

Defined terms: "Delinquency proceeding" § 10-472

"Person" §§ 1-101, 10-401

"Provider" § 10-401

"Receiver" § 10-472

10-478. COMMENCEMENT OF DELINQUENCY PROCEEDINGS.

(A) APPLICATION FOR SHOW CAUSE ORDER.

THE SECRETARY SHALL COMMENCE A DELINQUENCY PROCEEDING AGAINST A PROVIDER BY APPLYING TO THE COURT FOR AN ORDER THAT DIRECTS THE PROVIDER TO SHOW CAUSE WHY THE COURT SHOULD NOT GRANT THE RELIEF REQUESTED.

(B) ACTION BY COURT.

(1) THE COURT MAY CONSIDER AN APPLICATION FOR COMMENCEMENT OF A DELINQUENCY PROCEEDING ONLY IF THE APPLICATION IS FILED BY THE SECRETARY IN THE NAME OF THE STATE.

(2) AFTER A HEARING UNDER THE TERMS OF THE SHOW CAUSE ORDER, THE COURT:

(I) SHALL GRANT OR DENY THE APPLICATION; AND

(II) MAY ORDER OTHER RELIEF AS THE NATURE OF THE CASE AND THE INTERESTS OF THE CREDITORS, STOCKHOLDERS, MEMBERS, SUBSCRIBERS, OR THE PUBLIC MAY REQUIRE.

REVISOR'S NOTE: This section formerly was Art. 70B, § 20F.

The only changes are in style.

Defined terms: "Creditor" § 10-472

"Delinquency proceeding" § 10-472

"Provider" § 10-401

"Secretary" § 10-101

"Subscriber" § 10-401

10-479. GROUNDS FOR CONSERVATION, REHABILITATION, OR LIQUIDATION OF PROVIDERS.

(A) CONSERVATION OR REHABILITATION.

THE SECRETARY MAY APPLY TO THE COURT FOR AN ORDER THAT DIRECTS THE SECRETARY TO CONSERVE OR REHABILITATE A PROVIDER, IF THE PROVIDER:

(1) IS A PROVIDER FOR WHICH THE DEPARTMENT HAS MADE A DETERMINATION OF SIGNIFICANT RISK OF FINANCIAL FAILURE UNDER PART VII OF THIS SUBTITLE;

(2) HAS REFUSED TO SUBMIT TO THE SECRETARY OR A DEPUTY OR EXAMINER OF THE SECRETARY, FOR REASONABLE EXAMINATION, ANY OF THE