter of registration issued by the Board in a conspicuous place at the principal office of the firm. ¶

(f) An out of state firm that is required to register in Oregon must notify the Board in writing within 30 days if the firm opens an office in Oregon. ¶

(7) Form of Practice. A licensee may practice public accountancy in a business organization as defined in ORS 673.010 that is organized in accordance with statutory provisions. ¶

(a) Non-CPA or non-PA ownership. A licensee may form a business organization with a non-licensee for the purpose of engaging in the practice of public accountancy in accordance with the provisions of ORS 673.160 and OAR 801-010-0340. ¶

(b) Notwithstanding subsection (5) of this rule, any certified public accountant or public accountant whose license to practice public accountancy has been suspended or revoked for disciplinary reasons in any jurisdiction may not participate as a non-licensee owner in a business organization required to be registered under ORS 673.160. Licensees who hold an inactive, retired, or lapsed status license are not permitted to hold ownership or

partnership status in an Oregon firm. ¶

(c) Branch offices. ¶

(A) Every branch office located in this state shall be managed by a licensee holding a ~~license issued under ORS 673.150. A~~ Oregon license. An Oregon licensee must be designated as responsible for managing the office, staff and services rendered to the public. ¶

(B) The location of each branch office in Oregon shall be reported to the Board at the time of application for registration as a firm and with each renewal application, together with a statement that each branch office meets the requirements of OAR 801-010-0345(7)(c)(A). ¶

(d) Internet Practice. Licensees or firms using the CPA or PA title to perform or solicit services via a website, are required to include information on the website naming the state(s) in which each CPA or PA is licensed to perform public accounting services, or provide a name and contact information for an individual who will respond within seven business days to inquiries regarding individual licensee information. Information required to be posted by this rule must be posted clearly visible and prominently displayed on the homepage. ¶

(8) Firm Names ¶

(a) False and misleading firm names: ¶

(A) A public accounting firm shall not offer or provide public accounting services using a firm name that is misleading as to the legal entity or organization of the firm, as to the owners or employees of the firm. ¶

(B) A firm name shall not include false or misleading language about the business organization of the firm, the nature of the services provided, and the number of licensees associated with or working for the firm or the identity of individual members of the firm. Except as provided in paragraphs (D) and (E) of this subsection, a firm name shall not include information about or indicate an association with, individuals who are not members of the firm. ¶

(C) A firm name shall include words or abbreviations required by the laws under which the business organization is organized to identify the form of business organization or legal entity being used by the firm. ¶

(D) A firm name may be composed of the names of one or more past partners, shareholders, owners, or members of the business organization or its successor, so long as the past partner, shareholder, owner or member: ¶

(i) Is not actively engaged in the practice of public accountancy as a sole proprietor in the same market area, and ¶

(ii) Approves in writing of the continued use of such name. Approval given by a licensee for the continued use of licensee's name may be withdrawn by the licensee, in writing and shall allow a reasonable period of time for the firm to withdraw such name. ¶

(E) A partner, shareholder, owner, or member surviving the death or withdrawal of all other partners,

shareholders, owners, or members may continue to practice under the firm name provided that the firm meets the requirements stated in this rule. ¶

(b) Singular firm names. The use by a certified public accountant or public accountant in individual practice of the individual's full legal name in the singular form, followed by the title "Certified Public Accountant," "Public Accountant," "CPA" or "PA" is not misleading. ¶

(c) Plural firm names. ¶

(A) The use by a firm of a plural title or designation, including words like "and company," "associates" and "accountants," is not misleading if, in addition to the names of persons included in the firm name, the firm has at least one additional partner, shareholder, owner, or member, or employs at least one staff person (excluding independent contractors), who works a minimum of 20 hours per week, who is licensed to practice public accountancy under ORS 673.150 or under ORS 673.153 and whose permit is not revoked, suspended, lapsed, retired or inactive. ¶

(B) A firm using a plural name that ceases to qualify for use of a firm name under (A) shall: ¶

(i) Cease using the plural name and so notify the Board in writing; or ¶

(ii) Notify the Board in writing within 30 days of non-compliance. Such firm shall have 90 days in which to employ a licensed staff person as required under paragraph (A) of this subsection. The firm shall provide written notice to the Board when the firm has employed the required licensed staff person. ¶

(C) A firm may file a written request for an additional 90-day extension to satisfy the requirements of (A). ¶

(d) Assumed business names. ¶

(A) A firm name that does not include the designations "PC", "LLC", "LP", or "LLP" to indicate the form of legal entity through which the practice of public accountancy is being conducted, or that does not include the full legal name of every owner of such business organization, shall be filed as an assumed business name with the Corporations Division of the Office of the Secretary of State. A copy of the registration of the assumed business name shall be provided to the Board with the application for registration as a firm and with every renewal application. ¶

(B) An assumed business name that is registered with the Corporate Division of the Office of the Secretary of State may be composed in whole or in part of initials. Such abbreviated firm name shall not spell a word or form an acronym that may be misleading to the public. Every assumed business name shall meet the requirements of paragraph (8)(a)(B) of this rule. ¶

(e) Notice to Board. A business organization registered as a firm under ORS 673.160 shall provide written notice to the Board within 30 days of any change of firm name, firm address, firm ownership, or change in the form of operating entity.

Statutory/Other Authority: ~~ORS 670.310, 673.410, 673.160~~

Statutes/Other Implemented: ORS 673.160

RULE SUMMARY: Corrects statutory authority only.

