

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

**COMMITTEE ON CONTINUING PROFESSIONAL EDUCATION
TELEPHONE CONFERENCE CALL**

Tuesday, March 21, 2023 at 10:00 am

**Conference Number: 1-888-585-9008
Conference Room Number: 624-410-563**

Notice of Meeting Link: http://www.FLRules.org/gateway/View_Notice.asp?id=26894140

AGENDA

I. Call to order – Jason Lafser, Chair

II. Roll Call – Karan Lee

Jason Lafser – Chair
Maria Caldwell
Madeline Domino
Jeffrey Haller
Bill Michaelson
Mindy Rankin
Johnny Session

III. Ratify Minutes from December 7, 2022 meeting. **Pgs. 3 - 4**

IV. Consider Ethics Provider and Initial Course Application.

a. Western CPE **Pgs. 5 - 193**

1. Enjoyable Ethics for Florida CPAs – Live Study – 4 CPE hours

V. Reports

LICENSE EFFICIENTLY. REGULATE FAIRLY. MYFLORIDALICENSE.COM

a. Review of Department Approved Sponsors – **Pg. 194**

VI. Administrative Matters

- a. Laws and Rules (informational) **Pgs. 195 - 204**
- b. Executive Director/Licensing Supervisor Comments
- c. Other Business

VII. Set Future Meeting Date

VIII. Adjourn

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA BOARD OF ACCOUNTANCY
COMMITTEE ON CONTINUING PROFESSIONAL EDUCATION**

December 7, 2022

CONFERENCE CALL

MINUTES

The meeting was called to order at 10:02 a.m. by Jason Lafser, Chair. The roll was called by Karan Lee reflecting the following:

Committee members present:

Jason Lafser – Chair
Maria Caldwell
Madeline Domino
Bill Michaelson
Mindy Rankin

Committee members absent:

Jeffrey Haller
Johnny Session

Staff members present:

Roger Scarborough, Director
Niyati Bhatt
Harini Kumar
Karan Lee
Barbara Whitney

Others present:

Rachelle Munson, Senior Attorney General and Board Counsel
Mia Thomas, FICPA
Sandra Sailor, Jeff Sailor Seminars

Ratify Minutes from September 7, 2022 meeting.

Motion was made by Ms. Rankin and seconded by Mr. Michaelson to approve the minutes from the September 7, 2022 meeting. Upon vote, motion passed unanimously.

ETHICS

Consider Ethics Provider and Course Application:

- a. Jeff Sailor Seminars

1. Enjoyable Ethics for Florida CPAs – Live Study – 4 CPE hours

Motion was made by Ms. Caldwell and seconded by Ms. Rankin to approve the course listed above pending submission of the Table of Content showing the time spent on each topic and showing that a majority of the hours includes a review of Chapter 455, Chapter 473 and the related rules. Upon vote, motion passed unanimously.

REPORTS

a. Review of Department Approved Sponsors

Motion was made by Jason Lafser and seconded by Ms. Caldwell to ratify the Department's Approved Sponsors list.

ADMINISTRATIVE

a. Laws and Rules (informational).

b. Executive Director and/or Licensing Supervisor Remarks.

Mr. Scarborough informed the Committee that the audit for the reestablishment period July 1, 2019 – June 30, 2021 is complete. He informed them that we audited 690 CPAs and we had a seventy-two (72) percent compliance rate.

Mr. Scarborough updated the Committee on the status of the glitch found in the CPE Reporting System. He informed them that the vendor thinks they have fixed the problem and board staff is currently testing the fix. He stated that we are still seeing some issues but our technology department feels these are issues they can fix.

c. Other Business

None

FUTURE MEETING DATE

March 21, 2023 at 10:00 a.m.

Meeting adjourned at 10:33 a.m.



Jason Lafser, Chair

February 16, 2023

Western CPE
243 Pegasus Drive
Bozeman, MT 59718

Re: Board of Accountancy
Application Number: 407, Profession: 0107
Course Title: Enjoyable Ethics for Florida CPAs

Dear Course Provider:

The Committee on Continuing Professional Education will consider your application at the following date, time and place:

DATE AND TIME: March 21, 2023 at 10:00 A.M.
or as soon thereafter as can be heard

PLACE: Telephone Conference Call
Conference Number: 888-585-9008
Conference Room Number: 624-410-563

This is an open meeting and you are welcome to attend.

If you have any questions, please call 850.487.1395.



State of Florida
Department of Business and Professional Regulation
Board of Accountancy
Continuing Education Provider and Ethics Course Approval Application
Form # DBPR CPA 10

RECEIVED
CIU Mail Intake

JAN 19 2023

APPLICATION TYPES

Stamp #15

If you are not a current ethics provider, check boxes 1 and 3.

If you are a current ethics provider, and you are looking to add an additional course, check box 3.

If you are a current ethics provider, and you are looking to renew your approved course, check boxes 2 and 4.

Note: You will have to submit a separate application for each course that you would like approved.**Select all that apply:**

- | | | |
|--|-------------|--------------|
| <input type="checkbox"/> Continuing Education Ethics Provider – New | [0106/1030] | no fee |
| <input type="checkbox"/> Continuing Education Ethics Provider – Renewal | [0106/2020] | no fee |
| <input checked="" type="checkbox"/> Continuing Education Ethics Course – New | [0107/1030] | \$250.00 fee |
| <input type="checkbox"/> Continuing Education Ethics Course – Renewal | [0107/2020] | \$250.00 fee |

APPLICANT INFORMATION

Fill out each section completely. Do not use any nicknames, aliases, or initials. Note: a social security number/FEIN is required.

