

Secretary of the State File Number

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Regulation of the
Department of Consumer Protection
Concerning

Certified Public Accountants

Regulations adopted after July 1, 2013, become effective upon posting to the Connecticut eRegulations System, or at a later date if specified within the regulation.

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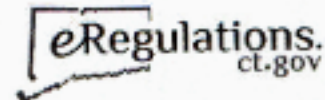
Approved by the Legislation Regulation Review Committee on

January 22, 2019

Electronic copy with agency head certification statement electronically submitted to and received by the Office of the Secretary of the State on

February 5, 2019

Form ICM-ECOPY (NEW 6/2015)
State of Connecticut
Secretary of the State



IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES
This form should be used only for regulations first noticed on and after March 23, 2015.

Electronic Copy Certification Statement

(Submitted in accordance with the provisions of section 4-172 of the Connecticut General Statutes)

Regulation of the
Department of Consumer Protection
Concerning
Certified Public Accountants

Approved by the Legislative Regulation Review Committee: **January 22, 2019**

eRegulations System Tracking Number: **PR2017-052**

I hereby certify that the electronic copy of the above-referenced regulation submitted herewith to the Secretary of the State is a true and accurate copy of the regulation approved in accordance with sections 4-169 and 4-170 of the *Connecticut General Statutes*.

And I further certify that in accordance with the approval of Legislative Regulation Review Committee, all required technical corrections, page substitutions and deletions, if any, have been incorporated into said regulation.

In testimony whereof, I have hereunto set my hand on **this 5th day of February 2019**.

Julianne Avallone
Legal Director
Consumer Protection

State of Connecticut
Regulation of
Department of Consumer Protection
Concerning
Certified Public Accountants

Section 1. Sections 20-280-15a to 20-280-16, inclusive, of the Regulations of Connecticut State Agencies are amended to read as follows:

Sec. 20-280-15a. Code of professional conduct

(a) This code of professional conduct is promulgated under the authority granted by section 20-280(g)(4) of the [general statutes] Connecticut General Statutes, which delegates to the [state board of accountancy] State Board of Accountancy of Connecticut the power and duty to prescribe rules of professional conduct for establishing and maintaining high standards of competence and integrity in the profession of public accountancy.

(b) The rules of conduct set out in section 20-280-15c of the Regulations of Connecticut State Agencies rest upon the premises that the reliance of the public in general and of the business community in particular on sound financial reporting, and on the implication of professional competence which inheres in the authorized use of a legally restricted title relating to the practice of public accountancy, imposes on persons engaged in such practice certain obligations both to their clients and to the public. These obligations, which the rules of conduct are intended to enforce where necessary, include the obligation to maintain independence of thought and action, to strive continuously to improve one's professional skills, to observe where applicable generally accepted accounting principles and generally accepted auditing standards, to promote sound and informative financial reporting, to hold the affairs of client in confidence, to uphold the standards of the public accountancy profession, and to maintain high standards of personal conduct in all matters affecting one's fitness to practice public accountancy.

(c) Acceptance of licensure to engage in the practice of public accountancy, or to use titles which imply a particular competence so to engage, involves acceptance by the licensee of such obligations, and accordingly of a duty to abide by the rules of conduct.

(d) The rules of conduct are intended to have application to all kinds of professional services performed in the practice of public accountancy, including tax and management advisory services, and to apply as well to all licensees, whether or not engaged in the practice of public accountancy, except where the wording of a rule clearly indicates that the applicability is more limited.

(e) A licensee who is engaged in the practice of public accountancy outside the United States will not be subject to discipline by the board for departing, with respect to such foreign practice, from any of the rules, so long as his conduct is in accordance with the standards of professional conduct applicable to the practice of public accountancy in the country in which he is practicing. However, even in such a case, if a licensee's name is associated with financial statements in such manner as to imply that he is acting as an independent public accountant and under circumstances that would entitle the reader to assume that United States practices are followed, he will be expected to comply with [sec.] section 20-280-15c [(g) and (h)] (e) and (f) of the Regulations of Connecticut State Agencies.

(f) In the interpretation and enforcement of the rules of conduct, the board will give consideration,

but not necessarily dispositive weight, to relevant interpretations, rulings and opinions issued by the boards of other jurisdictions, and by appropriately authorized committees on ethics of professional organizations.

Sec. 20-280-15b. Definitions

[For purposes of these rules] Unless otherwise defined in section 20-279b of the Connecticut General Statutes, for the purposes of sections 20-280-15a to 20-280-16, inclusive, and sections 20-280-20 to 20-280-28, inclusive, of the Regulations of Connecticut State Agencies the following terms have the meanings indicated:

- (1) “Accreditation” means a level of the quality control of the education process provided by specialized or professional regional or national accrediting organizations recognized by the Council for Higher Education Accreditation.
- (2) “Adjudication” means the board process in which a sanction may be imposed.
- (3) “Attest documentation” means documentation used to provide attest services as defined in Section 20-279b of the Connecticut General Statutes.
- (4) “Audit” means procedures performed in accordance with applicable auditing standards for the purpose of expressing or disclaiming an opinion on the fairness with which the historical financial information is presented in conformity with generally accepted accounting principles, another comprehensive basis of accounting, or basis of accounting described in the report.
- (5) “Client” means the person or entity which retains a licensee for the performance of professional services.
- (6) “Commissioner” means the Commissioner of Consumer Protection or his designee.
- (7) “CPA” means a certified public accountant.
- (8) “Continuing professional education year” (“CPE year”) means a period commencing on July 1 and ending on June 30 of the succeeding year.
- (9) “Department” means the Department of Consumer Protection.
- (10) “Enterprise” means any person or entity, whether organized for profit or not, with respect to which a licensee performs professional services.
- (11) “Financial statements” means statements and notes to the financial statements related thereto that purport to show financial position which relates to a point in time or changes in financial position which relate to a period of time, including statements which use a cash or other incomplete basis of accounting. The term includes balance sheets, statements of income, statements of retained earnings, statements of changes in financial position and statements of changes in owners’ equity, but does not include incidental financial data included in management advisory services reports to support recommendations to a client, nor does it include tax returns and supporting schedules.
- (12) “Freedom of Information Act” means chapter 14 of the Connecticut General Statutes.
- (13) “Group program” means an educational process designed to permit a participant to learn a given subject through interaction with an instructor and other participants. If a program complies with the standards specified in 20-280-15a to 20-280-16, inclusive, and sections 20-280-20 to 20-280-28, inclusive, of the Regulations of Connecticut State Agencies it is a “formal” group program.
- (14) “He, his, him” means masculine pronouns when used in sections 20-280-15a to 20-280-16, inclusive, and sections 20-280-20 to 20-280-28, inclusive, of the Regulations of Connecticut State Agencies also include the feminine and the neuter.
- (15) “Instructional design” means a teaching plan that considers the organization and interaction of the materials as well as the method of presentation, such as lecture, seminar, workshop, or programmed instruction.
- (16) “Interactive self-study program” means any program designed to use interactive learning methodologies that simulate classroom learning processes by employing software, other courseware or administrative systems that provide significant ongoing interactive feedback to the participant

regarding the participant's learning process.

(17) "License" means any license, certificate, or registration granted by the board.

(18) "Order" means the whole or part of any final disposition of an adjudication.

(19) "Person" means any individual, partnership, corporation, association, or other public or private entity, organized or existing under the laws of this state or any other state, or the federal government, including any federal corporation or foreign entity.

(20) "Personal Data Act" means chapter 55 of the Connecticut General Statutes.

(21) "Professional engagement" means an agreement between a client and a licensee relative to the performance of professional services and the services performed under this agreement.

(22) "Program" means both formal group and formal self-study programs.

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

(24) "PCAOB" means the Public Company Accounting Oversight Board.

(25) "Qualifying CPE program sponsor" means the AICPA and any state CPA society, any accredited college or university, any member of NASBA's National Registry of CPE sponsors, and any person, firm, association, legal entity or other group recognized by the board.

(26) "Registered" means, when used in the context of a certificate, registration pursuant to subsection (f) of section 20-281c of the Connecticut General Statutes.

(27) "Sanction" means revocation or suspension of a license, or a censure of the license.

(28) "Self-study program" means an educational process designed to permit a participant to learn a given subject without major interaction with an instructor, and where the sponsor of the program provides the participant with a certificate upon evidence of satisfactory completion, such as an examination, and complies with the standards specified in sections 20-280-15a to 20-280-16, inclusive, and sections 20-280-20 to 20-280-28, inclusive, of the Regulations of Connecticut State Agencies.

[(1)] [**Board.** The state board of accountancy of Connecticut.]

[(2)] [**Client.** The person or entity which retains a licensee for the performance of professional services.]

[(3)] [**Enterprise.** Any person or entity, whether organized for profit or not, with respect to which a licensee performs professional services.]

[(4)] [**Firm.** A proprietorship, partnership or professional corporation engaged in the practice of public accountancy.]

