Minutes
Arkansas State Board of Optometry
Attorney General’s Office
Little Rock, AR
October 22, 2015 1:30 pm

Dr. Morris opened the meeting with all Board members present except Dr. George Haas. Dr. Howard Flippin, Board Executive Director, Bonita Wineman, Board assistant, and Mr. Kevin O’Dwyer, Board attorney, were also present.

Dr. Smalling presented minutes of the August 13, 2015 Board meeting.

Dr. Smalling made a motion to approve the minutes. Mr. Shirley made a second. The motion passed.

Mr. O’Dwyer reported on the Randy Webb first payment of $150 of his $1000 fine as required by his consent agreement. He reported that he has spoken to Mr. Webb on several occasions.

Mr. Herman Shirley reported on the accounting update. He just received the current numbers and requested that future statements be up to month end instead of up to meeting date so year to date and yearly comparison would be easier. He asked to be allowed to study the information and report next meeting. Dr. Flippin reported that salary expenditures would appear high due to sick leave and vacation day payments made to Ms. Booker on her retirement of $1900. Also he reported that the National Board of Examiners in Optometry (NBEO)$500 reimbursement for attendance at their workshop in June in Seattle by Dr. Smalling has not been received. He reported that he will contact NBEO about this matter.

Mr. O’Dwyer stated that Dr. Tim Norton had requested to answer questions of the Board by conference call.

After some discussion, Dr. Coffee made a motion to cancel the conference call and subpoena Dr. Norton to appear at the December meeting. Dr. Ashley made a second. The motion passed.

Dr. Flippin reported on fines and collections. He reported that no additional fines had been paid at this time. The Board will evaluate the list in June and December of each year to decide on any write offs or other actions necessary.

Dr. Flippin reported that licenses were issued to Noorina Zaidi, OD, Jennifer Chang, OD, and Jeffrey Coats, OD. There is one licensee of the 19 candidates who took the Board exams in June who has not been licensed at this time.

Dr. Morris reported that the AOA Task on Illegal Sale of Contact Lenses had an article recently asking for input from the individual OD’s and he also reported that he had been in contact with the taskforce chair.

Mr. O’Dwyer lead a discussion of the Federal Trade Commission (FTC) Staff Guidance document on state regulatory boards. This is a follow up on the North Carolina Board of Dental Examiners/ FTC antitrust suit. This deals with regulatory board made up of persons active in the marketplace/profession and making decisions that impact the marketplace/profession.
Dr. Smalling asked about our membership to FARB (Federation of Regulatory Boards). FARB has model acts that have been updated with reference to the North Carolina case. As a FARB member they are free to us and could be helpful in this uncertain time.

Dr. Flippin that there had been no report from Medicaid on their investigation of Dr. Micah Thomasson and his vision therapy practice in NW Arkansas.

Dr. Coffee reported on an online jurisprudence course that was submitted did not meet standards and that the person writing the paper was being required to retake the test or attend the course in the fall.

Mr. O’Dwyer reported on a draft of legislation related to telemedicine that is being proposed by a committee of the Arkansas Medical Society. They have asked for feedback from other groups about the subject. The Board members did not have any pertinent changes to the document.

Dr. Flippin requested that the Board set a date for the February Board meeting and exam. After discussion February 18 was selected for that meeting. A proposed set of meeting dates was handed out and will be finalized at the December meeting.

Dr. Flippin led a discussion of the jurisprudence course to be presented in Rogers tomorrow. Topics to be discussed included providing information on contact lens Rxs of patient to retail outlet, the online jurisprudence course, and having pets in the office.

Mr. O’Dwyer reported on legislation passed in the last session that requires newly licensed practitioners in the health care professions to take a three hour course on prescribing which covers the boundaries of prescribing.

Dr. Smalling reported on the FARB forum scheduled for the last weekend in January in Sarasota, FL.

Dr. Coffee made a motion that travel expenses and per diem for the Board meeting be paid. Dr. Ashley made a second. The motion passed.

Dr. Coffee made a motion that travel expenses and mileage for the jurisprudence course tomorrow in Rogers. Dr. Ashley made a second. The motion passed.

Dr. Ashley made a motion to adjourn. Mr. Shirley made a second. The motion passed.

Dr. Morris adjourned the meeting at 2:35 p.m.

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Dr. Dale Morris, President

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Dr. Robert W. Smalling, Secretary