

# STATE BOARD OF OPTOMETRY

## Enabling Laws

Act 19 of 2005  
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.

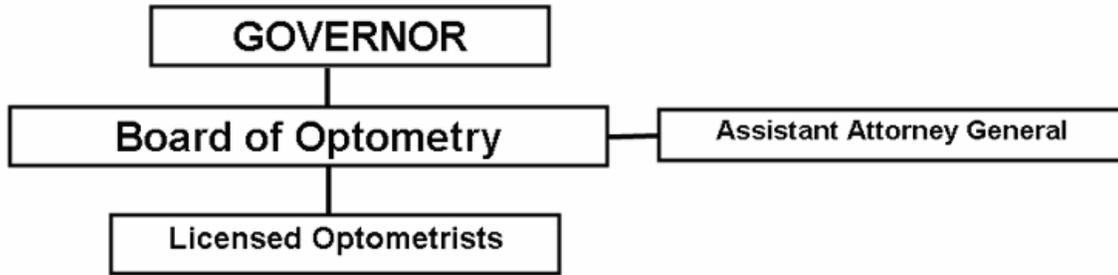
The Board of Optometry also issues a duplicate license to be displayed at each branch office at which an optometrist works. In addition to the branch office license, the Board issues Corporation Licenses and Drug Certificates each year.

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

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 395 optometrists.



**Agency Commentary**

The Board of Optometry is making a request to continue Base Level for the 2007-2009 biennium plus a Change Level request of \$2,000 each year of the biennium to provide for increases in telephone and rent of office space.

**Audit Findings**

DIVISION OF LEGISLATIVE AUDIT  
 AUDIT OF :  
 ARKANSAS STATE BOARD OF OPTOMETRY  
 FOR THE YEAR ENDED JUNE 30, 2005

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, 2006**

Fund Account	Balance	Type	Location
3200000	\$281,088	Checking, Money Mgt, Savings	First Security, Searcy, AR

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**

FY2004-2005						FY2005-2006						FY2006-2007					
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 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.

A cost of living increase is not incorporated in Base Level pending the outcome of the Classification and Compensation Study. The Base Level request of \$59,685 each year of the biennium for Regular Salaries does include board member Stipend payments. Personal Services Matching reflects increases in the Base Level due to certain increases in Worker's Compensation and Unemployment Tax rates as well as a \$30 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$350 per month.

Base Level for the Board is \$145,207 each year of the biennium and is used to pay regular salaries for two employees as well as provide operating costs for the Board. An additional \$2,000 each year of the biennium is being requested in Operating Expenses. This additional appropriation will be used to pay increases in telephone and rent expenses. Operating Expenses have continued at the Base Level amount of \$26,254 since FY04.

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

**Appropriation**

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

**Historical Data**

**Agency Request and Executive Recommendation**

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	57,697	59,685	54,685	59,685	59,685	59,685	59,685	59,685	59,685
<b>#Positions</b>	<b>2</b>								
Personal Services Matching 5010003	18,757	19,104	17,960	19,856	19,856	19,856	19,856	19,856	19,856
Operating Expenses 5020002	25,634	26,254	26,254	26,254	28,254	28,254	26,254	28,254	28,254
Conference & Travel Expenses 5050009	0	0	0	0	0	0	0	0	0
Professional Fees 5060010	25,043	39,012	39,012	39,012	39,012	39,012	39,012	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
<b>Total</b>	<b>127,146</b>	<b>144,455</b>	<b>138,311</b>	<b>145,207</b>	<b>147,207</b>	<b>147,207</b>	<b>145,207</b>	<b>147,207</b>	<b>147,207</b>
<b>Funding Sources</b>									
Fund Balance 4000005	266,363	281,088		248,633	248,633	248,633	216,034	216,034	216,034
Cash Fund 4000045	141,871	112,000		112,608	114,608	114,608	113,608	115,608	115,608
<b>Total Funding</b>	<b>408,234</b>	<b>393,088</b>		<b>361,241</b>	<b>363,241</b>	<b>363,241</b>	<b>329,642</b>	<b>331,642</b>	<b>331,642</b>
Excess Appropriation/(Funding)	(281,088)	(248,633)		(216,034)	(216,034)	(216,034)	(184,435)	(184,435)	(184,435)
<b>Grand Total</b>	<b>127,146</b>	<b>144,455</b>		<b>145,207</b>	<b>147,207</b>	<b>147,207</b>	<b>145,207</b>	<b>147,207</b>	<b>147,207</b>

FY06 Actual and FY07 Budgeted amounts exceed Authorized amounts in Regular Salaries and Personal Services Matching due to payment of stipends to board members.

## Change Level by Appropriation

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

### Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	145,207	2	145,207	100.0	145,207	2	145,207	100.0
C01	Existing Program	2,000	0	147,207	101.3	2,000	0	147,207	101.3

### Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	145,207	2	145,207	100.0	145,207	2	145,207	100.0
C01	Existing Program	2,000	0	147,207	101.3	2,000	0	147,207	101.3

### Justification

C01	Additional maintenance and operation in the amount of \$2,000 each year is being requested to accomodate telephone and rent of office space expenses.
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