

**ACCOUNTANCY EXAMINING BOARD[193A]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 542.4, the Accountancy Examining Board hereby gives Notice of Intended Action to amend Chapter 12, “Fees,” Iowa Administrative Code.

The proposed amendment adds new subrule 12.2(3) which eliminates the \$25 per month fee only for applicants for reinstatement who have not engaged in acts or services requiring an active license, certificate or permit.

The Board’s intent for imposing a per-month administrative fee on applicants for reinstatement is to provide a financial incentive for licensees, certificate holders, and permittees to comply with statutes and administrative rules. Rule 193A—12.2(542) was adopted to address the serious issue of applicants for reinstatement who neglect renewal requirements. The entire fabric of Board regulation is diminished if persons holding themselves out to the public as CPAs, LPAs, or CPA or LPA firms do not renew in a timely manner. The renewal process ensures compliance with continuing education requirements and peer review, when applicable, and also designates a time period for which the applicant is required to disclose to the Board any disciplinary actions taken by other states or regulatory bodies or criminal charges. The Board has determined that violators of Iowa statutes or administrative rules should incur a fee to cover administrative costs. The per-month fee was not intended to punish licensees, certificate holders, or permittees who comply with the law by refraining from practicing public accountancy on a lapsed or inactive license, certificate, or permit.

This amendment is subject to waiver or variance pursuant to 193A—Chapter 5.

Consideration will be given to all written suggestions or comments on the proposed amendment received on or before August 31, 2010. Comments should be addressed to Jodi Adams, CPA MBA, Accountancy Examining Board, 1920 S.E. Hulsizer Road, Ankeny, Iowa 50021, or faxed to (515)281-7411. E-mail may be sent to [jodi.adams@iowa.gov](mailto:jodi.adams@iowa.gov).

This amendment is intended to implement Iowa Code chapters 17A, 272C, 542, and 546.

The following amendment is proposed.

Adopt the following **new** subrule 12.2(3):

**12.2(3) Applicants for reinstatement.** All applicants for reinstatement shall be assessed the \$100 reinstatement fee. The \$25 per month penalty fee described in subrules 12.2(1) and 12.2(2) shall not be assessed if the applicant for reinstatement did not, during the period of lapse, engage in any acts or practices for which an active CPA certificate, LPA license, or firm permit to practice as a CPA or LPA firm is required in Iowa. Falsely claiming an exemption from the monthly penalty fee is a ground for discipline; in addition, other grounds for discipline may arise from practicing on a lapsed certificate, license or permit to practice.