



**ARIZONA SUPREME COURT
ORAL ARGUMENT CASE SUMMARY**



[REDACTED]
OYESIJI A. AROJOJOYE, M.D. v. VICKIE ALLEN, et al.
CV-25-0119-PR

PARTIES:

Petitioner: Vickie Allen

Respondent: Oyesiji A. Arojojoye, M.D.

FACTS:

Respondent provided medical treatment to Petitioner's daughter, Crystal. At the time he treated Crystal, Respondent was certified in internal medicine by the American Board of Medical Specialties ("ABMS"). He was also certified in wound care by the American Board of Wound Management ("ABWM"). After Crystal developed sepsis and died, Petitioner sued Respondent and other defendants for medical malpractice. In connection with her lawsuit, she identified a standard of care expert. The expert was board certified in internal medicine but not in wound care.

Respondent moved for summary judgment. He asserted that because he treated Crystal as a wound care management specialist, Petitioner's expert must be board certified in wound care pursuant to A.R.S. § 12-2604(A). The trial court denied the motion, holding that the expert was qualified to testify because the care Respondent provided to Crystal fell within his practice of internal medicine.

Respondent sought special action relief. The court of appeals reversed the denial of summary judgment. The court found that pursuant to *Baker v. University Physicians Healthcare*, 231 Ariz. 379 (2013), a "specialty" for purposes of § 12-2604(A) is not limited to only the ABMS member boards. Instead, "specialty" includes a broad range of practice areas in which practitioners may seek and obtain board certification by other certifying bodies. Because Respondent was certified in wound care by the ABWM at the time he treated Crystal, Petitioner's expert must also be board certified in wound care pursuant to § 12-2604(A).

ISSUE:

Did the court of appeals misapply A.R.S. § 12-2604 and this Court's decision in *Baker v. University Physicians Healthcare*, 231 Ariz. 379 (2013), in concluding that Plaintiff's medical malpractice expert was unqualified to provide expert testimony?

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