

COMMENCED OR MAINTAINED IN A COURT OF THIS STATE AGAINST THE CONTINUING CARE PROVIDER OR ITS ASSETS.

(B) A LIEN OBTAINED OR AN ACTION OR PROCEEDING PROHIBITED BY SUBSECTION (A) OF THIS SECTION IS VOID AS AGAINST ANY RIGHTS ARISING IN THE DELINQUENCY PROCEEDING, IF THE LIEN WAS OBTAINED OR THE ACTION OR PROCEEDING COMMENCED WITHIN 4 MONTHS BEFORE OR AT ANY TIME AFTER COMMENCEMENT OF A DELINQUENCY PROCEEDING.

~~20P.~~ 20-O.

(A) A TRANSFER OF OR LIEN ON THE PROPERTY OF A CONTINUING CARE PROVIDER IS VOIDABLE IF THE TRANSFER OR LIEN IS:

(1) MADE OR CREATED WITHIN 4 MONTHS BEFORE THE ISSUANCE OF A SHOW CAUSE ORDER UNDER THIS SUBTITLE;

(2) MADE OR CREATED WITH THE INTENT TO GIVE A CREDITOR A PREFERENCE OR TO ENABLE THE CREDITOR TO OBTAIN A GREATER PERCENTAGE OF THE DEBT THAN ANOTHER CREDITOR OF THE SAME CLASS; AND

(3) ACCEPTED BY THE CREDITOR HAVING REASONABLE CAUSE TO BELIEVE THAT THE PREFERENCE WILL OCCUR.

(B) EACH DIRECTOR, OFFICER, EMPLOYEE, STOCKHOLDER, MEMBER, SUBSCRIBER, AND ANY OTHER PERSON ACTING ON BEHALF OF A CONTINUING CARE PROVIDER THAT IS CONCERNED IN A VOIDABLE TRANSFER UNDER SUBSECTION (A) OF THIS SECTION AND EACH PERSON THAT, AS A RESULT OF THE VOIDABLE TRANSFER, RECEIVES ANY PROPERTY OF THE CONTINUING CARE PROVIDER OR BENEFITS FROM THE VOIDABLE TRANSFER:

(1) IS PERSONALLY LIABLE; AND

(2) SHALL ACCOUNT TO THE SECRETARY.

(C) THE SECRETARY AS RECEIVER IN A DELINQUENCY PROCEEDING MAY:

(1) AVOID A TRANSFER OF OR LIEN ON THE PROPERTY OF A CONTINUING CARE PROVIDER THAT A CREDITOR, STOCKHOLDER, SUBSCRIBER, OR MEMBER OF THE CONTINUING CARE PROVIDER MIGHT HAVE AVOIDED; AND

(2) RECOVER THE TRANSFERRED PROPERTY OR ITS VALUE FROM THE PERSON THAT RECEIVED IT UNLESS THAT PERSON WAS A BONA FIDE HOLDER FOR VALUE BEFORE THE DATE OF ISSUANCE OF A SHOW CAUSE ORDER UNDER THIS SUBTITLE.

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(A) (1) THE SECRETARY SHALL DEPOSIT MONEYS COLLECTED IN A DELINQUENCY PROCEEDING IN A STATE OR NATIONAL BANK, SAVINGS BANK, OR TRUST COMPANY.