

STATE BOARD OF OPTOMETRY

Enabling Laws

Act 160 of 2003
Act 94 of 1941
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.

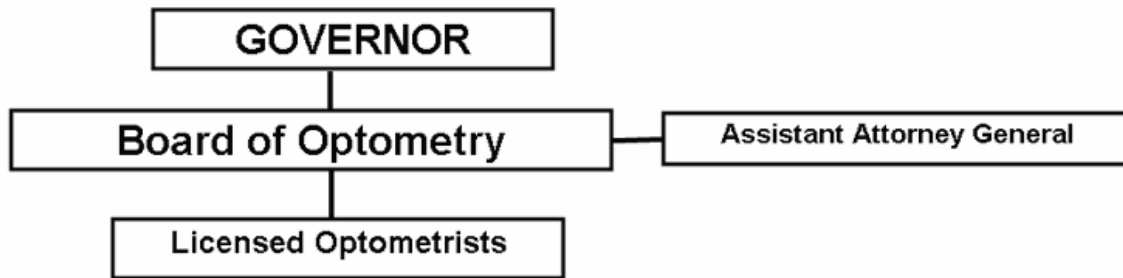
The Board of Optometry also issues a duplicate license to be displayed at each branch office at which an optometrist works. In addition to the branch office license, the Board issues Corporation Licenses and Drug Certificates each year.

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 381 optometrists.



Agency Commentary

The Board of Optometry is making a request to continue Base Level for the 2005-2007 biennium plus a Change Level request of \$12,000 each year of the biennium to allow for services of an investigator to investigate the sales of cosmetic contact lenses by unlicensed persons. The Board is also asking for an extraordinary salary increase for the Bookkeeper due to an increased work load.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
 AUDIT OF :
 ARKANSAS STATE BOARD OF OPTOMETRY
 FOR THE YEAR ENDED JUNE 30, 2003

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, 2004

Fund Account	Balance	Type	Location
3200000	\$268,826	Checking, MM, Savings	First Security, Searcy, Ark. Money Management

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

Analysis of Budget Request

Appropriation / Program: A27 - Optometry Oprs

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. The Board's request includes a Base Level of \$120,453 for FY06 and \$122,356 for FY07.

Base Level for this appropriation includes graduated salary increases of 3% to 1.5% each year over FY05 salary levels, along with related Personal Services Matching costs for two (2) Base Level positions. This includes a \$600 minimum increase for employees earning \$20,000 or below. Included in Personal Services Matching is a \$40 increase in the monthly contribution for State employee's health insurance for a total State match of \$320 per month.

The Board is requesting Base Level plus change requests of \$17,326 for FY06 & \$17,849 for FY07. An increase of \$12,000 each year is requested for the professional services of an Investigator to investigate the increased number of unlicensed contact lenses providers. The Board also requests an Extraordinary Salary Increase for the Optometry Steno/Bookkeeper of \$4,484 in FY06 and \$4,924 in FY07 due to an increase in duties and additional responsibilities required as well as increases in Personal Services Matching of \$842 in FY06 and \$925 in FY07.

The Executive Recommendation provides for Base Level and the Agency Request of \$12,000 each year for the Investigator as well as \$3,955 for FY06 & FY07 for the request of a Extraordinary Salary Increase for the Optometry Steno/Bookkeeper. Expenditure of appropriation is contingent upon available funding.

Appropriation / Program Summary

Appropriation / Program: A27 Optometry Oprs
Funding Sources: 320-Optometry Board-Cash

Commitment Item	Historical Data			Agency Request and Executive Recommendation					
	2003-2004 Actual	2004-2005 Budget	2004-2005 Authorized	2005-2006			2006-2007		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	46,723	48,180	47,838	49,753	54,237	53,082	51,356	56,280	54,685
#Positions	2	2	2	2	2	2	2	2	2
Personal Services Matching 5010003	14,984	15,749	15,192	17,034	17,876	17,660	17,334	18,259	17,960
Operating Expenses 5020002	25,321	26,254	26,254	26,254	26,254	26,254	26,254	26,254	26,254
Travel-Conference Fees 5050009	0	0	0	0	0	0	0	0	0
Professional Fees and Services 5060010	28,776	27,012	27,012	27,012	39,012	39,012	27,012	39,012	39,012
Data Processing 5090012	15	400	400	400	400	400	400	400	400
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
Total	115,819	117,595	116,696	120,453	137,779	136,408	122,356	140,205	138,311
Funding Sources									
Fund Balance 4000005	268,847	268,802		261,207	261,207	261,207	233,428	233,428	234,799
Cash Fund 4000045	115,774	110,000		92,674	110,000	110,000	92,151	110,000	110,000
Total Funding	384,621	378,802		353,881	371,207	371,207	325,579	343,428	344,799
Excess Appropriation/(Funding)	(268,802)	(261,207)		(233,428)	(233,428)	(234,799)	(203,223)	(203,223)	(206,488)
Grand Total	115,819	117,595		120,453	137,779	136,408	122,356	140,205	138,311

The FY05 Budgeted amount in Regular Salaries and Personal Services Matching exceeds the authorized amount due to salary and matching rate adjustments during the 2003-05 biennium.

Change Level by Appropriation

Appropriation / Program: A27-Optometry Oprs
Funding Sources: 320-Optometry Board-Cash

Agency Request

Change Level		2005-2006	Pos	Cumulative	% of BL	2006-2007	Pos	Cumulative	% of BL
BL	Base Level	120,453	2	120,453	100.0	122,356	2	122,356	100.0
C01	Existing Program	12,000	0	132,453	109.9	12,000	0	134,356	109.8
C15	Ex Salary Increase	5,326	0	137,779	114.3	5,849	0	140,205	114.5

Executive Recommendation

Change Level		2005-2006	Pos	Cumulative	% of BL	2006-2007	Pos	Cumulative	% of BL
BL	Base Level	120,453	2	120,453	100.0	122,356	2	122,356	100.0
C01	Existing Program	12,000	0	132,453	109.9	12,000	0	134,356	109.8
C15	Ex Salary Increase	3,955	0	136,408	113.2	3,955	0	138,311	113.0

Justification

C01	Increase requested for 12,000 in FY06 & FY07 in Professional Fees & Services to allow the services of a investigator.
C15	Extraordinary Salary Increase requested for Board of Optometry Steno/Bookkeeper of 5,326 in FY06 and 5,849 in FY07.