

## **RHODE ISLAND BOARD OF ACCOUNTANCY** **FREQUENTLY ASKED QUESTIONS**

### **What is the Rhode Island Board of Accountancy?**

The Rhode Island Board of Accountancy is established and governed by Chapter 5-3.1 of the Rhode Island General Laws. It is an autonomous executive branch board administratively housed within the Department of Business Regulation. The Board is responsible for licensing certified public accountants (“CPAs”), grandfathered public accountants (“PAs”) and public accounting practice units (CPA firms). The Board handles complaints that allege violations of statutory and regulatory provisions under the Board’s jurisdiction. The Board periodically reviews its statutes, regulations, applications, and processes for updating and streamlining. The Board is comprised of qualified individuals appointed by the Governor to serve on the Board on a voluntary basis. To view information about board member appointments, please visit <http://www.sos.ri.gov/boards/> and either select from alphabetical order or use the search feature to locate the information for the board you are interested in.

The Board is a public body that generally meets once per month. While administrative staff may be able to answer certain routine questions between meetings, matters that require Board action are required to be noticed on the Board’s meeting agenda per the Open Meetings Act.

### **What is required to get licensed as a CPA in RI?**

In order to receive a CPA license in the State of Rhode Island, a person must pass all parts of the Uniform Certified Public Accountant (CPA) Exam; complete 150 semester hours of education; receive a minimum of one year (1,820 hours) of experience under a licensed CPA; receive a grade of 90 or higher in the Ethics course; and complete the Rhode Island Application questions. Applications are reviewed by the Board of Accountancy at regularly scheduled meetings of the Board.

For more information about college programs for CPA candidates, please visit: <https://www.thiswaytocpa.com/education/college-search/>.

For more information about the Uniform Certified Public Accountant exam, please visit: <https://nasba.org/exams/cpaexam/examfaq/>.

### **When is a Rhode Island CPA license or “substantial equivalency” legally required?**

A Rhode Island CPA license or “substantial equivalency” (described further below) is legally required in order to “practice public accounting” and/or to hold oneself out to the public as a Rhode Island “CPA” using the “CPA” designation and/or other related titles outlined in R.I. Gen. Laws § 5-3.1-16.

For the purposes of determining whether or not a licensure/equivalency is required, “practicing public accounting” means the “performance of, or the offering to perform, in an independent posture, for a client or potential client, one or more kinds of services involving

the use of accounting or auditing skills, in connection with the issuance of reports.” R.I. Gen. Laws § 5-3.1-3. In other words, licensure/equivalency is required to “perform a report on any attest or compilation services.” R.I. Gen. Laws §§ 5-3.1-18. “Reports” is a term of art defined further in R.I. Gen. Laws § 5-3.1-3.

If a person is providing services that exclude any of the above types of services, then they may “offer[] or render[] to the public bookkeeping services, including devising and installing systems, recording and presentation of financial information or data, preparing financial statements or similar services, preparation of tax returns, or the furnishing of advice on tax matters” without licensure/equivalency. R.I. Gen. Laws §§ 5-3.1-18.

R.I. Gen. Laws § 5-3.1-18 provides certain exceptions to the CPA license requirement such as exceptions for public officials, company officer titles, and using the “CPA” designation if licensed in another state and not legally required to be licensed in Rhode Island.

A person who is not legally required to obtain a Rhode Island CPA license may still choose to apply for one and employers may require or prefer it. Furthermore, it is consumer choice if the consumer wishes to hire a person who is a licensed CPA for any services for which a CPA license may not be legally *required*, for example, if the consumer is seeking a person with the educational, examination, and experience background, continuing education, insurance, etc. that a CPA licensee is required to have.

### **When is a Rhode Island CPA firm practice unit permit required?**

A Rhode Island CPA firm practice unit permit is only required if the firm has established a physical office location in Rhode Island. While a firm with CPAs practicing in Rhode Island that has not established a physical office location in Rhode Island does not need to obtain a Rhode Island practice unit permit, the firm is subject to the "no escape" provisions (service of process, disciplinary authority, etc.). See R.I. Gen. Laws 5-3.1-9(a); 5-3.1-7(g)(3).

### **When does an individual CPA practicing in Rhode Island who is licensed in a substantially equivalent state need an individual Rhode Island CPA permit?**

See above regarding when a Rhode Island CPA firm practice unit permit is required. If the practice unit is a solo practitioner, the solo practitioner needs a Rhode Island individual CPA permit, regardless of any licensure in a substantially equivalent state. If the practice unit is an organized business entity, at least one partner, shareholder, or member of the practice unit needs a Rhode Island individual CPA permit. See R.I. Gen. Laws 5-3.1-7(g); 5-3.1-9(b).

