

STATE BOARD OF OPTOMETRY

Enabling Laws

Act 89 of 2012
A.C.A. §17-90-201 thru 306
A.C.A. §17-90-401

History and Organization

Functions of the Board involve administering examinations to doctors who wish to practice optometry in Arkansas. Every Doctor of Optometry has to renew his or her license to practice optometry in Arkansas each year. This involves the doctors reporting to the Board the number of hours of continuing education they have received during the year, and paying the license renewal fee. The Board requires each doctor to have obtained at least twelve hours of continuing education during the year to renew the license.

The Board of Optometry must approve the courses, seminars, and conferences that are available to Doctors of Optometry in order for the hours available at these meetings to be acceptable toward license renewal in Arkansas.

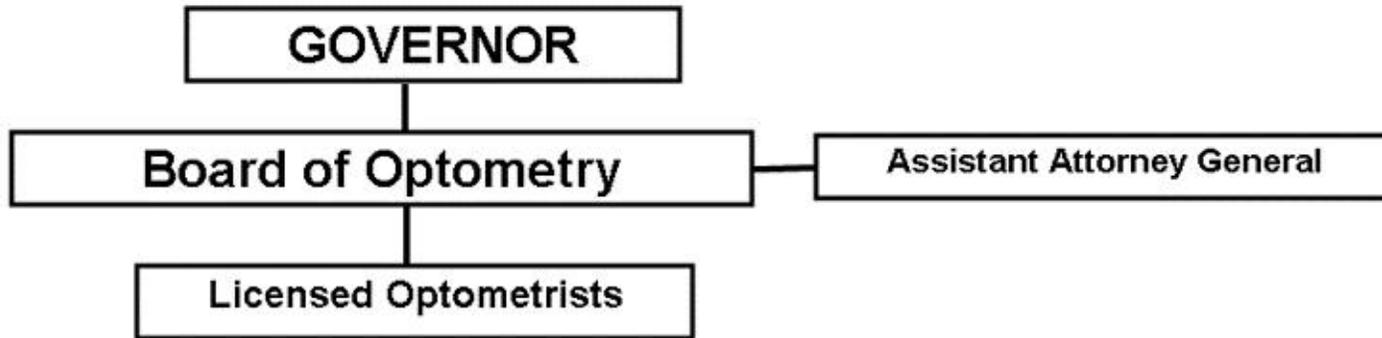
The Board of Optometry also issues a duplicate license to be displayed at each branch office at which an optometrist works. In addition to the branch office license, the Board issues Corporation Licenses and Drug Certificates each year.

The Board has seven members, consisting of five optometrists and two public members. The Governor appoints each for a term of five years. The Attorney General's office approves the legal officer for the Board.

In 1978, the courts said it was legal for professional persons to advertise their services. This has created problems for all Boards with regard to advertising that is false and misleading. The Board of Optometry has set guidelines for advertising that helps keep the public from being misled.

In 1997, the optometry law was changed to allow optometrist to prescribe oral medications and controlled substances. This new law also required the optometrists to receive more continuing education each year and pass a test to become an optometric physician. Only optometrists with the qualifications of an optometric physician can practice at the higher level. The requirements for license renewal as an optometric physician require at least (20) twenty hours of continuing education each year.

The Board of Optometry is required by statute to meet at least twice annually, but meetings are held at least every three months. Except for the meeting to administer the board examinations, the meetings are held in the Office of the Attorney General. Currently the Board licenses 448 optometrists.



Agency Commentary

The Board of Optometry is requesting to continue its operating appropriation at Base Level for the 2013-2015 biennium with the addition of \$75,000 in FY14 for a public awareness campaign to inform the public of the dangers of illegal contact lens sales in Arkansas. Funding is provided from license renewals and fees collected by the Board.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
 AUDIT OF :
 ARKANSAS STATE BOARD OF OPTOMETRY
 FOR THE YEAR ENDED JUNE 30, 2011

Findings	Recommendations
None	None

State Contracts Over \$25,000 Awarded To Minority Owned Businesses Fiscal Year 2012

None

Employment Summary

	Male	Female	Total	%
White Employees	1	1	2	100 %
Black Employees	0	0	0	0 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			0	0 %
Total Employees			2	100 %

Cash Fund Balance Description as of June 30, 2012

Fund Account	Balance	Type	Location
3200000	\$330,214	Checking, MM, Savings	First Security, Searcy, Arkansas

Statutory/Other Restrictions on use:

ACA 17-90-303

Statutory Provisions for Fees, Fines, Penalties:

ACA 17-90-203, 204

Revenue Receipts Cycle:

License renewal from December to February each year.

