

CHAPTER 1
GENERAL PROVISIONS (Effective)

Section 1. Authority . The Wyoming Board of Certified Public Accountants hereby adopts and promulgates the following rules and regulations as authorized by the Act and the Wyoming Administrative Procedure Act, W.S. 16-3-101 et seq.

Section 2. Definitions . Unless otherwise stated or required by the context, the definitions set forth in this section shall apply to the construction and interpretation of any rules, regulations, interpretations and statements of reason adopted by the Wyoming Board of Certified Public Accountants.

- (a) “Active Status” means the status required when a certificate holder performs any service as defined in W. S. 33-3-109 and Section 2(dd) of this chapter for an employer, another person, or an entity not wholly owned by the certificate holder with or without compensation.
- (b) “Advertise” means the use of any written or graphic statement made in any manner which is used to advise, announce, apprise, command, give notice of, inform or make known that services are offered or available. It may include but is not limited to statements and representations made in a newspaper or other publication, radio or television ads, or the use of any other notice, handbill, sign, catalog, letter, electronic media, or printed document which indicates services are offered or available.
- (c) “Agreed-Upon Procedure” means a professional service whereby a holder is engaged to issue a written finding that:
 - (i) is based on specific procedures that the specified parties agree are sufficient for their purposes;
 - (ii) is restricted to the specified parties; and
 - (iii) does not provide an opinion or negative assurance.
- (d) "AICPA" or "Institute" means the American Institute of Certified Public Accountants.
- (e) “Audit” means a professional service whereby the holder is engaged to examine financial statements, items, accounts, or elements of a financial statement, prepared by management, in order for an opinion to be expressed on financial statements, items, accounts, or elements as to whether the financial statements are presented in conformity with generally accepted accounting principles or other comprehensive basis of accounting or a performance audit performed in compliance with the Government Auditing Standards as referenced in Chapter 6, Section 3(b).
- (f) "Certified Public Accountant" or "CPA" is a person holding a certified public accountant certificate issued pursuant to W.S. 33-3-109 or W.S. 33-3-115 which has not been suspended, revoked, surrendered or expired or a person who holds a

- certificate based on meeting the substantial equivalency standards and availing himself of practice privileges.
- (g) "Client" is any person or organization other than the holder's employer that engages a certificate or permit holder to perform professional services.
 - (h) "Commission" is a fee, received or paid by others, which is calculated as a percentage of the total sale or service.
 - (i) "Compilation" means a professional service as defined in the Statements on Standards for Accounting and Review Services as set forth in Chapter 6, Section 3(d).
 - (j) "Contingent Fee" is a fee established for the performance of any service pursuant to an arrangement in which no fee will be charged unless a specified finding or result is attained, or in which the amount of the fee is otherwise dependent upon the finding or result of such service. A fee may vary depending, for example, on the complexity of services rendered.
 - (k) "CPA Firm" is a partnership, limited liability partnership, limited liability company, flexible limited liability company, sole proprietorship, or any type of corporation engaged in the practice of public accounting.
 - (l) "Designated Certificate Holder (DCH)" is the certificate holder responsible for registering the CPA firm and providing all CPA firm and office notifications required under W. S. 33-3-118, W. S. 33-3-119, as well as other notifications required by the Rules and Regulations.
 - (m) "Enterprise" is any person or entity, whether or not organized for profit, for which a certificate holder provides public accounting services.
 - (n) "Financial Statements" means statements and footnotes related thereto that undertake to present an actual or anticipated financial position as of a point in time, or results of operations, cash flow, or changes in financial position for a period of time, in conformity with generally accepted accounting principles or another comprehensive basis of accounting. The term 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.
 - (o) "Foreign" means any place situated outside of the fifty five states or jurisdictions which includes all fifty states and the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, the District of Columbia and the Virgin Islands as recognized by the United States of America.
 - (p) "Holder" is a person who has been awarded a CPA certificate by the Board under W.S. 33-3-109; under W. S. 33-3-115; or a CPA firm that has been issued a permit

under W. S. 33-3-118, W. S. 33-3-120, and Chapter 4 of the Rules and Regulations or a person or firm availing it or himself of practice privileges.

- (q) "Holding Out" means any action initiated by a holder which states or implies he is skilled in the practice of accounting, or any action that informs others of the CPA status. Any action includes but is not limited to any oral or written representation to another regarding accounting skills or the CPA status, the use of the CPA designation on business cards or letterhead, the display of the certificate, a listing as a CPA in the local telephone directories, or reference to any of the AICPA professional standards or any of the standards established in Chapter 6, Section 3 of the Rules and Regulations.
- (r) "Inactive Status" means the status required when a certificate holder does not perform any service as defined in W. S. 33-3-109 and Section 2(dd) of this chapter for an employer, another person, or an entity not wholly owned by the certificate holder, with or without compensation.
- (s) "License" is used synonymously with the term "certificate" or "permit" as appropriate in the context of the rules.
- (t) "Licensee" is used synonymously with the term "holder" whether licensed in this State or availing himself of practice privileges.
- (u) Masculine/singular terms when used in these provisions shall also include the feminine/plural.
- (v) "NASBA" means National Association of State Boards of Accountancy.
- (w) "Office" means any location within the State of Wyoming where the practice of public accounting is performed by certificate holders as a CPA firm.
- (x) "Organization" is a corporation, partnership, limited liability company, sole proprietorship, association, business trust, estate, trust, two or more persons having a joint or common interest, or any other legal or commercial entity.
- (y) "Original Certificate" means the certificate issued to an individual as a result of passing the Uniform CPA examination as a Wyoming candidate and meeting the requirements as set forth in W. S. 33-3-109.
- (z) "PCAOB" means Public Company Accounting Oversight Board.
- (aa) "Peer Review" means a review under a practice monitoring program as approved by the Board such as the programs sponsored by the American Institute of Certified Public Accountants (AICPA).

- (bb) "Permit" or "Permit-to-Practice" is a permit to engage in the practice of public accounting as a certified public accounting firm issued by the Board under W.S. 33-3-118, W.S. 33-3-120, and Chapter 4 of the Rules and Regulations which is in good standing.
- (cc) "Permit Holder" is a CPA firm pursuant to W.S. 33-3-118, W.S. 33-3-120, and Chapter 4 of the Rules and Regulations which is in good standing.
- (dd) "Practice of Public Accounting", "Practice of Certified Public Accounting", or "practicing" means a holder providing any type of service listed in Chapter 3, Section 1(b)(i-xxi) or providing advice involving the use of accounting skills; any auditing, review, or compilation service; any management advisory service; or any tax or consulting service; any litigation support service, including but not limited to expert witness testimony.
- (ee) "Practice Privilege" means the ability to practice as a certificate or permit holder in Wyoming without obtaining a Wyoming certificate based on meeting the criteria established in W. S. 33-3-116(a) and Chapter 10 or a permit based on W.S.33-3-118(b) (xiv) and (xv).
- (ff) "Professional Services" are any services performed or offered to be performed by a holder in the practice of public accounting.
- (gg) "Reciprocal Certificate" means a certificate issued to an individual based on a certificate issued in another jurisdiction.
- (hh) "Referral Fee" is a fee paid in exchange for producing a purchase of goods or services.
- (ii) "Registrant" means any certificate holder, permit holder or person or firm availing himself or itself of practice privileges under the provisions of the Act and the Rules and Regulations.
- (jj) "Report" when used with reference to financial statements means an opinion, report, or other form of language that states or implies assurance as to the reliability of any financial statement and that also includes or is accompanied by any statement or implication that the person or CPA firm issuing it has special knowledge or competence in accounting or auditing. Such a statement or implication of special knowledge or competence may arise from the use by the issuer of the report of names or titles indicating that the person or CPA firm is a certified public accountant or auditor, or from the use of language in the report itself. The term "report" includes any form of language which disclaims an opinion when such form of language is conventionally understood to imply any positive assurance as to the reliability of the financial statements referred to and/or special competence on the part of the person or CPA firm issuing such language; and it includes any other form of language that is

conventionally understood to imply such assurance and/or other special knowledge or competence.

- (kk) “Retired Status” means the status available when a certificate holder does not perform any service as defined in W. S. 33-3-109 and Section 2(dd) of this chapter for an employer, another person, or an entity not wholly owned by the certificate holder, with or without compensation, and has reached the age of fifty-five (55) or is disabled.
- (ll) “Review” means a professional service as defined in the Statements on Standards for Accounting and Review Services as set forth in Chapter 6, Section 3(d).
- (mm) “Sole Proprietorship” exists when a certificate holder performs accounting services as defined in W. S. 33-3-109 and section 2(dd) of this Chapter for any person or organization other than his employer, himself, or an entity wholly owned by himself, is not organized as any other formal entity, and the certificate holder is compensated for services provided.
- (nn) “Surrendered Status” means the certificate or affidavit of lost certificate has been returned to the Board’s office. A person who surrenders a certificate is no longer considered a Wyoming CPA.
- (oo) “Work papers” means the holders’ records of procedures applied, the tests performed, the information obtained, and the conclusions reached in attest services, tax, consulting, special report, or other engagements. Work papers include, but are not limited to, work programs used to perform professional services, analyses, memoranda, letters of confirmation and representation, checklists, copies or abstracts of company documents, and schedules of commentaries prepared or obtained by the holder. The forms include, but are not limited to, handwritten, typed, printed, word processed, photocopied, photographed, computerized data, or any other form of letters, words, pictures, sounds or symbols.
- (pp) “W.S.” means the Wyoming Statutes in their most recently published form, including all amendments.

Section 3. Chairman . The chairman of the Board shall preside at all meetings and shall perform such other duties as the Board may direct. In the absence of the chairman, the Secretary shall perform the duties of the chairman.

Section 4. Secretary . In addition to those duties imposed under W.S. 33-3-104, the secretary of the Board shall maintain a record of the transactions and business of the Board. The record shall include a record of any certificates and permits issued and of any fees paid.

Section 5. Meetings .

(a) The Board shall meet at least three times a year. Additional meetings and conference call meetings may be scheduled as determined by the Board. All meetings shall be scheduled and conducted in compliance with W. S. 16-4-401 et.seq.

