

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

March 28, 2002

Dr. Robert Smalling called the meeting to order pointing out that all Board members were present with the exception of Dr. Kenneth Hubbard who was ill and unable to attend. Mr. Bill Trice, the Board's attorney, was present as well as two guests. Mr. Randy Thurman representing the National Association of Opticians and Optometrists and also Mr. Jim Adams with the Department of Education.

Dr. Howard Flippin presented the minutes of the February 14, 2002 meeting. It was the pleasure of the Board that the minutes not be read aloud. Dr. Dale Morris made a motion that they be approved as is, seconded by Dr. George Haas. Motion carried.

Dr. Smalling introduced Mr. Jaime Guerra the new Board member from Benton, Arkansas. Mr. Guerra will be replacing Rose Snowden. The Board has also received the resignation letter of Mr. Jack Grayson, who will now be serving on the Delta Commission.

Mr. Trice had an update on Dr. Charles McWaters. All of his order has been put into effect and the doctor has signed a contract with the Arkansas Medical Foundation, who has an obligation to notify the Board of any failure to comply. Dr. Flippin informed the Board that we have sent Dr. McWaters his renewed licenses and he is now eligible to practice again. Dr. McWaters is believed to be back at Sam's in North Little Rock.

Dr. Flippin reported on applicants taking the State Board test at the last meeting. Dr. Matthew Renner passed the test and is now working on his one hundred hours before being licensed.

His plans are to go into practice with Dr Greer, an ophthalmologist in Fort Smith. Also Dr. Kirby Smith passed the optometric physician test and is in the process of completing his logbook. Dr. Flippin informed the Board that Dr. Melissa Brown has been licensed. She took the test last March and has been living and practicing in Joplin, Missouri. Also Dr. Flippin shared that in the last three months, the profession has lost three doctors. The deceased are Dr. Boyce Alford in Pine Bluff, Dr. John Knight in Jonesboro, and Dr. Raleigh Siefert in Camden, AR.

Dr. Haas gave a brief report on the SECO meeting in Atlanta. There was much discussion on how the National Boards conduct their testing. Also there will be no merger between ARBO and NBEO. Dr. Smalling and Dr. Hubbard attended the South West Conference Meeting in Dallas. Dr. Smalling shared that there was some discussion about Kansas having a lawsuit with 1-800-Contacts.

There was a review of a complaint from Dr. Jeff Smith in regards to the term “vision specialists” being used. Mr. Jim Adams from the Department of Education and School for the Blind was present to discuss this issue. He supplied information on how the program works and how the visual impaired children benefit from it. The Board did not seem to have a problem with the term “vision consultant” being used since their primary function is helping students have the proper tools to be able to learn. This does not deal with eyewear. Mr. Adams assured the Board that the term “vision specialists” was a mistake in terminology. All consultants are licensed teachers of the visual impaired, which is above and beyond the regular teacher’s licenses. The Board was then satisfied that the word Specialists would not be used in the future. Mr. Adams is planning to check with Barbara Martin, with the Arkansas Optometric Association, about being a vendor at the seminar in April. Mr. Trice summed it up by explaining that the “vision consultant” is not diagnosing, treating, or providing eye ware. They are assisting a pre-diagnosed and treated eye patient with the necessary educational skills and equipment to be able to function in the educational system.

Dr. Smalling and Dr. Flippin shared the results of the first jurisprudence course held on March 9, 2002 in Pine Bluff, Arkansas. The format was a power point presentation and lasted for about 45 minutes. Dr. Smalling encouraged all Board members to attend the next course given on Sunday, April 28, 2002, at the Double Tree. Dr. Hubbard and Dr. Flippin will be presenting the course held on Sunday, June 9, at NSU Conference in Branson, Missouri.

Dr. Flippin made the recommendation and the motion that a \$50.00 fee be set for the jurisprudence correspondence course. Dr. George Haas seconded the motion. Motion carried.

Mr. Trice has prepared an Order and Notice of Hearing for Dr. Roy Ashabranner. But it is the hopes of the Board to have Dr. Ashabranner attend the next Board meeting on Thursday, April 25, 2002, and avoid having the disciplinary hearing. This request will be sent to the Doctor in the near future.

The Board has received a request from Edward Brandenburg, O.D., located in Amarillo, Texas, regarding licensure by credentialing. Mr. Trice offered to draft a letter explaining to Dr. Brandenburg that this would not be possible at this time. Dr. Brandenburg is licensed in the State of Colorado and in the State of Texas. The Arkansas State Board of Optometry does not have any reciprocal agreement with either Texas or Colorado. The Doctor would also need proof of completion of the National Board Exam since January 1, 1987. Dr. Haas made a motion that the Board responds in writing to Dr. Brandenburg, explaining the Board’s position in this matter. Dr. Morris seconded the motion. Motion carried.

Dr. Flippin made the Board aware that it is time to renew the lease for the office rental space in Searcy. The contract has been review, signed, and returned. Dr. Flippin stipulated no increase in rental fee.

Mr. Trice reminded the Board that at the last two meetings they had looked at the concept of doctors having twenty-four hour access to his or her office. Dr. Dale Morris made a motion that the Board conducts a public hearing at the June 13, 2002 meeting. The public hearing will address a rule that will require the doctor to have twenty-four hour access to his office and patient records, so that he may provide emergency services to patients when necessary. A failure to have such access would be considered as unprofessional conduct and of a danger and harm to his patients. Dr. Haas seconded the motion. Motion carried.

Dr. Smalling reported to the Board his plans to seek a position on the Board of Directors of ARBO. He wants the support of the Board in the form of a letter to ARBO. Dr. Haas made a motion to support Dr. Smalling in this effort. Dr. Flippin seconded the motion. Motion carried.

Mr. Jaime Guerra moved that the Board members be paid for one day of expenses plus mileage. Seconded by Dr. Morris. Motion carried.

The time for the next Board meeting is scheduled for Thursday, April 25, 2002 at the Doubletree, 424 West Markham, Little Rock, Arkansas at 1:30 P.M.

Meeting adjourned.

Robert Smalling, O.D. President

Howard F. Flippin, O.D., Executive Director