CHANGES TO RULE:

801-030-0005

Professional Conduct ¶¶

(1) Independence. The Board adopts the Independence Rules in the Code of Professional Conduct established by the AICPA. The AICPA Interpretations and Ethics Rulings on Independence are adopted as non-exclusive guidance to licensees, prospective licensees, the Board and members of the public. Licensees who perform services that are subject to independence standards promulgated by other regulatory or professional standard setting bodies, agencies and organizations, including but not limited to the Securities and Exchange Commission, the General Accounting Office and the US Department of Labor, or other similarly recognized international bodies must also comply with those standards applicable to the services provided. ¶¶

(2) Integrity and objectivity. ¶¶

(a) In all aspects of public accounting and the practice of public accountancy, a licensee shall maintain objectivity and integrity, shall be free of conflicts of interest, and shall not knowingly misrepresent facts or subordinate the licensee's judgment to the judgment of others. ¶¶

(b) In tax practice, however, a licensee may resolve doubt in favor of the client as long as there is reasonable support for the client's position. ¶¶

(c) When accepting new employment or a new engagement, a licensee shall not use confidential client information in a manner that is adverse to a former client. Confidential client information is any information communicated to or obtained by the licensee from a client or employer that relates to services rendered by the licensee to the client or employer. ¶¶

(d) The Board adopts the Integrity and Objectivity Rules in the Code of Professional Conduct established by the AICPA. The AICPA Interpretations and definitions are adopted as a non-exclusive list to provide guidance to licensees, prospective licensees, the Board, and members of the public. ¶¶

(e) When a licensee represents two clients at the same time and becomes reasonably aware of divorce proceedings, the licensee must obtain a signed conflict of interest waiver from both clients. ¶¶

(3) Commissions and referral fees. Certified public accountants, public accountants and firms in the practice of public accountancy are permitted to pay and receive commissions and referral fees subject to the requirements of ORS 673.345 and this rule. ¶¶

(a) Notice to the Board. Licensees and Firms who receive or pay commissions or referral fees shall report this fact on the application for biennial renewal of the license/registration. ¶¶

(b) Related licensure/registration. Prior to accepting commissions, licensees shall acquire and maintain in good standing any license or registration required by another governmental or private standard-setting body for the purpose of receiving commissions. Examples of licensing requirements include, but are not limited to, the following: ¶¶

(A) Oregon Department of Consumer and Business Services; ¶¶

(B) National Association of Securities Dealers; ¶¶

(C) Oregon Real Estate Agency; and ¶¶

(D) Oregon Appraiser Certification and Licensure Board. ¶¶

(c) Prohibited commissions and referral fees. A certified public accountant, public accountant or firm engaged in the practice of public accountancy shall not recommend or refer to a client any product or service, or recommend or refer any product or service to be supplied by a third party to a client, in exchange for the payment, acceptance of a commission or referral fee when the licensee or firm also performs any of the following listed services for that client: ¶¶

(A) An attestation engagement as defined in OAR 801-005-0010(4); or ¶¶

(B) A compilation of a financial statement if the compilation report does not disclose a lack of independence between the client and the certified public accountant. ¶¶

(d) Application of prohibitions. The prohibitions in this rule apply: ¶¶

(A) When the holder of a permit or any partner, officer, shareholder, member, manager or owner of the firm performs the services listed in this rule, and ¶¶

(B) During the period in which the certified public accountant, public accountant or firm is engaged to perform any of the services listed in this rule, including the period(s) subject of the report and the period covered by any historical financial statements involved in the listed services. ¶¶

(e) Disclosure requirements. A certified public accountant, public accountant or firm engaged in the practice of public accountancy who is not prohibited by this rule from paying or receiving a commission or referral fee and

who is paid or expects to be paid a commission or referral fee, shall disclose that fact to any client to whom the commission or referral fee relates. ¶

(A) A copy of each disclosure shall be provided to the client prior to the time the product or service that is the basis of the fee is recommended, referred or sold, or prior to the time the client retains the licensee to whom the client has been referred and for which the fee or other valuable consideration will be paid. ¶

(B) A copy of the disclosure shall be retained by the certified public accountant, public accountant or firm for a period of at least six years after the licensee performs any services for the client. ¶

(C) In the event of continuing engagements or a series of related transactions involving similar products or services with the same client, one written disclosure may cover more than one recommendation, referral or sale so long as the disclosure is provided at least annually and is not misleading. ¶

(D) Disclosures under this rule shall: ¶

(i) Be in clear and legible writing, in no less than 12 point font (if typed) and provided on a separate form that is acknowledged in writing by the client with the client's signature and date of acknowledgement; ¶

(ii) State the amount of the commission or referral fee or the basis on which the payment will be calculated; ¶

(iii) Identify the source of the payment and the relationship between the source of the payment and the person receiving the payment; and ¶

(iv) Specify the services to be performed by the Licensee for the compensation to be received by the licensee. ¶

(f) Transactions not prohibited. This rule does not prohibit the following transactions: ¶

(A) Payments for the purchase of all or a material part of an accounting practice; ¶

(B) Retirement payments to persons formerly engaged in the practice of public accountancy or payments to the heirs or estates of such persons; or ¶

(C) Payments, including incentive or bonus payments, to employees or members of an accounting firm as compensation for their services. ¶

(g) Audit of disclosure requirements. Licensees are subject to audits conducted by the Board or its designee to determine licensee compliance with the provisions of this rule. Licensees shall, upon request, furnish to the Board copies of disclosure records required under this rule. ¶

(4) Contingent fees. Certified public accountants, public accountants, and firms in the practice of public accountancy may perform professional services for a client in exchange for a contingent fee subject to the requirements of ORS 673.345 and this rule. ¶

(a) Notice to the Board. Licensees and firms who receive contingent fees in exchange for professional services shall report this fact on the application for biennial renewal of the license/registration. ¶

