

10-492. OFFSETS.

(A) REQUIRED.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, IN ALL CASES OF MUTUAL DEBTS AND CREDITS BETWEEN A PROVIDER AND ANOTHER PERSON IN CONNECTION WITH A DELINQUENCY PROCEEDING, THE DEBTS AND CREDITS SHALL BE OFFSET AND THE BALANCE ONLY SHALL BE ALLOWED OR PAID.

(B) EXCEPTION.

AN OFFSET MAY NOT BE ALLOWED IN FAVOR OF ANOTHER PERSON IF:

(1) ON THE DATE OF ISSUANCE OF A LIQUIDATION ORDER OR OTHERWISE, AS SPECIFIED IN § 10-491(C) OF THIS SUBTITLE, THE OBLIGATION OF THE PROVIDER TO THE PERSON WOULD NOT ENTITLE THE PERSON TO SHARE AS A CLAIMANT IN THE ASSETS OF THE PROVIDER; OR

(2) THE OBLIGATION OF THE PROVIDER TO THE PERSON WAS PURCHASED BY OR TRANSFERRED TO THE PERSON FOR USE AS AN OFFSET.

REVISOR'S NOTE: This section formerly was Art. 70B, § 20T.

The only changes are in style.

Defined terms: "Delinquency proceeding" § 10-472

"Person" §§ 1-101, 10-401

"Provider" § 10-401

10-493. BANKRUPTCY OR RECEIVERSHIP.

IF A PROVIDER IS THE SUBJECT OF A BANKRUPTCY OR RECEIVERSHIP ACTION, THE CLAIMS OF SUBSCRIBERS SHALL BE ADMINISTERED IN ACCORDANCE WITH § 10-490(C) OF THIS SUBTITLE FOR THE PURPOSE OF ANY LEGAL ACTION IN CONJUNCTION WITH THE BANKRUPTCY OR RECEIVERSHIP.

REVISOR'S NOTE: This section formerly was Art. 70B, § 21.

The only changes are in cross-references.

Defined terms: "Provider" § 10-401

"Subscriber" § 10-401

10-494. RESERVED.

10-495. RESERVED.

PART IX. PROHIBITED ACTS; PENALTIES; REMEDIES.

10-496. PROHIBITED ACTS; PENALTIES.

(A) MAINTENANCE OR OPERATION OF FACILITY WITHOUT CERTIFICATE OF REGISTRATION.