

December 14, 2006  
Minutes of  
Arkansas State Board of Optometry

Dr. Morris opened the meeting with all Board members except Mr. Guerra, Howard Flippin, Executive Director, Ann Booker, Board secretary, and Bill Trice Board Attorney present. The audience included Allison Hall, Dr. Perry Amerine, Carol Amerine, Dr. Ashabranner, Dr. McWaters, Dr. Presley, Representative Shirley Walters, Senator Bill Walters, Vicki Walters, Angie Muldoon, Dr. Lawson and Pam Mize.

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

Mr. Trice informed the Board concerning Peter Park of Magnolia. He has provided the Board information of contact lens return to Trinity Enterprise Inc.

Dr. Coffee made a motion the Board informs the Illinois Board of Optometry of Trinity Enterprise selling contact lenses illegally and accepts the receipt of return as proof for a reduced fine for Peter Park. Dr. Hubbard made a second and the motion passed.

Dr. McWaters and Dr. Ashabranner continue to be in compliance with the Medical Foundation. Dr Lawson verified there were no positive screens. They were asked to be present at the next Board meeting.

Dr. Flippin reported on new licensees. Three Doctors have applied to take the Board Exam on February eighth, 2007 and one to retake a Board exam. The Board discussed the fees for retaking the Board Exam.

Dr. Hubbard made a motion doctors retaking the Board exam be charged \$200 for each test being retaken. Dr. Haas made a second and the motion passed.

Dr. Flippin reported on an AG ruling ceasing the sale of The Clear Vision Method. The company is to pay back patients who have a claim against them. Dr. Smalling asked that the AG office notify the public with an alert of the ruling.

Mr. Trice informed the Board Norma Madrano has declared bankruptcy and the judgment levied against her has not been paid.

Dr. Hubbard made a motion to close the case against Norma Madrano and Dr. Coffee made a second. The motion passed.

Mr. Trice informed the Board of a Legislative Bill to allow Boards to investigate and discipline Optometrist who have violated the laws in another state.

Dr. Smalling made a motion to support the Bill to amend the Optometry practice act allowing the Board to use information from other States concerning Doctors. Dr. Coffee made a second and the motion passed.

Mr. Trice questioned Dr. Amerine practicing in Financial Center in Little Rock, AR. Mr. Trice asked for information concerning the arrangement between Dr. Amerine and Dr. Presley, a practitioner not licensed in Arkansas. Dr. Amerine stated there were no guarantees of income from Dr. Presley. He pays a monthly lease payment to Success Vision. Mr. Trice asked Dr. Presley, licensed in Oklahoma, to come before the Board for open discussion concerning the matter of guarantees for Optometrist, lease payments, and advertising optometric services without a licensed practitioner on site. He denied illegal employment of an optometrist and advertising optometric services without a licensee in Little Rock.

Dr. Haas made a motion to bring charges against Dr. Presley for setting himself out to practice optometry without a license. Dr. Hubbard seconds the motion and the motion passed. Mr. Shirley abstained.

Dr. Kelly Duke complained that his previous location leesor was not forwarding his mail and fax information to his current address. The Board was uncertain of Dr. Duke's new mailing address for verification of contact lens prescriptions. Dr. Duke will be asked for the correct address for this patient record information and if he left his new mailing address with the leesor.

Dr. Flippin informed the Board of a patient calling the office to ask the qualifications of Dr. Broomfield. He had not informed the Board of his practice location change. Dr. Flippin explained his violation of the law. If Dr. Broomfield does not comply he is to be brought before the Board.

Dr. Flippin informed the Board of a letter from Dr. Cochrum asking if a patient record can be opened to Wal-Mart, a non-licensed entity. The Board is to request a copy of Dr. Cochrum's lease agreement and investigate violations of state law and violation of HIPPA.

Dr. Smalling reported on the May continuing education meeting in Chicago. He informed the Board of new OE Tracking information and of upcoming important meeting dates.

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. Hubbard made a motion to approve Board members one day and two night's expenses to either SECO or SWC to attend respective ARBO meetings including the Boards Executive Director. Dr. Haas made a second and the motion passed.

Dr. Morris adjourned the meeting.

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Dr. Dale Morris, President

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Dr. Kenneth Hubbard, Jr., OD, Secretary

