

BUSINESS, LEGAL AND TAX PLANNING FOR THE DENTAL PRACTICE

SECOND EDITION

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THIS BOOK IS NOT INTENDED TO PROVIDE SPECIFIC LEGAL OR TAX ADVICE

This book is not intended to provide specific legal or tax advice. For specific solutions to legal and tax matters, please consult with your legal counsel and CPA.

DEDICATION

This book is dedicated to my wife Mary Lou. If not for her persistent "coaxing", this book would never have been written.

ACKNOWLEDGEMENTS

Dr. Pride, thank you for writing the Forward of this book. I have valued your friendship for many years. You have always encouraged me to accomplish more than I ever thought I could.

Thank you Dave Herzer, President of our Firm, for believing in me and allowing me to use our resources and staff to write this book. I appreciate you as a friend and a partner.

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Dr. Bob Kalina, thank you for being our dentist and encouraging me to remain in the dental field through my dental equipment and supply days.

Finally, thank you Kirk Bjornsgaard and Lyle Hoyt for allowing me to completely rewrite this book.

PREFACE

Business, Legal and Tax Planning for the Dental Practice was written in 1994. Seven years later, I am both a more experienced attorney representing dentists and a better writer.

I wrote this book because most of the problems, huddles and obstacles which dentists face can be avoided by advance planning. This book covers those problems and opportunities which I see on a daily basis as a lawyer representing you. If I can help you, your spouse and advisors negotiate around the difficulties of owning your practice and leading your employees, I will have accomplished my goal. This book is not based in theory. This is a book about my on-going experiences as a lawyer representing dentists.

This book is divided into five sections: (i) The Law on Practice Succession Planning; (ii) Valuing Your Practice; (iii) Practice Operations; (iv) Entering Practice; and (v) Personal Planning. Instead of updating this book as a second edition, I have completely rewritten all material and have added eleven chapters. Approximately 90% of the material herein is completely new.

While the intended audience for this book is the dentist and dental specialist, this book also is intended for the doctor's spouse and advisors.

My background in dentistry goes back to 1973 when I sold dental supplies. I later sold dental equipment, designed dental offices and was general manager of Saslow Dental Company - Northern Ohio. I was in the retail dental equipment and supply business for almost 17 years. I earned my Executive MBA on weekends in Systems Management from Baldwin-Wallace College and immediately thereafter earned my Juris Doctorate in law from Cleveland - Marshall College of Law. After passing the bar examination in Ohio, I joined and have remained in our Firm where I became a shareholder/partner some years ago.

My law practice almost entirely consists of the representation of dentists and specialty practitioners in succession planning, associate relationships, tax and business planning, fringe and retirement benefits, employment relations, dispute resolution, practice valuations, associate buy-ins, owner buy-outs and practice sales and acquisitions.

I hope that you enjoy this book and find it useful as a reference. Your comments, suggestions and criticisms are welcome.

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