Are you an approved continuing education provider with any board within the Department of Business and Professional Regulation?

☒ Yes ☐ No

If you answered "yes" to the above question, enter your current Provider Number (if applicable):

0003728

| | | | |
|--------------|---------|----------|--------|
| Last/Surname | First | Middle | Suffix |
| Young | Larissa | Danielle | |

Company/Organization Name
Western CPE

Social Security Number* (if applying as individual)

—

Federal Employer ID Number (if applying as company/organization)

81-0522990

CONTACT INFORMATION

Primary Phone Number

800-822-4194

Primary E-Mail Address

larissa.young@westerncpe.com

Authorized Representative (First, Last and Title)

Larissa Young Compliance manager

PHYSICAL ADDRESS

Street Address

243 Pegasus Drive

City

Buzeman

State

MT

Zip Code (+4 Optional)

59718

County (if in Florida)

Country

United States

MAILING ADDRESS

If your mailing address is the same as your physical address, write, "Same as above" in the space provided for the street address.

Street Address

Same as above

City

State

Zip Code (+4 Optional)

County (if in Florida)

Country

* The disclosure of your social security number is mandatory on all professional and occupational license applications, is solicited by the authority granted by 42 U.S.C. §§ 653 and 654, and will be used by the Department of Business and Professional Regulation pursuant to §§ 409.2577, 409.2598, 455.203(9), and 559.79(3), Florida Statutes, for the efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. It is also required by § 559.79(1), Florida Statutes, for determining eligibility for licensure and mandated by the authority granted by 42 U.S.C. § 405(c)(2)(C)(i), to be used by the Department of Business and Professional Regulation to identify licensees for tax administration purposes.



PROVIDER ELIGIBILITY STATUS

Select the option that best describes either you or your organization. If you are applying as a Certified Public Accountant or Certified Public Accounting Firm, enter your license number in the space provided.

- ☐ Regionally Accredited Educational Institution
☒ Commercial Educator
☐ Governmental Agency
☐ State or national Certified Public Accounting Professional Association
☐ Certified Public Accountant License Number: _____
☐ Certified Public Accounting Firm License Number: _____

Applicants must submit the following additional materials:

- ☒ A description of the ethics course
☒ A description of your staffing capabilities
☒ All course materials, to include your final exam and answer key
☒ A list of anticipated locations and dates you plan to conduct the courses
☒ A complete course curriculum (table of contents)
☒ A description of how you will update the course in response to rule or law changes
☒ Documentation that ethics course instructors will notify the ethics course provider of any disciplinary action taken against the instructor by the Board

Course Information

Course Name: Enjoyable Ethics for Florida CPAs
 Contact Hours: 4 Course Method: ☒ Live Study ☐ Self-Study

AFFIRMATION BY WRITTEN DECLARATION

Each applicant or authorized representative must sign and date the affirmation by written declaration.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this written declaration has the same legal effect as an oath or affirmation. Under penalties of perjury, I declare that I have read the foregoing application and the facts stated in it are true. **I understand that falsification of any material information on this application may result in criminal penalty or administrative action, including a fine, suspension or revocation of the license.**

Signature: [Signature] Date: 1/10/2023

Print Name: Larissa Young

PROBATIONARY SPONSOR AGREEMENT

| | |
|--|---------|
| ASSURANCE DIMENSIONS TAMPA, FL | 0009402 |
| R.E. INVESTORS FUNDING LLC HOLLYWOOD, FL | 0009377 |
| RUBIN WEALTH MANAGEMENT OF WELLS FARGO ADVISORS BOCA RATON, FL | 0009389 |
| TRADE LOWE, CPA BRANDON, FL | 0009430 |
| WELLS FARGO ADVISORS BOCA RATON, FL | 0009426 |

Select Year: 2021 ▼ Go

The 2021 Florida Statutes

| | | |
|---|--|-------------------------------------|
| Title XXXII | Chapter 455 | View Entire Chapter |
| REGULATION OF PROFESSIONS AND OCCUPATIONS | BUSINESS AND PROFESSIONAL REGULATION: GENERAL PROVISIONS | |

455.2178 Continuing education providers.—

(1) Each continuing education provider shall provide to the department such information regarding the continuing education status of licensees as the department determines is necessary to carry out its duties under s. [455.2177](#), in an electronic format determined by the department. After a licensee's completion of a course, the information must be submitted to the department electronically no later than 30 calendar days thereafter. However, the continuing education provider shall electronically report to the department completion of a licensee's course within 10 business days beginning on the 30th day before the renewal deadline or prior to the renewal date, whichever occurs sooner. The foregoing applies only if the profession has not been granted a waiver from the monitoring requirements under s. [455.2177](#). Upon the request of a licensee, the provider must also furnish to the department information regarding courses completed by the licensee.

(2) Each continuing education provider shall retain all records relating to a licensee's completion of continuing education courses for at least 4 years after completion of a course.