Fund Balance Utilization:

Funds are collected in December and January each year. The agency budgets carefully for the full twelve months.

Publications

A.C.A. 25-1-204

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution
		Governor	General Assembly		
None	N/A	N	N	0	N/A

Agency Position Usage Report

FY2010 - 2011						FY2011 - 2012						FY2012 - 2013					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total	
2	2	0	2	0	0.00 %	2	2	0	2	0	0.00 %	2	2	0	2	0	0.00 %

Analysis of Budget Request

Appropriation: A27 - Optometry Operations

Funding Sources: 320 - Optometry Board-Cash

The State Board of Optometry is funded with fees charged by the Agency, as authorized by Arkansas Code §17-90-401.

Base Level Regular Salaries and Personal Services Matching includes Career Service payments for eligible employees. Personal Services Matching also includes a \$20 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$410 per month. Base Level salaries and matching do not include appropriation for a Cost of Living Adjustment or Merit Pay Increases. The Base Level request for Regular Salaries includes board member stipend payments.

Base Level for the Board is \$164,150 each year of the 2013-2053 biennium and is used to pay regular salaries for two employees as well as provide operating costs for the Board.

The Agency is requesting an increase of \$75,000 in Professional Fees for FY14 only to be used for a public awareness campaign to inform the public of the dangers of illegal contact lens sales in Arkansas.

The Executive Recommendation provides for Agency Request. Expenditure of appropriation is contingent upon available funding.

Appropriation Summary

Appropriation: A27 - Optometry Operations
Funding Sources: 320 - Optometry Board-Cash

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2011-2012	2012-2013	2012-2013	2013-2014			2014-2015		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	76,676	71,635	73,426	71,635	71,635	71,635	71,635	71,635	71,635
#Positions	2								
Personal Services Matching 5010003	24,848	24,329	23,301	24,849	24,849	24,849	24,849	24,849	24,849
Operating Expenses 5020002	26,501	28,654	28,654	28,654	28,654	28,654	28,654	28,654	28,654
Conference & Travel Expenses 5050009	0	0	0	0	0	0	0	0	0
Professional Fees 5060010	37,175	114,012	39,012	39,012	114,012	114,012	39,012	39,012	39,012
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
Total	165,200	238,630	164,393	164,150	239,150	239,150	164,150	164,150	164,150
Funding Sources									
Fund Balance 4000005	327,191	330,214		246,584	246,584	246,584	237,434	162,434	162,434
Cash Fund 4000045	168,223	155,000		155,000	155,000	155,000	155,000	155,000	155,000
Total Funding	495,414	485,214		401,584	401,584	401,584	392,434	317,434	317,434
Excess Appropriation/(Funding)	(330,214)	(246,584)		(237,434)	(162,434)	(162,434)	(228,284)	(153,284)	(153,284)
Grand Total	165,200	238,630		164,150	239,150	239,150	164,150	164,150	164,150

FY13 Budget amount in Regular Salaries and Personal Services Matching exceeds the authorized amount due to salary and matching rate adjustments during the 2011-2013 biennium.

Change Level by Appropriation

Appropriation: A27 - Optometry Operations
Funding Sources: 320 - Optometry Board-Cash

Agency Request

Change Level		2013-2014	Pos	Cumulative	% of BL	2014-2015	Pos	Cumulative	% of BL
BL	Base Level	164,150	2	164,150	100.0	164,150	2	164,150	100.0
C01	Existing Program	75,000	0	239,150	145.7	0	0	164,150	100.0

Executive Recommendation

Change Level		2013-2014	Pos	Cumulative	% of BL	2014-2015	Pos	Cumulative	% of BL
BL	Base Level	164,150	2	164,150	100.0	164,150	2	164,150	100.0
C01	Existing Program	75,000	0	239,150	145.7	0	0	164,150	100.0

Justification

C01	\$75,000 in Operating Expenses is requested for a public awareness campaign to inform the public of the dangers of illegal contact lens sales in Arkansas.								
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