

SUBJECT TO ANY PROTECTIVE ORDER THAT THE COURT CONSIDERS APPROPRIATE, INFORMATION FILED UNDER SEAL SHALL BE PROVIDED TO THE SECRETARY.

(E) ACCESS TO DOCUMENTS AND RECORDS.

THE APPOINTED RECEIVER SHALL GIVE THE SECRETARY FULL ACCESS TO ALL DOCUMENTS AND RECORDS RELATED TO THE CONSERVATORSHIP, REHABILITATION, OR RECEIVERSHIP THAT ARE IN THE POSSESSION OF THE APPOINTED RECEIVER.

(F) SECRETARY AS PARTY.

THE SECRETARY MAY BE A PARTY TO A CONSERVATORSHIP, REHABILITATION, OR RECEIVERSHIP FOR WHICH THERE IS AN APPOINTED RECEIVER.

(G) NEGOTIATION FOR SALE OF ASSETS.

(1) SUBJECT TO APPROVAL OF THE COURT, THE SECRETARY MAY NEGOTIATE FOR SALE OF ALL OR PART OF THE ASSETS OR BUSINESS OF THE PROVIDER PLACED IN CONSERVATORSHIP, REHABILITATION, OR RECEIVERSHIP.

(2) THE APPOINTED RECEIVER:

(I) SHALL COOPERATE FULLY IN ANY SALES NEGOTIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

(II) MAY OBJECT TO THE TERMS OF A SALE OF THE ASSETS OR BUSINESS OF THE PROVIDER THAT RESULTS FROM THE NEGOTIATION.

(3) AFTER NOTICE AND AN OPPORTUNITY TO BE HEARD, THE COURT MAY LIMIT THE EFFORTS OF THE SECRETARY TO UNDERTAKE OR CONTINUE NEGOTIATIONS FOR THE SALE OF THE ASSETS OR BUSINESS OF THE PROVIDER IF THE NEGOTIATIONS WOULD IMPAIR THE ABILITY OF THE APPOINTED RECEIVER TO ENGAGE IN SIMILAR NEGOTIATIONS OR DISCHARGE OTHER RESPONSIBILITIES.

(H) DISCHARGE OF APPOINTED RECEIVER.

(1) IF THE SECRETARY DETERMINES THAT AN APPOINTED RECEIVER IS NOT ADEQUATELY DISCHARGING THE DUTIES AND RESPONSIBILITIES OF THE POSITION, THE SECRETARY MAY FILE WITH THE COURT AN APPLICATION THAT SEEKS TO DISCHARGE THE APPOINTED RECEIVER AND TO APPOINT THE SECRETARY AS CONSERVATOR, REHABILITATOR, OR RECEIVER OR TO APPOINT ANOTHER RECEIVER.

(2) IF THE SECRETARY ESTABLISHES BY A PREPONDERANCE OF THE EVIDENCE THAT GROUNDS EXIST FOR DISCHARGE OF AN APPOINTED RECEIVER, THE COURT SHALL GRANT THE APPLICATION OF THE SECRETARY TO DISCHARGE THE APPOINTED RECEIVER AND TO APPOINT THE SECRETARY AS CONSERVATOR, REHABILITATOR, OR RECEIVER OR TO APPOINT ANOTHER RECEIVER.

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

The only changes are in style.