

Minutes
Arkansas State Board of Optometry
Holiday Inn Conference Room
Springdale, AR

November 1, 2002 3:00 p.m.

Dr. Robert Smalling, President, called the meeting to order. All Board members were present as well as Mr. William Trice, State Board attorney. Mrs. Barbara Martin with the Arkansas Optometric Association, Dr. Matt Noland, with Wal-Mart, Dr. Scott Sellers, Dr. Deanna Witherspoon, Dr. David Witherspoon, Dr. Tammy Grammar, and Ms. Stephanie Spivey. Ann Booker, state employee, was not present at this meeting.

Dr. Ken Hubbard presented the minutes of the meeting on August 29, 2002. Dr. George A. Haas made a motion that the minutes be approved as corrected. Seconded by Dr. Dale Morris. Motion carried.

Dr. Smalling welcomed the new appointed board member, Dr. William Coffee. This meeting being his first attended meeting, Dr. Coffee will be replacing Dr. Howard Flippin. Dr. Flippin will continue to serve as Executive Director of the State Board.

At the next Board meeting, scheduled for Thursday, November 7, 2002 there will be a disciplinary hearing concerning the sale of plano contact lenses by unlicensed persons. Mr. Trice gave information about the five different individual stores that have been served and will come before the Board. Mr. Trice felt that two of the five individuals would have attorneys present. Mr. Trice shared that he feels that this process will be the correct avenue to take in order to get to the retail level, which will create some news coverage and get the information out to the consumer. Dr. George Haas made a motion that the other three individual stores, that are pending at this time, be served and brought before the Board at the December 12th 2002 meeting. Dr. Dale Morris seconded the motion. Motion carried.

The Board reviewed Dr. Roy Ashabranner's practice plan, without the doctor being present. Dr. Ashabranner plans to attend the November 7th board meeting. At which time, there will be further discussion about his present plan.

Dr. George Haas had some revision of the proposed Article XII pertaining to patient records. There was a lengthy discussion with Mr. Trice about the noted primary changes. Dr. Ken Hubbard had questions about how this article would apply to an optometrist seeing patients at a hospital or nursing home. Mr. Trice agreed that another paragraph should be added to cover treating patients in a facility and insure that the facility maintain security of the records. Mr. Trice agreed to bring a revised working draft to the next Board meeting.

Mr. Trice discussed the possible changes in the Law regarding different levels of drug certification. After much discussion, Mr. Trice plans to present an amendment to the statues at a future board meeting.

Dr. Flippin reviewed a request from Dr. Jim Metheny concerning his CPR renewal. Mr. Trice suggested that the Board never issue a “blanket” waiver when it comes to CPR requirements. The question needs to be, “ Does the doctor have a temporary problem, as in needing an extension in time?” If not, who in the doctor’s office is qualified and will be present to render the CPR, if the doctor is not current in CPR? Perhaps this would be the time the Board would consider granting a permanent waiver. Dr. Smalling felt that in this case, the exemption should be for this year only. Dr. George Haas made a motion that Board grant the one-year exemption for Dr. Metheny, and he be required to give the Board the name of the person who will be qualified to perform CPR in his office. Dr. Dale Morris seconded the motion. Motion carried.

At this time of the meeting, Dr. Flippin supplied each Board member with a W-9 form, to be filled out and returned to the Board office.

Dr. Flippin shared information he obtained after attending a state meeting in September. There will be changes in the future concerning the Board’s web site, but the Board felt at this time, it would be better to discuss changes at a later date.

Dr. Smalling discussed the proposed Board meeting dates for 2003. Each member was given a copy of the tentative schedule. The Board normally holds eight meetings annually.

Dr. Flippin gave each Board member a copy of Dr. Paul Smithwick’s answer sheets for the jurisprudence correspondence course. Due to the response from Dr. Smithwick, Dr. Flippin asked each Board member to look over the material and plan to discuss this at a future Board meeting.

Dr. Flippin also had a request from a doctor in Jonesboro concerning educating third party payers as to what Optometry does in Arkansas. The doctor was asking the Board to consider supplying some sort of education material explaining what an Optometric Physician can do. Dr. Flippin asked Dr. Smalling to consider this request, with license renewal coming up soon.

Dr. George Haas presented a one-page flyer to the Board, regarding Wal-Mart advertising the sale of contact lenses. Mr. Trice agreed to contact Wal-Mart and invite someone to come visit with the Board on this issue. The date for that Board meeting will be December 12, 2002.

Dr. Haas had a brief report from the Board of Optician. Dr. Smalling suggested that since the Board of Optometry has a representative, being Dr. Haas, it would be very informative to have an update on the agenda for each Board meeting.

Dr. Dale Morris moved that the Board members be paid for expenses of the Board meeting, plus mileage. Mr. Herman Shirley seconded the motion. Motion carried.

The tentative date for the next Board meeting will be Thursday, November 7, 2002 in the office of the Attorney General, Little Rock, AR.

Meeting adjourned.

Robert Smalling, O.D., President

Kenneth Hubbard, Jr. O.D., Secretary