

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

May 27, 2004

Dr. Robert Smalling, President of the Board, called the meeting to order. The Board members present were Dr. George Haas, Vice President, Dr. Kenneth Hubbard, Secretary/Treasurer, Dr. Dale Morris, Dr. William Coffee, and Mr. Herman Shirley. Mr. Jaime Guerra was not in attendance due to sickness in his family. William Trice, Board's attorney was present as well as Dr. Howard Flippin, executive director. Other guest included Mrs. Barbara Martin, executive director with the Arkansas Optometric Association, Stephanie Spivey with Wal-Mart, and Randy Thurman with Government Solutions.

Dr. Coffee made a motion that the minutes be approved as written by the Board for the meeting of April 16, 2004. Seconded by Dr. George Haas. Motion carried.

Dr. Flippin reminded the Board of the Inactive status of Dr. C. B. Passmore. As of this time, all the Board office has received is a certified signature card, proving that the doctor did received the letter explaining the decisions made at the last Board meeting. Mr. Trice added that if or when Dr. Passmore decided to practice again, he would need to appear before the Board.

Mr. Trice conducted a public hearing involving an approved draft of a proposed regulation change to Article V. Section 3 (C) ¶3 and also Article V. Section 4 (B) After explaining each change, Mr. Trice asked if there be anyone desiring to speak for or against the proposed regulation? Hearing none, the public hearing portion of the meeting was closed.

After much discussion, there were two changes in the wording of "computer" to "electronic communications". Second change will be to add the phrase, "on a form as provided by the Board Office".

Dr. Dale Morris made a motion to approve both the regulation changes. Seconded by Dr. William Coffee. Motion carried.

Dr. Flippin presented the budget and reviewed the salary change for Mrs. Ann Booker for the Biennial year. Dr. Flippin's salary as Executive Director will remain the same.

Dr. George Haas made a motion for the Board to agree with the salary change beginning in the Biennial budget for 2005-2007. The proposed salary rate for Mrs. Booker will be \$10.00 per hour beginning July, 2005 and \$10.50 per hour beginning July 2006. The motion was seconded by Dr. Ken Hubbard. Motion carried.

Dr. Flippin also requested that the legal category fee in the budget be raised to \$45,000 for the Biennial year.

Dr. George Haas made the motion that the increase be approved. Dr. Dale Morris seconded the motion. Motion carried.

Dr. Smalling announced that Dr. Ken Hubbard has been reappointed to the Board for the next five years.

Dr. Flippin presented a request by Dr. Gordon Dyer to take the Board examination in July. The Board discussed Dr. Dyer's qualifications. It was determined that Dr. Dyer had taken the National Board, Parts I and II prior to January 1987. Mr. Trice reminded the Board of the statutes of the State of Arkansas, requiring passage of all parts of the National Board after January 1987. The Board decided that Dr. Dyer did not meet the requirements of the Law.

Dr. George Haas stated that he felt it was an appropriate time of the year to determine who the officers are going to be for the next year, and being in effect after this Board meeting.

Dr. George Haas made a motion that Dr. Dale Morris become President of the Board, Dr. William Coffee become Vice-President, and Dr. Kenneth Hubbard remain Secretary/Treasurer for the coming year. Seconded by Dr. Hubbard. Motion carried.

Dr. Smalling asked Dr. Haas if he had any comments or discussion about the upcoming contact lens release rule. Dr. Haas responded that the FTC is still formulating the final rule.

Dr. Coffee made a motion to approve Board members be paid one day of expenses plus mileage. The motion was seconded by Mr. Shirley. Motion carried.

Meeting Adjourned.

Robert Smalling, O.D., President

Kenneth Hubbard, Jr., O.D., Secretary