(b) Prohibited contingent fees. ¶

(A) A certified public accountant, public accountant, or firm in the practice of public accountancy may not perform professional services for a client in exchange for a contingent fee when the certified public accountant, public accountant or firm also performs any of the following listed services for that client: ¶

(i) An attestation engagement as defined in OAR 801-005-0010(4); or ¶

(ii) A compilation of a financial statement if the compilation report does not disclose a lack of independence between the client and the licensee. ¶

(B) A certified public accountant, public accountant, or firm in the practice of public accountancy may not prepare an original or amended tax return or a claim for a tax refund for any client in exchange for a contingent fee. ¶

(c) Application of prohibitions. The prohibitions stated in paragraph (4)(b)(A) of this rule apply during the period in which the licensee or the licensee's firm is engaged to perform any of the services listed in this rule and during any period covered by any historical or prospective financial statements involved with or related to such services. ¶

(d) Requirement for written agreement. Every agreement to perform services in exchange for a contingent fee shall be in writing and shall be signed by the client. ¶

(A) A copy of the agreement shall be provided to the client prior to the time the client retains the licensee for the service or prior to the time that the service that is subject to the agreement is performed. ¶

(B) Agreements under this rule shall: ¶

(i) Be in clear and legible writing in no less than 12 point font (if typed); ¶

(ii) Include the signatures of all parties and date of each signature; and ¶

(iii) State the amount of the contingent fee or the basis on which the fee will be calculated. ¶

(C) A copy of the agreement shall be retained by the certified public accountant, public accountant, or firm for a period of at least six years after the licensee performs the disclosed services for the client. ¶

(e) Contingent fee transactions not prohibited. Fees are not contingent if fixed by courts or other public authorities, or in tax matters if such fees are determined based on the results of judicial proceedings or the findings of governmental agencies. ¶

(f) Audit of contingent fee agreements. Licensees are subject to audits conducted by the Board or its designee to determine licensee compliance with the provisions of this rule. Licensees shall, upon request, furnish to the Board copies of contingent fee agreements required under this rule. ¶

(5) Improper use of CPA and PA designation. ¶

(a) Non-public accounting business. Licensees engaged in a business or occupation other than the practice of public accountancy or performance of attestation services may use the "CPA" or "PA" designation in oral or other communications such as business cards, stationery or comparable forms if the use of the designation does not indicate in any way that the licensee is authorized to perform public accountancy or attestation services as part of the licensee's other business or occupation. ¶

(b) Commissions or contingent fees. Licensees shall not engage in any activity for which the licensee receives commissions or contingent fees while holding out to the public as a CPA or PA, except as provided under sections (3) and (4) of this rule. ¶

(c) Non-licensee owners. ¶

(A) A non-licensee owner of a business organization registered in Oregon under the provisions of ORS 673.160(4) shall not use any name or title that indicates or suggests that such owner is a certified public accountant or public accountant. This does not preclude a non-licensee owner from using the title "principal," "partner," "officer," "member" or "shareholder" to describe the ownership interest in the business organization. ¶

(B) A business organization that includes non-licensee owners shall not use a firm name that includes both the name of a non-licensee owner and the title or designation for "certified public accountant", "public accountant", or any other words or description that would imply that the non-licensee owner included in the firm name is authorized to provide public accounting services.

Statutory/Other Authority: ~~ORS 670.310, 673.410 & OL 2001, Ch. ch 313~~

Statutes/Other Implemented: ORS 673.160, 673.320, 673.345

RULE SUMMARY: Corrects statutory authority only.

CHANGES TO RULE:

801-030-0010

General and Technical Standards ¶¶

(1) General Standards. Licensees shall comply with the following general standards. ¶¶

(a) Professional Competence. Licensees shall undertake only those professional services that the licensee or the licensee's firm can reasonably expect to be completed with professional competence. ¶¶

(b) Due Professional Care. Licensees shall exercise due professional care in the performance of professional services. ¶¶

(c) Planning and Supervision. Licensees shall plan and supervise the performance of professional services. ¶¶

(d) Sufficient Relevant Data. Licensees shall obtain sufficient relevant data to afford a reasonable basis for conclusions or recommendations in relation to any professional services performed. ¶¶

(e) The Board adopts the General Standards and the compliance with the General Standards sections of the AICPA Code of Professional Conduct. The AICPA interpretations and definitions of these sections are adopted as non-exclusive guidance to licensees, prospective licensees, the board, and members of the public. ¶¶

(2) Auditing standards. A licensee shall not permit the licensee's name to be associated with financial statements in such a manner as to imply that the licensee is independent with respect to such financial statements unless the licensee has complied with applicable generally accepted auditing standards. Statements on Auditing Standards issued by the AICPA, and other pronouncements having similar generally recognized authority, are considered to be interpretations of generally accepted auditing standards, and departures must be justified when such standards are not followed. ¶¶

(3) Accounting principles. ¶¶

(a) Responsibility of Licensees in Public Accounting. A licensee shall not express an opinion that financial statements are presented in conformity with generally accepted accounting principles if such financial statements contain any departure from such accounting principles which has a material effect on the financial statements taken as a whole, unless the licensee can demonstrate that by reason of unusual circumstances, the financial statements would otherwise have been misleading. In such a case, the licensee's report must describe the departure, the approximate effects thereof, if practicable, and the reasons why compliance with the principle would result in a misleading statement. For purposes of this rule, generally accepted accounting principles are defined by pronouncements issued by the Financial Accounting Standards Board and its predecessor entities and similar pronouncements issued by other entities having similar generally recognized authority, including International Financial Reporting Standards promulgated by the International Accounting Standards Board. ¶¶

