

**CONSENT AGREEMENT
BETWEEN
MICHAEL M. GUIRGUIS, D.D.S.
AND
THE OHIO STATE DENTAL BOARD**

This CONSENT AGREEMENT is entered into by and between MICHAEL M. GUIRGUIS, D.D.S., (DR. GUIRGUIS) and THE OHIO STATE DENTAL BOARD, (BOARD), the state agency charged with enforcing the Dental Practice Act, Chapter 4715 of the Ohio Revised Code (ORC).

DR. GUIRGUIS voluntarily enters into this CONSENT AGREEMENT being fully informed of his rights under Chapter 119, ORC, including the right to representation by counsel and the right to a formal adjudication hearing on the issues considered herein.

This CONSENT AGREEMENT is entered into on the basis of the following stipulations, admissions and understandings:

- A. The OHIO STATE DENTAL BOARD is empowered by Section 4715.30, ORC, to limit, revoke, suspend a certificate or license, refuse to register or reinstate an applicant, or reprimand or place on probation the holder of a certificate or license. Section 4715.30(A)(1), ORC, authorizes the Board to discipline a licensee for employing or cooperating in fraud or material deception in applying for or obtaining a license or certificate.
- B. DR. GUIRGUIS is currently licensed to practice dentistry in the State of Ohio, License No. 30.019991.
- C. DR. GUIRGUIS knowingly and voluntarily admits to the following:
 - 1. In his Ohio State Dental Board renewal applications dated November 16, 2021, and October 10, 2023 (Renewal Applications), he answered “no” to the following question: “Have you been notified of any formal charges, allegations, or complaints filed against you by any board, bureau, department, agency, or other body, including those in Ohio, other than this Board, with respect to a professional license, certificate, or registration since your last renewal, or if this is your first renewal, since your initial application?”

Despite this, he failed to disclose that on May 4, 2021, he was served with Accusations by the Dental Board of California, and on May 11, 2023, in relation to Smile Direct Club, and he signed a Stipulated Surrender of License, and Order.

- D. DR. GUIRGUIS, through his attorney offered the following mitigation:

1. He admits to not looking closely at the application question regarding discipline when submitting his license renewal application. He has had an active license to practice dentistry in Ohio since January 1994, and this is the first instance of discipline in Ohio. He is very sorry for his oversight.
- E. The OHIO STATE DENTAL BOARD enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon any alleged violations of Section 4715.30(A)(1). The BOARD expressly reserves the right to institute formal proceedings based upon any other violations of Chapter 4715, ORC, whether occurring before or after the effective date of this CONSENT AGREEMENT.

AGREED CONDITIONS

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any further formal proceedings at this time, DR. GUIRGUIS's license is hereby CENSURED.

1. DR. GUIRGUIS shall successfully complete ten (10) hours of continuing education in the area of ethics. The education must be taken through a BOARD approved provider and must be approved in advance by the BOARD's Supervisory Investigative Panel (PANEL). Proof of successful completion of courses required in this paragraph shall be submitted to the PANEL within one hundred eighty (180) days from the date this CONSENT AGREEMENT is ratified by the BOARD. The continuing education hours shall not count towards the continuing education requirements set forth in section 4715.141, ORC.
2. DR. GUIRGUIS agrees that he shall not be released from this CONSENT AGREEMENT until he completes all of the above continuing education requirements.

FAILURE TO COMPLY

3. Subject to the provisions of Chapter 119, as set forth below, DR. GUIRGUIS agrees that his license to practice dentistry may be automatically suspended if DR. GUIRGUIS has violated or breached any terms or conditions of this CONSENT AGREEMENT. Following the automatic suspension, the Board shall notify DR. GUIRGUIS via certified mail of the specific nature of the charges and automatic suspension of DR. GUIRGUIS's license. If, in the discretion of the Board, DR. GUIRGUIS appears to have violated or breached any terms or restrictions of this CONSENT AGREEMENT, the Board reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including, but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Consent Agreement.
4. In the event that DR. GUIRGUIS's license to practice dentistry is automatically suspended, during the period of suspension, DR. GUIRGUIS **may not**: 1) employ a licensed operator, e.g., dentists, and dental hygienists, and dental x-ray machine operators to perform

dentistry or dental hygiene duties or otherwise treat patients during the period of suspension, nor may any corporation, business, partnership or business entity owned in part or whole by DR. GUIRGUIS employ or enter into a legal contract with a licensed operator to perform dental or dental hygiene duties during the period of this suspension; or 2) derive income from a legal or beneficial interest in a dental practice.

