

PUBLIC RULE HEARING AND REGULAR BOARD MEETING

The New Mexico Public Accountancy Board (“Board”) will hold a rule hearing on Tuesday, August 25, 2020 at 9:00 a.m. Please note that this hearing is a rescheduled hearing from the postponed hearing on April 28, 2020 that was originally noticed with the NM State Records and Archives on February 25, 2020. Following the rule hearing, the Board will convene a board meeting to consider adoption of the rules and address regular business. The rule hearing and board meeting will be held online and telephonically via Cisco Webex Meetings in Albuquerque, New Mexico. An NMPAB staff member will be present between 8:00a.m – 9:00a.m. on the day of the rule hearing at the Regulation and Licensing Department, 5500 San Antonio Dr. NE, Albuquerque, NM 87109, to accept public comment in written form. The NMPAB staff member will then present the public comment during the rules hearing.

To join the meeting online by Cisco Webex Meeting, please use the following link:

<https://nmrld.webex.com/nmrld/onstage/g.php?MTID=ea41e521c22b2b002494f8f1a72696893>

To join the meeting by phone 1-415-655-0002 United States Toll

Meeting number (access code): 146 966 1174

Suggestions for Successful Webex Meeting Attendance are available on the Board’s website.

http://www.rld.state.nm.us/boards/Accountancy_Members_and_Meetings.aspx

The purpose of the rule hearing is to consider proposed amendments to the following rules:

- 16.60.1.7 NMAC – Definitions;
- 16.60.1.9 NMAC – Board Operation;
- 16.60.1.10 NMAC – Fees and Obligations;
- 16.60.2.10 NMAC – Examination Administration;
- 16.60.3.8 NMAC – Application Requirements;
- 16.60.3.9 NMAC – Initial Certificate/License Requirements
- 16.60.3.12 NMAC – Reinstatement Requirements
- 16.60.3.15 NMAC – Continuing Professional Education (CPE) Required to Obtain or Maintain an “Active” CPA License;
- 16.60.4.8 NMAC – Firm Permit Application, Renewal, Reinstatement and Notification Requirements;
- 16.60.5.11 NMAC – Rules of Conduct; and
- 16.60.5.13 NMAC – Unauthorized Use of the CPA Title.

To obtain and review copies of the proposed changes you may go to the Board’s website at:

<http://www.rld.state.nm.us/boards/Accountancy.aspx> or contact the New Mexico Public Accountancy Board at by email at Accountancy.Board@state.nm.us.

The Board is currently accepting public comments on the proposed amendments. Please submit written comments on the proposed changes to Jeanette Contreras, Board Executive Director, via electronic mail at Accountancy.Board@state.nm.us by regular mail at 5500 San Antonio Dr. NE, Albuquerque, NM 87109, no later than Monday, August 24, 2020. Persons will also be given the opportunity to drop off their comments prior to the rule hearing. An NMPAB staff member will be present between 8:00a.m – 9:00a.m. on the day of the rule hearing at the Regulation and Licensing Department, 5500 San Antonio Dr. NE, Albuquerque, NM 87109, to accept public comment in written form. The NMPAB staff will then present the public comment during the rules hearing. All written comments will be posted to the Board’s website at: <http://www.rld.state.nm.us/boards/Accountancy.aspx>, no more than three business days following receipt to allow for public viewing.

An individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in the hearing, please contact Jeanette Contreras, Board Executive Director by email at Jeanette.Contreras@state.nm.us.

Statutory Authority: The 1999 New Mexico Public Accountancy Act, Sections 61-28B-5, NMSA 1978, among other provisions, specifically authorizes the Board to “adopt and file rules necessary to carry out the provisions of the 1999 Public Accountancy Act.”

Summary of Proposed Changes:

In addition to making minor clarification changes, the proposed rules are summarized as follows:

16.60.1.7 NMAC - Definitions

The amendments to this section clarify and create new definitions that will create better understanding of the Act.

16.60.1.9 NMAC - Board Operation

The amendment to this section will create flexibility for unforeseen situations in regards to the amount of board meetings required a year.

16.60.1.10 NMAC – Fees and Obligations

The amendment to this section will remove the fee charged for a name change due to marriage, divorce, legal name change, etc.

16.60.2.10 NMAC - Examination Administration

The amendment to this section will increase the amount of times a candidate can retake the exam, which will be in accordance with proposed 2020 law change.

16.60.3.8 NMAC - Application Requirements

The amendments to this section will allow the board to accept electronic signatures.

16.60.3.9 NMAC - Initial Certificate/License Requirements

The amendment to this section will update the facility used for required background checks and will clarify what is considered a complete renewal application.

16.60.3.12 NMAC - Reinstatement Requirements

The amendment to this section will allow the board the opportunity to assess the professional competence of an applicant after five (5) years of not practicing Certified Public Accountancy.

16.60.3.15 NMAC - Continuing Professional Education (CPE) Required to Obtain or Maintain an “Active” CPA License

The amendments to this section will clarify what is considered a complete renewal application; specify what services an “inactive” license holder can perform; assess the competency of a licensee requesting “active” status after being in “inactive” status for five (5) or more years; comply with the Uniform Accountancy Act model rules and current nano-learning methods and to maintain reciprocity with states adapting new rules; clarify what is acceptable publications to earn continuing professional education; clarify what is considered technical continuing professional education; add to what is required on a continuing profession education completion certificate; and add records of completion as evidence of compliance with CPE requirements.

16.60.4.8 NMAC - Firm Permit Application, Renewal, Reinstatement and Notification Requirements

The amendment to this section will comply with the firm mobility law and allow the Board to accept electronic signatures.

16.60.5.11 NMAC - Rules of Conduct

The amendment to this section will allow the public the opportunity to ensure their Certified Public Accountant carries an active license or firm permit.

16.60.5.13 NMAC - Unauthorized Use of the CPA Title

The amendments to this section will clarify the “response” requirements for board communications and to comply with firm mobility law changes.