(b) Responsibility for the Reporting on financial statements in conformity with GAAP. A person who holds an active or inactive license shall not state affirmatively that financial statements or other financial data of an entity are presented in conformity with generally accepted accounting principles (GAAP) if such statements or data contain any departure from an accounting principle promulgated by the Financial Accounting Standards Board and its predecessor entities and similar generally recognized authority that has a material effect on the statements or data taken as a whole, including International Financial Reporting Standards promulgated by the International Accounting Standards Board. ¶¶

(c) Departures from Established Accounting Principles. There is a strong presumption that adherence to officially established accounting principles would in nearly all instances result in financial statements that are not misleading. There may be unusual circumstances where literal application of pronouncements on accounting principles would have the effect of rendering financial statements misleading. In such cases the proper accounting treatment is that which will render the financial statements not misleading. The question of what constitutes unusual circumstances is a matter of professional judgment involving the ability to support the position that adherence to a promulgated principle would be regarded by a reasonable person as producing a misleading result. ¶¶

(4) Tax standards. Licensees shall not perform tax planning services, recommend tax return positions or prepare or sign tax returns (including amended returns, claims for refund and information returns) filed with any taxing authority unless the licensee has complied with Statements on Standards for Tax Services issued by the Tax Executive Committee of the American Institute of Certified Public Accountants and with United States Department of Treasury Circular No. 230. ¶¶

(5) Other professional standards. Licensees, in the performance of consulting services or accounting and attest services, shall conform to the professional standards applicable to such services. For purposes of this rule such professional standards are considered to be defined by Statements on Consulting Services and Statements for

Accounting and Review Services, respectively, in each instance issued by the AICPA, and by similar pronouncements by other entities having generally recognized authority.

Statutory/Other Authority: ORS ~~670.310~~, 673.410

Statutes/Other Implemented: ORS 673.410

AMEND: 801-030-0015

RULE SUMMARY: Corrects statutory authority only.

CHANGES TO RULE:

801-030-0015

Confidential Client Information

(1) Confidential client information. A licensee will not disclose any confidential client information unless the licensee has obtained the written consent of the client, or others legally authorized to give such consent on behalf of the client. ¶

(2)(a) Permitted disclosures. Subsection (1) of this rule will not apply when: ¶

(A) When disclosure is required by the standards of the public accountancy profession; ¶

(B) When disclosure is required by a court order; ¶

(C) In response to subpoenas enforceable by order of any court or agency; ¶

(D) Disclosure is in response to an investigation by the Board or other regulatory agency; ¶

(E) Disclosure is in response to peer review; or ¶

(F) Disclosure is in response to an insurance carrier of a licensee in connection with a claim. ¶

(G) Except as provided for in OAR 801-030-0040. ¶

(b) The Board and committee members will not disclose confidential client information that comes to its attention from licensees involved in disciplinary proceedings or otherwise in carrying out its official responsibilities, unless allowable as stated in (a) of this subsection. ¶

(c) This prohibition will not restrict Board staff in the exchange of information with any investigative or disciplinary body.

Statutory/Other Authority: ~~ORS 670.310~~, 673.410

Statutes/Other Implemented: ORS 673.410



AMEND: 801-030-0020

RULE SUMMARY: Adds multiple failures in peer review to the causes under which the Board of Accountancy can take disciplinary action.

CHANGES TO RULE:

801-030-0020

Other Responsibilities and Practices ¶¶

(1) Professional misconduct. ¶¶

(a) A licensee shall not commit any act or engage in any conduct that reflects adversely on the licensee's fitness to practice public accountancy. ¶¶

(b) Professional misconduct may be established by reference to acts or conduct that would cause a reasonable person to have substantial doubts about the individual's honesty, fairness and respect for the rights of others or for the laws of the state and the Nation. The acts or conduct in question must be rationally connected to the person's fitness to practice public accountancy. ¶¶

(c) A licensee shall not act in a way that would cause the licensee to be disciplined for violation of laws or rules on ethics by a federal or state agency or by any jurisdiction for the practice of public accountancy. ¶¶

(d) Professional Misconduct may be established by violation of a disciplinary order by a federal or state agency or by any jurisdiction for the practice of public accountancy. ¶¶

(e) Professional Misconduct may be established by failure to comply with any settlement agreement issued by the Board. ¶¶

(f) A licensee shall not engage in acts of gross negligence including, but not limited to: ¶¶

(A) Failure to disclose a known material fact which is not disclosed in the financial statements, but disclosure of which is necessary to make the financial statements complete or not misleading, or ¶¶

(B) Failure to report any known material misstatement which appears in the financial statements. ¶¶

(2) False or Misleading Statements on any Board Application. By signing any Board application, the Candidate, Applicant, Licensee or Registered Firm certifies to the truth and accuracy of all statements provided on application and supplemental documents. False or misleading statements or supplementary documents shall be a violation. ¶¶

(3) Reporting requirements. ¶¶

(a) Licensee must notify the Board within 45 days of: ¶¶

(A) Resolution of any civil action against a licensee that relates to professional services and business operations involving an Oregon licensee or Oregon clients; ¶¶

(B) Initiation of any regulatory action against the licensee; ¶¶

(C) Resolution of any regulatory action against the licensee; ¶¶

(D) Any inquiry into the licensees conduct through a professional organization; or ¶¶

(E) Resolution of any professional organization inquiry. ¶¶

(b) Licensees must notify the Board within 10 days of: ¶¶

(A) Initiation of any criminal investigation against the licensee; or ¶¶

(B) Resolution of any criminal investigation against the licensee. ¶¶

(c) Firm must notify the Board within 45 days of: ¶¶

(A) Resolution of any civil action against the Firm that relates to professional services, business operations or practices of the registered firm in Oregon; ¶¶