[(5)] [**Financial statements.** Statements and footnotes related thereto that purport to show financial position which relates to a point in time or changes in financial position which relate to a period of time, including statements which use a cash or other incomplete basis of accounting. The term includes balance sheets, statements of income, statements of retained earnings, statements of changes in financial position and statements of changes in owners' equity, but does not include incidental financial data included in management advisory services reports to support recommendations to a client, nor does it include tax returns and supporting schedules.]

[(6)] [**He, his him.** Masculine pronouns when used herein also include the feminine and the neuter.]

[(7)] [**Licensee.** A person holding a certificate issued by the board, or registered with the board, or holding a permit to practice, pursuant to chapter 389 of the general statutes.]

[(8)] [**Practice of public accountancy.** Offering to perform or performing, for a client or potential client, one or more types of services involving the use of accounting or auditing skills, or one or more types of management advisory or consulting services, or the preparation of tax returns or the furnishing of advice on tax matters, while holding oneself out in such manner as to state or imply that one is a licensee.]

[(9)] [**Professional services.** Any services performed or offered to be performed by a licensee for a client in the course of the practice of public accountancy.]

[(10)] [**Public communication.** A communication made in identical form to multiple persons or to the world at large, as by television, radio, motion picture, newspaper, pamphlet, mass mailing, letterhead, business card or directory.]

Sec. 20-280-15c. Rules of conduct

(a) **Independence.** A licensee shall not express an opinion on financial statements of an enterprise in such a manner as to imply that he is acting as an independent public accountant with respect thereto unless he is independent with respect to such enterprise. Independence will be considered to be impaired if, for example:

(1) During the period of his professional engagement, or at the time of expressing his opinion, the licensee:

(A) Had or was committed to acquire any direct or material indirect financial interest in the enterprise; or was a trustee of any pension or profit-sharing trust of the enterprise, or was otherwise a trustee of any trust or executor or administrator of any estate if such trust or estate had or was committed to acquire any direct or material indirect financial interest in the enterprise; or

(B) Had any joint closely-held business investment with the enterprise or any officer, director or principal stockholder thereof which was material in relation to the net worth of either the licensee or the enterprise; or

(C) Had any loan to or from the enterprise or any officer, director or principal stockholder thereof other than loans of the following kinds made by a financial institution under normal lending procedures, terms and requirements:

(i) Loans obtained by the licensee which are not material in relation to the net worth of the borrower; and

(ii) Home mortgages; and

(iii) Other secured loans, except those secured solely by a guarantee of the licensee.

(2) During the period covered by the financial statements, during the period of the professional engagement, or at the time of expressing an opinion, the licensee[:] was connected with the enterprise as a promoter, underwriter or voting trustee, a director or officer or in any capacity equivalent to that of a member of management or of an employee.

[(A)] [was connected with the enterprise as a promoter, underwriter or voting trustee, a director or officer or in any capacity equivalent to that of a member of management or of an employee; or]

[(B)] [was a trustee for any pension or profit-sharing trust of the enterprise. The foregoing examples are not intended to be all-inclusive.]

(b) **Integrity and objectivity.** A licensee shall not in the performance of professional services knowingly misrepresent the facts, nor subordinate his judgment to others. In tax practice, however, a licensee may resolve doubt in favor of his client as long as there is reasonable support for his position.

[(c)] [**Commissions.** A licensee shall not pay a commission to obtain a client, nor accept a commission for a referral to a client of products or services of others. This rule does not prohibit payments for the purchase of all, or a material part, of an accounting practice, or retirement payments to persons formerly engaged in the practice of public accountancy, or payments to the heirs or estates of such persons.]

[(d)] [**Contingent fees.** A licensee shall not offer or perform professional services for a fee which is contingent upon the findings or results of such services; provided however that this rule does not apply to professional services involving federal, state, or other taxes in which the findings are those of the tax authorities and not those of the licensee, nor does it apply to professional services for which

the fees are to be fixed by courts or other public authorities and which are therefore indeterminate in amount at the time the professional services are undertaken.]

[(e)](c) **Incompatible occupations.** A licensee who is engaged in the practice of public accounting shall not concurrently engage in any business or occupation which would create a conflict of interest in rendering professional services.

[(f)](d) **Competence.** A licensee shall not undertake any engagement for the performance of professional services which he cannot reasonably expect to complete with due professional competence, including compliance, where applicable, with subsections [(g) and (h)] (e) and (f) of this section.

[(g)](e) **Auditing standards.** A licensee shall not permit his name to be associated with financial statements in such a manner as to imply that he is acting as an independent public accountant with respect to such financial statements unless he has complied with applicable generally accepted auditing standards. Statements on auditing standards issued by the American Institute of Certified Public Accountants, and other pronouncements having similar generally recognized authority, are considered to be interpretations of generally accepted auditing standards, and departures therefrom must be justified by those who do not follow them.

[(h)](f) **Accounting principles.** 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 considered to be 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.

[(i)](g) **Forecasts.** A licensee shall not in the performance of professional services permit his name to be used in conjunction with any forecast of future transactions in a manner which may reasonably lead to the belief that the licensee vouches for the achievability of the forecast.

[(j)](h) **Confidential client information.** A licensee shall not without the consent of his client disclose any confidential information pertaining to his client obtained in the course of performing professional services.

(1) This [rule] subdivision does not [(1)] (A) relieve a licensee of any obligations under subsections [(g) or (h)] (e) and (f), or [(2)] (B) affect in any way a licensee's obligation to comply with a validly issued subpoena or summons enforceable by order of a court, or [(3)] (C) prohibit disclosures in the course of a [quality] peer review of a licensee's professional services, or [(4)] (D) preclude a licensee from responding to any inquiry made by the board or any investigative or disciplinary body established by law or formally recognized by the board.

(2) Members of the board and professional practice reviewers shall not disclose any confidential client information which comes to their attention from licensees in disciplinary proceedings or otherwise in carrying out their responsibilities, except that they may furnish such information to an investigative or disciplinary body of the kind referred to above.

[(k)](i) **Records.**

(1) [A licensee shall return to a client, upon request, client records. As used in this subsection, "client records" mean any accounting or other record belonging to the client that is provided by or on behalf of the client.]

(2) [A licensee's work papers are the licensee's property and need not be made available to the client, except as provided in subdivision (3) hereof. For the purpose of this subsection, analyses or

schedules prepared by the client at the request of the licensee for use by the licensee in connection with an attest engagement are licensee work papers.]

~~[(3)](1)~~ A licensee shall make available to a client, upon request, work papers which contain information not reflected in the client's original books and records, and without which the client's financial information is incomplete. Such information includes, but is not limited to, adjusting, closing, combining or consolidating journal entries and information normally contained in books of original entry and general ledgers or subsidiary ledgers. The licensee may require the payment of fees due with respect to the preparation of such information before such information is provided.

~~(2)~~ A licensee shall comply with all professional standards for attest documentation applicable to particular engagements, including, but not limited to standards adopted by recognized standards setting bodies such as the PCAOB, the Comptroller General of the United States, and the Auditing Standards Board. If the applicable standards do not otherwise specify, the retention period for attest documentation shall be five years and shall be measured from the report date. If attest documentation is required to be kept for longer than provided in the applicable standards because of a pending board investigation or disciplinary action, attest documentation shall not be destroyed until the licensee has been notified in writing by the board of the closure of a board investigation or disciplinary proceeding.

~~[(4)](3)~~ Once the licensee has complied with the provisions of this subsection, he need not comply with any subsequent requests to again provide that information.

~~[(l)](j)~~ **Discreditable acts.** A licensee shall not commit any act that reflects adversely on his fitness to engage in the practice of public accountancy[.], including:

~~(1)~~ Incompetence, including but not limited to:

~~(A)~~ Gross negligence, recklessness, or repeated acts of negligence in the licensee's record of professional practice; or

~~(B)~~ Any condition, whether physical or mental, that endangers the public by impairing skill and care in providing professional services.

~~(2)~~ Presenting a license of another as one's own;

~~(3)~~ Concealment of information regarding violations by other licensees of Chapter 389 of the Connecticut General Statutes and the regulations promulgated thereunder when questioned or requested by the board; and

~~(4)~~ Willfully failing to file a report or record required by state or federal law; willfully impeding or obstructing the filing of such a report or record, or inducing another person to impede or obstruct such filing by another; and the making or filing of such a report or record which the licensee knows to be false. A finding, adjudication, consent order or conviction by a federal or state court, agency or regulatory authority or the PCAOB that a licensee has willfully failed to file a required report or record shall be prima facie evidence of a violation of this subdivision.

~~(5)~~ Willfully impeding or obstructing any lawful request of any state, federal or foreign agency.

~~(k)~~ **Acting through others.** A licensee shall not permit others to carry out on his behalf, either with or without compensation, acts which, if carried out by the licensee, would place him in violation of the rules of conduct.