(3) A continuing education provider may not be approved, and the approval may not be renewed, unless the provider agrees in writing to provide such cooperation under this section and s. [455.2177](#) as the department deems necessary or appropriate.

(4) The department may fine, suspend, or revoke approval of any continuing education provider that fails to comply with its duties under this section. Such fine may not exceed \$500 per violation. Investigations and prosecutions of a provider's failure to comply with its duties under this section shall be conducted pursuant to s. [455.225](#).

(5) For the purpose of determining which persons or entities must meet the reporting, recordkeeping, and access provisions of this section, the board of any profession subject to this section, or the department if there is no board, shall, by rule, adopt a definition of the term "continuing education provider" applicable to the profession's continuing education requirements. The intent of the rule shall be to ensure that all records and information necessary to carry out the requirements of this section and s. [455.2177](#) are maintained and transmitted accordingly and to minimize disputes as to what person or entity is responsible for maintaining and reporting such records and information.

(6) The department may adopt rules under ss. [120.536](#)(1) and [120.54](#) to implement this section.

History.—s. 158, ch. 99-251; s. 3, ch. 2004-292; s. 2, ch. 2007-86.

Select Year: 2021 ▼ Go

The 2021 Florida Statutes

| | | |
|---|--|-------------------------------------|
| Title XXXII | Chapter 455 | View Entire Chapter |
| REGULATION OF PROFESSIONS AND OCCUPATIONS | BUSINESS AND PROFESSIONAL REGULATION: GENERAL PROVISIONS | |

455.2179 Continuing education provider and course approval; cease and desist orders.—

(1) If a board, or the department if there is no board, requires completion of continuing education as a requirement for renewal of a license, the board, or the department if there is no board, shall approve the providers and courses for the continuing education. Notwithstanding this subsection or any other provision of law, the department may approve continuing education providers or courses even if there is a board. If the department determines that an application for a continuing education provider or course requires expert review or should be denied, the department shall forward the application to the appropriate board for review and approval or denial. The approval of continuing education providers and courses must be for a specified period of time, not to exceed 4 years. An approval that does not include such a time limitation may remain in effect pursuant to the applicable practice act or the rules adopted under the applicable practice act. Notwithstanding this subsection or any other provision of law, only the department may determine the contents of any documents submitted for approval of a continuing education provider or course.

(2) The board, or the department if there is no board, shall issue an order requiring a person or entity to cease and desist from offering any continuing education programs for licensees, and fining, suspending, or revoking any approval of the provider previously granted by the board, or the department if there is no board, if the board, or the department if there is no board, determines that the person or entity failed to provide appropriate continuing education services that conform to approved course material. Such fine may not exceed \$500 per violation. Investigations and prosecutions of a provider's failure to comply with its duties under this section shall be conducted under s. [455.225](#).

(3) Each board authorized to approve continuing education providers, or the department if there is no board, may establish, by rule, a fee not to exceed \$250 for anyone seeking approval to provide continuing education courses and may establish, by rule, a biennial fee not to exceed \$250 for the renewal of providership of such courses. The Florida Real Estate Commission, authorized under the provisions of chapter 475 to approve prelicensure, precertification, and postlicensure education providers, may establish, by rule, an application fee not to exceed \$250 for anyone seeking approval to offer prelicensure, precertification, or postlicensure education courses and may establish, by rule, a biennial fee not to exceed \$250 for the renewal of such courses. Such postlicensure education courses are subject to the reporting, monitoring, and compliance provisions of this section and ss. [455.2177](#) and [455.2178](#).

(4) The department and each affected board may adopt rules pursuant to ss. [120.536\(1\)](#) and [120.54](#) to implement the provisions of this section.

History.—s. 159, ch. 99-251; s. 7, ch. 2000-356; s. 4, ch. 2004-292; s. 4, ch. 2012-72.

The 2021 Florida Statutes

[Title XXXII](#)

[Chapter 473](#)

[View Entire Chapter](#)

REGULATION OF PROFESSIONS AND OCCUPATIONS

PUBLIC ACCOUNTANCY

473.312 Continuing education.—

(1)(a) As part of the license renewal procedure, the board shall by rule require Florida certified public accountants to submit proof satisfactory to the board that during the 2 years prior to application for renewal, they have successfully completed not less than 48 or more than 80 hours of continuing professional education programs in public accounting subjects approved by the board. The board may prescribe by rule additional continuing professional education hours, not to exceed 25 percent of the total hours required, for failure to complete the hours required for renewal by the end of the reestablishment period.

(b) Not less than 10 percent of the total hours required by the board shall be in accounting-related and auditing-related subjects, as distinguished from federal and local taxation matters and management services.

(c) Not less than 5 percent of the total hours required by the board shall be in ethics applicable to the practice of public accounting. This requirement shall be administered by providers approved by the board, and a majority of the hours shall include a review of the provisions of chapter 455 and this chapter and the related administrative rules.

(2) Programs of continuing professional education approved by the board shall be formal programs of learning which contribute directly to the professional competency of an individual following licensure to practice public accounting and may be any of the following:

(a) Professional development programs of the American Institute of Certified Public Accountants, state societies of certified public accountants, or other organizations.

(b) Technical sessions at meetings of the American Institute of Certified Public Accountants, state societies, chapters, or other organizations.

(c) University and college courses.

(d) Formal organized in-firm education programs.

