

ORGANIZATION TO CEASE AND DESIST FROM ENGAGING IN ANY ACT OR PRACTICE IN VIOLATION OF THE PROVISIONS OF THIS SUBTITLE.

(B) WITHIN 20 DAYS AFTER SERVICE OF THE ORDER OF CEASE AND DESIST, THE DENTAL PLAN ORGANIZATION OR ITS REPRESENTATIVE MAY REQUEST A HEARING ON THE QUESTION OF WHETHER ACTS OR PRACTICES IN VIOLATION OF THIS SUBTITLE HAVE OCCURRED. THE HEARINGS SHALL BE CONDUCTED PURSUANT TO § 38 OF THIS ARTICLE AND JUDICIAL REVIEW SHALL BE AVAILABLE AS PROVIDED IN THAT SECTION.

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(A) THE COMMISSIONER MAY INSTITUTE AN ACTION IN A COURT OF COMPETENT JURISDICTION OF THIS STATE TO ENJOIN ANY DENTAL PLAN ORGANIZATION FROM THE TRANSACTION OF ANY FURTHER BUSINESS, OR FROM THE TRANSFER OR DISPOSAL OF ITS PROPERTY IN ANY MANNER, IF:

(1) ANY DENTAL PLAN ORGANIZATION:

(I) BECOMES INSOLVENT; OR

(II) SUSPENDS ITS ORDINARY BUSINESS FOR WANT OF FUNDS TO CARRY ON THE SAME; OR

(2) THE COMMISSIONER ASCERTAINS THAT AS A RESULT OF EXAMINATION AS AUTHORIZED BY THIS SUBTITLE, OR IN ANY OTHER MANNER, THE DENTAL PLAN ORGANIZATION IS EXCEEDING ITS POWERS OR VIOLATING THE LAW OR THAT ITS CONDITION OR METHODS OF BUSINESS MAY RENDER THE CONTINUANCE OF ITS OPERATIONS HAZARDOUS TO ITS ENROLLEES OR THE PUBLIC, OR THAT ITS ASSETS ARE LESS THAN ITS LIABILITIES.

(B) THE COURT MAY:

(1) PROCEED IN THE ACTION IN A SUMMARY MANNER OR OTHERWISE;

(2) GRANT INJUNCTIVE RELIEF AND APPOINT A RECEIVER, WITH POWER TO SUE FOR, COLLECT, RECEIVE, AND TAKE INTO POSSESSION ALL THE GOODS AND CHATTELS, RIGHTS AND CREDITS, MONEYS AND EFFECTS, LANDS AND TENEMENT, BOOKS, PAPERS, CHOSSES IN ACTION, BILLS, NOTES, AND PROPERTY OF EVERY DESCRIPTION BELONGING TO THE DENTAL PLAN ORGANIZATION, AND SELL, CONVEY, AND ASSIGN THE SAME, AND AUTHORIZE THE PURCHASE OF CONTINUING COVERAGE FOR ENROLLEES UTILIZING THE REMAINING ASSETS, AND HOLD AND DISPOSE OF THE PROCEEDS UNDER THE DIRECTIONS OF THE COURT; AND

(3) CAUSE THE RECEIVER TO CONTINUE THE EXISTING OPERATIONS OF THE ORGANIZATION, UNDER COURT SUPERVISION, UNTIL THE NEXT ANNIVERSARY OF THE SUBSCRIPTION CERTIFICATES AND CONTRACTS THEN IN FORCE.

(C) THE DENTAL PLAN ORGANIZATION IS DEEMED INSOLVENT WHENEVER IT IS PRESENTLY OR PROSPECTIVELY UNABLE TO FULFILL ITS OUTSTANDING CONTRACTS AND TO MAINTAIN THE SURPLUSES REQUIRED PURSUANT TO THIS SUBTITLE.