

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

June 9, 2005

All the Board members were present. Dr. Flippin, Executive Director and Board Secretary, Ann Booker was also present. The audience included Jim Bona, Jamie Sexton, Vicki Walters, Dan Speir, OD, Pam Mize, and Chris Pyle.

Dr. Coffee made a motion to approve the minutes of March 31, 2005. Dr. Hubbard made a second and the motion passed.

James Chung of Pine Bluff was present for a hearing doing business as Beauty Plaza of Pine Bluff for violations of the practice act by selling and supplying contact lenses. At the close of the hearing and after Board deliberations,

Dr. Hubbard made a motion Mr. Chung be found in violation of the practice act by holding himself out to sell contact lenses and selling contact lenses. Dr. Haas made a second and the motion passed.

Dr. Hubbard made a motion Mr. Chung be fined \$3,000 of which \$1,000 would be forgiven after demonstrating proof his lens stock return. The fine payment is due in 90 days. Dr. Haas made a second and the motion passed.

Dr. Smalling made a motion to send a letter of request to the Attorney General of Georgia and the Georgia State Board to investigate the sell of contact lenses in their state by non-licensed individuals. Dr. Haas seconded the motion and the motion passed.

Vicki Walters of the Arkansas Medical Foundation notified the Board of the status of advocacy for Dr. Ashabranner, McWaters, and Heath. Dr. Ashabranner and Heath do not have advocacy. Dr. McWaters failed his last screen by the Foundation and will be retested.

Dr. Spier was present and explained his arrest at his home by authorities for possession of an instrument of crime (possession of a controlled substance, marijuana), which was in the local newspaper. He discussed the problem of his son's addiction. The substances had been taken from his son and not yet disposed of.

Community Grocery of Osceola was investigated by State Health Department investigators and found them to be selling contact lenses.

Dr. Hass moved to bring Community Grocery before the Board in a Hearing for violations of the practice act. Dr. Coffee seconded and the motion passed.

Dr. Flippin discussed complaints sent to the Board office. A complaint from the previous meeting had not been resolved to the complaining patients' satisfaction.

Dr. Hubbard made a motion to continue the investigation and send an investigator to further evaluate the quality of care issue. Mr. Guerra seconded and the motion passed.

The Board gave attention to one complaint, which did not meet the criteria for gross incompetence.

Dr. Haas made a motion to notify the complainant that the Board had taken this matter under advisement, as this did not appear to meet the criteria of gross incompetence. Dr. Hubbard made the second and the motion passed.

The Board discussed maintaining of complaints at the Board office.

Dr. Hubbard made a motion to keep complaints of no action in separate files with a purging date of one year after Board consideration for each complaint. Dr. Coffee seconded the motion and the motion passed.

A doctor asked the Board if a seller of contact lenses who is verified unregistered, by the Board, to sell contact lenses in Arkansas is a reason for a doctor to refuse verification of a prescription. The Board responded by asking the doctor to verify if a seller is not registered by the Board, and then report it to the Board.

Dr. Haas made a motion to continue the current Board officers for the coming year. Those members being: Dr. Dale Morris, President, Dr. William Coffee, Vice-President, and Dr. Kenneth Hubbard, Secretary/Treasurer. Dr. Coffee made a second and the motion passed.

The next Board meeting is scheduled 8:30 AM Saturday July 9th, 2005 at Baptist Medical Center in North Little Rock for the purpose of Board testing of applicants.

Dr. Smalling made a motion to pay for one night stay and one day expenses at the next meeting because of the early convening time. Dr. Hubbard made a second and the motion passed.

Dr. Hubbard made a motion to approve Board members be paid one day expenses plus mileage. Dr. Coffee seconded and the motion was approved.

The meeting was adjourned.

Dale Morris, OD, President

Kenneth Hubbard, Jr., OD, Secretary