

**CALIFORNIA BOARD OF ACCOUNTANCY**

2000 EVERGREEN STREET, SUITE 250
 SACRAMENTO, CA 95815-3832
 TELEPHONE: (916) 263-3680
 FACSIMILE: (916) 263-3675
 WEB ADDRESS: <http://www.dca.ca.gov/cba>



**CALIFORNIA BOARD OF ACCOUNTANCY PUBLIC MEETING NOTICE
 FOR THE ENFORCEMENT PROGRAM OVERSIGHT COMMITTEE (EPOC),
 LEGISLATIVE COMMITTEE (LC), COMMITTEE ON PROFESSIONAL CONDUCT
 (CPC), AND BOARD MEETINGS**

DATE:	May 14, 2009	EPOC	TIME:	9:30 a.m. to 12:00 p.m.
		LC	TIME:	1:00 p.m. to 2:30 p.m.
		CPC	TIME:	3:00 p.m. to 4:30 p.m.

DATE:	May 15, 2009	BOARD	TIME:	8:30 a.m. to 4:00 p.m.
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PLACE: The Sacramento Marriott Rancho Cordova
 11211 Point East Drive
 Rancho Cordova, CA 95742
 (916) 638-1100

Enclosed for your information is a copy of the agendas for the EPOC, LC, CPC, and Board meetings on May 14-15, 2009. For further information regarding these meetings, please contact:

Marisa Becerra-Garcia, Executive Analyst
 (916) 561-1719, or mbgarcia@cba.ca.gov
 California Board of Accountancy
 2000 Evergreen Street, Suite 250
 Sacramento, CA 95815

An electronic copy of this notice can be found at <http://www.dca.ca.gov/cba/calendar.shtml>

**The next Board meeting is scheduled for July 23-24, 2009 in
 Newport Beach, California.**

<p>The meetings are accessible to the physically disabled. If you need disability-related accommodations or modifications in order to participate in the meetings, please make a request no later than five (5) working days before the meetings to the Board by contacting Veronica Daniel at (916) 561-1716, or sending a written request to that person at the Board Office at 2000 Evergreen Street, Ste. 250, Sacramento, CA 95815. Requests for further information should be directed to Marisa Becerra-Garcia at (916) 561-1719, or at the same address noted above.</p>
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AGENDA
ENFORCEMENT PROGRAM OVERSIGHT COMMITTEE
May 14, 2009
9:30 a.m. to 12:00 p.m.

SACRAMENTO MARRIOTT RANCHO CORDOVA
11211 Point East Drive
Rancho Cordova, CA 95742
Telephone: (916) 638-1100

(Board members who are not members of this Committee may be attending the meeting.)

- I. Call to Order. **(Lenora Taylor, Chair)**
- II. Discussion of the Board Disciplinary Guidelines – Is the current format appropriate for CBA's use? **(Gregory Newington)**
- III. Identification of New/Amended Statutes and Regulations Enacted Since Adoption of the Board Disciplinary Guidelines and Model Disciplinary Orders, 6th Edition, 2005, and Consideration of Proposed Revisions to Guidelines. **(Gregory Newington)**
- IV. Discussion of the Challenges in Board Enforcement Cases Involving Large Firms. **(Gregory Newington)**
- V. Public Comments.
- VI. Agenda Items for Future EPOC Meetings.
- VII. Adjournment.

Action may be taken on any item on the agenda.

In accordance with the Bagley-Keene Open Meetings Act, all meetings of the Board are open to the public.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can take no official action on these items at the time of the same meeting. (Government Code sec. 11125.7(a).)

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AGENDA

LEGISLATIVE COMMITTEE

May 14, 2009
1:00 p.m. – 2:30 p.m.

The Sacramento Marriott Rancho Cordova
11211 Point East Drive
Rancho Cordova, California 95742
(916) 638-1100

(Board members who are not members of this Committee may be attending the meeting.)

- I. Comments from Members of the Public.
- II. Draft Minutes of the March 19, 2009, Legislative Committee Meeting **(Louise Kirkbride, Chair)**.
- III. Update on Assembly Bill 138- Peer Review **(Dominic Franzella)**.
- IV. Update on Bills on Which the Board has Taken a Position **(Matthew Stanley)**.
 - AB 117- Inactive Designation
 - AB 276- Professional Fiduciaries: licensing exemptions
 - AB 309- Public Contracts: small businesses
 - AB 472- Disaster Preparedness
 - AB 797- Accountants Discipline: internet posting
 - AB 1005- Internet Broadcasting
 - SB 389- Fingerprinting
 - SB 599- Workforce Development
 - SB 638- Sunset Review
 - SB 691- Elimination of Pathway 1
 - SB 820- Omnibus Bill
- V. AB 1094- Abandoned Records **(Matthew Stanley)**.
- VI. AB 1194 and SB 719- Expenditure Information on the Internet **(Matthew Stanley)**.