(b) The Board shall elect annually from among its members a chair and a secretary. The officers shall assume the duties of their respective offices at the conclusion of the meeting at which they were elected. They shall serve a term of one year, but shall be eligible for reelection.

Section 6. Interpretations . The Board will periodically issue interpretations necessary for the implementation of the Act.

Section 7. Records Retention. The Board shall comply with records retention schedules which were formally adopted by the Board on May 11, 2009.

Section 8. Language of Record . Examinations, applications, correspondence, and all other documents will be provided in the English language only. Requests for assistance with foreign language impediments will be considered on a case by case basis. If provided, any and all costs associated with usage exams, interpreters or other aids will be borne solely by the applicant.

Section 9. Change of Name, Address, or Employment .

(a) All certificate holders and DCH's shall notify the Board of any changes in name, address, telephone number, or employment within 60 days of the change.

(b) Any notification from the Board required or permitted under the Certified Public Accountants' Act sent to the certificate holder, permit holder, or DCH shall be sent to the last known name and address, or e-mail address provided to the Board by the holder, and shall be deemed proper service on said holder.

Section 10. Change in Form, Ownership, Scope of Practice or CPA firm Name. The DCH shall notify the Board as may be applicable as follows:

(a) within sixty (60) days of any changes in scope of services which affect the scheduling or timing of peer reviews;

(b) within sixty (60) days of the termination or transfer of a sole proprietorship, the admission or withdrawal of a partner, shareholder, member, or non-certificate holder from any permitted CPA firm.

(c) within sixty (60) days of the admission or withdrawal of any certificate holder acting in the capacity of a resident manager of any office or any change in the certificate holder designated to represent the firm;

(d) within sixty (60) days of any CPA firm name change accompanied by applicable amended articles of incorporation or articles of organization.

Section 11. Applications .

(a) All applications shall be reviewed and approved by the board's staff or a committee comprised of the board's staff and one board member.

(b) If an application is denied, the reasons for denial shall be communicated to the applicant in writing. The applicant shall have the right of reconsideration based on submission of new information and/or an appearance before the Board with the opportunity to demonstrate to the Board that the applicable requirements are met. Any request for reconsideration shall be submitted within thirty (30) days of the denial decision.

(c) The Board reserves the right to deny any application for any of the following reasons:

- (i) failure to furnish all information required on the application;
- (ii) any actions listed in W. S. 33-3-121(a) (i) through (viii);
- (iii) falsification of information required by the application process; or

(iv) a finding of cheating on the CPA examination as set forth in Section 3(e) of Chapter 2 or as issued by any United States Board of Accountancy.

Section 12. Fees. Fees paid during the course of the current calendar year may be applied to fees due. Filing dates and assessment of related fees shall be established pursuant to W. S. 16-4-303.

(a) Certificate Fees:

(i)	Wall Document:	\$ 25.00
(ii)	Active Status:	\$ 250.00
(iii)	Inactive Status:	\$ 110.00
(iv)	Paper Active Renewal:	\$ 250.00
(v)	Electronic Active Renewal:	\$ 240.00
(vi)	Paper Inactive Renewal:	\$ 110.00
(vii)	Electronic Inactive Renewal:	\$ 100.00
(viii)	Retired Status (one-time):	\$ 50.00
(ix)	Reinstate:	\$1000.00
(x)	Activate From Expired:	\$ 375.00
(xi)	Active Paper Late Fee (11-1):	\$ 50.00
(xii)	Expired Late Fee (12-31):	\$ 100.00
(xiii)	Inactive Late Fee (12-31):	\$ 25.00

(b) Permit Fees:

(i)	Firm Permit	\$ 210.00
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(ii)	Paper Renewal:	\$ 210.00
(iii)	Electronic Renewal:	\$ 200.00
(iv)	Late Paper Renewal (11/1):	\$ 50.00
(v)	Expired Late Fee (12/31):	\$ 100.00
(vi)	Activate From Expired Status:	\$ 310.00

(c) The following fees may be assessed for the costs and services required to provide copies or printouts of public records:

- (i) name and address rosters (printed or electronic; annual register) - \$50;
- (ii) photocopies - \$.10 each;
- (iii) applicable postage charges;
- (iv) applicable hourly pay rate for staff time involved to produce printouts or copies; and
- (v) costs of computer disks, document mailers, envelopes and other supplies as applicable.

(d) Refunds.

- (i) All refunds shall be subject to a \$25 processing fee;
- (ii) After the \$25 fee has been assessed, the minimum allowable refund shall be \$5.00.

(e) Other Fees:

(i)	NSF Fee:	\$ 25.00
(ii)	Credit Card Charge back:	\$ 25.00
(iii)	Duplicate/Reprinted Certificate:	\$ 15.00
(iv)	Each Certified Notice Fee:	\$ 50.00
(v)	Board Approved Ethics Course Verification Fee:	\$100.00**

**No fee for initial review and minor revisions; fee may apply in the event of multiple reviews and/or major revisions.

CHAPTER 2
EXAMINATION (Effective)

Section 1. Applications for Examination .

(a) Applicants shall furnish all information required by the application form and other information, including proof of identity, as required by the Board. Each application, when filed, shall be accompanied by a non-refundable application fee, as determined by Section 3(d) of this Chapter payable to the Wyoming Board of Certified Public Accountants. Applications filed more than ninety (90) days prior to the date the education requirements will be completed will not be accepted. Forms may be obtained from the Board's office located in Cheyenne, Wyoming or may be downloaded from the Board's web site.

(b) The Board will forward notification of eligibility in the form of an Authorization to Test (ATT) for the computer-based examination to the candidate and NASBA's National Candidate Database. Upon receipt of the ATT from the Board, the candidate shall:

(i) contact NASBA to obtain a Notice to Schedule (NTS) the examination,
and

(ii) forward all applicable examination fees required by Section 3(d) to
NASBA.

(c) The ATT will expire six (6) months from the date of the NTS, when the candidate tests for a particular section, or six (6) months from the date the application was filed if an NTS is not issued. Once the ATT has expired, all fees, including examination fees, are forfeited and the candidate must reapply to the Board.

(d) Eligible candidates who have received an NTS shall independently contact a test center identified by the Board or NASBA to schedule the time and place for the examination at an approved test site.

(e) A candidate who fails to appear for a scheduled section of the examination shall forfeit the application fee paid to the Board and the applicable examination fees paid to NASBA.

(f) The Board reserves the right to deny the application or invalidate scores of any individual for any of the following reasons:

(i) failure to furnish all information required under this chapter;

(ii) conviction of a felony under the laws of Wyoming or any other state or
under the laws of the United States;

(iii) conviction of any crime, an element of which is dishonesty or fraud, under the laws of Wyoming or any other state or under the laws of the United States;

(iv) falsification of information required by the application process; or

(v) a finding of cheating on the CPA examination as set forth in Section 3(e) of this Chapter or as issued by any United States Board of Accountancy.

(g) Applicants shall complete the Uniform CPA Examination Statistical Questionnaire. The board will not release examination scores (grades) until the questionnaire has been completed.

(h) Applicants will be deemed to have met the requirements of W.S. 33-3-109(a)(i) through (ii) through the following:

- (i) is at least eighteen years of age; and
- (ii) holds a valid Wyoming drivers license; or
- (iii) has a current Wyoming physical/street address (not P. O. Box); or
- (iv) is currently employed in Wyoming or has a valid documented and accepted offer of employment that will begin within 6 months of the application date; or
- (v) is a current student at a Wyoming community college or the University of Wyoming (UW) or will graduate from UW within six months of the application date.

Section 2. Education Requirements

(a) Initial and transfer applicants shall furnish evidence of completion of one of the following education requirements:

(i) Prior to January 1, 2012 an applicant who qualifies under W. S. 33-3-109(a)(v)(A) shall have completed a minimum of twenty-four (24) semester hours in accounting courses in some or all of the following subjects:

- (A) Financial accounting and reporting for business organizations;
- (B) Financial accounting and reporting for government and not-for profit entities;
- (C) Auditing and attestation services;
- (D) Managerial or cost accounting;
- (E) Taxation;
- (F) Fraud Examination;
- (G) Internal controls and risk assessment;
- (H) Financial statement analysis;
- (I) Accounting or tax research and analysis;
- (J) Accounting information systems;
- (K) Ethics; or

(L) Other areas included in the Uniform CPA Examination Content Specification Outline (CSO) or as may be determined by the Board.

(ii) An applicant who qualifies under W. S. 33-3-109 (a)(v)(C) shall have completed at least 24 semester hours of upper division or graduate level accounting courses excluding principles or introductory accounting covering some or all of the subjects listed in subsection (i)(A-L) above and at least 24 semester hours of business courses (other than accounting) at the undergraduate or graduate level covering some or all of the following subjects:

- (A) Business law;
- (B) Economics;
- (C) Management;
- (D) Marketing;
- (E) Finance;
- (F) Business communications;
- (G) Statistics;
- (H) Quantitative methods;
- (I) Technical writing;
- (J) Information systems or technology;
- (K) Ethics; or
- (L) Others areas as may be determined by the Board.

(iii) Applicants who initially qualify for the examination under W. S. 33-3-109(a)(v)(A) before January 1, 2012 may continue to apply for the examination after January 1, 2012 and must meet either the education requirement imposed by W. S. 33-3-109(a)(v)(C) and one year of experience or complete four years of experience to be certified.

(iv) Applicants who initially qualify for the examination after January 1, 2012 must meet the education requirement imposed by W. S. 33-3-109(a)(v)(C) and section (ii) above or provide proof of enrollment which documents these education requirements will be completed within ninety (90) days of the application date.

(b) A maximum of six semester hours for internships as defined in this chapter may count toward the accounting or business subject matter requirements.

(c) The official transcript which evidences compliance with the requirements set forth in sub-sections (a) and (b) above shall be forwarded to the Board's office directly from the college or university which is accredited by one of the following accrediting associations.