(3) The board shall adopt rules establishing the continuing education requirements for Florida certified public accountants who are engaged in the audit of a governmental entity. The board shall approve subjects directly related to the governmental environment and to governmental auditing for purposes of satisfying the requirement of this subsection.

(4) For the purposes of maintaining proper continuing education requirements for renewal of licensure under this chapter, the board may appoint a Continuing Professional Education Advisory Committee, which shall be composed of one member of the board, one academician on the faculty of a university in this state, and six certified public accountants.

History.—ss. 10, 25, ch. 79-202; s. 345, ch. 81-259; ss. 2, 3, ch. 81-318; ss. 6, 10, 11, ch. 85-9; s. 3, ch. 87-221; s. 2, ch. 89-87; s. 4, ch. 91-429; s. 7, ch. 98-340; s. 3, ch. 2004-87; s. 2, ch. 2007-139; s. 11, ch. 2009-54; s. 2, ch. 2019-89; s. 3, ch. 2021-98.

CHAPTER 61H1-33
REESTABLISHMENT OF PROFESSIONAL KNOWLEDGE AND COMPETENCY

| | |
|---------------|---|
| 61H1-33.001 | Certified Public Accountants Required to Comply with this Chapter |
| 61H1-33.002 | Organization and Administration |
| 61H1-33.003 | Continuing Professional Education |
| 61H1-33.0031 | Continuing Professional Education/Ethics |
| 61H1-33.0032 | Board Approval of CPA Ethics Continuing Education by Providers |
| 61H1-33.0033 | Obligations of CPA Ethics Course Continuing Education Providers |
| 61H1-33.0034 | Evaluation of CPA Ethics Course Providers |
| 61H1-33.00341 | Duration of CPA Ethics Course Provider Status |
| 61H1-33.00342 | CPA Ethics Courses – Standards for Approval of Courses |
| 61H1-33.0035 | Continuing Professional Education/Governmental Auditing |
| 61H1-33.006 | Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees |
| 61H1-33.0065 | Exemption from Renewal Requirements for Spouses of Members of the Armed Forces of the United States (Repealed) |

61H1-33.001 Certified Public Accountants Required to Comply with this Chapter.

(1) Each Florida certified public accountant shall be required to reestablish his/her professional knowledge and competency in conformity with this rule by the completion of continuing professional education programs.

(2) Each Florida certified public accountant shall commence his/her reestablishment period on the date indicated on his/her Florida certificate. The initial designated reestablishment period for such Florida certified public accountant shall end on the third June 30th following the date indicated on his/her Florida certificate. Each succeeding reestablishment period shall begin on July 1, and end on June 30, two years thereafter.

(3) See Rule 61H1-33.006, F.A.C., for reinstatement of inactive Florida certified public accountants who desire to become active Florida certified public accountants, and the requirements related to continuing professional education.

Rulemaking Authority 473.304, 473.312, 473.313 FS. Law Implemented 473.311, 473.312, 473.313 FS. History—New 12-4-79, Amended 2-3-81, 12-19-82, Formerly 21A-33.01, Amended 4-8-86, Formerly 21A-33.001, Amended 5-24-07, 11-18-07, 12-10-09.

61H1-33.002 Organization and Administration.

There is created the Committee on Continuing Professional Education. Subject to the approval of the Board, said Committee shall:

(1) Evaluate and determine, either prospectively or retrospectively, whether specific courses, programs, education and training qualify as formal programs of learning which contribute directly to professional competency of an individual following licensure to practice public accounting, and the credit to be granted therefore;

(2) Determine in individual cases whether professional knowledge and competency have been reestablished by virtue of the completion of such programs; and

(3) Audit the continuing professional education records of Florida certified public accountants on a sample basis from time to time.

Rulemaking Authority 473.304, 473.312 FS. Law Implemented 473.312 FS. History—New 12-4-79, Amended 2-3-81, 7-2-85, Formerly 21A-33.02, 21A-33.002, Amended 10-26-09.

61H1-33.003 Continuing Professional Education.

(1)(a) In any given reestablishment period, each current/active Florida certified public accountant must have completed at any time or times during the two-year period, at least 80 hours of educational instruction or training in public accounting subjects or courses of study, as defined hereinafter, of which at least 8 hours must have been in accounting-related and/or auditing-related subjects and of which no more than 20 hours may be in behavioral subjects and at least four hours shall be in Florida Board-approved ethics.

(b) Florida certified public accountants who do not meet the requirements by June 30th will be granted an automatic extension until September 15th provided the Florida certified public accountant completes an additional 8 hours in Accounting and Auditing

subjects. An automatic extension will be granted until December 31st provided the Florida certified public accountant completes an additional 16 hours in Accounting and Auditing subjects. For the reestablishment period ending June 30, 2020, current active licensees who complete continuing professional education (CPE) hours by December 31, 2020 are not required to complete the additional CPE hours referenced in this subsection. CPE hours approved for this extension shall apply solely to the reestablishment period ending June 30, 2020.