~~[(n)](l)~~ **Advertising.** A licensee shall not seek to obtain clients by advertising or other forms of solicitation in a manner that is false, misleading or deceptive. A false, misleading or deceptive statement or claim includes but is not limited to a statement or claim which:

~~(1)~~ Contains a misrepresentation of fact; or

~~(2)~~ Is intended or likely to create false or unjustified expectations of favorable results; or

~~(3)~~ Implies educational or professional attainments or licensing recognition not supported in fact;

or

~~(4)~~ Contains other representations or implications that in reasonable probability will cause an

ordinarily prudent person to misunderstand or be deceived.

[(o)](m) **Form of practice.** A licensee may practice public accountancy only in proprietorship, a partnership or a professional corporation, organized in accordance with chapter 594a of the [general statutes] Connecticut General Statutes, or other public or private entity, organized or existing under the laws of this state or any other state, or the federal government, including any federal corporation, or foreign entity.

[(p)](n) **Firm names.** A licensee shall not practice public accountancy under a firm name which is misleading. A misleading firm name is one which contains any representation that would be likely to cause a reasonable person to misunderstand or be confused about the legal form of the firm, or about who the owners or members of the firm are, such as a reference to a type of organization or an abbreviation thereof which does not accurately reflect the form under which the firm is organized, for example, implies the existence of a corporation when the firm is not a corporation. The names of one or more past partners, shareholders, or members may be included in the firm name of a partnership, corporation, limited liability company, or its successor. A partner, shareholder, or member surviving the death or withdrawal of all other partners, shareholders, or members may continue to practice under a firm name which includes the names of past partners, shareholders, or members for up to two years after becoming a sole proprietor.

[(q)] **[Communications.** A licensee shall, when requested, respond to communications from the board within thirty days of the mailing of such communications by registered or certified mail.]

Sec. 20-280-16. Complaints, adjudication procedure

(a) **Purpose:** This section shall govern the procedure of the board in all hearings conducted under the authority of [Section 20-280b of the General Statutes] section 20-280b of the Connecticut General Statutes involving a violation or alleged violation[,] of [Chapter] chapter 389 of the Connecticut General Statutes and [Regulations] the regulations promulgated thereunder [of the board], by any person, but these rules shall not be construed to be a limitation or repeal of the board's authority as provided by legislative act.

[(b)] **[Definitions.** For the purpose of these rules:]

[(1)] ["Person" means any individual, partnership, corporation, or association.]

[(2)] ["Order" means the whole or part of any final disposition of an adjudication.]

[(3)] ["Adjudication" means the board process in which a sanction may be imposed.]

[(4)] ["Sanction" means revocation or suspension of a license, or a censure of the license.]

[(5)] ["License" means any authority, certificate, or registration granted by the board.]

[(c)](b) **Complaints.** Information or personal knowledge of any person, including any board member, which if true would indicate a possible violation of [Chapter 389 of the General Statutes] chapter 389 of the Connecticut General Statutes or the regulations of the board may be presented to the board in the form of a complaint in accordance with [Section 20-280c of the General Statutes] section 20-280c of the Connecticut General Statutes. Upon receipt of such complaint, the board shall review its particulars.

[(d)](c) **Action on complaint.** Upon completion of the review the board shall:

(1) If the complaint in its opinion has no foundation in law and/or fact, transmit to the person providing the information the determination as to the insufficiency of the complaint or of the evidence, or

(2) In all other cases cause to have prepared on its own motion, formal charges which shall be signed, caused to be served and prosecuted in accordance with Sections 4-177, 4-178 and [Section] 20-280c of the Connecticut General Statutes by the secretary or by a board member designated by the chairman.

[(e)](d) **Conduct of hearings.** Hearings shall be conducted by two or more members of the board.

The hearing shall:

(1) Be presided over by a presiding officer, who shall be the chairman if present for the hearing; otherwise, the chairman shall designate a board member as presiding officer.

(2) Be officially recorded.

(3) Be continued or adjourned for reasonable cause shown.

[(f)](e) **Evidence.** Evidentiary questions shall be ruled upon by the presiding officer.

After all parties rest their cases, the board shall evaluate all testimony and other evidence and shall issue an appropriate order with findings of fact and conclusions. The [secretary] commissioner or board member prosecuting the complaint shall not participate in any deliberations, voting and preparation of the findings of fact, conclusions and order.

[(g)](f) **Record.** After adopting findings of fact and conclusions of law, the board shall issue an order dismissing the action, or providing the sanction under [Section] section 20-280b of the Connecticut General Statutes it deems warranted. The order shall:

(1) Be explicit and include as a part thereof the findings of fact and conclusions of law of the board.

(2) Be served upon the respondent or his attorney by certified mail with return receipt requested.

[(h)](g) Any licensee whose certificate, registration or permit issued by the board is subsequently suspended or revoked shall promptly return such certificate, registration or permit to the board.

(h) **Motion for reconsideration.** A petition to the board for vacation or reduction of the severity of a sanction imposed shall be submitted in writing within thirty days subsequent to the issuance of an order except that the board is not required to provide a hearing for consideration thereof.

Sec. 2. The Regulations of Connecticut State Agencies are amended by adding section 20-28015d as follows:

(NEW) Sec. 20-280-15d. Notification Requirements

(a) Reporting violations. A licensee and an individual using practice privileges in this state shall notify the board within thirty days of any of the following:

(1) Any deferred prosecution agreement involving an admission of wrongdoing, or any criminal conviction, including conviction following a guilty plea or plea of nolo contendere, for any felony or any crime, an essential element of which is fraud, dishonesty, deceit, or any other crime which evidences an unfitness of the applicant to practice public accountancy in a competent manner and consistent with public protection;

(2) Active or stayed revocation or suspension of any occupational license, privilege or other authority to practice any licensed occupation by or before any state, federal, foreign or other licensing or regulatory authority; or

(3) Any act which would be grounds for revocation or suspension of a license if committed by a licensee of the board.

(b) Change of address or other information. Any licensee, individual or firm shall notify the board in writing within thirty days of any change of address or change of employment. A firm shall notify the Board of any of the following events concerning the practice of public accountancy within this state within the thirty-day period:

(1) Formation of a new firm;

(2) Addition of a partner, member, manager or shareholder;

(3) Retirement, withdrawal or death of a partner, member, manager or shareholder;

(4) Any change in the name of the firm;

(5) Termination of the firm;

(6) Change in the management of any branch office in this state;

(7) Establishment of a new branch office or the closing or change of address of a branch office in this state; and

(8) Issuance of the firm's first issued financial statements and accountant's reports; or

(9) The occurrence of any event or events which would cause such firm not to be in conformity with the provisions of the Connecticut General Statutes or Regulations of Connecticut State Agencies.

(10) In the event of any change in the legal form of a firm, such new firm shall within thirty days of the change file an application for an initial permit in accordance with the Connecticut General Statutes and Regulations of Connecticut State Agencies.

(c) Internet practice. A CPA firm offering or rendering professional services via a website shall provide in the website's homepage, a name, an address, and principal state of licensure as a means for regulators and the public to contact a responsible licensee in charge at the firm regarding complaints, questions, or regulatory compliance.

Sec. 3. Section 20-280-20 through 20-280-27, inclusive, of the Regulations of Connecticut State Agencies are amended as follows:

Sec. 20-280-20. [Use of title upon registration of a certificate]

[(a) **Definitions.** As used in this section:]

[(1) ["Certificate" means a "certified public accountant" certificate issued either prior to October 1, 1992, or pursuant to section 20-281c of the general statutes or a "certified public accountant" certificate issued after examination pursuant to the laws of any other state;]

[(2) ["Firm" means any person, proprietorship, partnership, corporation or association and any other legal entity which practices public accountancy;]

[(3) ["License" means a public accountancy license issued pursuant to section 20-281b or 20-281d of the general statutes;]

[(4) ["Licensee" means the holder of a certificate issued pursuant to section 20-281c of the general statutes, the holder of a license issued pursuant to section 20-281b or 20-281d of the general statutes or a holder of a permit to practice public accountancy issued pursuant to sections 20-281b and 20-281e of the general statutes;

[(5) ["Permit" means a permit to practice public accountancy issued to a firm pursuant to section 20-281e of the general statutes;]

[(6) ["Practicing public accountancy" means performing for the public or offering to perform for the public for a fee by a person or firm holding himself or itself out to the public as a licensee one or more kinds of services involving the use of accounting or auditing skills, including, but not limited to, the issuance of reports on financial statements, or of one or more kinds of management advisory, financial advisory or consulting services, or the preparation of tax returns or the furnishing of advice on tax matters;]

[(7) ["Registration" or "Registered" means, when used in the context of a certificate, registration pursuant to subsection (f) of section 20-281c of the general statutes;]

[(8) ["Report" means any writing which refers to a financial statement and (A) expresses or implies assurance as to the reliability of said financial statement, and includes, but is not limited to, any writing disclaiming an opinion, when such writing contains language conventionally understood in the profession to express or imply assurance as to the reliability of such financial statement, and (B) expresses or implies that the person or firm issuing such writing has special competence in accounting or auditing, which expression or implication arises from, among other things, the use of written language which is conventionally understood in the profession to express or imply assurance

as to the reliability of financial statements.]