- (i) New England Association of Schools and Colleges;
- (ii) Middle States Association of Colleges and Secondary Schools;
- (iii) North Central Association of Colleges and Schools;

- (iv) Northwest Commission on Colleges & Universities;
- (v) Southern Association of Colleges and Schools;
- (vi) Western Association of Schools and Colleges; or
- (vii) Association to Advance Collegiate Schools of Business (AACSB).

(d) credit earned through life experience as a result of passage of the Uniform CPA Examination shall not qualify towards meeting any of these course requirements.

(e) transcripts which document a graduate degree with a concentration in accounting from a program that is accredited in accounting by the AACSB shall be deemed equivalent to the requirements outlined in sub-sections (a) (i) through (ii) of this section.

(f) One quarter unit or hour is equivalent to two-thirds (2/3) of a semester unit or hour.

(g) All candidates qualifying under W. S. 33-3-111 are required to submit an official copy of the final transcript showing the degree and date awarded. Education requirements shall be met before the candidate is authorized to re-test or before the certificate will be issued.

(h) Candidates qualifying based on a degree earned in a foreign country shall submit transcripts to a foreign accountants credentials service acceptable to the Board for evaluation. That evaluation shall verify that the degree awarded was transferrable to an institution of higher education in the United States and verify that the accounting courses are equivalent to those taken to qualify as a candidate in the United States.

(i) “Internship” means short-term faculty supervised work experience usually related to a student’s major field of study, for which the student earns academic credit.

Section 3. Examinations - Certified Public Accountant .

(a) The Board shall use the Uniform AICPA Examination and advisory grading service.

(b) The candidate shall receive a passing grade in each of the four (4) examination sections before a certificate will be issued. A passing grade shall be seventy-five (75). Credit for passing a section is valid from the actual date of the testing event regardless of the date the candidate is actually notified or receives the score.

(c) Granting of Credit.

(i) A candidate may take test sections individually and in any order. Credit for any test section(s) passed shall be valid for eighteen (18) months from the actual date the candidate took the test section. A candidate must pass all four test sections within a rolling eighteen month period which begins on the date the first passed test section was taken. A candidate may take any section of the examination up to four times during a one-year period but cannot retake any failed test section in any one three month testing period. In the event all four test sections are not passed in the rolling eighteen (18) month period, credit for any test section passed outside the eighteen (18) month period will expire and that test section must be retaken. The eighteen (18) month period may be extended by the Board at its discretion upon a showing by the candidate of the existence of conditions beyond control.

(ii) Transfer credit shall be granted to a candidate for satisfactory completion of any section of the Uniform CPA Examination given by the licensing authority in any jurisdiction, provided the requirements as outlined in W. S. 33-3-109 and Sections 2 and 3 of this Chapter have been met.

(d) Fees: Each candidate shall pay an initial application fee to the Board office not to exceed \$110 or a re-examination fee not to exceed \$50. The actual examination fees charged to candidates by the AICPA, NASBA, and Prometric (test delivery service provider) are paid directly to NASBA which passes the fees on to the AICPA and Prometric testing centers. All transfer candidates who qualify pursuant to subsection (c)(ii) above and all re-exam candidates who last applied for the examination in excess of three (3) years prior to the current application date shall pay initial application fees. An application fee will be assessed for each application regardless of the number of examination sections applied for on each application.

(e) Cheating by a candidate in applying for, taking, or subsequent to the examination will be deemed to invalidate any grade otherwise earned by a candidate on any test section of the examination, may require the candidate be relocated, or may warrant summary expulsion from the test site and disqualification from taking the examination for a specified period of time. For purposes of this rule, the following actions or attempted activities, among others, may be considered cheating:

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

(ii) Communication between candidates or others inside or outside the test site while the examination is in progress;

(iii) Copying another candidate's answers while the examination is in progress;

(iv) Impersonating a candidate or having an impersonator take the test;

(v) Reference to crib sheets, textbooks or other materials or electronic media (other than provided to the candidate as part of the examination) inside or outside the test site while the examination is in progress;

(vi) Selling, buying, distributing or receiving any portion of a future or current examination;

(vii) Violation of the non-disclosure prohibitions of the examination or aiding or abetting in doing so;

(viii) Failure to follow examination procedures or instructions; or

(ix) Retaking or attempting to retake a test section by an individual holding a valid certificate or by a candidate who has unexpired credit for having passed the same test section, unless the individual has been directed to retake a test section pursuant to Board order or unless the Board has expressly authorized the individual to retake the test section.

(f) In any case where the Board believes it has evidence a candidate has cheated on the examination, including those cases where the candidate has been expelled from the examination, the Board shall conduct an investigation and may conduct a hearing consistent with the Administrative Procedure Act following the examination session. Upon implementation of the computer-based examination, the Board may notify NASBA, the AICPA, and the test center of the circumstances. In any case where a candidate is barred from taking the examination in the future, the Board will provide information regarding the Board's findings and actions taken to any other Board of Accountancy to which the candidate may apply.

(g) The Board will allow a Wyoming candidate the privilege to review the grades earned on his/her CPA examination within sixty (60) days after the release of the grades in question.

Section 4. Special Provisions . The Board recognizes its responsibility to accommodate the identified needs of qualified individuals with disabilities by making reasonable modifications or providing auxiliary aids or services. This does not mean that all requests for accommodation, auxiliary aids, or services will be granted, or that the candidate will receive the particular accommodations or services sought. The Board is not required to grant the request if doing so would fundamentally alter the measurement of skills or knowledge the examination is intended to test, or would create undue financial or administrative burden.

The Board will evaluate requests for reasonable accommodations for disabled candidates who, because of special circumstances, believe they will need additional time to complete the examination and/or special accommodations for the taking of the examination on an individual basis.

A disability is defined as having a physical or mental impairment that substantially limits one or more of the major life activities of an individual; having a record of such an impairment; or being regarded as having such an impairment. Mental impairment includes any mental or psychological disorder such as organic brain syndrome, emotional or mental illness and specific learning disabilities.

A learning disability is defined as individual evidence of significant learning difficulties which substantially affect or limit one or more major life activities, and which are not primarily due to cultural, emotional, or motivational factors. The term does not include learning problems which are primarily the result of visual, hearing, or motor disabilities, mental retardation, emotional disturbance, or of environmental, cultural, or economic disadvantage. The individual must demonstrate at least overall intellectual functioning as measured by general cognitive ability tests and show evidence of significant impairment in one or more of the following areas of intellectual functioning and information processing: attention and concentration; efficiency and speed of information processing; reception (perception and verbal comprehension); memory (ability for new learning); cognitive thinking; and expression. Significant impairment is generally determined by a discrepancy of 1.5 standard deviations, or more, between the individual's intellectual functioning, as measured by general cognitive ability tests as outlined in the List of Most Commonly Used Reliable Standardized Psychometric Tests as adopted by the Board and actual performance on reliable standardized measures of attention and concentration, memory, language reception and expression, cognition, as well as academic areas of reading, spelling, writing and mathematics.

(a) To request special accommodations, a candidate shall submit a written request for specific accommodations with the application. The Board may confer with consultants on the appropriateness of the request, or may request the candidate submit a second opinion. The candidate shall supply the following materials for the Board's evaluation. All materials are to be signed, original statements and shall be kept confidential to the extent provided by law. Photocopies will not be accepted:

- (i) identification of the type of disability (physical, mental, learning)
- (ii) professional verification of the disability by a qualified evaluator
- (A) credential requirements of the evaluator

(I) For physical or mental disabilities the evaluator must be a licensed physician or licensed psychologist with special expertise in the area of the disability. If someone else who does not fit these criteria completes the evaluation, the Board may require another evaluation by a professional of their choosing, and the request may be delayed.

(II) In the case of learning disabilities, a qualified evaluator must have sufficient experience to be considered qualified to evaluate the existence of proposed accommodations needed for the specific learning disabilities. The evaluator must be either a

licensed psychologist or licensed physician who possesses a minimum of three years experience working with adults with learning disabilities or another professional who possesses a master's or doctorate degree in special education or educational psychology from a regionally accredited institution. The professional's training must include at least three years of equivalent training and experience in all of the following areas: a) assessing intellectual ability level and interpreting tests of such ability; b) screening for cultural, emotional and motivational factors; c) assessing achievement level; and d) administering tests to measure attention and concentration, memory, language reception and expression, cognition, reading, spelling, writing and mathematics.

(B) Professional verification of the disability must include:

(I) The nature and extent of the disability;

(II) the test(s) performed to diagnose the disability (if applicable);

(III) the effect of the disability on the candidate's ability to perform under standard testing conditions;

(IV) the recommended accommodation and how it relates to the candidate's disability, given the format of the examination;

(V) the professional's name, title, telephone number, professional license or certification number, education credential, and his/her original signature; and

(VI) a description of the professional's educational experience which qualifies him/her to make the determination.

(iii) an outline of accommodations or auxiliary aids needed; and

(iv) a history of prior accommodations made in relation to the currently identified disability.

(v) The Board shall respond to all requests detailing what accommodations will be provided. The candidate shall sign and return this letter to the Board indicating the candidate's acceptance of the specified accommodations.

(vi) No changes in any special accommodations granted may be made unless further documentation is presented that proves that there has been a change in the condition of the candidate. The Board may request confirmation of the original diagnosis every two (2) years.

(vii) The candidate shall pay for the statements submitted to the Board. The Board's consultants and any second opinions shall be paid by the Board.

(b) Appeal of Denial of Request

(i) A candidate whose request for accommodation, auxiliary aids, or services is denied in whole or in part will be provided with the reasons, and may appeal the denial in accordance with these procedures.

(ii) If the denial is based on the rejection of the professional's opinion supporting the request, the Board must support such rejection with evidence from another expert with whom it has consulted in evaluating the candidate's request. The candidate will be provided with the general opinion of the Board's expert, including the basis for the opinion. A candidate's appeal of a decision denying his/her request shall be in the form of a signed or otherwise verified request, including the following: candidate's name, date of request, the appeal itself, and facts in support of the appeal. The appeal must be accompanied by documentation not previously provided which the candidate wishes the Board to consider in its decision. The appeal must be postmarked no later than seven (7) days after the candidate receives notification of the denial. The Board reserves the right to request further evidence on the necessity of the accommodation. In such cases the Board will assume responsibility for any expenses incurred in obtaining this information.