(2) Educational instruction or training in public accounting subjects or courses of study is hereby defined as formal programs of learning as defined below, which contribute directly to professional competency following licensure to practice public accountancy. Subjects or courses of study qualifying an individual for the purposes of this shall be limited to:

(a) Accounting and auditing subjects to consist of: Accounting and financial reporting subjects, the body of knowledge dealing with recent pronouncements of authoritative accounting principles issued by the standard-setting bodies, and any other related subject generally classified within the accounting discipline. Subjects include auditing subjects related to the examination of financial statements, operations systems, and programs; the review of internal and management controls; and the reporting on the results of audit findings, compilation and review. It also includes assurance services that relate to Standards for Attest Engagements.

(b) Technical business subjects to consist of:

1. Taxation including tax compliance and tax planning.
2. Consulting services including management advisory services; personal financial planning services; planning and control systems dealing with planning, organizing and controlling any phase of individual financial activity or business activity; designing, implementing, and evaluating operating systems as well as business advisory services and personal financial planning.
3. Management including practice management for the public practitioner; financial management of an organization including information systems, budgeting and asset management, planning, buying and selling businesses, contracting for goods and services and foreign operation; budgeting; cost analysis; human resource management; and financial management.
4. Specialized knowledge and applications including subjects related to specialized industries such as not for profit organizations, health care, oil and gas.

(c) The ethics courses shall be obtained from a provider approved pursuant to Rule 61H1-33.0032, F.A.C., and consist of:

1. A review of Chapters 455 and 473, F.S., and the related administrative rules.
2. The ethics course may include other subjects including but not limited to: ethical conduct, core values and competencies, professional responsibility, responsibility to clients and the public, case studies that require the application of ethics principles, national professional standards and interpretations, and appropriate national issues related to the practice of accounting.

(d) Behavioral subjects including oral and written communications and the social environment of business. All courses not covered above are considered behavior except for business meetings, social functions, committee service and courses in elementary accounting or basic mathematics which do not qualify for credit.

(3) Credit may be prorated by the sponsor for courses that cover more than one area of study by (1) prorating the amount of time spent in each area or (2) awarding credit based on the lowest topic covered with accounting and auditing being the highest and behavioral the lowest. Therefore an eight-hour course that was 75% accounting and auditing and 25% management would receive six (6) hours of accounting and auditing credit and two (2) hours of technical business or eight (8) hours of all technical business. Hours cannot be prorated in less than half-hour increments.

(4) In order for a Florida certified public accountant to receive credit for programs of learning, as defined above, the following formalities and further requirements must be met:

(a) Courses taken at institutions of higher education:

1. Higher education credit courses taken from an accredited institution as defined in subsection 61H1-27.001(1), F.A.C., shall be credited for continuing professional education purposes at the rate of 15 hours for each semester hour of higher education credit and 10 hours for each quarter hour of higher education credit, provided the number of contact hours (hours in the classroom) totals at least 90% of the continuing professional education credit so determined. Otherwise, continuing professional education credit shall be limited to the actual number of contact hours.

2. Higher education non-credit courses shall be credited for continuing professional education purposes equivalent to the actual number of contact hours.

3. Continuing professional education credit for instructing a higher education course shall be twice the credit which would have been granted participants for the first presentation of a specific course of program, the same as the credit granted a participant for the second presentation and none thereafter, except as permitted by subparagraph 61H1-33.003(4)(b)4., F.A.C.

4. No continuing professional education credit shall be permitted for attending or instructing accounting courses considered to be elementary.

(b) Other professional education or training:

1. Professional development courses shall be credited for continuing professional education purposes in increments of not less than one half hour, equivalent to the actual number of contact hours (hours in the classroom which must include at least fifty minutes of continuous participation per contact hour or twenty-five minutes per contact half hour) provided an outline (defined as a schedule of activity listing major topics of discussion) is prepared in advance and retained; a course is at least one contact hour or half hour in length; the course conducted by a qualified instructor, lecturer or discussion leader; and a record of registration and attendance is maintained. For this purpose, a one-day program will be granted eight hours credit if the total lapsed time is at least eight hours and the contact time is approximately 400 minutes. An instructor, lecturer or discussion leader will be considered qualified if, through formal training or experience, he has obtained sufficient knowledge of the subject matter to competently instruct the course. A course participant will be granted credit for only that portion of a course actually attended. If a record of registration and attendance is not maintained by the sponsoring organization, the course participant must be able to prove registration and attendance.

2. Formal organization in-firm educational programs shall be credited for continuing professional education purposes to the same extent and by the same requirements as other professional development courses.

3. Instructors, lecturers, panelists and discussion leaders for professional development courses and formal organized in-firm educational programs shall be credited for continuing professional education purposes at twice the credit granted participants for the first presentation of a specific course or program, the same as the credit granted a participant for the second presentation and none thereafter, except as permitted in subparagraph 61H1-33.003(4)(b)4., F.A.C. Co-panelists and co-discussion leaders shall be credited for the portion of specific course or program they must prepare to discuss and lead as a co-panelist or co-discussion leader.

4. To the extent course content has been substantially revised, the revised portion shall be considered a first presentation for the purposes of subparagraph 61H1-33.003(4)(b)3., F.A.C.