[(9)] [“Title pertaining to certification” or “Title pertaining to such certification” means the title or designation “certified public accountant” or the abbreviation “CPA” or any other title, designation, words, letters, abbreviations, sign, card or device tending to indicate that a person is a certified public accountant.]

[(b)](a) **General rule.** The holder of a certificate who does not also hold a license shall not use the title pertaining to such certification except as permitted by this section.

[(c)](b) **Non-business use.** The holder of a registered certificate may use the title pertaining to such certification on personal stationary, checks and social correspondence, provided that, such title shall not be used in connection with any activity engaged in for the purpose of generating income or which does generate income, except as permitted in subsections [(d), (e) and (f)] (c), (d) and (e) of this section.

[(d)](c) **Public practice.** The holder of a registered certificate who is an employee of a firm which holds a current permit to practice public accountancy but who is not a proprietor, partner, shareholder or member of such firm, may use the title pertaining to such certification, in the course of his employment with such firm, in the following manner: (1) in oral or written communication related to the business of such firm; (2) in connection with the listing of such employee’s name on business cards if the cards identify such firm; and (3) in connection with the listing of such employee’s name on the firm’s letterhead and in advertising for the firm, provided that such letterhead or advertising indicates that such employee is not a proprietor, partner, shareholder or member in such firm. Such letterhead or advertising may so indicate by the use of wording, graphic devices, grouping or physical separation of names, or some other means, or by a combination of any of the foregoing, which clearly indicates on the face of such letterhead or advertising that certain individuals or a certain group or groups of individuals listed therein consist only of proprietors, partners, shareholders or members, while other individuals or another group or groups listed therein consist only of individuals who are not proprietors, partners, shareholders or members.

[(e)](d) **Academic use.** The holder of a registered certificate employed, either full time or part time, as a faculty member or administrator of an educational institution, whether public or private, for profit or nonprofit, may use the title pertaining to such certification in the course of his academic activities or administrative duties, including, but not limited to, use in business cards, academic catalogues, articles, books and other publications and in academic directories or listings.

[(f)](e) **Business use other than in public practice.** The holder of a registered certificate who is an officer, director, employee, or agent of an entity, other than a firm engaged in the practice of public accountancy, may use the title pertaining to such certification in the course of his duties as such officer, director, employee, or agent only if such usage clearly identifies the entity and the person’s position within such entity, and may include use on correspondence, business cards, directories, and oral or written communication; provided, however, in no event shall such title be used on, or in connection with any report or any financial statement which the certificate holder has reason to believe may be transmitted to a party outside of the entity.

[(g)](f) **Use for which license is required.** Nothing in this section shall be construed to allow the holder of a certificate, who does not also hold a license, to affix his name or the name of any firm to a report, or to affix the name of a firm or his name together with a title pertaining to such certification to any tax return, or to allow the holder of a certificate, who does not also hold a license and a permit, to practice public accountancy.

[(h)](g) **Non-Connecticut certificates.** If the certificate registered pursuant to section 20-281c of the [general statutes] Connecticut General Statutes was issued by a jurisdiction other than Connecticut, any use in writing or in print of the title pertaining to such certification shall be accompanied by the name, or the abbreviation of the name, of the jurisdiction which issued such

certificate.

Sec. 20-280-21. Requirements to obtain a certified public accountant certificate

To obtain a certified public accountant certificate an applicant shall fulfill the following requirements:

- (1) **Application.** File an application on a form prescribed by the [board] commissioner.
- (2) **Fee.** Pay the applicable statutory fee at the time the application is filed.
- (3) **Good character.** Submit evidence satisfactory to the board of good character, as defined in subsection (b) of section 20-281c of the [general statutes] Connecticut General Statutes.
- (4) **Education.** Possess the educational qualifications set forth in section 20-280-22 of these regulations.
- (5) **Examination.** Pass the examination as provided in section 20-280-23 of these regulations.
- (6) **Ethics.** Attain a grade specified by the board on such examination in professional ethics as the board may prescribe.
- (7) **Experience.** Obtain and document the experience as provided in section 20-280-24 of these regulations.

Sec. 20-280-22. Education requirements to obtain a certified public accountant certificate

The following educational requirements shall be met before an applicant is eligible to apply for a certified public accountant certificate pursuant to section 20-280-21 of these regulations:

(a) An applicant who takes the examination prior to January 1, 2000 shall be a graduate of an accredited college with a degree of bachelor. The college shall be accredited by the regional accrediting commission subscribing to the national policies and procedures established by the Council for Higher Education Accreditation; or a college of equivalent accreditation as determined by the Connecticut State Board of Accountancy. The candidate shall have received credit for at least 46 semester hours from such an accredited college in the study of accounting and related subjects, including, but not limited to, business law, economics, and finance; of which at least twenty-four semester hours shall be in the study of accounting.

(b) Notwithstanding any other provision of these regulations to the contrary, an applicant who takes the examination prior to January 1, 2000 need only have the educational qualifications set forth in subsection (a) of this section to retake any or all parts of the examination on or after January 1, 2000.

(c) An applicant who takes the examination for the first time on or after January 1, 2000 shall have completed 150 semester hours of college education, including a baccalaureate degree, at a college or university accredited by a regional accrediting commission subscribing to established national policies and procedures or of equivalent accreditation as determined by the [Board] board. Such an applicant shall have received credit for at least 36 semester hours in accounting education, which may include the basic or introductory accounting course; at least 30 semester hours in economics and business administration education other than accounting; and at least 60 semester hours in general education. The balance may consist of any for-credit courses, including courses in excess of the minimums set forth in the preceding sentence.

(d) In lieu of subsections (a), (b) or (c) above, an applicant shall hold an authority to practice as a public accountant in the state of Connecticut under [Section 20-281b of the General Statutes] section 20-281b of the Connecticut General Statutes.

Sec. 20-280-23. Examination

- (a) **Educational qualifications to sit for the certified public accountant's examination.**

An applicant shall be eligible to apply to sit for the examination for the first time on or after May 26, 2007 if he or she is a graduate of an accredited college with a degree of bachelor or with a graduate degree. The college shall be accredited by the regional accrediting commission subscribing to the national policies and procedures established by the Council for Higher Education Accreditation; or a college of equivalent accreditation as determined by the Connecticut State Board of Accountancy. The candidate shall have received credit for at least 46 semester hours from such an accredited college in the study of accounting and related subjects, including, but not limited to business law, economics, and finance; of which at least twenty-four semester hours shall be in the study of accounting.

(b) **Application process.**

(1) Requirements to take the examination. An applicant shall:

(A) Submit to the examination service authorized by the board to administer the examination any application, documentation and proof of identity that the examination service may require, and pay any fee that the examination service may require;

(B) Submit documentation that, prior to applying for the examination, the applicant has met the educational qualifications set forth in subsection [(a) of this section] (c) of section 20-281c of the Connecticut General Statutes;

(C) Submit to the board satisfactory evidence of good character, as defined in subsection (b) of section [20-281C] 20-281c of the Connecticut General Statutes.

(2) Notice. The [Board] board, or its designee, shall for each applicant and eligible candidate:

(A) Determine the eligibility of each applicant;

(B) Forward notice of the time and place of the examination to each eligible candidate; and

(C) Forward notification of eligibility for the computer-based examination to the National Association of State Boards of Accountancy's National Candidate Database;

(3) Failure to appear for the examination. A candidate who fails to appear for the examination shall forfeit all fees charged for both the application and the examination.

(c) **Content.** The examination shall consist of the following sections:

(1) Auditing and Attestation;

(2) Financial Accounting and Reporting;

(3) Regulation;

(4) Business Environment and Concepts.

(d) **Passing Grade.** A candidate shall attain a scaled score of seventy-five points in each section.

(e) **Granting of Credit.** The exam shall be administered four times annually during three month examination periods as scheduled by the board or its designee. A candidate may take the required exam sections individually and in any order. Credit for any section(s) passed shall be valid for eighteen months from the actual date the candidate took that exam section, without having to attain a minimum score on any failed exam section and without regard to whether the candidate has taken other exam sections.

(1) Except as provided in subdivision (3) of this subsection, candidates shall pass all four exam sections of the examination within a rolling eighteen-month period, which begins on the date that the first exam section passed in taken. Any exam section passed outside the eighteen-month period shall expire and that exam section must be retaken.

(2) Candidates cannot retake a failed exam section during the same 3-month examination period in which candidates have an opportunity to take the CPA exam.

(3) For reason of health, military service, or other individual hardship, the board may, in its discretion, extend the time limit for passing all remaining subjects beyond that set forth in section (1) of this subdivision.

