

201 KAR 1:140. Procedures for the reinstatement or reissuance of a CPA license.

RELATES TO: KRS 325.330(6), 325.360, 325.370

STATUTORY AUTHORITY: KRS 325.240(2), 325.330(6), (7), 325.370(2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 325.240(2) authorizes the Kentucky State Board of Accountancy to promulgate administrative regulations for the administration of KRS Chapter 325. KRS 325.330(6) and (7) and 325.370 authorize the board to reinstate and reissue licenses that have expired, been suspended, revoked or denied renewal. This administrative regulation establishes the procedures for reinstating or reissuing a license.

Section 1. Definition. "Accounting or auditing course" means:

- (1) A field of study dealing with pronouncements of authoritative accounting principles issued by the standard setting bodies; and
- (2)(a) Auditing subjects related to the examination of financial statements, operations, systems, and programs;
- (b) The review of internal and management controls;
- (c) The reporting on the results of audit findings;
- (d) Compilations;
- (e) Reviews; and
- (f) Other related subjects generally classified with the accounting discipline, except for courses in tax and computer software training.

Section 2. A licensee who fails to renew his or her license by the August 1 renewal date shall be allowed to renew his or her license by complying with the requirements of KRS 325.330(7), 201 KAR 1:100, 201 KAR 1:065, and paying a \$100 late fee, if:

- (1) The license is renewed online on or before September 1; or
- (2) The renewal materials and payment are received at the board office on or before September 1.

Section 3. (1) A license expired for a period of more than one (1) month or voluntarily surrendered for any reason, except if a complaint is pending before the board, may be considered by the board for reinstatement if the applicant:

- (a) Submits a completed License Reinstatement Application;
 - (b) Documents compliance with the continuing professional education requirements established in subsection (2) of this section; and
 - (c) Submits a money order or check in the amount of \$200 made payable to the Kentucky State Board of Accountancy.
- (2) An applicant shall document successful completion of either sixty (60) or eighty (80) hours of continuing professional education, based on the amount of hours the applicant was to have completed when the applicant's license expired or was voluntarily surrendered. The hours shall:
- (a) Include accounting or auditing courses that comprise at least one-half of the total amount of hours of continuing professional education required for the applicant;
 - (b) Include two (2) hours of coursework in professional ethics;
 - (c) Have been completed within two (2) years of the reinstatement request; and
 - (d) Not have been previously used to satisfy Kentucky license renewal or reinstatement requirements.

(3) When submitting an application, an applicant who is actively licensed in another state that maintains a continuing education requirement shall satisfy all of the requirements of this

section, except for the continuing education hours required by subsection (2) of this section.

Section 4. (1) If a license was revoked for reasons other than failure to satisfy the continuing professional education requirements, it may be considered for reinstatement if the applicant for reinstatement submits to the board, fifteen (15) days prior to the next scheduled meeting, a letter:

(a) Requesting reinstatement;

(b) Specifying the manner in which the applicant for reinstatement has complied with the terms of a disciplinary order of the board; and

(c) Stating the reasons for the reinstatement request.

(2)(a) Except as provided in paragraph (b) of this subsection, the board shall:

1. Review the request for reinstatement, the findings of fact, conclusions of law, and board order;

2. Affirm or deny the request; and

3. If denied, state in writing the corrective or remedial education, training, or review required before reinstatement shall be granted.

(b) The board shall not consider a request for reinstatement submitted to the board:

1. Prior to the date for resubmission that is specified in the disciplinary order of the board; or

2. If the CPA or CPA firm in a disciplinary order waived the ability to seek reinstatement.

(3)(a) If an applicant for reinstatement disagrees with the board's determination under this section, he or she may file a written request for a hearing before the board.

(b) A hearing held pursuant to the provisions of this subsection shall be conducted in accordance with KRS 325.360 and 201 KAR 1:150.

Section 5. Incorporation by Reference. (1) "License Reinstatement Application", August 2015, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the State Board of Accountancy, 332 W. Broadway, Suite 310, Louisville, Kentucky 40202, Monday through Friday, 8 a.m. to 4:30 p.m. (18 Ky.R. 3069; eff. 6-7-1992; Am. 20 Ky.R. 2043; 2775; eff. 3-8-1994; 28 Ky.R. 1671; 2189; eff. 4-15-2002; 37 Ky.R. 1508; 1969; eff. 3-4-2011; 42 Ky.R. 822; 1459; eff. 12-4-2015.)