

WSR 23-05-023

PROPOSED RULES

BOARD OF ACCOUNTANCY

[Filed February 7, 2023, 9:51 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-23-025.

Title of Rule and Other Identifying Information: WAC 4-30-133 Reporting periods, carry-forward/back, and limitations on continuing professional education (CPE) credit.

Hearing Location(s): On April 28, 2023, at 9:00 a.m., at Radisson Hotel Seattle Airport, Orcas Room, 18118 International Boulevard, Seattle, WA 98188, or Microsoft Teams meeting. The link to join the meeting will be available on the board's website approximately two weeks before the hearing date at <https://acb.wa.gov/next-board-meeting>. A phone number will be provided as well in case you are unable to attend online.

Date of Intended Adoption: April 28, 2023.

Submit Written Comments to: Kirsten Donovan, Rules Coordinator, P.O. Box 9131, Olympia, WA 98507, email Kirsten.donovan@acb.wa.gov, fax 360-664-9190, by April 26, 2023.

Assistance for Persons with Disabilities: Contact Kirsten Donovan, phone 360-664-9191, fax 360-664-9190, TTY 771 [711], email Kirsten.donovan@acb.wa.gov, by April 26, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The board of accountancy proposes amending WAC 4-30-133 to change the increments in which CPE credit is earned to tenths (.1) of hours instead of half-hour (.5) increments after the first hour is earned. Five minutes will constitute one-tenth of a CPE hour based on the 50-minute CPE hour.

Reasons Supporting Proposal: See purpose above.

Statutory Authority for Adoption: RCW 18.04.055.

Statute Being Implemented: RCW 18.04.055.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Board of accountancy, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Michael J. Paquette, CPA, 711 Capitol Way South, Suite 400, Olympia, WA 98501, 360-485-1659.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. The board of accountancy is not a listed agency in RCW 34.05.328 (5) (a) (i).

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(4).

Scope of exemption for rule proposal:

Is fully exempt.

February 7, 2023
Michael J. Paquette, CPA
Executive Director

OTS-4330.1

AMENDATORY SECTION (Amending WSR 19-16-074, filed 7/31/19, effective 1/1/20)

WAC 4-30-133 Reporting periods, carry-forward/back, and limitations on continuing professional education (CPE) credit. (1) **CPE reporting period** is a calendar year time period beginning in the calendar year a credential is first issued by this board and ending on December 31st of the subsequent third calendar year.

(2) **CPE credit** is given in (~~half-hour~~) increments (~~only~~) of tenths of an hour after the first full CPE credit hour has been earned except for nano learning.

A minimum of (~~fifty~~) 50 minutes of continuous instruction constitutes one CPE credit hour and after the first (~~fifty-minute~~) 50-minute segment has been earned, (~~twenty-five~~) five minutes constitutes (~~one-half~~) one-tenth of a CPE credit hour.

CPE credit earned is rounded down to the nearest tenth of an hour.

(3) **Carry-forward:** CPE credit hours you complete during one CPE reporting period cannot be carried forward to the next period.

(4) **Carry-back:** As specified in WAC 4-30-134, CPE credit hours you complete during one CPE reporting period cannot be carried back to the previous reporting period unless the board has approved a request for extension or has required the carry-back as part of the sanctions for failure to complete required CPE.

(5) **Preparation time for CPE attendance:** Attendees obtain CPE credit only for time spent in instruction; no credit is allowed for preparation time unless the attendee is the discussion leader for the particular CPE segment or program.

(6) **Limitations on CPE credit:** In any given three-year renewal cycle, licensees are limited to the following upper limits of CPE credit for the following formats:

(a) Nano learning, as defined in WAC 4-30-010, is limited to no more than (~~twelve~~) 12 CPE credit hours out of the (~~one-hundred twenty~~) 120 CPE credit total as specified in WAC 4-30-134.

(b) No more than (~~sixty~~) 60 hours of CPE can be awarded to any licensee during the three-year reporting period for the sum of:

(i) Service on the Washington state board of accountancy or the board's committees or volunteer service on one of the board approved peer review committees;

(ii) First time instructor/developer of a college or university course;

(iii) First time instructor/developer of a CPE course; and

(iv) Authorship of published articles, books, and other publications relevant to maintaining or improving professional competence.

(c) Service on the Washington state board of accountancy (board) including participation on an approved peer review committee, first time instructor/developer, or authorship of published materials will not count towards the minimum (~~twenty~~) 20 credit hours of CPE required per WAC 4-30-134 during each of the three years of the CPE reporting period.

(7) **Further requirements and clarifications:**

(a) **Self-study programs:** Credit for self-study programs is allowed for reporting purposes on the date you completed the program as established by the course completion certificate provided by the program sponsor.

(i) **Interactive self-study programs:** Interactive means electronic or other delivery formats of CPE in which feedback is provided during

the study of the material in a manner to validate the individual's understanding of the material. The amount of credit allowed for interactive self-study is that which is recommended and documented by the program sponsor on the basis of the average completion time under appropriate "field tests."

(ii) **Noninteractive self-study programs:** The amount of credit allowed for noninteractive self-study is one-half the average completion time as determined and documented by the program sponsor on the basis of appropriate "field tests."

(b) **Instructor, discussion leader, or speaker:** If you serve as an instructor, discussion leader, or speaker at a program which meets the standards of WAC 4-30-132, the first time you present the program you may claim CPE credit hours for both preparation and presentation time. One hour of credit is allowed for each (~~fifty~~) 50 minutes of instruction. Additionally, you may claim credit for actual preparation time up to two times the presentation hours. No credit is allowed for subsequent presentations of a course constituted of substantially the same material.

(c) **Undergraduate and graduate courses:** For both undergraduate and graduate courses one semester credit equals (~~fifteen~~) 15 CPE credit hours and one quarter credit equals (~~ten~~) 10 CPE credit hours.

[Statutory Authority: RCW 18.04.055. WSR 19-16-074, § 4-30-133, filed 7/31/19, effective 1/1/20.]