

STATE BOARD OF OPTOMETRY

Enabling Laws

Act 116 of 2010
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.

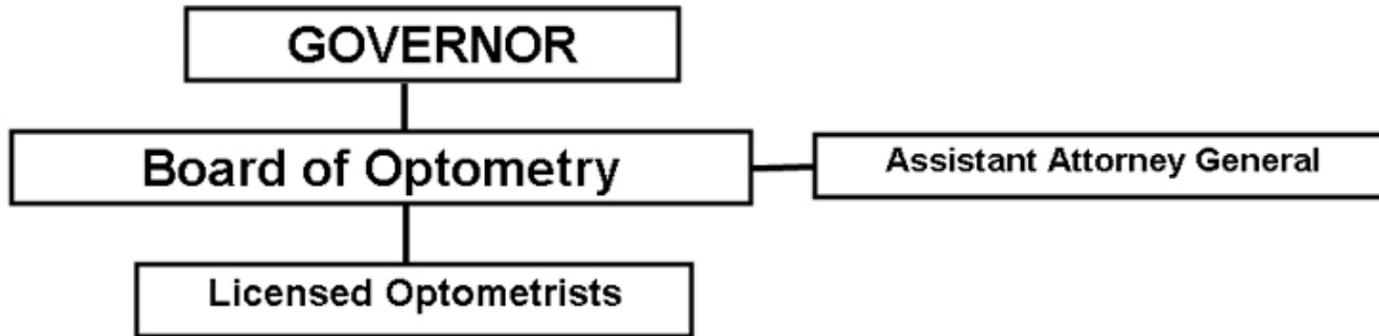
The Board of Optometry also issues a duplicate license to be displayed at each branch office at which an optometrist works. In addition to the branch office license, the Board issues Corporation Licenses and Drug Certificates each year.

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 2011-2013 biennium. 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, 2008

Findings	Recommendations
None	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, 2010

Fund Account	Balance	Type	Location
3200000	\$321,965	Checking, MM, Savings	First Security, Searcy, Arkansas

Statutory/Other Restrictions on use:

A.C.A. §17-90-205 Fees used to pay expenses of board; A.C.A. §17-90-303 Requires licensee to display license

Statutory Provisions for Fees, Fines, Penalties:

A.C.A. §17-90-203 Requires board to meet twice a year; A.C.A. §17-90-204 Allows board to set penalties

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

FY2008 - 2009						FY2009 - 2010					FY2010 - 2011						
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 salaries and matching do not include appropriation for a Cost of Living Adjustment or Career Service Payments. The Base Level request for Regular Salaries includes board member stipend payments.

Base Level for the Board is \$158,361 each year of the 2011-2013 biennium and is used to pay regular salaries for two employees as well as provide operating costs for the Board.

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		
		2009-2010 Actual	2010-2011 Budget	2010-2011 Authorized	2011-2012			2012-2013		
					Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	67,107	68,204	68,235	68,204	68,204	68,204	68,204	68,204	68,204
#Positions		2	2	2	2	2	2	2	2	2
Personal Services Matching	5010003	21,403	22,453	22,420	22,491	22,491	22,491	22,491	22,491	22,491
Operating Expenses	5020002	21,996	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	20,874	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
Total		131,380	158,323	158,321	158,361	158,361	158,361	158,361	158,361	158,361
Funding Sources										
Fund Balance	4000005	317,084	321,965		302,642	302,642	302,642	283,281	283,281	283,281
Cash Fund	4000045	136,261	139,000		139,000	139,000	139,000	139,000	139,000	139,000
Total Funding		453,345	460,965		441,642	441,642	441,642	422,281	422,281	422,281
Excess Appropriation/(Funding)		(321,965)	(302,642)		(283,281)	(283,281)	(283,281)	(263,920)	(263,920)	(263,920)
Grand Total		131,380	158,323		158,361	158,361	158,361	158,361	158,361	158,361

The FY11 Budget amount for Personal Services Matching exceeds the authorized amount due to matching rate adjustments during the 2009-2011 biennium.