Many of the legal and transactional issues covered in a purchase/sale contract for a dental practice are those commonly covered in most small business transactions. For example, the parties will need to address (i) how the transaction should be structured (asset sale versus equity interest sale), (ii) how the purchase price should be allocated among the assets, (iii) what representations and warranties the seller will be making to the buyer about the dental practice, (iv) whether the seller should enter into noncompete agreements, etc. In addition, the parties will need to agree upon certain post-closing issues.

One of the post-closing issues that is particular to a dental practice sale (and is occasionally overlooked) is the issue of “corrective treatment” or “retreatment.”

Retreatment refers to the situation in which a patient returns to the dental practice with failed or defective dental work expecting the dentist to repair the dental work at a reduced cost or for free. Issues can arise if such patient returns for retreatment following the sale of the dental practice.

To deal with this issue, the parties should ensure that their purchase/sale contract includes a retreatment clause. A retreatment clause should address the procedure for handling retreatment issues and should answer the following questions:
Develop a positive culture that turns patients into raving fans. Even making small changes in your health services practice can lead to greater efficiency and profitability.

To help you achieve this, Schenck's Dental Advisory Group can provide solutions to some common challenges faced by dental offices. Here are some areas to consider:

- Establishing an advanced recall system
- Seamlessly managing billing, insurance and accounts receivable
- Maximizing internal production and efficiency
- Creating an engaged workforce

We know your industry from the inside and can help determine the solutions that are right for you. Contact Kendall Butler to learn more.

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