(B) Resolution of any civil action against any Oregon licensee affiliated with the firm that relates to professional services, business operations or practices of the registered firm in Oregon; ¶¶

(C) Initiation of any regulatory action against the firm; ¶¶

(D) Resolution of any regulatory action against the firm; ¶¶

(E) Initiation of any regulatory action against any Oregon licensee affiliated with the firm; ¶¶

(F) Resolution of any regulatory action against any Oregon licensee affiliated with the firm; ¶¶

(G) Any inquiry into an Oregon firms conduct through a professional organization; or ¶¶

(H) Resolution of any inquiry of an Oregon firm from a professional organization. ¶¶

(d) Firm must notify the Board within 10 days of: ¶¶

(A) Initiation of any criminal investigation against the Firm; ¶¶

(B) Resolution of any criminal investigation against the Firm; or ¶¶

(C) Initiation of any criminal investigation against any of the following individuals affiliated with the firm: ¶¶

(i) Oregon licensee ¶¶

(ii) Oregon Partner ¶¶

(iii) Oregon Owner ¶¶

- (e) Licensees and Firms must provide the following information to the Board when reporting any of the events above:¶
- (A) Name of the regulatory agency, court or professional organization;¶
  - (B) Title of matter;¶
  - (C) Docket number if applicable;¶
  - (D) Date of occurrence of the event;¶
  - (E) Name of any legal representatives involved; ¶
  - (F) Statement of the facts; and¶
  - (G) Copies of relevant documents, including but not limited to, regulatory notice, civil complaint, criminal charging document, and any settlement documents.¶
- (f) The reporting requirements set forth in this rule may not be negated by the terms of a non-disclosure agreement or court protective order.¶
- (g) The notices required by this rule shall be signed by the person or persons against whom the regulatory action, civil action and/or criminal investigation or action is raised. If the regulatory action, civil action, or criminal investigation or action is against a registered firm only, the notice(s) must be signed by an authorized Oregon partner or owner of the firm. ¶
- (4) Verification of experience for CPA or PA applicants. Licensees who supervise the work experience of CPA or PA applicants for the purpose of verifying the applicant's eligibility under ORS 673.040 shall provide to the Board an accurate and complete certificate of experience for the applicant. Licensees who provide any certificate of experience for an applicant shall not: ¶
- (a) Make any false or misleading statement as to material matters in any certificate of experience, or ¶
  - (b) Commit any act that would unjustly jeopardize an applicant's ability to obtain a certificate in this or any other jurisdiction. ¶
- (5) Acting through others. ¶
- (a) A licensee shall not permit others to perform any acts on behalf of the licensee, either with or without compensation, which, if performed by the licensee would place the licensee in violation of the Code of Professional Conduct. ¶
  - (b) A licensee shall not ratify, endorse, facilitate, solicit, plan or otherwise assist another licensee to violate any Board law or rule. ¶
  - (c) A licensee is bound by the Board laws and rules notwithstanding that the licensee acted at the direction of another person. A subordinate licensee does not violate this rule if the licensee acts in accordance with a supervisory licensee's reasonable resolution of an arguable question of professional duty.¶
- (6) Public communications and advertising. A licensee shall not use or participate in the use of any form of public communication, including the use of internet domains, e-mail names, advertising or solicitation by direct personal communication, having reference to the licensee's professional services that contains a false, fraudulent, misleading, or deceptive statement or claim. A false, fraudulent, misleading, or deceptive statement or claim includes, but is not limited to, a statement or claim that: ¶
- (a) Includes a misrepresentation of fact; ¶
  - (b) Is intended or likely to mislead or deceive because it fails to disclose relevant facts; ¶
  - (c) Is intended or likely to create false or unjustified expectations of favorable results; ¶
  - (d) Falsely states or implies educational or professional attainments or licensing recognition; ¶
  - (e) Falsely states or implies that the licensee has received formal recognition as a specialist in any aspect of the practice of public accountancy; ¶
  - (f) Falsely represents that professional services can or will be competently performed for a stated fee, or misrepresents fees for professional services by failing to disclose all variables affecting the fees that will in fact be charged; or ¶
  - (g) Contains other representations or implications of fact that would cause a reasonable person to misunderstand or be deceived. ¶
- (7) Professional designations. A licensee shall not represent that the licensee is a member of any professional society, association, organization or an association of firms, or that the licensee has a correspondent relationship with another licensee unless the representation is true at the time it is made or published. ¶
- (8) Board communications and investigations. ¶
- (a) Communications from the Board to licensees shall be sent by first class mail or certified mail and addressed to the licensee at the last official address or the alternate address furnished to the Board by the licensee. ¶
  - (b) Licensees who receive any Board communication requesting the licensee to provide a written response shall: ¶
- (A) Provide a written response to the Board within 21 days of the date the Board communication was mailed; and¶
  - (B) Respond fully and truthfully to inquiries from and comply with all Board requests.¶
  - (c) The Board of Accountancy shall provide written notice to licensees of complaints filed against the licensee and

of any Board investigation that affects the licensee. Licensees who receive notice of a complaint investigation: ¶  
(A) Shall cooperate fully with all Board investigations, including any request to appear to answer questions concerning such investigations; and ¶

(B) Shall not engage in any conduct or activity that would hinder or obstruct a Board investigation. ¶

(9) Business transactions with clients. ¶

(a) Except for business transactions that occur in the ordinary course of business, licensees shall not enter into a business transaction with a client if the licensee and client have differing interests therein unless the client has consented in writing to the transaction after receiving full written disclosure of the differing interests from the licensee. Both written disclosure and client's written consent shall be made prior to the time the business transaction is accepted. ¶

