

## Minutes

Arkansas State Board of Optometry  
Office of the Attorney General  
Little Rock, AR

February 8, 2007

Dr. Morris opened the meeting with all Board members present, Howard Flippin, Executive Director, Ann Booker, Board secretary, and Bill Trice Board Attorney present. The audience included Dr. Ashabranner, Dr. McWaters, Dr. Cockrum, Vickie Walters, and Jennifer Martinez.

Dr. Hubbard made a motion to approve the minutes as written and Mr. Guerra made a second. The motion passed.

Mr. Trice discussed the previous request from Dr. Cockrum concerning patient personnel medical records being viewed by Wal Mart. Mr. Trice stated the patient record is privileged information and other audit methods can be used to determine management/rental fees. Dr. Cockrum answered questions by the Board and stated that Wal Mart had terminated his lease agreement for his office space immediately after he made a request of the Board concerning the privacy of patients record. To keep Wal Mart from gaining access to HIPPA protected patient medical records Dr. Cockrum moved his practice.

Dr. Haas ask that the Board be provided copies of agreements from various entities at the next board meeting.

Dr. McWaters appeared before the Board and Vickie Walters verified compliance with the Medical Foundation contract. A discussion ensued concerning the mode of practice and rental agreements at his McCain Mall location. Dr. McWaters had refused to sign an agreement for the space and without an agreement he has not paid rent since he started. He accepts no insurance, answers his own phone, and operates on cash basis. He has a simple agreement with Wal Mart for space as 10% of exam fees collected for rent at his Cantrell location. He is to attend the next meeting of the Board.

Dr. Ashabranner appeared before the Board and was also in compliance with the Medical Foundation contract. He is working for Dr. Dunaway of Little Rock, Dr. Norton of Pine Bluff, and Dr. Jenkerson of Batesville.

Dr. Flippin reported on the status of license renewals. Six doctors did not renew, five returned the renewal notifications, and one did not respond.

Dr. Hubbard made a motion to set a hearing for Carla Ericksen for non-renewal of license. Dr. Coffee made a second and the motion passed.

Dr. Smalling made a motion we accept the surrender of license of Dr. Steed, Dr. Diffie, Dr. Jason Glenn, Dr. Lloyd Guerin, and Dr. Roger Loose.

Dr. Coffee made a motion for the state to pay Board expenses for 2007 at the maximum rate. Dr. Smalling made a second and the motion passed.

Dr. Coffee made a motion the Board be paid one-day expenses and travel for the Board meeting. Dr. Hubbard made a second and the motion passed.

A discussion ensued concerning the automatic fine and loses of license if application and fees are not paid by February 1<sup>st</sup> of each year. Dr. Flippin pointed out that the system is now working and we should give careful consideration before we introduce this type statute change. The Board agreed.

The next Board meeting is scheduled for March 15<sup>th</sup>.

Dr. Morris adjourned the meeting.

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Dr. Dale Morris, President

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Dr. Kenneth Hubbard, Jr., OD, Secretary