Other than those scenarios, any individual CPA who is licensed in a substantially equivalent state can practice in Rhode Island without a Rhode Island individual CPA permit. An individual CPA who is not required to obtain a Rhode Island individual CPA permit may still choose to apply for a Rhode Island permit and firms may require or prefer it.

Please be advised that any CPA practicing in Rhode Island without a Rhode Island individual CPA permit in the above permitted scenarios is subject to the “no escape” provisions (service of process, disciplinary authority, etc.).

To determine whether a licensing jurisdiction is considered substantially equivalent, please visit: <https://nasba.org/licensure/substantialequivalency/>.

### **What is reciprocity? What is mobility?**

“Reciprocity” refers to the situation of a CPA who is licensed in a “substantially equivalent state” who applies for a Rhode Island CPA license rather than practicing without the Rhode Island license under “mobility.”

“Mobility” refers to the ability of any individual CPA who is licensed in a “substantially equivalent state” to practice in Rhode Island without a Rhode Island individual CPA permit as subject to the caveats described above.

### **Which Application Form do I use?**

The Board is in the process of updating its Application Forms. When the update is completed, the below guidelines will apply. In the meantime, please contact the Board with any questions about Application Forms.

*The application entitled “Full Application for Rhode Island Candidate by Exam” (or “Full Application”) should be used by any individual, regardless of residency, who is applying in Rhode Island as their first CPA license through examination. If you are seeking licensure by reciprocity of licensure from another substantially equivalent jurisdiction, then the proper form is the “Short Form for Reciprocity/Substantial Equivalency” (or “Short Form”).*

### **I just passed the CPA Exam! What do I do next?**

If you just passed the CPA Exam - Congratulations! The process is that the National Association of State Boards of Accountancy (“NASBA”) will send us your file. When we receive it, we will contact you with the information for you to complete the process for RI licensure. If you want to get a jump start to look at the application requirements, feel free to take a look at the application forms posted on the Board’s website.

### **What are my responsibilities as a CPA regarding Continuing Professional Education (CPE)?**

Any CPA submitting an individual license renewal application, or the Short Form for Reciprocity/Substantial Equivalency, is required to attest under the penalties of perjury as to compliance with the Rhode Island Continuing Professional Education (CPE) requirements and to retain documentation of such compliance, which is subject to audit by the Board. It is the CPA’s responsibility to review the Regulations for the most current and detailed CPE requirements.

## **What are the Rhode Island Continuing Professional Education (CPE) requirements?**

Rhode Island licensed CPAs must complete at least one hundred twenty (120) hours during each three (3) year renewal cycle. CPAs must certify their compliance on each renewal application.

The Regulations set forth the CPE requirements in further detail. Rhode Island has also incorporated into its requirements the Statement on Standards for Continuing Professional Education (CPE) Programs (2016) published jointly by the AICPA and NASBA to provide a framework for the development, presentation, measurement, and reporting of CPE programs. The Standards are viewable here:

[https://www.nasbaregistry.org/%20media/Documents/Others/Statement\\_on\\_Standards\\_for\\_CPE\\_Programs-2016.pdf](https://www.nasbaregistry.org/%20media/Documents/Others/Statement_on_Standards_for_CPE_Programs-2016.pdf).

## **How do I go about choosing which CPE programs to sign up for?**

Listed below are some of the general guidelines for determining what mix of CPE credits is appropriate for any given three (3) year renewal cycle.

- A minimum of six (6) hours must be designated for Ethics.
- There is a maximum limit on the amount of credits that can be designated as Personal Development and Marketing - twenty-four (24) hours.
- CPAs may earn credits for acting as the lecturer or moderator in a CPE session. For every hour of lecturing or moderating, a CPA may accrue an additional hour for preparation time. Total hours earned from lecturing or moderating is limited to a maximum of sixty (60) hours.
- CPAs may earn credits for the preparation of published books and articles that contribute to the professional competence of CPAs, but such credits are limited to a maximum of sixty (60) hours.

## **What are the rules for earning credit for remotely-delivered CPE?**

Rule 1.8.1(B)(6) allows CPAs to earn CPE credit for "remotely-delivered CPE," ONLY where there are "Reasonable and Reliable Attendance Verification Mechanisms," such as requiring a multi-part code with different parts of the code revealed at different points of the presentation; using interactive test questions or polling questions; using pop-up screens that require the user to click to affirm continued attendance.

