

OWNER OR AFFILIATE OF A NURSING HOME IN THAT PROPERTY; AND

(II) HAS PRIORITY OVER ANY LIEN OR OTHER INTEREST THAT ATTACHES AFTER THE DATE OF THE COMPLETION OF THE FILINGS REQUIRED UNDER THIS SUBSECTION.

REVISOR'S NOTE: Subsection (a) of this section is new language added to avoid repetition.

Subsections (b) through (f) of this section are new language derived without substantive change from the first, second, fourth, and fifth sentences of former Article 43, § 560B(k)(1) and the first, second, fourth, fifth, and sixth sentences of (2).

In subsection (d)(3) of this section, the former reference to "testimony" is deleted in light of the broad reference to "evidence".

The third sentence of former Article 43, § 560B(k)(1), which provided that "the special revolving fund shall be funded by the State out of the State funds allocated for that purpose", is deleted as unnecessary.

The third sentence of former Article 43, § 560B(k)(2), which provided that no lien shall exist until notice of lien is filed, is deleted as unnecessary in light of subsection (f)(1) of this section.

Defined terms: "Affiliate" § 19-333
"Nursing home" § 19-333 "Secretary" § 1-101

19-339. TERMINATION OF RECEIVERSHIP.

(A) PETITION FOR TERMINATION.

(1) THE OWNER OR RECEIVER OF A NURSING HOME MAY PETITION THE COURT TO TERMINATE THE RECEIVERSHIP.

(2) THE COURT SHALL TERMINATE THE RECEIVERSHIP AND RETURN THE NURSING HOME TO ITS OWNER, IF THE COURT FINDS:

(I) THE GROUNDS FOR APPOINTMENT OF THE RECEIVER UNDER PART V OF THIS SUBTITLE NO LONGER EXIST; OR

(II) THE NURSING HOME IS READY TO BE CLOSED BECAUSE ALL RESIDENTS OF A NURSING HOME HAVE BEEN MOVED FROM THE NURSING HOME.

(B) AUTOMATIC TERMINATION.