Section 5. Security and Irregularities . Notwithstanding any other provisions under these rules, the Board may postpone scheduled examinations, the release of grades, or the issuance of certificates due to a breach of examination security; unauthorized acquisition or disclosure of the contents of an examination; suspected or actual negligence, errors, omissions, or irregularities in conducting an examination; or for any other reasonable cause or unforeseen circumstance.

Section 6. Board Authority . The board, at its discretion, may suspend the examination requirements imposed by this Chapter for undue hardship, the existence of conditions beyond a candidate's control, or other good cause shown.

CHAPTER 3
CERTIFICATES (Effective)

Section 1. Original Certificates. A certificate as a CPA may be issued to any person who has successfully completed all sections of the Uniform AICPA Examination, provides documentation to evidence lawful presence in the United States, and who has met the requirements of W.S. 33-3-109(a) and the Rules and Regulations. All certificate holders who are engaged in the practice of accounting in Wyoming as defined in W. S. 33-3-109(c) and Chapter 1, Section 2(dd) of the Rules and Regulations are deemed to be in active practice and shall maintain the certificate on active status.

(a) Experience.

(i) The applicant for a certificate as a certified public accountant (CPA) qualifying for the examination under W. S. 33-3-109 (a)(v)(A) is required to demonstrate four (4) years of experience earned in the last ten (10) years preceding the application date which must be verified by a Certified Public Accountant who was active at the time the experience was earned or as provided for in W.S. 33-3-109 (a)(v) (B) and in subsection (b) of this section .

(ii) The applicant for a certificate as a certified public accountant (CPA) qualifying under W. S. 33-3-109 (a)(v)(C) is required to demonstrate one (1) year of experience earned in the five (5) years preceding the application date which must be verified by a Certified Public Accountant who was active at the time the experience was earned or as provided for in W.S. 33-3-109 (a)(v) (D) and in subsection (b) of this section .

(iii) The term "year" means a minimum of two thousand (2000) working hours per year. Part-time experience may be considered at a rate of each hour worked up to a maximum of eight (8) hours within any twenty-four (24) hour period.

(iv) The applicant who qualifies for the examination under subsection (i) of this section may complete the additional education requirements imposed by W. S. 33-3-109(a)(v)(C) and the experience requirement in subsection (ii) of this section to meet the certification requirements in lieu of the four year experience requirement.

(b) Equivalent experience. The Board may consider equivalent experience not verified by an active Certified Public Accountant. Documentation verifying equivalent experience must specify the job title, employment period, provide a detailed description of the duties, and be affirmed by an appropriate supervisor or official. This experience may include but is not limited to the following:

- (i) Financial statement preparation;
- (ii) Financial statement consolidation;

- (iii) Trial balance/general ledger/fixed asset;
- (iv) Audit support;
- (v) Software conversion/installation of financial systems;
- (vi) Account reconciliation;
- (vii) Expense account analysis;
- (viii) Tax payments and returns;
- (ix) Payroll management;
- (x) Budget preparation, operating and capital;
- (xi) Product costing;
- (xii) Developing or testing internal controls;
- (xiii) Capital budgeting support;
- (xiv) Analysis of financial statements or budgets;
- (xv) Analysis of information flows and accounting processes;
- (xvi) Research of accounting literature or tax codes;
- (xvii) Conducting internal audits;
- (xviii) Preparation of journal entries;
- (xix) Income tax preparation, projections, or advice;
- (xx) Financial consulting; or
- (xxi) Educational instruction in any discipline covered by the CPA examination (academia);

(c) The Board may consider experience gained by applicants under (a)(i) when the experience was gained more than ten (10) years prior to the application date. Any request to utilize this experience must be accompanied by documentation which evidences the applicant has completed the continuing professional education requirements as outlined in Chapter 5 within three years preceding the application date or during another time period acceptable to the Board.

(d) The Board may consider experience gained by applicants under (a)(ii) when the experience was gained more than five (5) years prior to the application date. Any request to utilize this experience must be accompanied by documentation which evidences the applicant has completed the continuing professional education requirements as outlined in Chapter 5 within three years preceding the application date or during another time period acceptable to the Board.

(e) Original certificate applicants shall document that an approved professional ethics examination has been completed at the time of application.

(f) Transfer credit shall be granted to an original certificate applicant if he shows satisfactory completion of all sections of the Uniform CPA Examination given by the licensing authority in any jurisdiction, provided the requirements as outlined in W. S. 33-3-109 and Section 1 of this Chapter have been met.

Section 2. Reciprocal Certificates. Certified public accountants of other states or accountants from foreign countries whose principal place of business is in Wyoming or who do not qualify for practice privileges shall obtain an active Wyoming certificate before furnishing services in Wyoming. All applicants for reciprocal certificates shall provide documentation evidencing lawful presence in the United States.

(a) Duly qualified persons may be certified under W. S. 33-3-109(o) and W. S. 33-3-116(c) when they submit applications, proof of qualifications, applicable fees (fees are not prorated), documentation evidencing lawful presence in the United States and other information as follows:

(i) A person holding an active CPA certificate based on passing the CPA exam prior to January 1, 2012 and issued by any US state or jurisdiction when the person has completed at least one year of broad based experience as set forth in Section 1(b) of this Chapter shall be deemed to have met requirements substantially equivalent to Wyoming's requirements and shall be required to demonstrate applicable certificates held are in good standing or have not been otherwise disciplined for cause.

(ii) A person holding an active CPA certificate issued by a state or jurisdiction deemed substantially equivalent to the Uniform Accountancy Act by NASBA National Qualification Appraisal Service shall be deemed to have met requirements substantially equivalent to Wyoming's requirements and shall be required to demonstrate applicable certificates held are in good standing or have not been otherwise disciplined for cause.

(iii) A person holding an inactive or retired CPA certificate in any other state shall either activate the certificate in a substantially equivalent state or submit documents to demonstrate the individual qualifications have been determined by NASBA to be substantially equivalent or shall meet the requirements as set forth in Section 1 of this Chapter. An applicant meeting the requirements of Section 1 must provide an official transcript which evidences

compliance with the educational requirements imposed by W.S. 33-3-109 and documentation which evidences compliance with the continuing professional education requirements to activate a certificate.

(b) Foreign Reciprocity

(i) An applicant holding a credential from a foreign country comparable to the CPA certificate is required to meet the qualifications for certificates provided in W. S. 33-3-109(k).

(ii) The Board shall waive the Uniform AICPA CPA examination and issue a certificate to a foreign accountant who has completed an examination comparable to the Uniform CPA Examination administered by a foreign authority evaluated by NASBA's International Qualifications Appraisal Board (IQAB) with requirements determined to be substantially equivalent to the requirements for a Certified Public Accountant.

(A) An applicant shall pass the AICPA International Uniform Certified Public Accountant Qualification Examination (IQEX) with a minimum score of seventy-five (75).

(B) An applicant shall provide evidence of satisfactory completion of the comparable examination administered by the foreign authority.

(C) An applicant shall provide certification from an appropriate foreign authority that no designation awarded has expired, been revoked, suspended, or is under investigation and is in good standing.

(D) An applicant shall provide certification from the foreign authority that the authority provides similar provisions to Wyoming CPAs to obtain a comparable designation.

(E) Fees for the application shall be submitted by money order or a properly encoded draft drawn on a United States Bank in US funds.

(F) An applicant shall provide documentation evidencing lawful presence in the United States.

Section 3. Inactive Status

(a) A certificate holder who has not lost the right to active status, who annually certifies he is not actively engaged in the practice of public accounting in Wyoming as defined in W. S. 33-3-109 (c) and Chapter 1, Section 2(dd), and who does not qualify for retired status shall maintain the certificate on inactive status.

(b) A resident active certificate holder who is no longer actively engaged in the practice of accounting in Wyoming shall place the certificate on inactive status by submitting a written request to the Board. The request may be submitted when the holder no longer provides services or with the annual renewal application. The written request in the form of an application form provided by the board shall certify the holder is not actively engaged in the practice of accounting in Wyoming and provide the following information:

- (i) Place of employment;
- (ii) Name of supervisor or manager, if applicable;
- (iii) Occupational information regarding services provided in Wyoming or job duties ; and
- (iv) Rationale for the request to place the certificate on inactive status.

(c) A certificate holder who maintains the certificate on inactive status may assume or use the title "Certified Public Accountant, Inactive" or "CPA, Inactive" if:

(i) The assumption or use of the designation is not incident to the practice of public accounting as defined in W. S. 33-3-109(c) and Chapter 1, Section 2(dd) of the Rules and Regulations; and

(ii) The certificate has not been revoked or suspended by any jurisdiction for any reason except non-payment of fees; and

(iii) The certificate holder pays an annual fee as set forth in Chapter 1, Section 12.

(d) A person who maintains the certificate on an inactive status shall not be subject to the continuing education requirements.

(e) An inactive certificate holder who has previously held active status may activate the certificate by providing:

- (i) an application in a form provided by the Board;
- (ii) documentation which evidences compliance with the continuing professional education requirements set forth in Chapter 5 of the Rules and Regulations; and
- (iii) additional fees to maintain active status and;
- (iv) documentation evidencing lawful presence in the United States.

(f) A person who maintains the certificate on inactive status and wishes to provide services as defined in W. S. 33-3-109(c) and Chapter 1, Section 2(dd) from a Wyoming office

shall submit a complete application to activate the certificate as set forth in subsection (e) above prior to providing accounting services.

Section 4. Retired Status.

(a) The Board may waive the requirement that certificate holders maintain active or inactive status and allow a holder to retire the certificate and continue to assume or use the title "Certified Public Accountant, Retired" or "CPA, Retired" if:

(i) The holder is not actively engaged in the practice of public accounting in Wyoming as defined W. S. 33-3-109(c) and Chapter 1, Section 2(dd) of the Rules and Regulations;

(ii) The assumption or use of the designation is not incident to the practice of public accounting as defined in W. S. 33-3-109(c) and Chapter 1, Section 2(dd) of the Rules and Regulations; and

(iii) The certificate has not been revoked or suspended by any jurisdiction for any reason except non-payment of fees; and

(iv) The certificate holder has reached age 55 or is disabled.

