

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

February 12, 2009

Dr. Morris opened the meeting with all Board members present. Dr. Howard Flippin, Executive Director, Ann Booker, Board secretary, and Bill Trice Board Attorney were also present. Dr. Tim Norton, Dr. Charles McWaters, Dr. Diner, Dr. Norton, Dr. Kevin Gardner, Dr. Mallorre Dill, Dr. Narges Kasraie, Vicki Farmer, Vicki Walters, and Dr. Allison Hall were in the audience.

Dr. Coffee made a motion to accept the minutes of the last meeting as printed;
Dr. Smalling made a second and the motion passed.

Dr. Ashabranner was not present due to car trouble but Dr. Diner said he was in compliance with the Board order. Dr. Tim Norton was also in compliance with the Medical Foundation and Board order. Dr. Norton was allowed to be present at every other Board meeting. Dr. McWaters was not in compliance with the Board order and does not have the advocacy of the Medical Foundation. After a board discussion,

Dr Hubbard made a motion to table the discussion on Dr. McWaters until the May 14th Board meeting; Mr. Spears made a second and the motion passed.

Mr. Trice informed the Board that J. C. Penny had released Mr. Mitchell and the proposal that was to be made concerning their misleading advertising will be presented at the next Board meeting by their new attorney, Mr. Smith.

Dr. Flippin presented a letter from the Air Force Base concerning dispensing of contact lenses. The Board discussed the matter and Mr. Trice will write a letter in response regarding the statue on contact lenses.

Dr. Flippin discussed the record retention rule. There is a lot of confusion concerning the rule and Medicare appears to require retention of patient records indefinitely. Dr. Smalling suggested waiting until after ARBO's annual meeting in DC where the topic will be discussed further.

Dr. Flippin reported the total number of optometrist in Arkansas is 430. Three doctors wish not to renew. Dr. Don Freel, Dr. Paul Smithwick, and Dr. Bert Miller.

The Board agreed with Dr. Flippin's request to administer the Board examinations on June 13th, 2009.

Dr. Hubbard made a motion that all CE hours, as a matter of policy, be reported using ARBO's tracking mechanism (O.E. Tracker). Dr. Smalling made a second and the motion passed.

Dr. Haas presented a legislative update to the Board.

Dr. Smalling made a motion the Board pay expenses for two Doctors attendance to either the South West conference in Dallas or South East conference in Atlanta. Dr. Hubbard made the second and the motion passed.

Dr. Coffee discussed Arkansas Community Care, insuring Medicare patients, refusing to pay claims by an optometrist in violation of the any willing provider laws in Arkansas.

Dr. Coffee made a motion that Mr. Trice writes a letter to the Insurance Commissioner concerning their violation, Dr. Smalling made a second and the motion passed.

Dr. Haas made a motion CHAPTER V, ARTICLE VIII, Section 1 of the rules and regulations be stricken. Mr. Spears made a second and the motion passed.

Dr. Smalling made a motion to pay the Board for expenses and travel for the year 2009 as required by statute. The motion was seconded by Dr. Coffee. Motion carried.

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

Dr. Morris adjourned the meeting.

Dale Morris, O.D., President

Kenneth Hubbard, Jr., OD, Secretary

Sto to Board Meeting 2-12-09

Kevin Gardner

Mallorie Dill

Vicki Stattus

Buttany Duffin

Nages Kasraie

Tim Ward

Ryan Dr. Diver

Vicki Farmer AOA