## **How can I earn CPE credit for college courses?**

Rule 1.8.1(B)(5)(c)(3) allows CPAs to earn CPE through "university or college courses which enhance the professional competency of the accounting profession."

Rule 1.8.1(B)(2) provides that "only time in actual attendance in the CPE session will be counted;" and that "the time needed to prepare or review the subject matter will not be counted."

If a higher education course includes "Reasonable and Reliable Attendance Verification Mechanism," then it is credited the same as "remotely-delivered CPE," which is the same as "in person attendance."

However, if the higher education course does not include such mechanisms, then the CPE credit earned will be determined as follows. The actual online class hours (no homework time) must be honestly counted and attested to; and no more than 10 hours per academic credit will be accepted.

Teaching an online higher education course will be treated the same as teaching an in-person course for purposes of CPE calculation.

If the higher education course is graded, the CPA must earn a passing grade to earn the CPE credit.

### **What is the Board's typical complaint and enforcement process?**

The Board reviews complaints at regularly scheduled meetings of the Board. The Board may dismiss the complaint if it does not find probable cause, the dispute or relief requested is outside the Board's jurisdiction or may postpone determination on the matter if there is pending civil litigation regarding the subject matter of the complaint. The Board may also choose to further investigate the matter, including, as deemed appropriate, assignment of one or more Board members or its legal counsel to conduct further investigation such as by interviewing the complainant, the person against whom the complaint has been lodged (referred to as the "respondent"), and/or any other witnesses. If the Board determines that disciplinary action is appropriate, the respondent may agree to enter into a Consent Agreement to resolve the matter or exercise his or her right to an administrative hearing. If an administrative hearing is scheduled, the Board's legal counsel may choose to call the complainant and any other appropriate parties as witnesses and the respondent has a right to call any relevant witnesses in support of his or her defense. The Board would then decide the case based on the evidence presented by majority vote of a quorum of its members. Thereafter, the Board would issue a written decision which the certified public accountant would have a right to appeal to the Rhode Island Superior Court. As part of this process, the respondent would typically receive a copy of the complaint.

### **If I file a complaint with the Board, what can the Board do for me?**

In a contested case, the Board only has the jurisdiction to discipline the person against whom the complaint is made. The Board cannot order anyone to pay restitution or give other specific relief to the complainant. Neither can the Board give a complainant legal advice. A complainant may wish to contact a private attorney to evaluate any civil remedies which may be available.

### **How do I find a licensed CPA or verify a CPA license?**

To verify a CPA license, use this tool on the Board's website:

<https://elicensing.ri.gov/Lookup/LicenseLookup.aspx>

To help you find a CPA, you may find this tool from the Rhode Island Society of CPAs helpful in your search: <https://www.riscpa.org/find-a-cpa>.

**What should I do if I need legal advice about a claim against a CPA or help defending myself against a complaint filed with the Board?**

You may find it helpful to review this website from the R.I. Bar Association website about finding an attorney:  
<https://www.ribar.com/For%20the%20Public/FindingAndChoosingALawyer.aspx>.

Counsel for the Board of Accountancy cannot represent you or provide you with legal advice.

**What should I do if I need help forming my CPA business or addressing other business structure questions?**

You may find it helpful to review these websites of the Rhode Island Secretary of State and Commerce Corporation. Additionally, attorneys and CPAs specializing in business formation and consulting would be able to help you.

<http://sos.ri.gov/divisions/business-portal>

<https://commerceri.com/in-state-businesses/start-my-business/>

**If I am interested in the meetings of the Board, how can I find out when the next Board meeting is?**

Please visit <http://sos.ri.gov/openmeetings/> for this information. Instructions to receive an email notice alerts for upcoming open meetings are provided below.

Using either the browse or search feature select the board you are interested in:

1. Click the “eMail” button beside the header that reads: “Upcoming meetings for...”;
2. Enter your email address;
3. Select how frequently you would like the system to look for updates;
4. Select “Update”;
5. Select “Close.”

**How can I sign up for automatic alerts regarding regulatory changes that I am interested in?**

Please visit <https://rules.sos.ri.gov/subscriptions/subscribe/all> for this information. Enter your email address, select the agency or board you wish to receive notifications for, select your frequency, and click subscribe. You will then receive an email with a link requesting that you confirm the subscription. The link expires after 48 hours. You can also edit your subscription at any time by clicking the “Manage Subscription” button.