

# STATE BOARD OF OPTOMETRY

## Enabling Laws

Act 81 of 2014  
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.

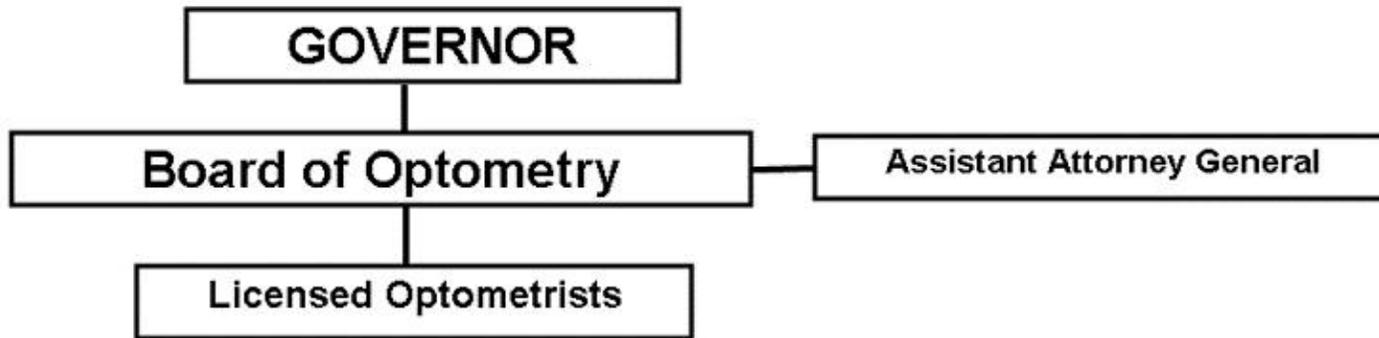
The Board of Optometry also issues a duplicate license to be displayed at each branch office at which an optometrist works. In addition to the branch office license, the Board issues Corporation Licenses and Drug Certificates each year.

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 Base Level operating appropriation for the 2015-2017 Biennium with the addition of \$11,700 each year in Operating Expenses. The Board move relocated to a new facility in FY14 to support operations. The increase will provide for an increase in building rent, office supplies, utilities and board member travel expenses. 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, 2013

Findings	Recommendations
None	None

## State Contracts Over \$50,000 Awarded To Minority Owned Businesses Fiscal Year 2014

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, 2014

Fund Account	Balance	Type	Location
3200000	\$337,892	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.

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Fund Account	Balance	Type	Location
PGP0000	\$12,947	Payroll	State Treasury

Statutory/Other Restrictions on use:

None

Statutory Provisions for Fees, Fines, Penalties:

ACA 17-90-203, 204

Revenue Receipts Cycle:

Funds transferred from Operating Account - 3200000 as required to process payroll obligations.

Fund Balance Utilization:

Fund balance is carried forward to process payroll related expenses for the following year.

## Publications

### A.C.A. 25-1-201 et seq.

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution	Unbound Black & White Copies Produced During the Last Two Years	Cost of Unbound Copies Produced During the Last Two Years
		Governor	General Assembly				
None	N/A	N	N	0	N/A	0	0.00

## Agency Position Usage Report

FY2012 - 2013						FY2013 - 2014						FY2014 - 2015					
Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused
	Filled	Unfilled	Total				Filled	Unfilled	Total				Filled	Unfilled	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 include the continuation of the previously authorized 2015 1% Cost of Living Adjustment and Career Service Payments for eligible employees. Personal Services Matching also includes a \$10 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$420 per month. Base Level salaries and matching do not include appropriation for Merit Pay Increases. The Base Level request for Regular Salaries includes board member stipend payments.

Base Level for the Board is \$167,156 in FY16 and \$167,400 in FY17, respectively and provides for two (2) positions and operating costs for the Board.

The Board is requesting an increase of \$11,700 in Operating Expenses each year to provide for an increase in rent, utilities, office supplies and board meeting expenses. The Board relocated to a larger facility in FY14. A Cash Letter appropriation increase in FY14 and FY15 was required to provide for increases in rent and general operating expenses. This request adds the cash letter increases to Operating Expenses.

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		Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
		2013-2014 Actual	2014-2015 Budget	2014-2015 Authorized	2015-2016			2016-2017		
					Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	75,778	72,944	72,942	73,610	73,610	73,610	73,810	73,810	73,810
<b>#Positions</b>		<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>
Personal Services Matching	5010003	26,073	25,449	25,135	25,880	25,880	25,880	25,924	25,924	25,924
Operating Expenses	5020002	33,312	37,654	28,654	28,654	40,354	40,354	28,654	40,354	40,354
Conference & Travel Expenses	5050009	0	0	0	0	0	0	0	0	0
Professional Fees	5060010	21,207	39,012	39,012	39,012	39,012	39,012	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
<b>Total</b>		<b>156,370</b>	<b>175,059</b>	<b>165,743</b>	<b>167,156</b>	<b>178,856</b>	<b>178,856</b>	<b>167,400</b>	<b>179,100</b>	<b>179,100</b>
<b>Funding Sources</b>										
Fund Balance	4000005	355,502	350,839		336,469	336,469	336,469	330,313	318,613	318,613
Cash Fund	4000045	151,707	160,689		161,000	161,000	161,000	161,000	161,000	161,000
<b>Total Funding</b>		<b>507,209</b>	<b>511,528</b>		<b>497,469</b>	<b>497,469</b>	<b>497,469</b>	<b>491,313</b>	<b>479,613</b>	<b>479,613</b>
Excess Appropriation/(Funding)		(350,839)	(336,469)		(330,313)	(318,613)	(318,613)	(323,913)	(300,513)	(300,513)
<b>Grand Total</b>		<b>156,370</b>	<b>175,059</b>		<b>167,156</b>	<b>178,856</b>	<b>178,856</b>	<b>167,400</b>	<b>179,100</b>	<b>179,100</b>

FY15 Budget amount in Regular Salaries and Personal Services Matching exceeds the authorized amount due to matching rate adjustments during the 2013-2015 Biennium. Budget exceeds Authorized Appropriation in Operating Expenses due to a transfer from the Cash Fund Holding Account.

## Change Level by Appropriation

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

### Agency Request

Change Level		2015-2016	Pos	Cumulative	% of BL	2016-2017	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>167,156</b>	<b>2</b>	<b>167,156</b>	<b>100.0</b>	<b>167,400</b>	<b>2</b>	<b>167,400</b>	<b>100.0</b>
C01	Existing Program	11,700	0	178,856	107.0	11,700	0	179,100	107.0

### Executive Recommendation

Change Level		2015-2016	Pos	Cumulative	% of BL	2016-2017	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>167,156</b>	<b>2</b>	<b>167,156</b>	<b>100.0</b>	<b>167,400</b>	<b>2</b>	<b>167,400</b>	<b>100.0</b>
C01	Existing Program	11,700	0	178,856	107.0	11,700	0	179,100	107.0

### Justification

C01	To accommodate operations the Board moved to a larger facility in FY2014. The Board is requesting additional appropriation to provide for an increase in rent, utilities, office supplies and board meeting expenses.
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