

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

October 20, 2005

All the Board members were present. Dr. Flippin, Executive Director and Board Secretary, Ann Booker, and Board attorney Bill Trice were also present. The audience included Jim Bona, Vicki Walters, Pam Mize, Mrs. Ye, Mr. Jamal Musa, Mr. Ali Alcum, and Jennifer Martinez.

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

Dr. Morris referred the meeting to Mr. Trice for the purpose of a hearing concerning Buy and Save Beauty Supply of Texarkana. After the hearing Dr. Morris reopened the Board meeting.

Dr. Hubbard made a motion that Mr. Musa and Mr. Alcum of Buy and Save Beauty Supply of Texarkana were in violation of the Optometry law by selling contact lenses without a license. Dr. Smalling made a second and the motion passed.

Dr. Morris asked the Board to move to the penalty phase and

Dr. Hubbard made a motion the operators of Buy and Save Beauty Supply be fined \$3,000 payable in 90 days. Dr. Haas made a second and the motion passed.

Dr. Smalling made a motion to notify the North Carolina Board of our action against Buy and Save Beauty Supply and the origination of the violation in their state. Dr. Haas made a second and the motion passed.

Dr. Morris referred the meeting to Mr. Trice for the purpose of a hearing concerning The Beauty Depot of Hope Arkansas.

Dr. Hubbard made a motion that Mrs. Ye operating as Beauty Depot violated the Optometry practice act by selling contact lenses without a license. Dr. Smalling made the second and the motion passed

Dr. Morris asked the Board to move to the penalty phase and

Dr. Hubbard made a motion of \$3,000 to be paid in within 90 days and turn her contact lens stock in to Mr. Bona. Dr. Hass seconded the motion and the motion passed.

Dr. McWaters was not present for his hearing. He is currently enrolled in the in-patient alcoholism treatment program of the Arkansas Medical Foundation.

Dr. Coffee made a motion for emergency order of suspension of Dr. McWaters license until Dr. McWaters appears for purposes of his hearing. Dr. Smalling made the second and the motion passed.

Dr. Haas presented the latest version of the rule clarifying the determination of employment of an optometrist.

Dr. Hubbard made a motion to proceed with the rule to public hearing at the December meeting. Dr. Coffee seconded the motion and the motion passed.

Dr. Flippin reviewed a complaint concerning the improper prescription pad and writing of a prescription that is not legible. The complaining patient informed the Board of who wrote the prescription.

Dr. Haas made the motion to serve Dr. Norton with notice of hearing for violations of the optometry practice act. Dr. Hubbard made the second and the motion passed.

Dr. Morris and Jennifer Martinez discussed the schedule for the Jurisprudence CE at the Spring 2006 association meeting in Little Rock. This will be the 100<sup>th</sup> Anniversary of the Arkansas Optometric Association.

Dr. Flippin informed the Board of the large number of doctors that have not completed the jurisprudence requirement for re-licensure. The Board may need to consider the presentation of another course before time for renewals.

Mr. Trice brought the investigation of Norma Jeans Variety in Dumas before the Board.

Dr. Smalling made a motion to send a notice of hearing to Norma Jeans Variety for violations of the optometry practice act. Dr. Haas made the second and the motion passed.

Dr. Smalling and Dr. Flippin were recognized for being on the Southern College of Optometry Board.

Dr. Coffee made a motion to pay for one day of expenses and travel for the Board meeting. Dr. Smalling made a second and the motion passed.

Dr. Coffee made a motion to pay for one night stay, travel, and one day expenses for the presentation of jurisprudence at the Fall associational meeting in Tunica. Dr. Hubbard made the second and the motion passed.

Dr. Morris adjourned the meeting.

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Dale Morris, OD, President

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Kenneth Hubbard, Jr., OD, Secretary