

October 12, 2006
Minutes of
Arkansas State Board of Optometry

Dr. Morris opened the meeting with all Board members except Mr. Shirley. Howard Flippin, Executive Director, Ann Booker, Board secretary, and Bill Trice, Board Attorney present. The audience included Allison Hall, Evelyn Miller, Mary Hudnall, Vicki Walters, Mike Yi, Angie Muldoon, and Pam Mize.

Dr. Hubbard made a motion to approve the minutes as written and Dr. Coffee made a second. The motion passed.

Dr. Morris opened a hearing for Beauty Plus of Magnolia for selling contact lenses without a license. Peter Park and Tiffany Wesley were not in attendance for the hearing. After the hearing Dr. Morris reopened the Board meeting.

Dr. Coffee made a motion Beauty Plus was in violation of the practice act. Dr. Haas made a second and the motion passed.

Dr. Haas made a motion to fine Beauty Plus \$8,000 and reduce the fine to \$4,000 if the 118 lens inventory is turned in to the Board. The fine is payable in 90 days. Dr. Smalling made the second and the motion passed.

Dr. Hass requested the Board actions against violators of the practice act be directed to the appropriate federal government agency responsible for enforcement of federal contact lens laws.

Dr. Morris opened a hearing for Beauty Mart of North Little Rock for selling contact lenses without a license. Ms. Sun Chong Yi was not present for the hearing. Her son Mike Yi appeared in her behalf. After the hearing Dr. Morris reopened the Board meeting.

Dr. Smalling made a motion Beauty Mart was in violation of the practice act. Dr. Coffee made the second and the motion passed.

Dr. Haas made a motion Beauty Mart be fined \$3,000 for violation and reduced to \$2,000 with proof of return of inventory and the name of the seller produced. The fine is to be paid in 90 days. Dr. Hubbard made the second and the motion passed.

Dr. Morris opened the hearing for Dr. R. L. "Rocky" Heath who was not present. After the hearing Dr. Morris reopened the Board meeting.

Dr. Hubbard made a motion Dr. Heath was in violation of a previous Board order concerning Dr. Heath's many past violations of the practice act. Dr. Coffee made a second and the motion passed.

Dr. Haas made a motion to revoke Dr. Heath's license. Dr. Morris made a second and the motion passed unanimously.

Dr. Roy Ashabranner was present to report on his progress and employment by Dr. Hubert Cochran of Mountain Home. Vicki Waters of the Medical Foundation reported on his continued compliance with the Board Order. Dr. Ashabranner is to report at the next Board meeting

Dr. Charles Mc Waters was late to the meeting reported practice locations in a west Little Rock Wal-Mart and Pearl Optical in McCain Mall. Vicki Waters reported on his continued compliance with Board Orders. Dr. Mc Waters is to report at the next Board meeting.

Dr. Flippin reported on the nine new licensees. Three are working on logbooks and one will retake the JP test in February. He also reported on the See Clearly Method. The Iowa Attorney General filed a suit against them and received an injunction in September of this year.

Dr. Smalling made a motion to request the Attorney General office send out an alert concerning the See Clearly Method. Dr. Haas made a second and the motion passed.

Dr. Haas made a motion to ask Dr. Perry Amerine, Dr. Jason Cates, and Dr. Presley attend the next Board meeting. Dr. Smalling made a second and the motion passed.

Dr. Flippin is to request information on complaints as directed by the Board and investigate possible violations of the law.

Dr. Coffee made a motion the Board be paid one day expenses and travel for the Board meeting. Dr. Hubbard made a second and the motion passed. Dr. Coffee also made a motion to pay the Board for travel and expenses for travel to Eureka Spring to present the Jurisprudence Class, October 28, 2006. Seconded by Dr. Hubbard. Motion carried.

Dr. Morris adjourned the meeting.

Dr. Dale Morris, President

Dr. Kenneth Hubbard, Jr., OD, Secretary