

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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**IN THE MATTER OF:  
ROBERT F. AARSTAD, M.D.  
(CERTIFICATE NO. 09434R)**

**DECISION  
98-A-004**

This matter comes before the Louisiana State Board of Medical Examiners ("Board") by virtue of an Administrative Complaint, alleging that Robert F. Aarstad, M.D., submitted false, misleading, and deceitful responses in four separate applications for licensure.

The matter was heard before a panel of the Board representing a quorum of its membership consisting of Drs. Mary Lou Applewhite, Trenton L. James II, Elmo J. Laborde, Richard M. Nunnally, and Keith C. Ferdinand.<sup>1</sup> Also present were Judge Frederick S. Ellis, Independent Counselor for the Board and Philip O. Bergeron, Attorney at Law, representing the Complainant. Respondent was present unrepresented by counsel.

## FINDINGS OF FACT

At the hearing, Robert F. Aarstad, M.D., stipulated to the factual allegations of the Complaint, reserving the right to give explanatory responses to some of the allegations.

The factual allegations of the Complaint reveal that Robert F. Aarstad, M.D., was first licensed to practice in Louisiana in 1992, on reciprocity with the State of California. In his original application for licensure, he denied any history of treatment for addiction to alcohol or controlled substances, or that his clinical privileges had ever been revoked or restricted by any hospital.

Dr. Aarstad did not advise the Board, in that application, that he had entered into a five year agreement with the Diversion Program of the Medical Board of California to monitor abstinence from alcohol and/or drugs. He further failed to advise the Board that his hospital staff privileges were restricted by Ventura County Hospital in California, to require supervision of his surgical procedures as a result of poor surgical judgment.

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<sup>1</sup> Ile Muslow, M.D., Member, recused himself from participation, and, therefore, took no part in the hearing or its decision.

(Aarstad, August 1998)

In his renewal application for 1993-1994, Dr. Aarstad failed to advise the Board that his application for staff privileges at Willis-Knighton Medical Center, Shreveport, Louisiana, had been denied, because of his failure to reveal the California problems in his application to that institution.

Finally, it is alleged, in the Complaint, that Dr. Aarstad's explanation of the reasons which resulted in the denial of his privileges by Willis-Knighton Medical Center, were incomplete, inaccurate, misleading, and deceitful.

In his 1995 renewal application, Dr. Aarstad gave the following explanation for the original denial:

"...because of information that was given by third parties that was not included in my application. It is my contention that this information is not true or factually based. This information was unduly relied upon without corroboration and in the face of contrary opinion. Therefore unacceptable to the reasonable person in the same or similar circumstances. The sanctions that were made are punitive and beyond that which is reasonable and necessary indicating malicious intent. This action is pending litigation."

In his 1996 renewal application, Dr. Aarstad made this explanation:

"I do not recall if this was contained in my last license application. Privileges denied at Willis-Knight Hosp. due to alleged failure to inform of privilege revocation at Ventura County Hosp. in 1984 for participating in alcohol rehabilitation program. This action taken in 1994-1995 time period."

He made no mention or response to the allegation that his privileges were restricted by Ventura County Hospital.

Dr. Aarstad testified that he is an alcoholic. He went through alcoholic rehab in 1979 in California and remained sober for several years after that. In 1980 he opened a solo private practice in Ventura, California, and applied for privileges at Ventura County Medical Center. He testified that he was never given full privileges at that institution, but was required to practice with other doctors as his proctors. In 1982, he applied to be relieved from his proctorship. This was denied, and he requested a hearing. After the completion of the hearing process, it was decided that "things would remain status quo, with some limitations on the proctorship."

By 1984, his practice was doing well, with full privileges at four or five hospitals. At that time, Dr. Aarstad started drinking again, and was soon back where he was in 1979. He voluntarily returned to San Pedro Hospital for one month of inpatient treatment and 3 months of outpatient treatment. He advised all of the hospitals where he practiced of his relapse, and of the monitoring program which he was going to pursue. All of the hospitals agreed to the program, except Ventura, which promptly revoked his privileges. Dr. Aarstad testified that he did not appeal the revocation because Ventura County Medical Center was not a profitable part of his practice.

After his relapse, Dr. Aarstad was monitored for a while in Ventura County, then sent to a diversion program in Los Angeles. From there he returned to his original monitoring, and then was sent to a program in Santa Barbara. After several years of being shifted around, changing managers, changing programs, with "lots of stress" resulting, he gave 90 days notice and quit the program in May, 1988. The California Board wanted him to remain in the program, but Dr. Aarstad felt that the program was detrimental to him, and did not return. He heard nothing further from the program until he was denied privileges at Willis-Knighton. Dr. Aarstad testified he has been sober since May 9, 1984.

He further testified that his practice has been unrestricted since 1982, and that he has continued to practice without restriction and without problems. He is presently on the faculty at L.S.U. - Shreveport, and is an Associate Professor in the E.N.T. Department. He is in no program at this time, and feels that he does not need to be supervised, although his urine is routinely monitored by the United States Naval Reserve, of which he is a member, and by the Shreveport Police Department, where he is a member of the auxiliary.

### **CONCLUSIONS OF LAW**

We find that Dr. Aarstad's straightforward account of his difficulties is entirely believable, and we accept it as true. However, we cannot overlook his failure to reveal these difficulties to this Board on his applications. Had he done so, as fully and as frankly as he did at the hearing, there would have been no necessity for this proceeding.

Dr. Aarstad, in his testimony, accepted full responsibility for his false applications. We cannot emphasize enough the necessity of these applications being fully and truthfully filled out and attested to by the applying physicians, since he is responsible for it when he affixes his signature thereto. We do not consider the failure to do so to be a minor infraction.

### **Decision**

Accordingly, it is ordered that the license of Robert F. Aarstad, M.D., to practice medicine in the State of Louisiana, Certificate No. 09434R, is hereby suspended for a period of three months, but the said suspension is hereby stayed.

**New Orleans, Louisiana, this 31st day of August 1998.**

**LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS**



**Keith C. Ferdinand, M.D.  
President**