(b) A retired certificate holder who has previously held active status may activate the certificate by providing:

(i) an application in a form provided by the Board;

(ii) documentation which evidences compliance with the continuing professional education requirements set forth in Chapter 5 of the Rules and Regulations; and

(iii) additional fees to maintain active status and;

(iv) documentation which evidences lawful presence in the United States.

(c) A person who maintains the certificate on retired status and begins to provide services as defined in W. S. 33-3-109(c) and Chapter 1, Section 2(dd) from a Wyoming office shall submit a complete application to activate the certificate as set forth in subsection (b) above prior to providing accounting services

Section 5. Renewal.

(a) All active and inactive certificates expire December 31 of each calendar year. Renewal notifications shall be provided to all certificate holders by mail or e-mail no later than October 1 of each calendar year. Applicants shall provide all information required by the board. Incomplete paper renewal applications shall be returned to the applicant.

(b) Active Status: Paper renewal applications shall be postmarked or received by the Board's office no later than November 1 of each calendar year and shall include the following:

(i) Resident certificate holders shall comply with Wyoming's continuing education requirements by providing a listing of courses completed or proposed in the current calendar year.

(ii) Designated certificate holders as defined in Chapter 1, Section 2(l) who provide services from a Wyoming office must submit the application to renew the CPA firm permit in conjunction with the individual renewal application;

(iii) Applicable fees as set forth in Chapter 1, Section 12, to include all late and notice fees, to renew the certificate and CPA firm permit as applicable.

(c) Inactive Status: Certificate holders who maintain the certificate on an inactive status shall annually renew the certificate by complying with the provisions of Section 3 of this chapter no later than December 31 of each calendar year.

(i) Certificate holders who submit renewal applications postmarked after December 31 or who attempt to renew an expired inactive certificate at any time after the expiration shall pay the annual inactive fee plus the late and notice fees as set forth in Chapter 1, Section 12.

(d) Individual certificate holders shall be responsible for the truth and accuracy of all renewal information submitted regardless of the media utilized to effect the renewal.

(e) Expired/Surrendered Certificates.

(i) Expired or surrendered certificates may be activated upon application, payment of fees as set forth in Chapter 1, Section 12, and compliance with other applicable requirements imposed on active certificate holders including but not limited to CPE requirements.

(f) On-line Renewal: Certificate holders may renew active or inactive status electronically by certifying compliance with all applicable requirements. Late fees and applicable notice fees will be imposed for on-line renewals submitted after December 31.

Section 6. Reporting Convictions, Judgments, and Disciplinary Actions

(a) Each certificate holder and each CPA firm's designated certificate holder, on a form and in the manner prescribed by the Board, shall disclose information specified in subsections (d) (e) and (f) of this section. Disclosure shall be required upon initial application for an individual certificate or CPA firm permit. Once licensed, disclosure shall be required within thirty (30) days of the imposition of discipline or judgment or with the renewal of the certificate or permit. Actions previously reported do not need to be re-reported upon renewal.

(b) All information or documents disclosed or provided pursuant to the requirements of this section shall be maintained in an investigative file pursuant to Chapter 7, Section 21(c)(ii).

(c) Disclosure shall include but is not limited to the following:

- (i) the name of the court or regulatory/administrative entity involved;
- (ii) the case number;
- (iii) the names of the parties involved;
- (iv) the type of reportable event; and
- (v) a summary of the reportable events.

(d) Any conviction or finding of guilt, or plea of nolo contendere to:

- (i) A felony;
- (ii) any crime an element of which is dishonesty or fraud; or
- (iii) the denial, cancellation, revocation, suspension or refusal to renew the authority to practice as a certified public accountant by any state, federal agency, or foreign authority, for any cause other than failure to pay a fee.

(e) Imposition of a censure, reprimand, sanction, probation, civil penalty, fine, consent decree or order, by any state board of accountancy, the Securities Exchange Commission, Public Company Accounting Oversight Board, Internal Revenue Service, or foreign regulatory body that regulates the practice of accountancy.

(f) Any fully adjudicated judgment or settlement in a civil suit or arbitration proceeding entered after July 1, 2005, totaling more than \$150,000, and based upon an allegation of dishonesty, fraud, or gross negligence in the practice of accounting, or any action that would constitute a violation of the rules of professional conduct promulgated by the Board. Notification under this section shall apply only to actions directly involving a certificate or permit holder's practice of accounting in Wyoming.

Section 7. Exemptions. A certificate holder may request, on forms provided by the Board, that the Board waive the requirement to maintain the certificate on active status for cases of individual hardship, for the performance of volunteer services or other good cause as determined by the Board.

Section 8. Transition to Practice Privileges. Certificate holders whose principal place of business is not in Wyoming and who qualify for practice privileges or otherwise are not

required to maintain the Wyoming certificate have the following options relative to the Wyoming certificate:

- (a) Surrender the wall document for mobility (if issued), submit an affidavit of lost certificate, or allow the certificate to expire at the end of the calendar year;
- (b) Continue to maintain the certificate on active status as required by the rules.

CHAPTER 4
PERMITS (Effective)

Section 1. Registration of Firms

(a) Partnerships, corporations, limited liability companies, or sole proprietorships shall register the entity and obtain a permit prior to rendering professional services when:

(i) an office as defined in Chapter 1, Section 2(w) exists and attest services as defined in W. S. 33-3-102(a)(vi) and in subsection (b) of this section are provided;

(ii) an office as defined in Chapter 1, Section 2(w) exists and the entity or individuals associated with it hold out as CPA(s) in any manner;

(iii) an office as defined in Chapter 1, Section 2(w) exists, a majority interest in the entity is owned by CPAs, and services as defined in W. S. 33-3-109(c) and Chapter 1, Section 2(dd) and Section 2(e) are provided;

(iv) the firm does not have an office as defined in Chapter 1, Section 2(w) but performs any audit in accordance with the Statements on Auditing Standards, any examination of prospective financial information in accordance with the Statements on Standards for Attestation Engagements, or any engagement in accordance with the PCAOB auditing standards when these services are performed for a client whose home office is in Wyoming; or

(v) the firm does not have an office as defined in Chapter 1, Section 2(w), performs any attest services as defined in W. S. 33-3-102 (a)(vi)(B) for a client whose home office is in Wyoming and is not required to comply with the AICPA peer review requirements or some state's peer review requirements.

(b) All certificate holders who perform compilation services outside of a permitted firm from a Wyoming office shall register and obtain permits.

(i) a firm that does not have an office as defined in Chapter 1, Section 2(w), but performs compilations for a client whose home office is in Wyoming and is not required to comply with the AICPA peer review requirements or some state's peer review requirements must register with the Board and obtain a permit.

(c) CPA firms required to register shall meet the application requirements as follows:

(i) A corporation must file a copy of the filed articles of incorporation at the time of initial application and any subsequent amendments thereto in accordance with Chapter 1 of the Rules and Regulations.

(A) The practice of public accounting in Wyoming is permitted in the professional corporation form in compliance with the additional requirements of W.S. 17-3-101

through 104 specifically but not limited to the requirement of W.S. 17-3-101 that all owners of capital stock be licensed or permitted under Wyoming law and the requirements of W.S. 17-3-103 with respect to corporate name.

(ii) A limited liability company must file a filed copy of the articles of organization at the time of initial application and any subsequent amendments thereto in accordance with Chapter 1 of the Rules and Regulations.

(d) An application to register shall be made on forms provided by the Board and upon the affidavit of a designated certificate holder who holds an active Wyoming certificate or qualifies for practice privileges and is responsible for the CPA firm in the State of Wyoming. All notifications required under this act and the Rules and Regulations shall be the responsibility of this designated certificate holder.

(e) Designated certificate holders shall register all Wyoming office locations with the CPA firm registration and provide the following information:

- (i) Office address, both physical and mailing, if different;
- (ii) Phone number;
- (iii) Name of certificate holder providing attest or compilation services at each location.

Section 2. Renewal/Activation .

(a) All CPA firm permits expire December 31 of each calendar year. Renewal notifications shall be mailed or e-mailed to designated certificate holders no later than October 1 of each calendar year.

(b) The designated certificate holder shall submit an application for renewal which shall be postmarked or received in the Board office no later than November 1 of each calendar year and be accompanied by the following:

- (i) his complete individual certificate renewal unless authorized to use practice privileges;
- (ii) copies of applicable amended articles of incorporation or articles of organization; and
- (iii) applicable fees, to include late and notice fees as outlined in Chapter 1, Section 12.

(c) Firms eligible for practice privileges may activate an expired firm permit at any time and are subject to activation fees as set forth in Chapter 1, Section 12.

Section 3. Non-certificate Holders . CPA firms whose ownership includes non-certificate holders shall provide a listing of the names of all certificate and non-certificate holder owners at initial registration. This listing shall document compliance with subsection (ii) of this section.

(i) subsequent changes must be reported within sixty (60) days;

(ii) if the withdrawal of a certificate holder results in the CPA firm's ownership being controlled by more than 49% of non-certificate holders, the CPA firm shall take corrective action within sixty (60) days to ensure the CPA firm complies with W. S. 33-3-118(b)(xvi) and (xvii).

Section 4. Non-Resident Firms. CPA firms that qualify for practice privileges but elect to obtain/maintain a permit in Wyoming shall comply with all provisions and requirements set forth in W. S. 33-3-118(b)(xiv) and (xv), W. S. 33-3-120, W. S. 33-3-132, and the Rules and Regulations.

CHAPTER 5
CONTINUING PROFESSIONAL EDUCATION (Effective)

Section 1. General Requirements

(a) A program qualifies as acceptable continuing education if it is a formal program of learning which contributes directly to the professional competence of a certificate holder in the practice of accounting or is directly related to the holder's field of business and verification of attendance or completion can be provided by a third party.