(b) A loan transaction between a licensee and a client does not require disclosure under this rule if the client is in the business of making loans of the type obtained by the licensee and the loan terms are not more favorable than loans extended to other persons of similar credit worthiness and the transaction is not prohibited by other professional standards. ¶

(10) Notification of change of address, employer or assumed business name. Licensees are required to maintain a current record with the Board of the information described in this rule, and to provide written notice to the Board of any change in such information within 30 days of such change. Written notice required under this rule may be provided by US mail, private delivery service, fax transmittal, e-mail or personal delivery. The information required under this rule will not be accepted over the telephone: ¶

(a) Licensee's current business and residential addresses. If the number of a post office box, mail drop or pick-up service is provided for either address, the licensee must also provide the physical address; ¶

(b) The name and address of licensee's current employer; and ¶

(c) Any assumed business name used by licensee, if licensee is conducting the practice of public accountancy under an assumed business name. ¶

(11) Child support defaults. In accordance with ORS 25.750 to 25.783, the Board shall provide the Support Enforcement Division of the Department of Justice with certification and licensing information which may be electronically cross-matched with Support Enforcement Division's records for persons under order of judgment to pay monthly child support and who are in arrears according to 25.750(a), (b) and/or (c). ¶

(a) The Board shall suspend a licensee's certificate or license and permit to practice upon notice from the Support Enforcement Division or the appropriate District Attorney that such licensee is in arrears of any judgment or order requiring the payment of child support and such payment is being enforced under the provisions of ORS 25.080. ¶

(b) Pursuant to ORS 25.762 or 25.765, the Board shall notify the licensee of the action being taken and refer such licensee to the Support Enforcement Division or the District Attorney for resolution of the support payment issue. ¶

(c) Upon notification by the Support Enforcement Division or District Attorney and receipt of a release notice that the conditions resulting in the action have been resolved, the Board shall reinstate the licensee's certificate or license and permit to practice upon compliance with any additional requirements for issuance, renewal or reinstatement. ¶

(12) State tax defaults. In accordance with ORS 305.385, and upon request by the Department of Revenue (DOR), the Board shall provide DOR with license information for the purpose of determining whether a licensee has neglected or refused to file any tax return, or neglected or refused to pay any tax without filing a petition with DOR as stated in ORS 305.385(4)(a). ¶

(a) The Board shall issue a notice of proposed action against a licensee who is identified by DOR under this rule. The licensee shall be provided with the opportunity for hearing as provided in ORS 183.310 to 183.550 for contested cases. ¶

(b) Upon notification by DOR and receipt of a certificate issued by DOR that the certificate/license holder is in good standing with respect to any returns due and taxes payable to DOR as of the date of the certificate, the Board shall renew or reinstate the certificate or license and permit to practice upon compliance with any additional requirements of the Board for issuance, renewal, or reinstatement. ¶

(13) Continuing violation. A continuing violation is a violation of any provision of ORS 673.010 - 673.457 or OAR chapter 801 that remains in place ("continues") without additional conduct on the part of the violator. For example the continued existence of an office sign purporting to offer public accounting services by an unregistered firm would be a continuing violation. The Board shall provide written notice of the alleged continuing violation to the individual or firm. The duration of the violation prior to the date ¶

of notice from the Board shall be deemed a single violation, and each day of continuance after the date of notice from the Board is a separate violation and may be subject to a civil penalty. ¶

(14) Non-Disclosure Agreement. "Non-disclosure agreement" means any written or oral agreement that inhibits any party to the agreement from reporting an alleged violation of ORS Chapter 673 or OAR chapter 801 to the

Board, or that inhibits any party from cooperating with an investigation by the Board, an agency of any state, or an agency of the Federal government. ¶

(a) Licensees shall not enter into, nor benefit directly or indirectly from, any non-disclosure agreement. ¶

(b) Any licensee who is a party to a non-disclosure agreement and who receives written notice from the Board, an agency of any state, or an agency of the Federal government requesting information that is subject to the provisions of such non-disclosure agreement, shall provide a written release for information requested within 30 days of the date of notice.¶

(15) Peer Review Failure. Upon notification to the Board that a licensee or registrant has failed peer review more than one time, the Board may discipline the licensee or registrant for failing peer review in accordance with ORS 673.170. The notification of the failure of peer review will be prima facie evidence of the failure.

Statutory/Other Authority: ORS ~~670.310~~, 673.410

Statutes/Other Implemented: ORS 673.160, 673.410

AMEND: 801-040-0010

RULE SUMMARY: Corrects statutory authority only.

CHANGES TO RULE:

801-040-0010

Basic Requirements ¶¶

(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 20 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 may be carried forward from one reporting period to the next and may be used in partial fulfillment of the 80 hour requirement. ¶¶

(d) A minimum of four hours of ethics CPE must be included in the 80 hour CPE requirement. ¶¶

(e) CPE hours used for reinstatement may not be claimed on renewal application. ¶¶

(2) CPE Reciprocity. Active licensees whose principal place of business is outside Oregon and who are seeking renewal of their permit shall be determined to have met the CPE requirement in OAR 801-040-0010(1) by meeting the CPE requirements for renewal of a certificate in the jurisdiction in which the licensee's principal place of business is located. ¶¶

(a) Applicants for renewal of an active permit shall demonstrate compliance with the CPE renewal requirements of the jurisdiction in which the licensee's principal place of business is located by signing a statement to that effect on the renewal application of this state, unless the provision of OAR 801-040-0010(2)b) applies. ¶¶

(b) Applicants for renewal of an active permit whose principal place of business is in a jurisdiction without CPE requirements for renewal are not eligible for the provision of OAR 801-040-0010 (2)(a) and must meet the CPE renewal requirements of this jurisdiction as set forth in OAR 801-040-0010(1). ¶¶

(3) 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; ¶¶

(b) Complete four CPE hours in ethics which are included in the 32 hour requirement for each renewal period; ¶¶

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

(d) A maximum of 8 CPE hours may be carried forward from one reporting period to the next and may be used in partial fulfillment of the 32 hour requirement.

