

Minutes

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

May 14, 2009

Dr. Morris opened the meeting with all Board members present. Howard Flippin, Executive Director, Ann Booker, Board secretary, and Bill Trice Board Attorney were also present. Dr. Tim Norton, Dr. Diner, Dr. Lawson, Joyce Dees, Paul Charton, Catherine Carless, Dr. Roy Ashabranner, and Dr. Allison Hall were in the audience.

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

Dr. Ashabranner was recognized and was in compliance with the Board order and Medical Foundation order. Dr. Tim Norton was recognized and was found to be out of compliance with the Medical Foundation order. After a discussion, Dr. Norton will comply with the Medical Foundation recommendations for compliance. Dr. Ashabranner and Dr. Norton will be at the next Board meeting in August.

Dr. McWaters was not at the meeting and was said to be in the VA treatment program. He is not in compliance with the Board order or Medical Foundation and his license remains suspended.

JC Penny has asked the Board to enter into a consent agreement concerning their violation of the statute. Amendments to their request were made

Dr. Smalling made a motion to make the following changes in the agreement to prevent misleading the public; US Vision must be clearly visible on ads. The web address on ads must be clearly shown as US Vision and linked to US Vision. JC Penny fine increased to \$3,000. Mr. Shirley made a second and the motion passed.

A discussion ensued concerning a sign inside a Lenscraters optical store implying they sell contact lens.

Dr. Hubbard made a motion bring Lenscrafters in for a hearing concerning advertising as being able to sale of contact lenses without a license. Dr. Coffee made a second and the motion passed.

Proposed creation of Board Certification was discussed.

Dr. Haas made a motion that a letter be drafted and presented opposing the creation of Board Certification in its present format. Dr. Hubbard made a second and the motion passed. Dr. Smalling abstained.

Dr. Hass discussed the past legislative session pertaining to optometry. Dr Flippin discussed applicants taking the Board June 13th. Eighteen have applied and five more are expected to apply.

Dr. Hubbard made a motion the Board be paid one night lodging and expenses for the Board exam June 13th. Dr. Coffee made a second and the motion passed.

Dr. Flippin presented the Board with two unresolved complaints. After review,

Dr. Coffee made a motion to take no action on either complaint. Mr. Spears made a second and the motion passed.

Dr. Smalling made a motion Dr. Diana McKenzie Moore be asked to come before the Board for an informal discussion. Dr. Hubbard made a second and the motion passed.

Dr. Smalling encouraged Board members to become active in ARBO, possibly by participating in the committee structure. Dr. Morris advised the Board of Dr. Hubbard's reappointment to the Optometry Board and Dr. Haas reappointment to the Optician Board by the Governor.

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.

Dr. Dale Morris, President

Dr. Kenneth Hubbard, Jr, Secretary