(f) **Credit for examinations taken out-of-state**

(1) Any individual who has obtained credit for any section of the uniform certified public accountant examination as graded by the Board of Examiners of the American Institute of Certified Public Accountants from a state other than Connecticut or other examination approved by the board, and who qualifies under subsection (a) of this section to take the examination in Connecticut shall receive credit for such sections subject to the provisions of this section.

(2) A candidate who has received full credits from a state other than Connecticut shall make application on forms prescribed by the board, and such application shall be filed with the board. A candidate's out-of-state credits shall not be accepted unless at the time the candidate received his out-of-state credits the state of issuance had in effect credit procedures and standards substantially equivalent to or stricter than those credit procedures and standards then in effect in state of Connecticut.

[(g)] [**Transitional rules for conditional credit.** Candidates who, on the date a computer-based examination approved by the board is first administered in this state, have unexpired credit for passing one or more sections of the paper-and-pencil examination:]

[(1)] [Shall receive credit for passing the corresponding sections of the computer-based examination, as follows:]

[(A)] [Credit for having passed auditing in a paper and pencil format shall be deemed credit for auditing and attestation in the computer-based examination;]

[(B)] [Credit for having passed financial accounting and reporting in a paper and pencil format shall be deemed credit for financial accounting and reporting in the computer-based examination;]

[(C)] [Credit for having passed accounting and reporting taxation, managerial, and governmental and not-for-profit organizations in a paper and pencil format shall be deemed credit for regulation in the computer-based examination;]

[(D)] [Credit for having passed business law and professional responsibilities in a paper and pencil format shall be deemed credit for business environment and concepts in the computer-based examination.]

[(2)] [Shall be allowed a transition period to pass all remaining sections of the computer-based exam. The transition period shall equal the remaining number of opportunities under the paper and pencil examination, multiplied by three months. Any exam section passed outside the transition period shall expire and that exam section must be retaken.]

[(h)](g) [**Hardship.** For reason of health, military service, or other individual hardship, the board may, in its discretion, extend the term of any credit.

[(i)](h) [**Cheating.**

(1) Cheating by a candidate shall be deemed to invalidate any grade earned by that candidate on any section of the examination, and may warrant summary expulsion from the test site and disqualification from taking the examination for a specified period of time ranging from until the next administration of the examination up to a lifetime ban.

(2) Actions including, but not limited to, the following may be considered cheating:

(A) Falsifying or misrepresenting educational credentials or other information required for admission to the examination;

(B) Communication between candidates inside or outside the examination site or copying another candidate's answers while the examination is in progress;

(C) Communication with others inside or outside the examination site while the examination is in process;

(D) Substitution of another person to sit in the examination site in the stead of the candidate;

(E) Possession of or reference to crib sheets, textbooks or other material or electronic media (other than that provided to the candidate as part of the examination) inside or outside the test site while the examination is in progress;

(F) Violating the nondisclosure prohibitions of the examination or aiding or abetting another in doing so;

(G) Retaking or attempting to retake an examination section by an individual who has unexpired credit for having already passed the same examination section, unless the individual has been directed to retake an examination section pursuant to [Board] board order to participate in a “Secret Shopper” program.

(3) In any case where it appears that cheating has occurred or is occurring, the [Board] board or its designee may summarily expel the candidate involved from the examination or move the candidate to a position in the examination center away from other examinees.

(4) In any case where the [Board or its designee] department believes that it has evidence that a candidate has cheated on the examination, it shall conduct an investigation. Such investigation may include hearings conducted in accordance with [Chapter] chapter 54 of the Connecticut General Statutes. Such hearing may result in a remedy including but not limited to:

(A) Permanently or temporarily barring the candidate from taking all or any section of the examination

(B) Full or partial invalidation of credit for any session of the examination completed for that session; and

[(5)] [Whenever the Board or its designee determines that a candidate has cheated on the examination, a hearing shall be conducted in accordance with Chapter 54 of the Connecticut General Statutes. Such remedy may include, but need not be limited to:

[(A)] Full or partial invalidation of credit for any session of the examination completed for that session;

[(B)] Permanently or temporarily barring the candidate from taking all, or any of the section of the examination.

[(C)] The Board or its designee shall provide information to any State Board of Accountancy, concerning its finding and actions in such cases when a candidate has applied to take the CPA examination in such other state.]

(5) Upon final written determination that a candidate has cheated on the examination, the department shall notify the national candidate database, the American Institute of Certified Public Accountants, and the test center where the examination was administered.

(6) The department shall provide information to any state board of accountancy, concerning its finding and actions in such cases when a candidate has applied to take the CPA examination in such other state.

[(j)] [**Scheduling changes.** The Board or its designee may postpone scheduled examinations, the release of grades, or the issuance of certificates due to:]

[(1)] [A breach of examination security;]

[(2)] [Unauthorized acquisition or disclosure of the contents of an examination; or]

[(3)] [Suspected or actual negligence, errors, omissions, or irregularities in conducting an examination.]

Sec. 20-280-24. Experience

(a) **Amount of experience.** An applicant for an initial certificate shall have the following experience:

(1) Three years if the applicant first took the examination required by subsection (5) of section 20-281-21 of the Regulations of Connecticut State Agencies prior to January 1, 2000 and possesses the educational qualifications set forth in section 20-280-23 of [of] the Regulations of Connecticut State Agencies but does not possess the educational qualifications set forth in section 20-280-22 of the Regulations of Connecticut State Agencies.

(2) [In all other cases, two years] Two years in all other cases:

(b) **When experience can be obtained.** For experience to be credited toward the satisfaction of the requirements of this section, such experience shall have been obtained no earlier than 10 years prior to the date of [receipt] receipt by the [Connecticut Board of Accountancy (the “Board”)] department of a complete application for initial certification.

(c) **Verification of experience.**

(1) For experience to be credited toward the satisfaction of the requirements of this section, such experience shall be verified, in such form as the [Board] board may require, by a person acting in one of the following capacities in relation to the applicant:

(A) As a supervising [certified public accountant] CPA holding a valid [certified public accountant] CPA certificate for no less than three years prior to the verification of such experience;

(B) As a supervising public accountant holding a public accountant license for no less than 3 years prior to the verification of such experience;

(C) As human resources personnel, at the direction of a supervising [certified public accountant] CPA holding a valid [certified public accountant] CPA license for no less than 3 years prior to verifying such experience;

(D) As human resources personnel at the direction of a supervising public accountant holding a valid public accountant license for no less than 3 years prior to verifying such experience; or

(E) As an auditor of public accounts for the state of Connecticut for an applicant whose experience was obtained, in whole or in part, while employed by the Office of the Auditors of Public Accounts if no one who had held a [certified public accountant] CPA license or a public accountant license for three years was in a supervisory capacity over said applicant.

(2) The [Board] board may require an interview of an applicant and an inspection of working papers, reports and other documentation relating to the applicant’s claimed experience. Such inspection may, at the option of the [Board] board, be conducted at the [Board’s] board’s office or at such other location as the [Board] board may designate, in which case any person having custody of such documentation shall produce it upon request of the [Board]board. All verifications relative to experience shall be made under penalty of perjury.

(d) **Computation of time.** In computing experience for the purpose of this section, the [Board] board shall consider thirty-five (35) hours per week as full-time employment. If an applicant worked in excess of thirty-five (35) hours in any one week, he or she shall receive a maximum of one week’s full-time employment credit. The [Board] board may accept part-time employment in satisfaction of the experience requirement, provided no credit shall be given for part-time employment for any week in which the applicant has worked for less than twenty (20) hours. The [Board] board shall convert all part-time employment claimed for credit into full-time employment equivalents on the basis of a thirty-five (35) hour week. One year of experience shall consist of fifty-two (52) weeks and shall include vacation, holidays, and time for illness not to exceed two-hundred and forty (240) hours in the aggregate.

(e) **Qualifying experience.** The applicant shall demonstrate to the satisfaction of the [Board] board that he or she has experience consisting of having provided services or advice involving the use of accounting, attest, management advisory, tax or consulting skills all of which was supervised by a licensed [certified public accountant] CPA or public accountant unless otherwise specified. Such experience shall be obtained in the following categories, or any combination thereof:

(1) Public Practice: Experience may be gained through employment as a staff accountant of a firm of certified public accountants where such experience is of a non-routine accounting nature, such that it requires independent thought and judgment on accounting matters. The work shall have involved application of appropriate technical and behavioral standards such as the standards contained in the Code of Professional Conduct, Generally Accepted Accounting Principles [(GAAP)], including

International Financial Reporting Standards promulgated by the International Accounting Standards Board; Generally Accepted Auditing Standards [(GAAS)], including those auditing standards promulgated by the [Public Company Accounting Oversight Board (PCAOB)] PCAOB; Statements on Standards for Attestation Engagements [(SSAE)]; Statements on Standards for Accounting and Review Services [(SSARS)]; the Statement on Standards for Tax Services [(SSTA)] or the Statements on Standards for Management Consulting Services [(SSMCS)], collectively known as “the Professional Standards”, as defined by the American Institute of Certified Public Accountants [(AICPA)].