Statutory/Other Authority: ~~ORS 670.310, 673.040, 673.050, 673.410~~

Statutes/Other Implemented: ORS 673.165

AMEND: 801-040-0020

RULE SUMMARY: Corrects statutory authority only.

CHANGES TO RULE:

801-040-0020

Controls and Reporting ¶

Reporting requirement. As a requirement for renewal of an active license, licensees are required to certify that the licensee has fulfilled the CPE requirement by signing or electronically affirming the certification section on the renewal form. Licensees are required to report the following information for each CPE program listed on the renewal form: ¶

(1) CPE programs. ¶

(a) Name of program sponsor; ¶

(b) Program title; ¶

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

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

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

(f) Number of hours claimed. ¶

(2) 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) Date of first publication; and ¶

(e) Number of hours claimed.

Statutory/Other Authority: ORS ~~670.310~~, 673.040, 673.050, 673.410

Statutes/Other Implemented: ORS 673.165

AMEND: 801-040-0030

RULE SUMMARY: Corrects statutory authority only.

CHANGES TO RULE:

801-040-0030

Programs that Qualify for CPE Credit ¶¶

- (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 their 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) A record of attendance is maintained by the sponsor for a period of five (5) years and evidence of completion is provided to participating licensees; and ¶¶
  - (c) 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) Accredited university or college courses in technical subjects as stated in OAR 801-040-0040(2) 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 a regionally accredited university or college are eligible for CPE credit as described in subsection (3)(d), without meeting the requirement of NASBA National CPE Registry 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 (self-study). Correspondence courses or other individual study programs do not qualify for CPE credit unless the CPE sponsor is approved by the NASBA National CPE Registry. The sponsor registry number must be identified. ¶¶
- (5) Blended Learning is an educational program incorporating different learning or instructional delivery methods, an educational program incorporating multiple learning formats such as lectures, discussion, guided practice, reading, games, cases studies, and simulation. ¶¶
- (6) Nano-learning Program. Nano-learning program means a tutorial program designed to permit a participant to learn a given subject in a minimum 10 minute and less than 20 minute time frame through the use of electronic media and without interaction with a real-time instructor. ¶¶
- (a) A nano-learning program differs from a self-study program in that it is typically focused on a single learning objective and is not paper-based. ¶¶
  - (b) A nano-learning program is not a group program. ¶¶
  - (c) Nano-learning is not a substitute for comprehensive programs addressing complex issues. ¶¶
  - (d) As evidence of satisfactory completion of the course, CPE program sponsors of nano-learning programs must require participants to successfully complete a qualified assessment with a passing grade of 100 percent before issuing CPE credit. ¶¶
  - (e) Assessments may contain questions of varying format. ¶¶
  - (f) Nano-learning credits must include a minimum of two questions. ¶¶
  - (g) True and False questions are not permissible on the qualified assessment. If the participant fails the qualified assessment, then the participant must re-take the nano-learning program. ¶¶
  - (h) The number of re-takes permitted a participant is at the sponsor's discretion. ¶¶
- (7) 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.

Statutory/Other Authority: ~~ORS 670.310, 673.040, 673.050, 673.410~~

Statutes/Other Implemented: ORS 673.165





AMEND: 801-040-0040

RULE SUMMARY: Corrects statutory authority only.

CHANGES TO RULE:

801-040-0040

Acceptable Subject Matter ¶¶

(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 Advisory Services ¶¶
- (f) Taxation ¶¶
- (g) Professional ethics ¶¶
- (h) Regulatory ethics ¶¶
- (i) Finance ¶¶
- (j) Business Law ¶¶
- (k) Economics ¶¶
- (l) Information Technology & Accounting Applications ¶¶
- (m) Statistics ¶¶
- (n) Data Analytics ¶¶

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

- (A) Interpersonal management skills; ¶¶
- (B) Public relations; ¶¶
- (C) Practice development; ¶¶
- (D) Practice administration. ¶¶
- (E) Marketing ¶¶
- (F) Personnel/HR ¶¶
- (G) Personal Development ¶¶
- (H) Communication ¶¶
- (I) Business Management & Organization

Statutory/Other Authority: ~~ORS 670.310~~, 673.040, 673.050, 673.410

Statutes/Other Implemented: ORS 673.165

AMEND: 801-040-0050

RULE SUMMARY: Clarifies CPE credit for lectures and training sessions and adds Board of Accountancy Board and Committee service to activities eligible for CPE credit.