(5) Each Florida certified public accountant shall, as a part of the biennial licensure renewal, on or before December 31 prior to his/her biennial license renewal, comply with the continuing professional education requirements during the applicable reestablishment period. Each Florida certified public accountant's documentation supporting such compliance shall be retained through the two years following a two-year reestablishment period. Documentation is to be retained to support evidence of completion of the required hours to enable an audit by the Department of Business and Professional Regulation (DBPR) to determine compliance with the requirements. Documentation for each course shall be in a format to include course title and date, number of hours earned, attendee name, certified public accountant course provider name, number, and signature of the provider furnishing said certificate, and when requested shall be recorded using the Department's form, entitled Continuing Professional Education Reporting Form (DBPR CPA 41, Effective June 2021), which is hereby incorporated by reference in Rule 61-35.003, F.A.C. The form is also available on the Department's website and at the Board office located at 240 N.W. 76th Drive, Suite A, Gainesville, FL 32307-6655. If staff review or review by the Committee on Continuing Professional Education determines that courses are either improperly classified or do not otherwise meet the requirements of the chapter, then the Florida certified public accountant shall be notified and given 60 days from the date of notification to comply with the continuing professional education requirements. Florida certified public accountants who complete the continuing professional education requirements timely but who are found to be deficient after December 31 of their renewal year must correct the error and pay a \$50 fine within 60 days of the aforementioned notice. Failure to timely correct the error and pay the fine shall constitute grounds for disciplinary action pursuant to Section 455.227 or 473.323, F.S.

(6) Sponsors of formal correspondence or other individual study technical business and accounting and auditing programs must be approved by the National Association of State Board of Accountancy Quality Assurance Service.

Rulemaking Authority 455.213(7), 455.2179, 473.304, 473.312 FS. Law Implemented 455.213(7), 455.2179, 473.312(1)(a), (b), (c) FS. History—New 12-4-79, Amended 2-3-81, 4-5-83, 10-19-83, 8-20-85, Formerly 21A-33.03, Amended 9-18-88, 7-7-92, 12-2-92, Formerly 21A-33.003, Amended 12-14-93, 1-26-98, 12-17-00, 8-21-01, 3-21-05, 5-18-05, 7-10-05, 7-23-06, 12-10-09, 7-7-10, 11-7-12, 8-7-13, 4-21-16, 11-3-19, 10-20-20, 12-23-21.

61H1-33.0031 Continuing Professional Education/Ethics.

(1) A Florida certified public accountant must complete no less than four of the total hours required for any reestablishment period in ethics from a provider approved pursuant to Rule 61H1-33.0032, F.A.C.

(2) In the event the four hours is completed in two modules, Florida certified public accountants must complete the four-hour requirement with the same provider.

Rulemaking Authority 455.213(7), 473.304, 473.312 FS. Law Implemented 455.213(7), 473.312(1)(a), (c) FS. History—New 5-18-05, Amended 10-26-09.

61H1-33.0032 Board Approval of CPA Ethics Continuing Education by Providers.

(1) Applicants for continuing education provider status to offer courses which satisfy the four (4) hour certified public accountant continuing education ethics requirement in Section 473.312(1)(c), F.S., must meet the requirements of subsections (2) and (3) of this rule.

(2) To demonstrate the education and/or the experience necessary to offer courses which satisfy the CPA continuing education ethics requirement, an applicant for continuing education provider status must be a regionally accredited educational institution, a commercial educator, a governmental agency, a state or national certified public accounting professional association whose purpose includes fostering ethical conduct and promoting standards of independence, integrity, and objectivity in the certified public accounting profession, a certified public accountant who has not been disciplined by the Board, or a certified public accounting firm.

(3) To allow the Board to evaluate an application for continuing education provider status, the applicant must submit the following:

- (a) The name, address and telephone number of the prospective provider;
- (b) A description of the ethics course the provider expects to conduct for credit to include a review of Chapters 455 and 473, F.S., the related administrative rules, and topics including but not limited to: ethical conduct, core values and competencies, professional responsibility, responsibility to clients and the public, case studies that require the application of ethics principles, national professional standards and interpretations, and appropriate national issues related to the practice of accounting;
- (c) A description of the staffing capability of the applicant;
- (d) A sample of intended course materials;
- (e) A list of anticipated locations to conduct the courses;
- (f) A complete course curriculum;
- (g) A description of the means the applicant will use to update the course in response to rule or law changes; and
- (h) Documentation that the ethics course instructor will notify the ethics course provider of any disciplinary action taken against the instructor by the Board.

(4) Should the Board determine that the provider has failed to provide appropriate continuing education services, it shall request that the Department issue an order requiring the provider to cease and desist from offering certified public accountant ethics continuing education courses and shall request that the Department revoke any approval of the certified public accountant ethics course provider granted by the Board.

(5) No provider may allow any certified public accountant to conduct any certified public accountant ethics course or seminar offered by the provider if that certified public accountant has been disciplined. Upon receipt of notice from an instructor that the instructor has been disciplined, the provider shall, within fourteen (14) days, write to the Board office and confirm that the instructor is no longer conducting certified public accountant ethics courses or seminars offered by the provider. For the purpose of this subsection, a letter of guidance shall not constitute “discipline.”

(6) The Board retains the right and authority to audit and/or monitor programs and review records and course materials given by any provider approved pursuant to this rule. The Board shall revoke the approved status of the ethics course provider or reject individual ethics courses given by an ethics course provider if the provider disseminated any false or misleading information in connection with the continuing education programs, or if the provider fails to conform to and abide by the rules of the Board.