Examples of work qualifying under this subsection include, but are not limited to:

- (A) review and evaluation of internal control policies and procedures;
- (B) testing of compliance with internal control policies and procedures;
- (C) preparation of working papers or electronic documentation in connection with elements of work accomplished;
- (D) planning, revision or updating of audit programs to be followed;
- (E) drafting or reviewing memoranda, conclusions, notes;
- (F) preparation or analysis of financial statements or reports;
- (G) performance of procedures for the verification of the following kinds of accounts: accounts receivable; inventory accounts, including valuation and physical verification; bank accounts; investment accounts; fixed asset accounts, including depreciation; intangible assets; accounts payable, accrued liabilities; reserves, in accordance with specific industry requirements; unrecorded liabilities; and appropriate analytical review of revenues and expenses;
- (H) review and preparation of tax provisions and reserves including research for determination of tax provision and related tax reserves, research for determination of taxable earnings and profits, reconciliation of books to tax return adjustments, review of tax returns to determine adequacy of income tax reserves, analysis of tax positions taken in making judgments affecting tax provisions and reserves;
- (I) preparation of financial statements from accounting records without audit and the preparation of related tax returns; performance of other related services requiring a knowledge of Generally Accepted Accounting Principles [(GAAP)]; tax related activities; review of financial projections; accountings for estates and fiduciaries;
- (J) preparation of books of original entry, preparation of payrolls, checks, payroll tax reports, sales and similar tax returns, posting to subsidiary ledgers; or
- (K) design and installation of accounting, cost or other systems when not related to an extension of auditing assignments; other management advisory services.

(2) Government practice: Experience may be gained through employment with accounting agencies or within federal, state or municipal government where such experience is of a non-routine accounting nature, such that it requires independent thought and judgment on accounting matters. The applicant shall obtain experience in assessing the adequacy of the agency’s internal controls by developing an understanding of the accounting agency transaction processes and information systems. Such experience includes obtaining an understanding of the areas or industries with which the applicant’s agency operates, including the operations of similar service providers. The [Board] board will review on a case-by-case basis, experience that does not clearly match the following categories of government employment:

- (A) employment in state government as an accountant or an auditor;
- (B) employment in federal government as an accountant or auditor at a GS-7 level or higher;
- (C) employment as a special agent in accounting with the Federal Bureau of Investigations;
- (D) military service as an accountant or auditor; and
- (E) employment with other government entities, including, but not limited to municipalities, as an

accountant or auditor.

(3) **Industry:** Experience may be gained in industry where such experience is of a non-routine accounting nature such that it continually requires independent thought and judgment on accounting matters. The applicant shall obtain experience in assessing the adequacy of the employer's internal controls by developing an understanding of the employer's transaction processes and information systems. The applicant shall also obtain experience in tax return preparation and research, preparation and analysis of financial statements, cost accounting, budgeting, and the application of accounting principles. Such experience includes obtaining an understanding of the industry in which the applicant's employer operates, including the employer's competition and key competitiveness factors that affect the industry. Professional services performed under this category include any service offered in the course of practicing public accountancy, as defined in section 20-279b of the Connecticut General Statutes, even though such services are not offered to the public.

(f) **Content of experience:** In order to be granted an initial certificate, the applicant shall demonstrate that the experience gained in the categories specified in this section included:

- (1) understanding of the Code of Conduct promulgated and adopted by the [Board] board ;
- (2) the ability to assess the achievement of an entity's objectives by demonstrating knowledge of various business organizations, understanding of the goals and objectives of various business entities, the ability to develop and analyze factors, and understanding of the economic and regulatory trends that affect an entity's environment;
- (3) experience in preparing documentation that includes sufficient relevant data to support the analysis and conclusions required and reflected in the applicant's work;
- (4) experience in preparation and analysis of financial statements together with explanations and notes thereon; and
- (5) understanding transaction processes and information systems, including the ability to understand how individual transactions aggregate at the organizational level, to infer how transactions effect the organization as a whole, and to evaluate the integrity and reliability of various client information systems, including relevant computer aspects.

(g) **[Non conforming] Non-conforming experience: Petitioning the [Board] board.**

An applicant who wishes to submit experience to support his or her application for an initial certified public accountant certificate, which does not match the scope and breadth set forth above, including, but not limited to, experience gained as an instructor at a college or university, shall bear the burden of proof to demonstrate that the experience submitted is of sufficient quality and diversity to fulfill the requirements in subsection (e) of this section.

(h) **Evidence of applicant's experience.**

(1) Any licensee who has been requested by an applicant to submit to the [Board] board evidence of the applicant's experience and has refused to do so shall, upon the request of the [Board] board, explain in writing or in person the basis for such refusal.

(2) Any licensee who has furnished evidence of an applicant's experience to the [Board] board shall, upon request by the [Board] board, document the information in writing, by exhibit, in person, or by a combination thereof.

(3) Any applicant may be required to appear before the [Board] board or its representative(s) to respond to questions or to supplement or verify evidence of experience in writing, by exhibit, in person or by a combination thereof.

(4) The [Board] board may require inspection of any and all documentation relating to an applicant's claimed experience including, but not limited to, any underlying tax returns, financial statements, work papers or other documentation. The inspections may be made at the [Board] board offices or, at [Board] board option, at any other locations that the [Board] board may designate. A licensee in custody of the requested documentation shall produce such documentation upon request.

All documents made available to the [Board] board pursuant to this section, shall remain protected by all applicable confidentiality and privileges.

(i) Additional ongoing experience requirements for licensees who perform or supervise attest or compilation services and who sign or authorize another to sign reports on financial statements.

Any individual licensee who performs or is responsible for supervising attest or compilation services or who signs or authorizes another person to sign reports on financial statements on behalf of the firm shall meet the following additional requirements:

(1) Certified public accountant license. The individual shall hold a current valid license to practice public accountancy, in good standing, issued by the [Connecticut State Board of Accountancy] board or by a State Board of Accountancy located in jurisdiction designated by the National Association of the State Boards of Accountancy as substantially equivalent.

(2) Competency. The individual shall meet the competency requirements set forth in the Statements on Quality Control Standards contained in the Professional Standards issued by the [AICPA] American Institute of Certified Public Accountants; and

(3) Continuing professional education. The individual shall earn 8 hours of the 40 hours of continuing professional education, required pursuant to section 20-280-25 (a) of the Regulations of Connecticut State Agencies, in the subject area of attest or compilation services.

Sec. 20-280-25. Renewal of license and continuing professional education requirement

(a) A license issued under [Chapter] chapter 389 of the general statutes shall be valid for a period of one year from January 1 to December 31. Each [certified public accountant] CPA and each public accountant who holds such a license shall annually apply for renewal of such license by December 31. An application for renewal which is filed electronically, postmarked or otherwise received after such December 31, but prior to February 1, shall be accepted as a late application for renewal. An application for renewal which is filed electronically, postmarked or otherwise received on or after such February 1 shall be rejected and the license shall lapse. As a condition precedent to renewal of such license, each applicant shall complete forty (40) hours of continuing professional education, complying with these regulations, during the period from July 1 through June 30, immediately preceding each such December 31, and shall report completion of such continuing education as required by these regulations by such December 31.

(b) Certified public accountants shall be exempt from the continuing professional education requirement for the initial period of July 1 to June 30 during which they were first licensed.

(c) Extensions, waivers or adjustments to the mandatory continuing professional education requirement may be granted for reasons of health certified by a physician, an extended active duty of armed forces or other good cause acceptable to the board.

(d) The holder of a certificate whose license has lapsed may reinstate his license by submission of an application on such form as the board may require which demonstrates that the applicant meets all requirements for renewal including continuing professional education requirements for the year immediately preceding the submission; provided that an applicant who has not held a valid license within five years prior to his application for reinstatement shall also meet such additional requirements, including but not limited to additional continuing professional education, as the board may impose.

(e) The holder of a certificate whose license has been reinstated, pursuant to the preceding subsection, during the months of January through July need not complete or report on the completion of any additional continuing professional education credits during the current continuing professional education year.

(f) The applicant for renewal of a license shall submit a signed application prescribed by the

[board] department, together with the fee prescribed by statute.

(g) Twenty hours of credit in excess of the minimum mandatory forty hours may be transferred from the preceding year to the subsequent year.

(h) Each license holder shall meet an ethics requirement of [4] four hours every three years. Such requirement may be met through any course covering ethical behavior and the understanding of State and National Code of Conduct, Professional Conduct and State Licensing Regulations.

Sec. 20-280-26. Delineation of qualifying continuing professional education programs

[(a)] [Terms used in sections 20-280-25 through 20-280-27, inclusive, of these regulations shall be defined as follows:]

[(1)] [“Continuing professional education year” (“CPE year”) means a period commencing on July 1 and ending on June 30 of the succeeding year.]