DURATION/MODIFICATION OF TERMS

The terms and restrictions of this Consent Agreement may be modified or terminated, in writing, at any time upon the agreement of both DR. GUIRGUIS and the BOARD.

ACKNOWLEDGMENTS/LIABILITY RELEASE

Any action initiated by the BOARD based on alleged violations of this CONSENT AGREEMENT shall comply with the Administrative Procedure Act, Chapter 119, ORC.

DR. GUIRGUIS acknowledges and understands that this CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43, ORC, and may be reported to any appropriate data bank or reporting agency. DR. GUIRGUIS acknowledges that his social security number will be used if the information is so reported, and DR. GUIRGUIS agrees to provide his social security number to the BOARD for such purposes.

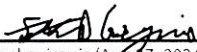
DR. GUIRGUIS, with the intention of binding himself and his successors in interests and assigns, holds harmless from liability and forever discharges the State of Ohio, the BOARD, and any of their members, officers, attorneys, agents, and/or employees, personally or in their official capacities, from any and all claims that were raised or could have been raised in or relating to this matter, including but not limited to costs, expenses, attorney fees and/or all other damages.

DR. GUIRGUIS acknowledges that he has had adequate opportunity to ask questions concerning the terms of this CONSENT AGREEMENT and that all questions asked have been answered in a satisfactory manner.

WHEREFORE, in consideration of the mutual promises contained herein, and subject to the conditions and limitations stated herein, the BOARD hereby foregoes any disciplinary proceeding against DR. GUIRGUIS pending successful completion of these terms and conditions.

EFFECTIVE DATE


It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the BOARD prior to signature by the President, Secretary and Vice Secretary and shall become effective upon the last date of signature below.



michael guirguis (Aug 27, 2024 14:05 GMT+2)
MICHAEL M. GUIRGUIS, D.D.S.

08/27/2024

DATE




JUSTIN WITHROW, ESQ.
Counsel for DR. GUIRGUIS

08/27/2024

DATE

OHIO STATE DENTAL BOARD



CANISE Y. BEAN, D.M.D., M.P.H.
President

9/11/24

DATE



KATHY BRISLEY-SEDON, D.D.S.
Secretary

9/11/24


DATE



PAUL M. KELLEY, D.D.S.
Vice Secretary

9-11-24

DATE



MIGUEL A. SANTIAGO, ESQ.
Chief Legal Counsel

9/11/24

DATE

December 17, 2024

MICHAEL M GUIRGUIS DDS
33790 BAINBRIDGE RD, STE 212
SOLON, OH 44139

RE: Case # 2024-00104

Dear Dr. Guirguis:

On or about September 11, 2024, you entered into a Consent Agreement with the Ohio State Dental Board (Board), wherein your license to practice dentistry was censured. Additionally, you were required to successfully complete and submit documentation of completion of ten (10) hours of continuing education in the area of ethics, through a Board approved provider(s) and approved in advance by the Board's Supervisory Investigative Panel.

You have complied with the conditions of the Consent Agreement and have fulfilled the terms. Your license to practice dentistry in the state of Ohio is fully restored, effective November 12, 2024.

Your cooperation in this matter has been greatly appreciated.

Sincerely,

OHIO STATE DENTAL BOARD
Supervisory Investigative Panel



KATHY BRISLEY-SEDON, DDS
Secretary



PAUL M. KELLEY, DDS
Vice Secretary

KBS/PK/hm