

(I) AT LEAST 5 DAYS BEFORE THE HEARING; OR

(II) AT LEAST 3 DAYS BEFORE THE HEARING, BY A NOTICE POSTED CONSPICUOUSLY INSIDE OR ON THE FRONT DOOR OF THE NURSING HOME, IF THE SECRETARY FILES A STATEMENT THAT:

1. IS SIGNED AND VERIFIED BY THE SECRETARY;

2. STATES THAT THE OWNER CANNOT BE FOUND; AND

3. SETS FORTH A SUBSTANTIAL ACCOUNT OF REASONABLE, GOOD FAITH EFFORTS TO FIND THE OWNER AND SERVE PROCESS.

(3) THE OWNER OF THE NURSING HOME IS ENTITLED TO OFFER EVIDENCE AT THE HEARING.

(B) EX PARTE ORDER.

(1) A COURT MAY APPOINT A RECEIVER FOR A NURSING HOME IF, FROM THE PETITION, AFFIDAVITS, AND ANY EVIDENCE OFFERED EX PARTE, THE COURT FINDS PROBABLE CAUSE TO BELIEVE THAT A SITUATION, PHYSICAL CONDITION, PRACTICE, OR METHOD OF OPERATION PRESENTS AN IMMINENT DANGER OF DEATH OR SERIOUS MENTAL OR PHYSICAL HARM TO THE RESIDENTS OF THE NURSING HOME AND MUST BE REMEDIED IMMEDIATELY TO INSURE THEIR HEALTH, SAFETY, AND WELFARE.

(2) THE OWNER OR PERSON THEN IN CHARGE OF THE NURSING HOME SHALL BE GIVEN NOTICE OF THE APPOINTMENT OF A RECEIVER:

(I) BY SERVICE OF THE NOTICE, WITHIN 24 HOURS AFTER THE APPOINTMENT; OR

(II) BY POSTING THE NOTICE CONSPICUOUSLY INSIDE OR ON THE FRONT DOOR OF THE NURSING HOME, IF THE SECRETARY FILES A STATEMENT THAT:

1. IS SIGNED AND VERIFIED BY THE SECRETARY;

2. STATES THAT THE OWNER AND THE PERSON IN CHARGE OF THE NURSING HOME CANNOT BE FOUND; AND

3. SETS FORTH A SUBSTANTIAL ACCOUNT OF REASONABLE, GOOD FAITH EFFORTS TO FIND THE OWNER AND THE PERSON IN CHARGE AND SERVE PROCESS.

(3) UNLESS THE OWNER OF THE NURSING HOME CONSENTS TO A LATER DATE, THE COURT SHALL HOLD A HEARING ON