(b) A program contributes to professional competence if it maintains or improves the certificate holder's current professional knowledge. Selection of the appropriate courses will be at the discretion of the certificate holder and may be selected from any of the following fields of study:

(i) at least 66% (80 of the 120 credit requirement or 40 of the 60 credit requirement) of the credits shall be earned in fields of study that directly relate to a holder's field of business in the following Code A areas:

- (A) Accounting & Auditing;
- (B) Business Law;
- (C) Administrative Practice;
- (D) Regulatory Ethics;
- (E) Business Management & Organization;
- (F) Finance (Financial Planning);
- (G) Management Advisory Services ;
- (H) Marketing;
- (I) Economics;
- (J) Specialized knowledge and application;
- (K) Statistics;
- (L) Taxes; or
- (M) Computer Science or software applications.

(ii) The balance of credits may be earned in the following Code B fields of study:

- (A) Behavioral Ethics;
- (B) Communications;
- (C) Personal Development;
- (D) Personnel/Human Resources; or
- (E) Other fields of study may be acceptable if the licensee can demonstrate the course does not qualify under an identified field but does contribute to professional competence.

(c) Programs must be conducted in compliance with the Program Requirements and Program Standards as outlined in Section 3 of this Chapter. If called upon to do so by the Board, certificate holders must be prepared to demonstrate that providers/sponsors have complied with the Program Standards.

(d) Certificate holders are required to comply with the CPE requirements in the three (3) full calendar years immediately preceding the renewal year as set forth below:

Rolling CPE Requirements			
Renewal Year	First Calendar Year	Second Calendar Year	Third Calendar Year
First Renewal	0		
Second Renewal	60 credits in this two year period		
Thereafter	120 credits in this three year period		

- i. With the exception of the requirement stipulated in sub-section (iv)(A) below, certificate holders renewing the initial active certificate are excepted from the continuing professional education reporting requirements;
- ii. To renew an active certificate for the second time, one must complete 60 credits in the two calendar years immediately preceding the renewal year;
- iii. To renew an active certificate thereafter, one must complete 120 credits in the three calendar years immediately preceding the renewal year.
- iv. All certificate holders who maintain their principal place of business in Wyoming are required to complete, as scheduled by the Board, and at least once every three year continuing education period, four credits of continuing education in ethics as approved by the Board. Credits may be earned at separate courses but all four credits must be completed in the same calendar year. To qualify for credit, the course must include a Wyoming statutes and rules element and other topics such as ethical reasoning or standards of professional conduct including those of other applicable regulatory bodies with a passing score of 80%.

(A) Holders who obtain initial certificates shall complete an approved ethics course within six (6) months (month-end of date of initial certificate) of obtaining the initial certificate and every three year renewal period thereafter.

(v) If a reported/planned course is not completed, an amended program attendance record must be submitted to the Board's office reflecting the change.

(e) The continuing professional education requirement of a non-resident certificate holder not using practice privileges is considered met if the individual meets the continuing education requirement for renewal of a certificate, permit, or license in the state in which individual's principal office is located. These individuals must, during the applicable renewal period imposed by the state where the principal office is located, complete four credits of continuing education in ethics covering state specific statutes and rules and such topics as ethical reasoning or standards of professional conduct including those of other applicable regulatory bodies. The non-resident must certify that the continuing professional education requirement has been met in another state. If there is no continuing education requirement in the non-resident's principal place of business or the individual is not licensed in his principal place of business, the

individual must comply with the requirements as though he was a resident of Wyoming. Non-residents are subject to the audit provisions of this Chapter. The Board may verify the continuing professional education status of a non-resident.

(f) Certificate holders should obtain an appropriate mix of group and individual courses that meet their individual needs.

(g) Inactive and Retired certificate holders are excepted from the continuing education requirements until such a time as they enter or re-enter practice under the provisions of the Act and the Rules and Regulations.

(h) The Board may suspend, relax, or grant exceptions to the continuing education requirements for instances of individual hardship or other good cause shown.

Section 2. Definitions

(a) Program Sponsor/Provider: The organization or individual responsible for setting learning objectives, creating the program materials to achieve such objectives, offering a program to participants and maintaining the documentation which demonstrates compliance with the Program Standards.

(b) Group Course: An educational program designed to permit a participant to learn a given subject through interaction with an instructor and other participants.

(c) Individual Course: An educational program designed to permit an individual to learn a given subject without interaction with others.

(d) Independent Study: An educational program designed to permit an individual to learn a given subject under a unique, one-time learning contract with a qualified provider/sponsor. The learning contract must set forth the anticipated inputs and outcomes as well as the number of credits to be recommended at the conclusion of the program.

(e) Renewal Year: The calendar year following any year in which a registrant holds an active certificate.

(f) “Third Party” means a person associated with or duly authorized by a CPE vendor or sponsor to represent that vendor or sponsor.

Section 3. Program Requirements

(a) Group Programs: Group programs qualify as acceptable continuing education if they meet the general requirements of this Chapter, if an outline of the program is prepared in advance, if evidence of satisfactory completion is retained, and the program is at least one full credit period in length.

(i) The following are acceptable group programs: professional development programs of recognized national, state, and local accounting organizations; technical sessions at meetings of recognized national, state, and local accounting organizations and their chapters; university or college courses; formal organized in-house, in-firm and inter-firm education programs; and programs given by other organizations devoted to accounting or professional improvement.

(b) Individual Programs: these programs qualify as acceptable continuing education if they meet the general requirements of this Chapter, if evidence of satisfactory completion is retained, if the program is at least one full credit period in length, and include the following:

(i) Individual self-study courses which require registration;

(ii) Service as an instructor, lecturer, or discussion leader;

(iii) Published articles or books authored by the certificate holder if they contribute to the professional competence of the individual; or

(iv) Independent study that is under the direction of a qualified sponsor/provider who has met the applicable program standards.

(c) Program Standards:

(i) Standard #1: Learning activities must be based on clearly defined, relevant learning objectives and outcomes that clearly articulate the knowledge, skills, and abilities that can be achieved by participants.

(ii) Standard #2: Learning activities must be developed in a manner consistent with the prerequisite education, experience, and/or advanced preparation of the participants.

(iii) Standard #3: Activities, materials and delivery systems must be current, technically accurate, and effectively designed. Providers, sponsors, or contractors must be competent in the subject matter. Competence may be demonstrated through practical experience or education.

(iv) Standard #4: Learning programs must be reviewed by qualified persons other than those who develop the program to assure the program is technically accurate, current, and addresses the stated learning objectives. This requirement is waived for single presentations such as lectures that are given once.

Section 4. Credit

(a) Continuing Professional Education will be measured by program length with one fifty (50) minute period constituting one (1) credit. One-half credits (25 minute periods) are permitted after the first credit has been earned. Total credits will be determined based on the sum of segments with credits rounded down to the nearest half credit when the total is not divisible by 50 (180 minutes = 3.5 credits). Credit is granted in the calendar year in which the

course is attended or completed unless the Board determines otherwise. Credit granted through the extension process will be granted in one year only and cannot be duplicated.

(b) Instructors, Lecturers, Discussion Leaders or Speakers will earn credit for the actual presentation period plus an additional two credits for each period for preparation (3 credits for each presentation credit). The maximum credit allowed in this category will be 50% of the total renewal requirement (no more than 60 credits in any three year period). Repetitious presentations will not qualify unless substantive changes which require significant additional research and study have been made to the course.

(c) Published Articles , Books, Etc. Authored by the Certificate Holder: Credit may be awarded for published articles or books for up to 25% of the renewal requirement (no more than 30 credits). Copies of articles or books must be provided.

(d) University or college courses: Each semester hour credit will equal fifteen (15) credits towards the requirement. A quarter hour will equal ten (10) credits. Credit earned for courses taken to obtain an initial baccalaureate degree that qualifies an individual to sit for the examination will not qualify under this section.

(e) Independent Study: Credit in this area is limited to twelve (12) credits in any renewal period.

(f) Non-degree certificate programs: Accredited colleges and universities that offer certificate programs but do not post credit for the program on the official transcript must either provide a completion certificate to the participant or maintain an attendance log of participants, prepare and preserve an outline of the course, and ensure the course is led by a qualified instructor. One (1) CPE credit shall be awarded for every 50 minutes of class time.

(g) When credits are limited by section 4(b)(c) or (e), no future adjustments may be made to utilize credits previously limited.

Section 5. Evidence of Completion - Retention . Primary responsibility for documenting the requirements have been met rests with the certificate holder, ~~and~~ ~~e~~ Evidence to support fulfillment of those requirements must be retained for a period of four (4) years after the completion of the course. Certificate holders must retain an outline or program for each course and evidence of attendance. Documentation shall include the holder's name, sponsor/provider name; course title, date and timeframe of the course; and the amount of credit granted as applicable. Satisfaction of completion of the requirements may be accomplished as follows:

(a) College or university courses: official transcripts verifying completion or other verified documentation from an institution.

(b) Individual or Independent Study: Certificates of completion, signed statements from vendors or sponsors, copies of the applicable Independent Study contracts, or other acceptable documentation as determined by the Board.

(c) Group Study: Sign in sheets, certificates of attendance, firm rosters signed by participants or attested to by the appropriate firm officials, other third party verification, or other acceptable documentation as determined by the Board.

(d) Instructor/Lecturer: a signed statement from the course provider or other appropriate official verifying the services were provided must be obtained.

(e) Ethics Course: Upon request all certificate holders must submit a certificate of completion or certificate of attendance to the Board office.

Section 6. Activation.

(a) Prior to beginning to provide accounting services, an individual who has been excepted from the requirements or has otherwise not provided evidence of compliance with the CPE requirements, must make appropriate application and show compliance with the continuing education requirements.

(i) The Board may waive the requirement to complete requirements in a given calendar year period and consider a combination of 120 hours completed within a three year period other than calendar years.

(ii) The Board may allow a certificate holder to re-enter active practice without providing compliance with the continuing education requirements upon the condition that the applicant follow a particular future program or schedule of continuing education.

(iii) The applicant shall document that an approved ethics course as set forth in Section 1 of this chapter has been completed within the three (3) years prior to re-entry.