Rulemaking Authority 455.213(7), 455.2178, 455.2179, 473.304, 473.312 FS. Law Implemented 455.213(7), 455.2178, 455.2179, 473.312(1)(a), (c) FS. History—New 6-30-05, Amended 9-24-07, 12-11-07, 12-10-09, 1-7-13.

61H1-33.0033 Obligations of CPA Ethics Course Continuing Education Providers.

To maintain an approved status as an ethics course continuing education provider, the provider must:

(1) Retain documentation that the course instructor is a certified public accountant who has practiced in a public accounting firm for five of the last ten years, whose background, training, education or experience makes it appropriate for the person to teach the course.

(2) Require each Florida certified public accountant to complete the entire four-hour certified public accountant ethics course requirement in order to receive a certificate of attendance. Offer the four-hour certified public accountant ethics course in one module of four credit hours or two modules of two credit hours.

(3) Furnish each attendee with an individual certificate of attendance in a format to include course title and date, number of hours earned, attendee name, certified public accountant ethics course provider name, number, and signature by the provider furnishing said certificate. An attendance record shall be maintained by the provider for four years and shall be available for inspection by the Board. Providers shall maintain security of attendance records and attendance records.

(4) Ensure that all promotional material for courses or seminars offered to Florida certified public accountant for credit contain the certified public accountant ethics course provider number and course title.

(5) Allow only one hour credit for each hour of classroom, audio or video instruction, an “hour of classroom, audio or video instruction” being a minimum of 50 minutes instruction or presentation.

(6) Allow only one hour of credit for each “hour of correspondence study.” The “hour of correspondence study” must be based on the average completion time of each course as established by the provider.

(7) Provide a written examination to each participating Florida certified public accountant in correspondence study courses. In order to complete the course, the Florida certified public accountant must sign and date the examination and receive a minimum grade of eighty percent (80%). If a Florida certified public accountant fails the examination, the Florida certified public accountant will be permitted to take the examination again in order to achieve a passing grade.

(8) Ensure that all correspondence or other individual study courses are approved by the National Association of State Boards of Accountancy Quality Assurance Service.

(9) Notify the Board within thirty (30) days of any change in the address or telephone number of the provider.

(10) Allow the Board to have access to information concerning courses or seminars conducted by the provider for continuing education credit.

Rulemaking Authority 455.213(7), 455.2178, 455.2179, 473.304, 473.312 FS. Law Implemented 455.213(7), 455.2178, 455.2179, 473.312(1)(a), (c) FS. History—New 5-18-05, Amended 10-26-09, 11-7-12.

61H1-33.0034 Evaluation of CPA Ethics Course Providers.

The Board or its designee reserves the right to evaluate continuing education ethics courses or seminars offered to certified public accountants for credit by the following methods:

(1) Observing such ethics courses or seminars; and

(2) Reviewing the files of the provider to gain information about any course or seminar offered to certified public accountants for ethics course credit.

Rulemaking Authority 455.213(7), 455.2178, 455.2179, 473.304, 473.312 FS. Law Implemented 455.213(7), 455.2178, 455.2179, 473.312(1)(a), (c) FS. History—New 5-18-05.

61H1-33.00341 Duration of CPA Ethics Course Provider Status.

(1) Continuing education providers are approved only for the biennium during which their application was received and approved. Providers must reapply for approved provider status at the beginning of each biennium. The biennium for continuing education providers ends on June 30th of each odd-numbered year.

(2) The Board shall notify certified public accountant ethics course providers at least ninety (90) days prior to the date of expiration of the provider status.

(3) A provider must reapply for approval at least sixty (60) days prior to the date of expiration of provider status in order to prevent a lapse in provider status.

Rulemaking Authority 455.213(7), 455.2178, 455.2179, 473.304, 473.312 FS. Law Implemented 455.213(7), 455.2178, 455.2179, 473.312(1)(a), (c) FS. History—New 5-18-05.

61H1-33.00342 CPA Ethics Courses – Standards for Approval of Courses.

(1) In order to meet the requirements of paragraph 61H1-33.0032(3)(b), F.A.C., each approved CPA Ethics Course Provider shall submit a syllabus of each ethics course for which it seeks Board approval. The syllabus shall include a description of the

manner by which the course (including its various components) meets the requirements of this rule.

(2) The syllabus of the course shall include the following:

(a) A description of each subject to be covered during the presentation of the course with the estimated time to be spent addressing each subject, the individual(s) who will be responsible for presenting each subject, a listing of the sources (through a bibliography or notes) from which the course material addressing each subject is drawn, and any tests, quizzes or exercises provided during the offering of the course;

(b) The manner in which the course complies with the requirements of Section 473.312(1)(c), F.S. In order to meet this requirement the course shall be limited to addressing the ethical and professional responsibilities of CPAs with emphasis on ethical conduct, core values and competencies, professional responsibility, responsibility to clients and the public, case studies that require the application of ethics principles, national professional standard and interpretations, and appropriate national issues related to the practice of accounting. Practice-oriented programs are preferred insofar as such programs involve the CPA in the process of the practice of public accountancy. Courses should be structured to confront the question, "How will you handle this situation when it occurs in your practice?"

(c) The course shall include a review of Chapters 455 and 473, F.S., and the related administrative rules.

