

# STATE BOARD OF OPTOMETRY

## Enabling Laws

Act 112 of 2007

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.

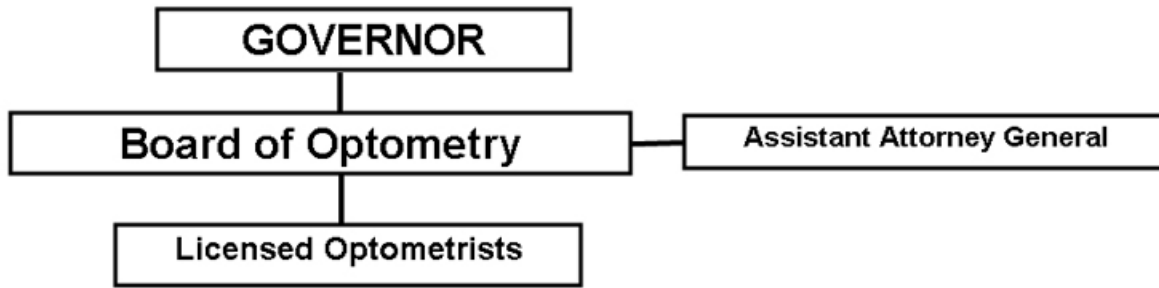
The Board of Optometry also issues a duplicate license to be displayed at each branch office at which an optometrist works. In addition to the branch office license, the Board issues Corporation Licenses and Drug Certificates each year.

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 421 optometrists.



**Agency Commentary**

The Board of Optometry is requesting to continue its operating appropriation at Base Level for the 2009-2011 biennium. A reallocation of \$400 from Data Processing to Operating Expenses is being requested. The Board is currently using these dollars for costs associated with maintaining their web site. This reallocation is needed to properly classify these expenses in the State's accounting system. 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, 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, 2008**

Fund Account	Balance	Type	Location
3200000	\$307,733	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

FY2006 - 2007						FY2007 - 2008						FY2008 - 2009					
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			Total	Total	Filled	Unfilled			Total	Total	Filled	Unfilled	
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.

Base Level positions were changed from unclassified to classified to reflect the recommendations of the Pay Plan Study and salaries were adjusted accordingly. A 2.3% Cost of Living Allowance is reflected in the second year of the biennium. The Base Level request for Regular Salaries may include board member Stipend payments and Career Service payments for eligible employees. Personal Services Matching includes a \$75 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$425.

Base Level for the Board is \$156,635 in FY10 and \$158,321 in FY11 and is used to pay regular salaries for two employees as well as provide operating costs for the Board. A reallocation of \$400 from Data Processing to Operating Expenses is being requested to maintain the web site. The reallocation will properly classify these expenses in the State's accounting system.

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

## Appropriation Summary

**Appropriation:** A27 - Optometry Oprs  
**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		
	2007-2008 Actual	2008-2009 Budget	2008-2009 Authorized	2009-2010			2010-2011		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	62,645	61,891	61,891	66,814	66,814	66,814	68,235	68,235	68,235
<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	20,544	19,399	20,303	22,155	22,155	22,155	22,420	22,420	22,420
Operating Expenses 5020002	18,604	28,254	28,254	28,254	28,654	28,654	28,254	28,654	28,654
Conference & Travel Expenses 5050009	0	0	0	0	0	0	0	0	0
Professional Fees 5060010	20,714	39,012	39,012	39,012	39,012	39,012	39,012	39,012	39,012
Data Processing 5090012	15	400	400	400	0	0	400	0	0
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>122,522</b>	<b>148,956</b>	<b>149,860</b>	<b>156,635</b>	<b>156,635</b>	<b>156,635</b>	<b>158,321</b>	<b>158,321</b>	<b>158,321</b>
<b>Funding Sources</b>									
Fund Balance 4000005	292,975	307,733		295,777	295,777	295,777	277,142	277,142	277,142
Cash Fund 4000045	137,280	137,000		138,000	138,000	138,000	139,000	139,000	139,000
Total Funding	430,255	444,733		433,777	433,777	433,777	416,142	416,142	416,142
Excess Appropriation/(Funding)	(307,733)	(295,777)		(277,142)	(277,142)	(277,142)	(257,821)	(257,821)	(257,821)
<b>Grand Total</b>	<b>122,522</b>	<b>148,956</b>		<b>156,635</b>	<b>156,635</b>	<b>156,635</b>	<b>158,321</b>	<b>158,321</b>	<b>158,321</b>

Actual expenditures for 2008 Regular Salaries and Personal Services Matching exceed Budgeted and Authorized amounts due to lump sum merit increases received by employees.

## Change Level by Appropriation

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

### Agency Request

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	156,635	2	156,635	100.0	158,321	2	158,321	100.0
C04	Reallocation	0	0	156,635	100.0	0	0	158,321	100.0

### Executive Recommendation

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	156,635	2	156,635	100.0	158,321	2	158,321	100.0
C04	Reallocation	0	0	156,635	100.0	0	0	158,321	100.0

### Justification

C04	The Board uses this appropriation to pay expenses associated with the support and maintenance of their web site. This reallocation will properly classify the budget to the Operating Expenses line item.
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