LEGISLATIVE COMMITTEE AGENDA

May 14, 2009

Page 2 of 2

- VII. AB 1494- Public Meetings (**Matthew Stanley**).
- VIII. Agenda Items for Next Meeting.

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**AGENDA****COMMITTEE ON PROFESSIONAL CONDUCT**

May 14, 2009
3:00 p.m. – 4:30 p.m.

The Sacramento Marriott Rancho Cordova
11211 Point East Drive
Rancho Cordova, California 95742
(916) 638-1100

(Board members who are not members of this Committee may be attending the meeting.)

- I. Draft Minutes of the March 19, 2009, CPC Meeting (**Sally Anderson, Chair**).
- II. Update on Regulatory Language Related to Peer Review (**Dominic Franzella**).
- III. Staff-Proposed Amendments to AB 138- Peer Review (**Dominic Franzella**).
- IV. Author-Proposed Amendments to AB 138- Peer Review (**Dominic Franzella**).
- V. Comments from Members of the Public.
- VI. Agenda Items for Next Meeting.

Action may be taken on any item on the agenda.

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**DEPARTMENT OF CONSUMER AFFAIRS
 CALIFORNIA BOARD OF ACCOUNTANCY**

**BOARD MEETING
 AGENDA**

May 15, 2009

8:30 a.m. – 4:00 p.m.

The Sacramento Marriott Rancho Cordova
 11211 Point East Drive
 Rancho Cordova, CA 95742
 Telephone: (916) 638-1100
 Facsimile: (916) 638-5803

Roll Call and Call to Order (**Robert Petersen**).

**8:35-9:00
 TIME CERTAIN**

- I. Petitions, Stipulations, and Proposed Decisions [Closed Session Government Code Section 11126(c)(3)] Petition Hearings are Public Before the Board with a Subsequent Closed Session.
 - A. Hilario Peña, Jr. – Petition for Reconsideration.
 - B. Richard P. Rosenthal – Petition for Reconsideration.
 - C. Richard P. Rosenthal – Stipulated Surrender of License and Order.
 - D. Kwang-Ho Lee and Kenny H. Lee CPA Group, Inc. – Decision After Non-Adoption of Proposed Decision.
 - E. David M. Winings and David M. Winings, CPA, An Accountancy Corporation – Default Decision.
 - F. Richard Price and Reuben E. Price Accountancy Corp. – Stipulated Decision.
 - G. Gordon Alan McKinney – Stipulated Settlement.
- II. Public Comments.

9:00-9:05

- 9:05-9:20 III. Report of the President (**Robert Petersen**).
- A. Update on Assembly Bill (AB) 138.
 - B. Report on Appointments to Committee for Review of the Board Member Guidelines and Procedure Manual.
- 9:20-9:30 IV. Report of the Vice President (**Manuel Ramirez**).
- A. Extension of Administrative Committee (AC) Chair Harish Khanna's Term.
- 9:30-9:40 V. Report of the Secretary/Treasurer (**Lorraine Hariton**).
- A. Third Quarter FY 2008/2009 Financial Report.
 - B. Update on the Governor's Proposed Budget.
- 9:40-10:30 VI. Report of the Executive Officer (**Patti Bowers**).
- A. Report of Existing Projects.
 - B. Update on the Enforcement Program.
 - C. Educational Presentation – Enforcement and Discipline (**Greg Newington**).
 - D. Discussion of the Board's Options to Protect Web Information (**David Hansen**).
 - E. Board Discussion of Commenting on Exposure Drafts (**Dan Rich**).
 - F. Update on the California Automated Travel Expense Reimbursement System (**Theresa Siepert**).
 - G. Discussion of Topics to be Addressed at the Board's 2009 Retreat (**Theresa Siepert**).
- VII. Committee and Task Force Reports.
- 10:30-11:15 A. Report of the Committee on Professional Conduct (CPC) (**Sally Anderson, Chair**).
- 1. Report of the May 14, 2009 CPC Meeting.
 - 2. Update on Regulatory Language Related to Peer Review.

