

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

April 13, 2006

Dr. Dale Morris, President, called the meeting order. All the Board members were present. Dr. Flippin, Executive Director, Board Attorney Bill Trice, and Board Secretary, Ann Booker was also present. The audience included Annette Webb, OD, Philip Kaplan, Angie Muldoon, Derrick Smith, Stephanie Spivey, Jasmine Gregory, Robert Newton, OD, Pam Mize, Charles McWaters, OD, Roy Ashabranner, OD, Allison Hall, OD, Mark Stodola, Vicki Walters, Larry Lawson, MD, and Jennifer Martinez.

Dr. Hubbard made a motion to accept the minutes as corrected. Dr. Haas made the second and the motion passed.

Dr. Morris turned the meeting over to Mr. Trice, Attorney for the Board, who opened a public hearing concerning a rule on unprofessional conduct. After testimony and discussion, Mr. Trice gave the meeting back to Dr. Morris for action regarding proposed rule changes.

Dr. Hubbard made a motion to accept the rule amending Article VI, Unprofessional conduct, Section I(S). Dr. Coffee made a second and the motion passed unanimously.

Dr. McWaters was in attendance as required by Board order. He has passed all his drug screens and attended all meetings required by the Medical foundation. Dr. McWaters reported working at Lens Crafters, Pearl, and Wal-Mart locations. He also reported working for Dr. Foster. He discussed working at these locations and not being in control of his records. He also reported not paying rent on property or equipment at the Wal-Mart location on Cantrell or Pearl in North Little Rock. He also reported not paying or hiring any staff members.

Dr. Ashabranner was in attendance as required by Board order. He entered a contract with the Medical Foundation in 2004 he was unable to complete. November of 2005 he signed a ten-year contract with the Medical Foundation. Dr. Ashabranner is in compliance and will have advocacy in another month. He is to return to the June 1<sup>st</sup> meeting. Dr. Ashabranner requested his license be reinstated if the VA Administration or SCO offers him a job prior to that date.

Dr. Haas made a motion that Dr. Ashabranner be granted a license prior to the next Board meeting, if Dr. Flippin is presented with written proof of the job offer from the VA or SCO. Recommendation for a DEA certificate is to be withheld. Dr. Coffee made a second and the motion passed.

Dr. Smalling made a motion Dr. Hutchinson come to the next Board meeting for an informal visit concerning a complaint made by a patient. Dr. Flippin is to

request the patient see a reviewing Dr. to ascertain if patient care has been breached. Dr. Haas made a second and the motion passed.

Dr. Flippin informed the Board, the three doctors who took the Board exam in February passed and two have been licensed.

The Board discussed different approaches for investigations of illegal contact lenses sales. The Board is to proceed with a local investigation by Harrison city police of illegal contact lens sales to observe the process.

Dr. Flippin discussed a hot check Dr. Pierangeli wrote for license renewal in February. He was issued a license then the check bounced. He was contacted several times by the Board office without payment.

Dr. Smalling made a motion for an emergency order of license suspension for non-payment of license renewal by Dr. Pierangeli. He is to be served with notice of hearing for fraudulent renewal of license. Dr. Coffee made a second and the motion passed.

Jennifer Martinez on behalf of the Arkansas Optometric Association requested a luncheon for the Doctors after taking the Board exam in July. The Board agreed.

Dr. Coffee discussed the possible discontinuation of the Jurisprudence CE requirement. The Board would like to continue at this time because of the recent rules changes.

Dr. Smalling made a motion the Board be paid for mileage and expenses. Dr. Coffee made a second. The motion passed.

Dr. Flippin is to assign the voting delegate at ARBO in Las Vegas and register the Doctors approved for the meeting.

The Board discussed the annual registration fee required by the rules for out of state contact lens sellers. The sellers are required to register annually with the Board and pay a new registration fee.

Dr. Morris adjourned the meeting.

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Dale Morris, OD  
President

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Ken Hubbard, Jr., OD  
Secretary