[(2)] [“Acceptable CPE credit” means credit for programs which are determined by the board to meet the requirements of these regulations and which are properly reported to the board under the provisions of these regulations.]

[(3)] [“Acceptable formal education” means formal programs of learning which contribute to professional competence to practice public accounting and which meet the standards prescribed by these regulations.]

[(4)] [“License” means the license issued under section 20-281d of the general statutes.]

[(5)] [“Program” means both formal group and formal self-study programs.]

[(6)] [“Group program” means an educational process designed to permit a participant to learn a given subject through interaction with an instructor and other participants. If a program complies with the standards in these regulations, it becomes a “formal” group program.]

[(7)] [“Self-study program” means an educational process designed to permit a participant to learn a given subject without major interaction with an instructor, and where the sponsor of the program must provide the participant with a certificate upon evidence of satisfactory completion, such as an examination, and must comply with the standards in these regulations.]

[(8)] [“Instructional design” means a teaching plan that considers the organization and interaction of the materials as well as the method of presentation such as lecture, seminar, workshop, or programmed instruction.]

[(9)] [“Interactive self-study programs” means programs designed to use interactive learning methodologies that simulate classroom learning processes by employing software, other courseware or administrative systems that provide significant ongoing interactive feedback to the participant regarding his learning process.]

[(b)](a) The overriding consideration in determining whether a specific program qualifies as acceptable continuing professional education is that it be a formal program of learning which contributes directly to the professional competence of an individual licensed to practice public accounting under the provisions of [Chapter 389 of the General Statute] chapter 389 of the Connecticut General Statutes and these regulations. The following shall qualify as acceptable continuing education programs, provided the standards set forth in these regulations are maintained, and each individual who reports participation shall provide the appropriate required documentation of completion as determined by the department.[:]

(1) [Professional development programs of recognized national and state accounting organizations.] Group continuing education programs, which consist of:

(A) Professional development programs of recognized national and state accounting organizations.

(B) Technical sessions at meetings of recognized national and state accounting organizations and their chapters or other subdivisions.

(C) Participation and work on a technical committee of an international, national or state

professional association, council or member organization, or a governmental entity that supports professional services or industries that require unique and specific knowledge in accounting or tax compliance.

(D) Courses in subject matters included in subsection [(c)] (b) of this section, taken at universities or colleges which are accredited by the Regional Accrediting Commission subscribing to the national policies and procedures established by the Council for Higher Education Accreditation, or a university or college of equivalent accreditation as determined by the [Board] board,

(E) Formal organized in-firm educational programs.

(F) Programs of other accounting, industrial or professional organizations which are recognized by the [Board] board.

(G) Formal correspondence or other individual study programs which require registration and provide evidence of satisfactory completion.

(2) University and college courses

(A) Credit will be calculated as 15 hours for each semester hour credit and 10 hours for each quarter hour credit.

(B) Individuals shall provide, upon the board's request, an official transcript that includes the course.

(3) Other programs

(A) Individuals shall provide, upon the board's request a certificate of completion or attendance.

(4) Interactive self-study program

(A) Shall be at least 10-minutes in duration and shall include at least one stated learning objective and require the participant to correctly answer at least two final assessment questions at the end of the program.

(5) Peer reviews

(A) Only an individual in a firm that receives a "passing" peer review report with no deficiencies may receive credit and the peer reviewer shall allocate the credit hours among the engagement personnel in attendance at the exit conference.

(B) The peer reviewer shall allocate a maximum of 12 hours for an engagement review and 16 hours for a system review.

(C) Peer review credit hours may not exceed 16 credit hours per individual for any license period.

(D) Individuals shall provide, upon the board's request, a written certificate by the peer reviewer containing the name of the individual, the name of the reviewed firm, the permit number of the firm, the type of peer review performed and the number of credit hours awarded to the individual.

(6) Continuing education publications

(A) Continuing education credit will be awarded only if the publication has been reviewed prior to publication by a qualified independent party.

(B) Credit hours awarded to an individual will be based on the time spent performing research associated with the publication and writing the publication.

(C) An individual may be awarded a maximum of 10 credit hours per publication, but credit hours may not exceed 40 per individual for any license period.

(D) Individuals shall provide, upon the board's request, documentation of the published work that may include but is not limited to, a copy of the work if printed, and if online media, the complete uniform resource locator, the title and date of the published work. The individual shall further certify the hours spent researching and writing and identify the independent party who reviewed said publication.

(7) Services as a teacher, lecturer or discussion leader

(A) Credit hours for services as a teacher, lecturer or discussion leader may not exceed 45 credit hours per individual for any license period.

(B) Individuals shall provide, upon the board's request, documentation that includes the professional credentials of the individual, the name of the course or program, the group or institution offering the course or program, an outline of the subject matter presented, and the date, location and duration of said presentation.

[(c)](b) The following general subject matters are acceptable if they contribute to the professional knowledge and competence of the applicant:

- (1) Accounting and Auditing
- (2) Taxation
- (3) Management Science
- (4) Computer Science
- (5) Communications Arts
- (6) Mathematics, Statistics, Probability, and Quantitative Applications in Business
- (7) Economics
- (8) Business Law
- (9) Functional Fields of Business, including Finance, Production, Marketing, Personnel Relations, and Business Management and Organization
- (10) Behavioral Science
- (11) Social Environment of Business
- (12) Specialized Areas of Industry[;]
- (13) Management of an Accounting Practice; e.g., Engagement Letters, Fee Structures, Personnel, etc. and

(14) Courses in such other disciplines as may be acceptable to the [state board of accountancy] board. Areas other than those listed above may be deemed acceptable if the applicant can demonstrate to the board that they contribute to his professional competence. The responsibility for substantiating that a particular program is acceptable and meets the requirements of these regulations rests solely upon the applicant.

[(d)](c) The following standards for development of continuing professional education programs must be met to insure acceptance of the program for credit:

- (1) The program [should] shall contribute to the professional competence of participants.
- (2) The objectives of the program [should] shall be stated and [should] shall specify the level of knowledge the participant [should] shall have obtained or the level of competence he [should] shall be able to demonstrate upon completing the program.
- (3) The education or experience prerequisites for the program [should] shall be stated.
- (4) Programs [should] shall be developed by individuals qualified in the subject matter and in instructional design.

- (5) Program content [should] shall be current.
- (6) Programs [should] shall be reviewed by a qualified person(s) other than the preparer(s) to ensure compliance with the above standards.
- (7) Sponsors are the organizations responsible for presenting programs but are not necessarily program developers. It is the responsibility of sponsors to see that their programs comply with all the standards of these regulations.

[(e)](d) The following standards for presentation of continuing professional education programs must be met to insure acceptance of the program for credit:

- (1) Participants [should] shall be informed in advance of objectives, prerequisites, experience level, content, advance preparation, teaching methods, and CPE contact hours credit.
- (2) Instructors [should] shall be qualified both with respect to program content and teaching methods used. A qualified instructor or discussion leader is anyone whose background, education or experience makes it appropriate for him to lead a discussion on the subject matter of the particular

program. The program sponsor has the obligation for selecting and assigning qualified instructors for the continuing professional education credits claimed by participants to be accepted by the board.

(3) Program sponsors [should] shall encourage participation only by individuals with appropriate education and/or experience.

(4) The number of participants and physical facilities [should] shall be consistent with the teaching method(s) specified.

(5) All programs [should] shall include some means for evaluating quality.

(6) In order to support the reports that may be required of participants, the sponsors of group or self-study programs [should] shall retain for three years:

- (A) appropriate records of attendance or participation,
- (B) outline of the course,
- (C) date(s),
- (D) location,
- (E) instructor(s), and
- (F) number of CPE contact hours.

[(f)](e) The following standards are applicable for measuring credit for continuing professional education programs:

(1) All approved CPE courses, programs or activities shall be measured by program length, with one 50-minute period equal to one CPE credit. CPE courses may be comprised of: [programs should be measured in terms of fifty-minute contact hours. The shortest recognized program should consist of one contact hour. Only contact hours are allowed. Preparation time can be claimed only if the participant was required to provide evidence of having completed the advance preparation and the program sponsored monitored and collected such evidence and recorded such fact on the attendance record. Travel time cannot be claimed. A participant must attend substantially an entire course to be granted entire credit for the course. If a record of registration and attendance is not maintained by the sponsor, the participant must be able to prove registration and attendance.]

(A) Group programs, independent study and blended learning programs - A minimum of one credit must be earned initially, but after the first credit has been earned, credits may be earned in fractions of credit hours, the shortest duration being 10 minutes; and

(B) Self-study programs including:

(i) Interactive self-study program - credits may be earned in fractions of credit hours, the shortest duration being 10 minutes; and

(ii) All other self-study programs - A minimum of one-half credit must be earned initially, but after the first credit has been earned, credits may be earned in fractions of credit hours, the shortest duration being 10 minutes.

