

HEARING NOT LATER THAN 10 DAYS AFTER THE DATE THE PETITION IS FILED. THE OWNER OF THE NURSING HOME MAY PRESENT TESTIMONY AND EVIDENCE AT THE HEARING.

(2) NOTICE OF THE HEARING SHALL BE GIVEN TO THE OWNER OF THE NURSING HOME NOT LESS THAN 5 DAYS PRIOR TO THE HEARING.

(3) WHEN THE WHEREABOUTS OF THE OWNER OF THE NURSING HOME IS UNKNOWN AND THE SECRETARY FILES A STATEMENT UNDER OATH SETTING FORTH A SUBSTANTIAL ACCOUNT OF THE EFFORTS MADE TO EFFECT SERVICE OF PROCESS WHICH SATISFIES THE COURT THAT REASONABLE EFFORTS TO LOCATE THE OWNER HAVE BEEN MADE IN GOOD FAITH, THE COURT SHALL ORDER SERVICE OF PROCESS BY POSTING OF NOTICE OF THE PETITION AND PENDING HEARING IN A CONSPICUOUS PLACE INSIDE OR ON THE FRONT DOOR OF THE NURSING HOME NOT LESS THAN 3 DAYS PRIOR TO THE HEARING.

(C) THE COURT MAY GRANT A PETITION FOR THE APPOINTMENT OF A RECEIVER FOR A NURSING HOME UPON A FINDING OF ANY OF THE FOLLOWING:

(1) A NURSING HOME IS OPERATING WITHOUT A LICENSE ISSUED PURSUANT TO ARTICLE 43, SECTION 559, OR THE NURSING HOME'S LICENSE HAS BEEN REVOKED PURSUANT TO ARTICLE 43, SECTION 560.

(2) THE NURSING HOME INTENDS TO CLOSE AND ADEQUATE ARRANGEMENTS, APPROVED BY THE SECRETARY, FOR RELOCATION OF THE RESIDENTS HAVE NOT BEEN MADE AT LEAST 30 DAYS PRIOR TO CLOSING.

(3) ~~THE SECRETARY DETERMINES THAT~~ AN EMERGENCY EXISTS.

(4) ABANDONMENT OF A NURSING HOME OR ITS RESIDENTS HAS OCCURRED.

(D) (1) IF IT APPEARS FROM THE PETITION FILED AND FROM AFFIDAVITS, TESTIMONY, OR OTHER EVIDENCE THAT THERE IS PROBABLE CAUSE TO BELIEVE AN EMERGENCY EXISTS AT A NURSING HOME WHICH MUST BE REMEDIED IMMEDIATELY TO INSURE THE HEALTH, SAFETY, AND WELFARE OF THE RESIDENTS OF THE NURSING HOME, THE COURT SHALL IMMEDIATELY ISSUE THE REQUESTED ORDER FOR APPOINTMENT OF A RECEIVER, EX PARTE AND WITHOUT FURTHER HEARING.

(2) NOTICE OF THE PETITION AND ORDER SHALL BE SERVED ON THE OWNER OR THE PERSON THEN IN CHARGE OF THE NURSING HOME NOT LATER THAN 24 HOURS AFTER THE ISSUANCE OF THE ORDER.

(3) WHEN THE WHEREABOUTS OF THE OWNER OR PERSON THEN IN CHARGE OF THE NURSING HOME IS UNKNOWN AND THE SECRETARY FILES A STATEMENT UNDER OATH SETTING FORTH A SUBSTANTIAL ACCOUNT OF THE EFFORTS MADE TO EFFECT SERVICE OF