CHANGES TO RULE:

801-040-0050

Credit Allowed and Evidence of Completion ¶¶

(1) Credit hours. Eligible CPE credit is measured by program length with one 50 minute period equal to one CPE credit. CPE credits can be awarded in one-fifth increments or in one-half increments (0.5, 1.0, x.2, x.4, x.5, x.6, x.8, etc.). Licensees may not report duplicate courses taken in the same reporting period unless there is proof that the course was substantially modified. ¶¶

(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 sponsor is included on NASBA's National Registry and providing the registry number, 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 National Registry approved sponsor. ¶¶

(b) CPE credit will be awarded in an amount equal to the average completion time determined by the NASBA National Registry 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, statement that the sponsor is included on NASBA's National Registry and provide registry number, if appropriate, and number of CPE hours allowed. ¶¶

(5) Nano-learning. ¶¶

(a) Evidence of satisfactory completion of a nano-learning course requires the participant to successfully complete a qualified assessment with a passing grade of 100 percent. ¶¶

(b) A nano-learning program differs from a self-study program in that it is typically focused on a single learning objective and is not paper based. ¶¶

(c) Nano-learning credits are provided in .2 CPE hour increments. ¶¶

(6) 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) CPE credit for a university or college undergraduate or graduate course where the licensee was the faculty instructor is allowed, provided that the course is ~~considered an upper division (300 or 400 level) or post-graduate course in a technical subject as defined in OAR 801-040-0040(2).~~ ¶¶

(c) 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. ¶¶

(d) 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. ¶¶

(e) 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. ¶¶

(f) 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. For university courses taught, evidence of completion should include the course syllabus and outline for each class. ¶¶

(7) 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 creating 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. ¶

(8) 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. ¶

(9)(a) Board and Board Committee Service.¶

(b) Voting members of the Board of Accountancy, its Peer review Oversight Committee (PROC), and Complaints Committee (BOACC) will receive 2 CPE credits per attended meeting documented on certificates of completion issued by the Board. The Board may in its discretion add other technical committees as eligible for CPE credits under this section. A maximum of 16 CPE credits per renewal cycle can be claimed for credit under this section. ¶

(10) University and college courses. ¶

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

(b) An official copy of the college transcript from a regionally accredited college/university is evidence of completion for courses that earn college credit. ¶

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

Statutory/Other Authority: ~~ORS 670.310~~, 673.040, 673.050, 673.410

Statutes/Other Implemented: ORS 673.165

AMEND: 801-040-0070

RULE SUMMARY: Corrects statutory authority only.

CHANGES TO RULE:

801-040-0070

CPE Audit

(1) The Board may audit CPE reports submitted by licensees. When a licensee is selected for audit of CPE hours, licensees are required to submit the following:¶¶

(a) All appropriate documentation that confirms attendance of all CPE programs and the number of eligible CPE hours; and¶¶

(b) Any additional information required. ¶¶

(2) Licensees must comply with all requests for information and any applicable deadlines for submitting information as required.

Statutory/Other Authority: ORS 673.410

Statutes/Other Implemented: ORS 673.165

REPEAL: 801-040-0095

RULE SUMMARY: Repeals duplicative rule section.

CHANGES TO RULE:

~~801-040-0095~~

~~Reinstatement Requirements: Inactive to Active Status~~

~~The provisions of this rule are removed from this section and included in OAR 801-010-0130 to minimize duplication.~~

~~Statutory/Other Authority: ORS 670.310~~

~~Statutes/Other Implemented: ORS 673.165~~

AMEND: 801-040-0100

RULE SUMMARY: Simplifies and clarifies CPE proration rules.

CHANGES TO RULE:

801-040-0100

New Licenses/Reinstated Licenses ¶¶

(1) CPE Requirement-¶¶

(a) Licensees who receive an initial license to practice public accountancy shall comply with the CPE requirements from the date of issuance of the license on a prorated basis ~~calculated at 3 CPE hours per month, including the month of issuance, until the end of the renewal period in which the license is issued. of ten (10) hours of CPE as described in OAR 801-040-0010(1) for each full three (3) month period from the date of the initial license, until the end of the renewal period in which the license is issued.~~ If the time-period is less than three (3) full months, the only CPE required for license renewal is the four (4) hours of ethics described in OAR 801-040-0010(1)(d).¶

(b) The 20 hour annual CPE requirement shall also be prorated at ~~two five (25) CPE hours per month, including the month of issuance~~ for each full 3 month period from the date of the initial license, until the end of the renewal period in which the license is issued. If the time-period is less than three (3) full months from the date of the initial license until the first license expiration date no annual CPE requirement will be required.¶

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

(d) The maximum credit allowed for non-technical CPE hours is no more than 20% of the prorated CPE hours due. ¶

(2) Requirement for licensed public accountants who become licensed as certified public accountants. Licensees who hold a license to practice public accountancy as a licensed public accountant under ORS 673.100, and who receive an initial certificate and 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 ~~310~~ 310 CPE hours for each ~~month~~ full 3-month period of the renewal period during which the person held a license as a public accountant. CPE hours earned during any month of the two-year renewal cycle during which the initial license was issued shall be eligible for credit to meet this requirement.

Statutory/Other Authority: ~~ORS 670.310~~, 673.040, 673.050, 673.410

Statutes/Other Implemented: ORS 673.165

AMEND: 801-040-0150

RULE SUMMARY: Corrects statutory authority only.

CHANGES TO RULE:

801-040-0150

Waivers ¶

(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 determined by the Board on a case-by-case basis.¶

(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.

Statutory/Other Authority: ORS ~~670.310~~, 673.040, 673.050, 673.410

Statutes/Other Implemented: ORS 673.165, 673.170

AMEND: 801-040-0160

RULE SUMMARY: Corrects statutory authority only.

CHANGES TO RULE:

801-040-0160

Failure to Comply ¶¶

(1) CPE Penalty ¶¶

(a) Active Licensees. Licensees who submit an application for renewal of an active license and who do not comply with the CPE requirements described in OAR 801-040-0010 are required to complete and report an additional 16 hours of qualifying CPE. ¶¶

(b) Inactive licensees. Licensees who submit an application for renewal of an inactive license and who do not comply with the CPE requirements described in OAR 801-040-0010 are required to complete and report an additional 8 hours of qualifying CPE. ¶¶

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

Statutory/Other Authority: ORS ~~670.310~~, 673.410

Statutes/Other Implemented: ORS 673.165, 673.170