(2) For blended learning programs, CPE credit shall equal the sum of the CPE credit determination for the various completed components of the program.

(3) Preparation time may be claimed only if the participant was required to provide evidence of having completed the advance preparation and the program sponsored monitored and collected such evidence and recorded such fact on the attendance record. Travel time cannot be claimed. A participant shall attend substantially an entire course to be granted entire credit for the course. If a record of registration and attendance is not maintained by the sponsor, the participant must be able to prove registration and attendance.

(4) When an instructor or discussion leader serves at a program for which participants receive CPE credit and at a level that contributed to his or her professional competence, credit [should] shall be given to him for preparation and presentation time measured in terms of contact hours. For the first time they present a program, instructors or discussion leaders [should] shall receive contact hour credit for actual preparation hours up to 2 times the class contact hours. For repetitious presentations

the instructor or discussion leader [should] shall receive no credit unless he can demonstrate that the subject matter involved was changed sufficiently to require significant additional study or research. Credit for presentations and/or preparations may not exceed twenty (20) hours in any CPE year.

~~[(3)]~~(5) The amount of credit to be allowed for formal self-study programs, as defined in subsection (a) of this section, including taped study programs, is to be recommended by the program sponsor based upon the average completion time under appropriate “field tests”. Applicants claiming credit for such formal self-study programs are required to obtain evidence of satisfactory completion of the program from the sponsor. Credit will be allowed in the CPE year in which the program is completed.

~~[(4)]~~(6) Credit may be claimed for published articles and books provided they contribute to the professional competence of the applicant. The amount of credit so awarded will be determined by the board. Credit for preparation of such publications may be given on a self-declaration basis up to ten (10) hours in any CPE year. In exceptional circumstances an applicant may be allowed additional credit by submitting the article(s) or book (s) to the board with an explanation of the circumstances which may justify a greater credit.

(7) A technical reviewer of qualifying CPE programs may receive CPE credit for actual review time up to the actual number of CPE credits for the learning activity. For repeat technical reviews, CPE credit may be claimed only if it can be demonstrated that the learning activity content was substantially changed and such change required significant additional study or research. Not more than 20 hours in any CPE year can be claimed for technical reviewer CPE credit.

~~[(5)]~~(8) Credit for courses at accredited universities or colleges will be allowed as follows:

(A) Graduate-level credit courses:

- (i) Fifteen (15) hours for each credit hour of a semester course.
- (ii) Twelve (12) hours for each credit hour of a trimester course.
- (iii) Ten (10) hours for each credit hour of a quarter course.

(B) Undergraduate-level credit course:

- (i) Seven and one-half (7 1/2) hours for each credit hour of a semester course.
- (ii) Six hours (6) for each credit hour of a trimester course.
- (iii) Five (5) hours for each credit hour of a quarter course.

(C) Non-credit courses: credit shall be allowed provided the course meets the standards set forth in subsection ~~[(b) above]~~ (a) of this section.

(9) Not more than 10 hours of the total qualifying CPE credits for a CPE year may consist of a combination of group programs not presented by a qualifying CPE program sponsor and at technical sessions at meetings of recognized national and state accounting organizations and their chapters or other subdivisions.

(10) If a non-resident licensee’s principal place of business state has no CPE requirements for renewal of a certificate, the non-resident licensee shall comply with all CPE requirements for renewal of a certificate in this state.

Sec. 20-280-27. Control and reporting of continuing professional education credit

(a) All holders of licenses issued under chapter 389 of the Connecticut General Statutes [general statutes] shall file with the [board] department by December 31 of each year, a statement[, signed under penalty of false statement,] on forms prescribed by the [board] commissioner, listing the continuing professional education programs completed and the number of credits claimed.[, showing for each program:

- (1) Sponsoring organization.
- (2) Address of location of program.
- (3) Title of program or description of content.

- (4) Dates attended.
 - (5) Type of program.
 - (6) CPE hours claimed.]
- (b) In order to support the reports that may be required of participants, the sponsor of group or self-study programs [should] shall retain for at least three years
- (1) appropriate records of attendance or participation,
 - (2) outline of the course (or equivalent),
 - (3) date(s),
 - (4) location,
 - (5) names and qualifications of instructors, and
 - (6) number of CPE contact hours.

Sec. 4. The Regulations of Connecticut State Agencies are amended by adding section 20-280-24a as follows:

(NEW) Sec. 20-280-24a. Licensing an out-of-state individual

(a) An individual with a principal place of business in another state may offer or render services in this state pursuant to section 20-281n of the Connecticut General Statutes.

(b) The board may rely on the International Qualifications Appraisal Board for evaluation of foreign credential equivalency and may presume that an applicant with a foreign accounting credential that is covered by a currently valid Mutual Recognition Agreement is substantially equivalent, and that the foreign credit holder possesses adequate knowledge of U.S. practice standards.

Sec. 5. Sections 20-280-28 and 20-280-29 of the Regulations of Connecticut State Agencies are hereby repealed.

R-39 Rev. 02/2012

Statement of Purpose

The purpose of the revisions to the State Board of Accountancy regulations are to bring the regulations in Connecticut in line with the laws of most U.S. states and territories as reflected in the Model Rules of the National Association of State Boards of Accountancy, and to remove provisions that are already in statute. The most prominent changes allow more flexibility to providers of continuing professional education to certified public accountants.



IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES
This form is to be used for proposed permanent and technical amendment regulations only and must be completed in full.

AGENCY CERTIFICATION

Department of Consumer Protection

Proposed Regulation Concerning

Certified Public Accountants

eRegulations System Tracking Number **PR2017-052**

I hereby certify the following:

(1) The above-referenced **regulation** is proposed pursuant to the following statutory authority or authorities: **C.G.S. Section 20-280.**

For technical amendment regulations proposed without a comment period, complete #2 below, then skip to #8.

(2) As permitted by Section 4-168(h) of the *Connecticut General Statutes*, the agency elected to proceed without prior notice or hearing and posted the text of the proposed technical amendment regulation on eRegulations System website on **N/A.**

For all other non-emergency proposed regulations, complete #3 - #7 below, then complete #8)

(3) The agency posted notice of intent with a specified comment period of not less than 30 days to the eRegulations System website on **August 24, 2017.**

(4) *(Complete one)* No public hearing held or was required to be held. **OR** One or more public hearings were held on: **N/A.**

(5) The agency posted notice of decision to move forward with the proposed regulation to the eRegulations System website on **October 1, 2018.**

(6) *(Complete one)* No comments were received. **OR** Comments were received and the agency posted the statements specified in subdivisions (1) and (2) of CGS Section 4-168(e) to the eRegulations System website on **October 1, 2018.**

(7) The final wording of the proposed regulation was posted to the eRegulations System website on **October 11, 2018.**

(8) Subsequent to approval for legal sufficiency by the Attorney General and approval by the Legislative Regulation Review Committee, **the final regulation shall be effective**

(Check one and complete as applicable)

When posted to the eRegulations System website by the Secretary of the State.

OR On _____

(Date must be a specific calendar date not less than 11 days after submission to the Secretary of the State)

[Signature]
SIGNED
(Head of Board, Agency or Commission, or duly authorized deputy)

[Signature]
OFFICIAL TITLE

10/11/18
DATE

**OFFICE OF THE ATTORNEY GENERAL
REGULATION CERTIFICATION**

Agency: Connecticut Department of Consumer Protection

REGULATION NUMBER PR2017-052

This Regulation is hereby APPROVED by the Attorney General as to legal sufficiency in accordance with Connecticut General Statutes Section 4-169.

DATE: 11/6/2018

Signed:



***Joseph Rubin, Associate Attorney General
Duly Authorized***

The Connecticut General Assembly

Legislative Regulation Review Committee

Senator Craig Miner
Senate Chair



Representative Susan Johnson
House Chair

Official Record of Committee Action

January 22, 2019

Agency: Department of Consumer Protection
Description: Certified Public Accountants
LRRC Regulation Number: 2018-027
eRegulation Tracking Number: PR2017-052

The above-referenced regulation has been

Approved with Technical Corrections and Deletions

by the Legislative Regulation Review Committee in accordance
with CGS Section 4-170.

Kirstin L. Breiner
Committee Administrator



State of Connecticut
Office of the Secretary of the State

Confirmation of Electronic Submission

Re: Regulation of the Department of Consumer Protection concerning Certified
Public Accountants
eRegulations System Tracking Number PR2017-052
Legislative Regulation Review Committee Docket Number 2018-027

The above-referenced regulation was electronically submitted to the Office of the Secretary of the State in accordance with Connecticut General Statutes Section 4-172 on February 5, 2019.

Said regulation is assigned Secretary of the State File Number 6288.

The effective date of this regulation is February 11, 2019.

A handwritten signature in black ink that reads "Denise W. Merrill".

Denise W. Merrill
Secretary of the State
February 11, 2019

By:

/s/ Kristin M. Karr

Kristin M. Karr
Administrative Law
Information Systems Manager