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

April 26, 2012

Dr. Morris opened the meeting with all Board members present. Howard Flippin, Executive Director, Ann Booker Attorney Kevin O'Dwyer, and Bill Trice, Board Attorney were also present. Vicki Walters, Lisa Wooten, RN, and Penny Summers, RN, were also present.

Dr. Morris opened the meeting welcomed the guests.

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

Vicki Walkers updated the Board on Dr. Freshour progress. She is currently in compliance with the after care program, but does not have advocacy of the Medical Foundation and Board Order.

Dr. Haas discussed a request made to the Attorney General for a "Consumer Protection Alert" ad to increase public awareness of the dangers buying contact lenses without a legal prescription in Arkansas.

Mr. Trice discussed the illegal sale of contact lenses in Arkansas and the legal process. The Board also discussed asking the "Vision Commission" to discuss the problem with the school nurse association.

Dr. Hubbard made a motion Dr. Haas discuss the dangers of illegal contact lens sales to school children with the head of the Department of Education. Dr. Smalling made a second and the motion passed.

Dr. Morris closed the Board meeting to go into for individual hearings for possible violations of the practice act by illegal sale of contact lenses to the public. At least one on the sales had caused eye injury to a consumer. The hearings to follow were in order; Sameera Buddhiani, USA Enterprises, Inc, d/b/a BP Food Mart, Benton, AR; Samshu Merchant, Beverly Smith, SMAP, Inc. d/b/a Citgo Mart, Malvern, AR; Amin Patrini, John Karim, & Xtra Care of USA d/b/a Citgo Aman Gas Company, Pine Bluff, AR.

After each hearing was concluded, Dr. Morris reopened the Board meeting for determination of violations and determinations of Board actions. The following actions were taken.
Dr. Coffee made a motion that a violation had occurred by illegal sale of contact lenses at Sameera Buddhwani, USA Enterprises, Inc, d/b/a BP Food Mart, Benton, AR. Mr. Shirley made a second and the motion passed.

Dr. Haas made a motion a fine of $5,000 be levied against Sameera Buddhwani, USA Enterprises, Inc, d/b/a BP Food Mart, Benton, AR to be paid in 30 days. Dr. Smalling made a second and the motion passed.

Dr. Hubbard made a motion a violation had occurred by illegal sale of contact lenses at Samshu Merchant, Beverly Smith, SMAP, Inc. d/b/a Citgo Mart, Malvern, AR. Dr. Smalling made a second and the motion passed.

Dr. Hubbard made a motion a fine of $5,000 be levied against the owner at the time of the violation at Samshu Merchant, SMAP, Inc. d/b/a Citgo Mart, Malvern, AR to be paid in 30 days. Dr. Smalling made a second and the motion passed.

Mr. Spears made a motion a violation had occurred by illegal sale of contact lenses at Amin Patrini, John Karim, & Xtra Care of USA d/b/a Citgo Aman Gas Company, Pine Bluff, AR. Dr. Smalling made a second and the motion passed.

Mr. Spears made a motion a fine of $5,000 be levied against Amin Patrini, John Karim, & Xtra Care of USA d/b/a Citgo Aman Gas Company, Pine Bluff, AR to be paid in 30 days. Dr. Coffee made a second and the motion passed.

Mr. Spears made a motion a violation had occurred at A.J. Gogia, Amanda Hemphill, Stephanie Swadley, American #1 LLC, d/b/a Handy Mrt, Decatur, AR and a fine should be levied to be paid in 30 days of $5,000. Dr. Smalling made a second and the motion passed.

Dr. Haas made a motion possible violation had occurred and the 10 cases of illegal contact lens sales presented by investigators be brought to a hearing. Dr. Coffee made a second and the motion passed.

Dr. Hubbard made a motion a $5,000 fined be levied by consent decree to be paid in 30 days in lieu of hearings. Dr. Coffee made a second and the motion passed.

Dr. Smalling made a motion Road Runner Distributors be brought to a hearing for distribution and illegal sale of contact lenses in Arkansas. Mr. Spear made a second and the motion passed.

Mr. Spears made a motion to reduce the original fine of $15,000 to $7,500 be levied against Looks Tee Shirt Emporium of Eureka Springs. Dr. Smalling made a second and the motion passed.
Mr. Shirley reviewed the fiscal update of the Board office for the year end. The Board was found to be in good fiscal condition.

Dr. Haas made a motion the "Public Eye Health Education Advertising" be budgeted in the amount of $75,000 and presented to the legislature for the biennium budget. Dr. Smalling made a second and the motion passed.

Wayne Ridings lease agreement was discussed by the Board and Mr. Trice

Dr Flippin reported there were 464 OD's licensed by the Board, 393 in the state and 365 optometric physicians.

Dr Hubbard made a motion Dr. Smalling and Dr. Howard Flippin be approved to represent the Board at the Chicago ARBO meeting. Mr. Shirley made a second and the motion passed.

Dr. Hubbard made a motion one day per diem stay in hotel, travel and meal expense be paid for the Jurisprudence Course in Little Rock. Dr. Coffee made a second and the motion passed.

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

Dr. Morris adjourned the meeting

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Dr. Dale Morris, President

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Dr. Kenneth Hubbard, Jr., Secretary
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<td>Lisa Wooten, RN</td>
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<td>Penny Summers, RN</td>
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<td>Vicki Walters</td>
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