Section 7. Controls & Reporting .

(a) To renew an active certificate, on forms provided by the Board, each holder who does not renew on-line or non-resident who does not report CPE to another state shall provide the following:

(i) The number of CPE credits completed as requested; and

(ii) A listing of the courses completed or to be completed prior to December 31 of the calendar year subject to renewal including the following information:

(A) sponsoring organization/provider/contractor;

(B) title of program or description of content;

(C) course type (individual, group, lecture, etc.);

(D) dates attended or completed; and

(E) credit claimed.

(b) Holders who renew on-line shall provide the total number of credits completed and shall certify compliance with CPE requirements.

Section 8. Extensions . The Board may, upon written request, extend the time within which certificate holders must comply with the requirements of this Chapter for reasonable and just cause.

(a) An applicant may request an automatic ninety (90) day extension at the time of renewal.

(b) Any request for an additional extension in excess of ninety (90) days must be submitted to the Board in writing no later than March 1 and outline good cause for granting the extension.

(c) Any applicant who requests or is granted an extension of time under this section shall submit documentation of completion of the applicable course work no later two weeks after the expiration of the extension deadline and shall be audited under Section 9 of this Chapter.

(d) Any applicant who fails to complete the requirement by the extension deadline shall be required to complete additional CPE credits equal to either the lesser of the shortage of credits or no more than sixteen (16) additional CPE credits. The additional credits must be completed no later than thirty (30) days from the extension deadline and shall not qualify for purposes of meeting any future CPE renewal requirement. Failure to submit documentation of completion of the additional credits by the deadline shall result in the initiation of disciplinary action.

Section 9. Verification . The Board will verify compliance with the CPE requirements on a test basis (to a maximum of 20% audit) or as otherwise necessary.

(a) In the form requested by the Board, Certificate holders shall submit evidence of compliance with the CPE requirements.

(b) Non-resident certificate holders not using practice privileges shall comply by either submitting a copy of the applicable renewal application in the state of residence and evidence of completion of all courses required by the residency state, to include the completion of the ethics course required in Section 1(e) of this chapter for the applicable renewal period or through another Board approved CPE audit process. If no documents were submitted to the state of residence, the holder shall comply with subsection (a) above.

(c) A certificate holder must remedy any deficiency discovered within ninety (90) days of formal notification by the Board. Deficiency credits shall qualify for credit in the initial reporting period and cannot be duplicated for purposes of determining the applicable requirement in any other reporting period.

(d) Any certificate holder found deficient shall be required to complete additional CPE credits equal to the lesser of the shortage of credits but not more than sixteen (16) additional CPE credits. The additional credits must be completed within thirty (30) days of the date advised of the deficiency. Deficiency credits shall not qualify for purposes of meeting any future CPE renewal requirement. Failure to submit documentation of completion by the deadline shall result in the initiation of disciplinary action.

(e) Programs found to be out of compliance with the general standards may be disqualified and result in the requirement that the holder remedy any deficiency caused pursuant to subsection (c) and (d) of this section.

(f) Certificate holders found deficient shall be included in the CPE audit for two renewal cycles following the deficiency.

CHAPTER 7
APPLICATION REVIEW, COMPLAINTS,
and
HEARING PROCEDURES (Effective)

Section 1. Authority . These rules are promulgated by authority of W.S. 33-3-101 et. seq. (cited as the "Certified Public Accountants' Act of 2005") and by the Wyoming Administrative Procedure Act (W.S. 16-3-101, et. seq.).

Section 2. Definitions . All of the definitions set forth in W.S. 33-3-101 et. seq., the Certified Public Accountants' Act; Chapter 1 of the Rules and Regulations; and W.S. 16-3-101 et. seq., the Wyoming Administrative Procedure Act, are herein incorporated by reference.

Section 3. Information . If any information concerning a possible violation of the act or rules is received or obtained by a board member or members of the staff; the Board may initiate proceedings on its own motion in accordance with this act and the Wyoming Administrative Procedure Act. Registrants will be notified of the proceedings initiated by the Board under this section.

Section 4. Application Review Process.

(a) Upon receipt of a completed application, the Board Office shall review the application and if it is complete and, if there are no known grounds for denial of the license or examination requested, issue the license or approve candidate for examination. If there are known grounds for denial, the Board Office shall forward the application to the Application Review Committee (ARC).

(b) The ARC shall review the application and all other information available and following the review may:

(i) Approve the application if the applicant meets all requirements; or

(ii) If there are questions as to whether denial is appropriate, forward the application and an ARC report to the Assistant Attorney General assigned to the Board for prosecution to review.

(c) If, after review, the ARC and Assistant Attorney General recommend denial of an application:

(i) A preliminary denial letter shall be sent to applicant. The letter shall:

(A) State the basis for the denial including relevant statutes and rules; and

(B) Advise the applicant of the right to request reconsideration.

(ii) If the applicant fails to request reconsideration in writing within 30 days of the date of the preliminary denial letter, the preliminary denial becomes final.

(iii) If the applicant requests reconsideration within thirty (30) days, a reconsideration conference shall be held with the ARC, the Assistant Attorney General, and the applicant.

(iv) Following a reconsideration conference, the ARC shall either approve or deny the application.

(v) If denied, the applicant must submit a written request for a hearing within thirty (30) days of the date of the denial letter.

(d) Application denial hearings

(i) An application denial hearing is a formal contested case hearing conducted pursuant to the Wyoming Administrative Procedure Act.

(ii) The hearing is to be conducted in the presence of a quorum of the board, with a hearing officer presiding.

(iii) The applicant has the burden of proving that he/she meets all requirements for the license or examination requested.

(e) The ARC shall not take part in the consideration of any contested case.

(f) The ARC shall not, by this rule, be barred from attending any disciplinary hearing.

Section 5. Complaints.

(a) A disciplinary action is initiated against a license holder by submitting a written complaint to the Board office. A complaint concerning an alleged violation of the Act or Board Rules may be submitted by any person or entity, a Board member, or a Board staff member. The written complaint should provide as much of the following information as may be available and applicable:

(i) The name and address of the complainant;

(ii) The name, address, place of employment, and telephone number of the license holder against whom the charges are made;

(iii) The specific conduct alleged to constitute the violation;

(iv) The name and address of any other witnesses; and

- (v) The signature of the complainant.
- (b) Upon receipt of a complaint, Board staff shall assign a docket number and record the docketed matter in the docket register provided for such purpose.

Section 6. Review of Written Complaint.

(a) Written complaints shall be referred to an Investigative Board Member (IBM) selected by Board staff from a rotating schedule. License holders against whom charges are made will be advised of the investigation, the name of the IBM, and the nature of the complaint.

- (i) The IBM shall not take part in the consideration of any contested case.
- (ii) The IBM shall not, by this rule, be barred from attending any disciplinary hearing.

Section 7. Investigations and Board Action . The IBM and Board staff shall investigate written complaints set for further investigation or proceedings initiated by the Board on its own motion.

- (a) Upon completion of the investigation, the IBM shall prepare an investigative report which shall include:
 - (i) The findings;
 - (ii) A list of statutes and/or Board rules believed to have been violated;
 - (iii) Any relevant additional information.
- (b) The IBM shall forward the report and his/her recommendations to the Assistant Attorney General assigned to the Board for prosecution, and consult with the Assistant Attorney General.
- (c) Following consultation with the Assistant Attorney General, the IBM may:
 - (i) prepare and file a formal petition and notice of hearing setting the matter for a contested case hearing before the Board;
 - (ii) recommend the Board issue an advisory letter to the registrant;
 - (iii) recommend the Board require a specific future program or schedule of continuing professional education;

- (iv) recommend the Board require the registrant to undergo peer review not otherwise required by Chapter 9 of the Rules and Regulations;
- (v) recommend the Board accept an offer of conditional terms for settlement;
- or
- (vi) recommend the Board dismiss the matter.
- (d) The Board may resolve a complaint at any time by:
 - (i) sending a written advisory letter to the license holder;
 - (ii) accepting a voluntary surrender of a certificate, permit, or practice privilege;
 - (iii) accepting conditional terms for settlement;
 - (iv) dispensing with it in an informal manner; or
 - (v) dismissal.
- (e) The Board may resolve a complaint after notice and formal hearing by:
 - (i) revoking or suspending a certificate, permit or practice privilege;
 - (ii) refusing to renew a certificate, or permit;
 - (iii) reprimanding or censuring a certificate, permit or practice privilege;
 - (iv) limiting the scope of practice of a license holder;
 - (v) placing a license holder on probation;
 - (vi) requiring a license holder to complete a specific continuing professional education program;
 - (vii) requiring a license holder to undergo peer review; or
 - (viii) dismissal.

Section 8. Service of Notice and Opportunity to Show Compliance . Prior to commencement of a formal hearing, the IBM shall give notice by mail to the license holder of the facts or conduct which warrant the intended action. The notice shall give the registrant an opportunity to show compliance with all lawful requirements for retention of registration within twenty (20) business days of receipt of the notice. Such notice shall be sent to the license holder's last known address by certified mail with return receipt requested and by first class mail.

Section 9. Formal Hearing Procedures.

(a) Formal proceedings for a hearing before the Board regarding action against a license holder shall be commenced by petition and notice of hearing, served in person or by both certified mail and first class mail to the address last known by the Board at least thirty (30) days prior to the date set for the hearing. Notice shall contain at least:

- (i) the name and address of the license holder;
- (ii) a statement, in ordinary and concise language, of the nature of the complaint filed with the Board, and the facts upon which the complaint is based, as well as the specific statutes or the Board rules and regulations alleged to have been violated;
- (iii) the time, place, and nature of the hearing;
- (iv) that the hearing is being held pursuant to the Board's authority under W.S. 33-3-123 or 33-3-124; and
- (v) the license holder shall file an Answer or Notice of Appearance, which must be received by the Board at least ten (10) working days prior to the date set for hearing, or the license holder will be in default.

(b) All formal disciplinary hearings held by the Board shall be open to the general public.

Section 11. Extensions and Continuance. For good cause shown, extensions and continuances may be granted or denied at the discretion of the Board, or the hearing officer.