(3) A provider may meet the requirements set forth herein through various generally accepted methodologies. Thus, lectures, case studies, discussion groups, interactive studies and other recognized methods may be utilized. Additionally, providers may target specific areas of CPA practice in each course submitted for approval. A provider may offer a course module which, for example, addresses CPA ethics and professionalism in Tax Practice or Managerial Accounting as well as other areas of practice.

(4) Upon receipt of the syllabus required in subsection 61H1-33.00342(2), F.A.C., the Board will review the course to determine whether it complies with this rule, the provisions of Section 473.312(1), F.S., and the CPA Ethics Provider Rules set forth in Chapter 61H1-33, F.A.C. If the Board rejects a course in whole or in part, a provider will be offered the option of modifying the course or withdrawing the course and resubmitting the course for approval. However, all courses submitted for approval must be submitted at least sixty (60) days prior to either the ending of the provider's approval as a CPA Ethics Course Provider as set forth in Rule 61H1-33.00341, F.A.C., or sixty (60) days prior to the initial date the course will be taught—whichever occurs earlier.

Rulemaking Authority 455.2177, 455.2178, 455.2179, 473.304, 473.312 FS. Law Implemented 455.2177, 455.2178, 455.2179, 473.312(1)(a), (c) FS. History—New 7-10-05.

61H1-33.0035 Continuing Professional Education/Governmental Auditing.

(1) Any certified public accountant who is involved in governmental audits shall be required to comply with the continuing professional education (CPE) requirements imposed by Government Auditing Standards 2018 Revision commonly referred to as the "Yellow Book," which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-13319> or at <http://www.gao.gov/yellowbook>, if during the engagement:

(a) The certified public accountant is the in charge person, or

(b) The certified public accountant reviews the working papers or report or both, or

(c) The certified public accountant supervises others, or

(d) The certified public accountant is the only certified public accountant performing the work.

(2) Certified public accountants conducting audits controlled by either paragraph (a) or (b) below, shall be required to take 24 hours of governmental CPE and shall be required to comply with the CPE requirements imposed by Government Auditing Standards.

(a) Government Auditing Standards, 2018 Revision, as referenced in subsection (1) of this rule.

(b) The Rules of the Auditor General, Chapter 10.550, as referenced in Rule 61H1-20.0093, F.A.C.

(3) The required 24 hours of governmental CPE may be used to meet the courses required in paragraph 61H1-33.003(1)(a), F.A.C., provided they meet the requirements of subsection 61H1-33.003(2), F.A.C.

Rulemaking Authority 473.312(3) FS. Law Implemented 473.312(3) FS. History—New 8-22-90, Amended 7-7-92, Formerly 21A-33.0035, Amended 5-26-96, 4-13-08, 12-10-09, 7-27-21.

61H1-33.006 Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees.

(1) Each Florida certified public accountant who has requested inactive status or became delinquent, as distinguished from a Florida certified public accountant whose certificate or license has been suspended, who desires to become an active Florida

certified public accountant, i.e., engage or reengage in the practice of public accounting in Florida, shall apply for such reactivation by completing the CPA Change of Status Form (DBPR CPA 7, Effective June 2021). The form, which is hereby incorporated by reference in Rule 61-35.003, F.A.C., is provided by the Department and available on the Department’s website and the Board office located at 240 N.W. 76th Drive, Suite A, Gainesville, FL 32307-6655. However, if a license is delinquent on January 1 for failure to comply with Rule 61H1-33.003, F.A.C., through failure to report compliance with continuing professional education requirements by the immediately prior December 31st, a Florida certified public accountant may reactivate, pursuant to Section 473.311, F.S., by certifying the required hours have been completed, paying the fees required by Rules 61H1-31.003, 31.004 and 31.006, F.A.C., by March 15 of the same year of the delinquency.

(2) Each such application shall demonstrate successful completion of the required number of continuing professional education hours as follows:

| Accounting/Auditing | Ethics | Behavioral | Total Hours |
|---------------------|---|-----------------------|-------------|
| At least 30 hours | At least 8 hours, unless the CPA has submitted proof of completion of their CPE for the previous biennium ending December 31 to the board by March 15, no additional hours are required to reactivate pursuant to subsection 61H1-33.006(1), F.A.C. | No more than 30 hours | 120 Hours |

(3) All continuing professional education course must be completed no more than twenty-four (24) months immediately preceding the date of the application for reactivation.

(4) The first establishment period after reactivation shall commence on the following June 1st and the initial designated reestablishment date shall be the third June 30th following reactivation.

Rulemaking Authority 455.271, 473.304, 473.312, 473.313 FS. Law Implemented 455.271, 473.312, 473.313, 559.79 FS. History—New 12-4-79, Amended 2-3-81, 11-6-83, 3-29-84, 8-20-85, Formerly 21A-33.06, Amended 4-8-86, 12-28-89, 10-16-90, Formerly 21A-33.006, Amended 12-14-93, 5-26-96, 7-23-06, 12-10-09, 7-7-10, 12-3-13, 7-29-18, 10-15-19, 12-23-21.

61H1-33.0065 Exemption from Renewal Requirements for Spouses of Members of the Armed Forces of the United States.

Rulemaking Authority 455.02(2) FS. Law Implemented 455.02(2) FS. History—New 7-13-04, Amended 10-26-09, Repealed 1-12-21.