11:15-12:00

3. Staff-Proposed Amendments to AB 138 – Peer Review.
 4. Author-Proposed Amendments to AB 138 – Peer Review.
- B. Report of the Legislative Committee (LC) (Louise Kirkbride, Chair).**
1. Report of the May 14, 2009 LC Meeting.
 2. Update on AB 138 – Peer Review.
 3. Update on Bills on Which the Board has Taken a Position.
 - AB 117 – Inactive Designation.
 - AB 276 – Professional Fiduciaries: Licensing Exemptions.
 - AB 309 – Public Contracts: Small Businesses.
 - AB 472 – Disaster Preparedness.
 - AB 797 – Accountants Discipline: Internet Posting.
 - AB 1005 – Internet Broadcasting.
 - SB 389 – Fingerprinting.
 - SB 599 – Workforce Development.
 - SB 638 – Sunset Review.
 - SB 691 – Elimination of Pathway 1.
 - SB 820 – Omnibus Bill.
 4. AB 1094 – Abandoned Records.
 5. AB 1194 and SB 719 – Expenditure Information on the Internet.
 6. AB 1494 – Public Meetings.

12:00-1:00

LUNCH

1:00-1:45

- C. Report of the Enforcement Program Oversight Committee (EPOC) (Lenora Taylor, Chair).**
1. Report of the May 14, 2009 EPOC Meeting.

- 2. Discussion of the Board's Disciplinary Guidelines.
 - 3. Identification of New/Amended Statutes and Regulations Enacted Since Adoption of the Board's Disciplinary Guidelines and Model Disciplinary Orders, 6th Edition, 2005, and Consideration of Proposed Revisions to Guidelines.
 - 4. Discussion of the Challenges in Board Enforcement Cases Involving Large Firms.
- 1:45-2:00 D. Report of the Strategic Planning Task Force.
- 1. Report of the May 6, 2009 Strategic Planning Task Force Meeting.
- 2:00-2:15 E. Report of the Administrative Committee (**Harish Khanna, Chair**).
- 1. Report of the May 7, 2009 AC Meeting.
- 2:15-2:30 F. Report of the CPA Qualifications Committee (QC) (**Tracy Garone, Chair**).
- 1. Report of the April 22, 2009 QC Meeting.
- VIII. Appeals – Personal / Written.
- A. Personal Appeals.
- None.
- 2:30-2:40 IX. Report of the Enforcement Chief (**Greg Newington**).
- A. Report on Status of Enforcement Matters.
 - 1. Activity and Status Reports.
 - 2. Major Case Summary.
 - 3. Report on Citations and Fines.
 - 4. Reportable Conditions Data.
- 2:40-3:30 X. Report of the Licensing Chief (**Deanne Pearce**).
- A. Report on Licensing Division Activity.

- B. Consideration of Defining Supervision as Referenced in Sections 12 and 12.5 of the California Accountancy Regulations.
- C. Update on the CPA Examination Site Visit and Secret Shopper Program (**Liza Walker**).
- D. Presentation of Outreach Plan for the Continuing Education and Ethics Education Changes (**Dominic Franzella**).

3:30-3:35

XI. Adoption of Minutes.

- A. Draft Minutes of the March 19-20, 2009 Board Meeting.
- B. Minutes of the January 29, 2009 AC Meeting.
- C. Minutes of the January 14, 2009 QC Meeting.
- D. Minutes of the March 19, 2009 CPC Meeting.
- E. Minutes of the March 19, 2009 LC Meeting.

3:35-4:00

XII. Other Business.

- A. American Institute of Certified Public Accountants (AICPA).
 - 1. Update on AICPA State Board Committee (**Donald Driftmier**).
 - 2. Nominations for the Board of Examiners and Related Committees.
- B. National Association of State Boards of Accountancy (NASBA).
 - 1. Update on NASBA Committees.
 - a. Uniform Accountancy Act Committee (**Donald Driftmier**).
 - b. Compliance Assurance Committee (**Robert Petersen**).
 - c. Global Strategies Committee (**Rudy Bermúdez**).
 - d. Ethics Committee (**Manuel Ramirez**).
 - e. Legislative Support Committee (**Marshal Oldman**).
 - f. Education Committee (**Leslie LaManna**).
 - g. Accountancy Licensee Database Task Force (**Patti Bowers**).

2. Recommendations for Nomination for Directors-at-Large.
3. Recommendations for Nomination for Pacific Regional Director.
4. Recommendations for Nomination for the 2009 William Van Rensselaer Public Service Award.
5. Recommendations for Nomination for the 2009 Distinguished Service Award.
6. Recommendations for Nomination for the 2009 Lorraine P. Sachs Standard of Excellence Award.

XIII. Closing Business.

- A. Board Member Comments.
- B. Comments from CalCPA Representative.
- C. Comments from SCA Representative.
- D. Public Comments.
- E. Agenda Items for Future Board Meetings.

Adjournment.

Please note: Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board President and may be taken out of order. In accordance with the Bagley-Keene Open Meetings Act, all meetings of the Board are open to the public. Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at his or her discretion, apportion available time among those who wish to speak.