Section 12. Default . The Board may enter an order based on the allegations in a petition in any case where the applicant or license holder has not answered or appeared in writing ten (10) working days before the hearing, or in any case in which the applicant or license holder or his/her representative has not appeared at a scheduled hearing for which they had notice.

Section 13. Hearing Officer . The Board may appoint a hearing officer to take evidence at the hearing. A Board member may serve as the hearing officer. If the case is heard before the Board, the chairman may preside.

Section 14. Discovery . In all formal proceedings before the Board, discovery shall be afforded in accordance with the Wyoming Administrative Procedure Act.

Section 15. Subpoenas .

(a) A Board member or the hearing officer may issue subpoenas for the attendance of witnesses and for the production of books, records, documents, and other evidence, and shall have the power to administer oaths.

(b) Service of a subpoena must be made at the expense of the party applying for it and shall be made in the manner provided by law for service of subpoenas in civil actions.

Section 16. Witnesses .

(a) All persons testifying at any hearing before the Board shall be administered a standard oath.

(b) No testimony will be received from a witness except under oath or affirmation.

(c) The party calling a witness shall bear the costs associated with his/her appearance.

(d) The Board and hearing officer shall have an opportunity to examine any witness.

Section 17. Representation .

(a) Any license holder may represent him/herself or be represented by counsel, provided that such counsel is licensed to practice law in the State of Wyoming, or is associated at the hearing with one or more attorneys licensed to practice law in the State of Wyoming.

(b) A request for withdrawal from representation by an attorney shall be submitted to the Board in writing.

(c) In any case before the Board, an appearance in person or the filing of an answer shall constitute an appearance of record by an attorney.

(d) The Assistant Attorney General assigned to the Board for prosecution shall present all matters in a contested case on behalf of the IBM.

(e) In all matters before the Board, the Board may request the Attorney General, a representative of his staff, or a specially appointed person to be present throughout the hearing to assist and advise.

Section 18. Pre-hearing Conference.

(a) The hearing officer may direct the parties to appear before him/her to consider:

(i) the issues;

(ii) amending the pleadings;

(iii) the possibility of obtaining admissions of fact and of documents to avoid unnecessary proof;

(iv) formulating procedures to govern the hearing; or

(v) such other matters as may aid in the disposition of the case.

(b) Prehearing conferences shall be conducted informally. An order will be prepared which recites the actions taken at the conference, amendments allowed, agreements of the parties and the issues to be determined at the hearing.

Section 19. Order of Procedure at Hearing. The hearing will be conducted in substantially the following order:

(a) Opening announcements are made by the hearing officer, including case name and docket number, the issue(s) to be considered, parties and counsel present, and subpoenas issued;

(b) Witnesses should be identified and sworn;

(c) Opening statements may be made at the discretion of the hearing officer. In cases of license denial, the applicant should go first. In disciplinary cases the IBM should go first;

(d) Presentation of Evidence. The order above will be followed with each party, the hearing officer, and the Board having the opportunity to cross-examine the witnesses. Rebuttal evidence may be presented;

(e) Exhibits offered in evidence by the applicant or the license holder will be marked with the letters of the alphabet. Those offered by the IBM will be marked numerically;

(f) Closing arguments may be made at the discretion of the hearing officer. Time may be limited, the order of presentation is as above, and brief rebuttal time may be allowed. The hearing and the evidence are then closed, unless reopened by the hearing officer for good cause shown.

Section 20. Decisions .

(a) Proposed Decisions:

(i) At the discretion and direction of the Board, the parties may file proposed findings of fact, conclusions of law, and order after the hearing and before the deadline announced in the hearing's closing announcements.

(ii) At the discretion and direction of the Board, the hearing officer shall prepare proposed findings of fact, conclusions of law, and order.

(b) Final Decisions. Proposed decisions will be given consideration but are not binding upon the Board. All final decisions will be issued by the Board and shall be based exclusively upon the evidence in the record and matters officially noticed. All final decisions issued by the Board shall be served to all parties by first class mail sent to their last known address.

Section 21. Findings .

(a) Revocations and Suspensions:

(i) Upon conclusion of a hearing or after a written decision has been entered by the hearing panel, the Board shall communicate the information to the following parties or locations as applicable:

- (A) Original Complainant;
- (B) Internal Revenue Service;
- (C) Wyoming State Department of Audit;
- (D) Applicable national disciplinary information system;
- (E) Wyoming Society of CPAs;
- (F) American Institute of Certified Public Accountants;
- (G) Foreign Licensing Authority;
- (H) Recipients of the Board newsletter;
- (I) The Wyoming Board's Web site;
- (J) Cognizant Federal Agencies;
- (K) The Public Company Accounting Oversight Board;
- (L) Local and regional Wyoming newspapers; and
- (M) Any other state Board of Accountancy as applicable.

(b) Consent Agreements, Settlements, Other:

(i) Results of consent agreements, settlements, and other final decisions entered by the Board shall become a part of the public record pursuant to the content and terms

of the agreement. Unless otherwise provided in the agreement or directed by the Board, these results shall be reported as in subsection (a)(i) of this section.

(ii) Settlement agreements or other final decisions entered by the Board which involve a practice restriction shall be reported as in (a)(i) above.

(c) Record:

(i) Unless otherwise provided in this section, a copy of the Board's final decision filed as a result of formal proceedings heard or settled by the Board, shall be placed in the public file and acted upon pursuant to the Board's legal retention schedules.

(ii) Investigation records are not public pursuant to W. S. 16-4-203 (a)(ii) and W. S. 16-4-203 (b)(i). The custodian shall deny requests for the right of inspection of investigative records. Any person denied the right to inspect may apply to the district court pursuant to W. S. 16-4-203(f). The investigative file shall be retained in a private file in accordance with the Board's legal retention schedules. The Board may share investigative records with other law enforcement agencies including other state accountancy boards.

(iii) Advisory letters and dismissal notices issued prior to hearing are not public information and shall be retained in a private file in accordance with the Board's legal retention schedules.

Section 22. Appeals. A Petition for Judicial Review of the Board decision may be filed in the district court in accordance with the Wyoming Rules of Appellate Procedure.

Section 23. Transcript. If a Petition for Judicial Review is filed in the district court, the petitioner shall either arrange for the preparation and pay for the transcript of the testimony, or reimburse the Board for the cost of the transcript if previously prepared at Board expense.

Section 24. Reinstatement of the Certificate, Permit, or Practice Privilege.

(a) The Board shall hold hearings to consider the written requests to reinstate certificates, permits, or practice privileges that have been suspended or revoked by prior Board action.

(i) Completed reinstatement applications must be accompanied by a written statement which outlines good cause for the reinstatement, a reinstatement fee as set forth in Chapter 1, Section 12, plus applicable firm permit fees.

(ii) Reinstatement hearings shall be scheduled during the regularly scheduled Board meetings to the extent possible. Written reinstatement applications must be received in the Board office no later than forty-five (45) days prior to the scheduled meeting.

(iii) The Board may require additional documentation be submitted to substantiate compliance with other regulatory requirements, including but not limited to: compliance with probationary terms, compliance with continuing professional education, or peer review.

(iv) The Board shall advise all applicable entities listed in Section 20 (a)(i) of this Chapter of reinstatement actions entered under this section.

Section 25. Return of Certificate or Permit . Any certificate or permit that has been revoked or suspended shall be returned to the Board office with fifteen (15) business days of receipt of notification of suspension or revocation. If a certificate has been lost or destroyed, the holder shall submit an Affidavit of Lost/Destroyed CPA Certificate to the Board's office.

CHAPTER 10 PRACTICE PRIVILEGES (Effective)

Section 1. Qualification Determinations. Qualifications may be established by NASBA's National Qualification Service. NASBA's qualification determinations can be accessed at http://www.nasbatools.com/display_page?id=105. Those qualified under Section 2 or 3 below may practice in Wyoming without obtaining a Wyoming certificate or paying a fee.

Section 2. State Qualifications . Persons who hold active certificates in their principal places of business in a state that has been deemed substantially equivalent by NASBA's National Qualification Service may practice accounting as a certified public accountant in Wyoming through practice privileges when their principal place of business is not in Wyoming.

Section 3. Individual Qualifications . Persons who have passed the Uniform CPA examination prior to January 1, 2012, hold active certificates in their principal places of business and the certificates were awarded based on completing at least one year of experience within five years of the certificate date, may practice accounting as certified public accountants in Wyoming through practice privileges when their principal place of business is not in Wyoming.

Section 4. Certificates . Persons who currently hold Wyoming certificates and qualify for practice privileges may continue to maintain the certificate on active status in Wyoming in lieu of availing themselves of practice privileges.

(a) Persons who elect to avail themselves of practice privileges and allow the certificate to expire or surrender the certificate pursuant to Chapter 3, Section 8 may activate the certificate by complying with the provisions set forth in Chapter 3, Section 5(e)(ii).

(b) Persons who intend to avail themselves of practice privileges may not place the Wyoming certificate on inactive or retired status.

Section 5. Firms . Firms that are not required to register pursuant to Chapter 4 of the regulations may practice in Wyoming without a permit if the services are performed by individuals certified in Wyoming or individuals who qualify for practice privileges and the firm does not have an office located in Wyoming.

Section 6. Internet Practice . An individual or firm using practice privileges and advertising professional services via a website shall disclose the state of his principal place of business, his license or certificate number, a physical and mailing address, and a phone number where he may be contacted by the general public or regulators.

Section 7. Conditions of Practice Privileges. An individual registrant of another state exercising privileges afforded under W.S. 33-3-116 (a) (i), and the firm that employs the registrant, simultaneously consent as a condition of the grant of this privilege:

- (a) to the personal and subject matter jurisdiction and disciplinary authority of the board;

- (b) to comply with the Act and any board rules;
- (c) that in the event the license from the state of the individual's principal place of business is no longer valid, the individual will cease offering or rendering professional services in this state individually and on behalf of a firm; and
- (d) to the appointment of the state board which issued his license as his agent upon whom process may be served in any action or proceeding by the Wyoming board against the registrant.