

(1) WITHIN 20 DAYS AFTER SERVICE OF THE CEASE AND DESIST ORDER, THE DENTAL PLAN ORGANIZATION OR ITS REPRESENTATIVE MAY REQUEST A HEARING TO DETERMINE WHETHER A VIOLATION OF THIS SUBTITLE HAS OCCURRED.

(2) A HEARING UNDER THIS SUBSECTION SHALL BE CONDUCTED IN ACCORDANCE WITH § 2-213 OF THIS ARTICLE AND IS SUBJECT TO JUDICIAL REVIEW IN ACCORDANCE WITH § 2-215 OF THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 594.

In subsection (b)(2) of this section, the reference to "§ 2-215 of this article" is substituted for the former reference to "that section" for accuracy. Former Art. 48A, § 38, revised as § 2-213 of this article, does not provide for judicial review; instead, former Art. 48A, § 40, revised as § 2-215 of this article, provides for judicial review.

Defined terms: "Commissioner" § 1-101
"Dental plan organization" § 14-401

14-417. INJUNCTIONS.

(A) GROUNDS.

THE COMMISSIONER MAY BRING AN ACTION IN A COURT OF COMPETENT JURISDICTION OF THE STATE TO ENJOIN A DENTAL PLAN ORGANIZATION FROM TRANSACTING ANY FURTHER BUSINESS, OR FROM TRANSFERRING OR DISPOSING OF ITS PROPERTY, IF:

(1) THE DENTAL PLAN ORGANIZATION BECOMES INSOLVENT OR SUSPENDS ITS ORDINARY BUSINESS FOR LACK OF FUNDS; OR

(2) THE COMMISSIONER FINDS, AS A RESULT OF AN EXAMINATION AUTHORIZED BY THIS SUBTITLE OR IN ANY OTHER MANNER, THAT:

(I) THE DENTAL PLAN ORGANIZATION IS EXCEEDING ITS POWERS OR IS VIOLATING THE LAW;

(II) THE CONDITION OR METHODS OF BUSINESS OF THE DENTAL PLAN ORGANIZATION MAY RENDER THE CONTINUANCE OF ITS OPERATIONS HAZARDOUS TO ENROLLEES OR THE PUBLIC; OR

(III) THE ASSETS OF THE DENTAL PLAN ORGANIZATION ARE LESS THAN ITS LIABILITIES.

(B) AUTHORITY OF COURT.

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: