Minutes
Arkansas State Board of Optometry
Attorney General’s office
Little Rock, AR
April 25, 2019

Dr. Bryant Ashley, Board President, called the meeting to order at 1:30 pm with all Board members present. Others present were Dr. Howard Flippin, Board Executive Director, Ms. Bonita Wineman, Board assistant, Mr. Kevin O’Dwyer, Board attorney, Mr. Lee Gordon, and Drs. Allison Hall, Denise Johnson, Cathy Edwards, Alan Grover, and Brad Aaron.

Dr. Smalling presented the minutes of the February 14, 2019 Board meeting. Mr. White made a motion to approve the minutes as presented. Dr. Ford made a second. The motion passed.

Dr. Flippin gave the board an accounting update. After processing the license revenue, the Board has approximately $103,000 in our bank account which should be sufficient for Board expenses for the year. Dr. Smalling made a motion to accept the accounting report. Mr. Gentry made a second. The motion passed.

Dr. Flippin reported that the Optometry Board appropriation bill included funding for our attorney. The Governor’s transformation legislation did not authorize our attorney position. The Board will be under the Board of Health and attorney services would be provided by that agency. We are trying to correct this situation.

Dr. Flippin announced that Drs. Tiffany V. Brown, Jacob Bowen, and Jessica Haynes have all been licensed since taking the exams in February. Dr. Zac Faust has not been licensed at this time. He also announced that Dr. Roy Ashabranner who had had his license renewal delayed for illness has died.

Dr. Sam Presley, who was to have been given a temporary license until he met with the Board today, was erroneously mailed a license allowing him to practice until February 1, 2020. He had mailed a letter to the Board explaining his late license renewal and did not come to the meeting today. Dr. Smalling made a motion to invite Dr. Presley to an informal hearing at the June Board meeting. Mr. White made a second. The motion passed.

Dr. William Butler did not renew his license on time and was scheduled to appear today. Board staff have not been able to contact him. He was charged with failure to keep the Board updated on contact information. He was eventually located, was sent a letter and but did not show. Dr. Ford made a motion to not renew Dr. Butler’s license. Mr. Gentry made a second. The motion passed.

Dr. Faith Smith did not renew her license on time. She was to attend the Board meeting today, but she sent a letter and did not attend. Dr. Ford made a motion to not renew her license. Dr. Ginger made a second. The motion passed.

It was noted that Drs. Butler and Smith could apply for licensure by endorsement in the future.

Dr. Ashley introduced Dr. Denise Johnson of Texas to interview with the Board about her application for licensure by endorsement. Dr. Hennessey made a motion to accept Dr. Johnson for licensure by endorsement. Mr. Gentry made a second. The motion passed.

Dr. Ashley introduced Dr. Cathy Edwards of Bentonville, who practices in Pineville, MO, to interview with the Board about her application for licensure by endorsement. Dr. Hennessey made a motion to accept Dr. Edwards for licensure by endorsement. Mr. Gentry made a second. The motion passed.

Dr. Ashley introduced Dr. Alan Grover of Oklahoma to interview with the Board about his application for licensure by endorsement. Mr. Gentry made a motion to accept Dr. Grover for licensure by endorsement. Dr. Ginger made a second. The motion passed.
Dr. Ashley introduced Dr. Brad Aaron of Texarkana, TX to interview with the Board about his application for licensure by endorsement. Dr. Hennessey made a motion to accept Dr. Aaron for licensure by endorsement. Dr. Ginger made a second. The motion passed.

Dr. Ashley opened discussion of the implementation by rules and regulations of HB 1251 (Act 579). Dr. Hennessey recused himself from this area of discussion. The legislature adjourned sine die on April 24, and the law will take effect approximately July 24. Dr. Ashley appointed Dr. Smalling to gather information on the Louisiana law and report to the Board office by June 1. Dr. Ginger was to work with Oklahoma and Dr. Ford with Kentucky. Alaska has a similar law, but is now in the process of implementation. Dr. Ashley proposed a series of areas to investigate with each state.

Dr. Ashley led a discussion of the Prescription Monitoring Program (PMP). A recent report revealed 10 OD’s who prescribed without being registered with PMP. Each OD received a letter with instructions on registering in PMP. Board staff will monitor to see if they comply. These OD were Drs. Danny Baltz, Bill Bell, Darren Brodie, Brandon Craine, George Dunn, Jr., Derek Long, Jennifer Stafford, Thien Van, Casey Wells, and Cade Wilson.

Dr. Flippin reported on the handout on fines that the Board had levied over the last eight years, the status of payment of the fines and the cost of the investigation. Many fines have a balance due, and many are probably uncollectable.

Dr. Flippin spoke with Amy Fecher with the Governor’s office concerning retaining Kevin O’Dwyer as the Board’s attorney. Amy assured Dr. Flippin that the Health Department did not have the funds or additional attorneys for cash agencies. So, there would be no plans for change.

Dr. Hennessey made a motion to pay per diem and mileage for today’s meeting. Dr. Ford made a second. The motion passed.

Dr. Hennessey made a motion to pay mileage and hotel expense for eligible Board members for the Jurisprudence meeting Saturday. Dr. Ford made a second. The motion passed.

Dr. Ashley has been invited to attend the American Society of Optometric Surgeons meeting in Charlotte and visit the National Board’s Clinical Testing Center August 9, 2019. Dr. Ginger made motion to pay his expenses for this trip. Dr. Ford made a second. The motion passed.

Dr. Ashley reported that he and Dr. Smalling and Dr. Flippin were planning on attending the 100th anniversary ARBO annual meeting in St. Louis June 16-18, 2019. Other Board members were encouraged to attend. Dr. Hennessey made a motion to pay expenses for Dr. Ashley, Smalling and Flippin to attend the ARBO annual meeting in St. Louis. Mr. Gentry made a second. The motion passed.

Dr. Hennessey made a motion to adjourn. Mr. Gentry made a second. The motion passed.

The next Board meeting will be June 13, 2019 with testing in the morning and a Board meeting in the afternoon. Other meeting dates for the year are August 15, October 17, and November 21.

The meeting adjourned at 3:15 pm.

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Dr. Bryant Ashley, President

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Dr. Robert W. Smalling, Secretary/Treasurer