

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

August 14, 2008

Dr. Morris opened the meeting with all Board members present. Howard Flippin, Executive Director, Ann Booker, Board secretary, and Bill Trice Board Attorney were also present. Dr. Tim Norton, Dr. Roy Ashabranner, Dr. Charles McWaters, Dr. Diner, Dr. Barton, Dr. Ridings, Dr. Norton, Dr. McKenzie, and Dr. Allison Hall were in the audience.

Dr. Coffee made a motion to accept the minutes of the last meeting as printed. Dr. Shirley made a second and the motion passed.

Dr. Ashabranner, Dr. Norton and Dr. McWaters were reported to be in compliance with the Medical Foundation order by Dr. Diner.

Dr. McWaters brought documents that he felt the Board had requested from the last meeting. This was followed by a discussion of the contracts, procedures, and patient records as they relate to his employment by other optometric physicians.

Dr. Haas made a motion for a DHS representative be asked to attend the next Board meeting to discuss their opinion of employing doctors using their information for billing the employee doctor's exams. Dr. Smalling made a second and the motion passed.

Dr. Haas made a motion to ask Pearl Vision and Dr. McWaters present their agreements at the next Board meeting. Dr. Smalling made a second and the motion passed.

Dr. Haas made a motion to ask Dr. McWaters, Dr. Jaros and Dr. Ridings to bring patient record transfer agreements to the next Board meeting for review. Dr. Smalling made a second and the motion passed.

Dr. Barton and Dr. McKenzie were present to discuss their relationship with J. C. Penny and the ads advertising J. C. Penny selling contact lenses at their locations in the Little Rock area. They have no relationship concerning contacts and J. C. Penny does not sell contacts. This was a national ad that was sent out for advertising and they do not honor it. Discussion of space leasing and patient traffic followed.

Dr. Haas made a motion to bring charges against J.C. Penny for offering to sell contact lenses without a license to practice optometry in Arkansas. Dr. Smalling made a second and the motion passed.

While leasing space from Wal Mart, Dr. McKenzie describe how Pam Mize told her she should be the lowest price for eye exams in the area and should work weekends. She also stated she could not make her follow her recommendations. However, Dr. McKenzie felt there was an implied loss of lease space if she did not comply. Later Dr. McKenzie lost the lease of space inside the Wal Mart store.

The Board discussed a letter to the Board from Dr. Freshour. It was felt this was not a Board issue and Mr. Trice is to write a letter of the Board decision.

Dr. Flippin reviewed the Doctors who had completed the process to become licensed in Arkansas and those who were still unlicensed.

Dr. Coffee made a motion to leave the officers as is, Dr. Smalling made a second and the motion passed.

Dr. Coffee made a motion Dr. Haas be the Board representative on the Optician Board. Dr. Smalling made a second and the motion passed.

Dr. Coffee made a motion the Board be paid one-day expenses and travel for the Board meeting. Dr. Smalling made a second and the motion passed.

Dr. Morris adjourned the meeting.

Dr. Dale Morris, President

Dr. Kenneth Hubbard, Jr., OD, Secretary

ARKANSAS STATE BOARD OF

BOARD MEETING

August 14, 2008

SIGN IN SHEET

Diana J McKee O.D.

Kay Ashahan

Wayne Kridings, OD

icki Farmer

Bradley Dinos

Joseph K. Katin, OD

Charles McWaters

Tim Norton

Allison Hall