

[(i)] (K) (1) Notwithstanding any other provision of this article, any action taken by the Authority to provide for the payment of public body obligations shall be for the purpose of maintaining the credit rating of this State, its agencies, instrumentalities, and political subdivisions, ensuring their access to the credit markets, and may not constitute any payment by or on behalf of a closed or delicensed hospital. A hospital is not relieved of its obligations with respect to the payment of public body obligations. The Authority shall be subrogated to the rights of any holders or issuers of public body obligations, as if the payment or provision for payment had not been made.

(2) THE AUTHORITY MAY PROCEED AGAINST ANY GUARANTY OR OTHER COLLATERAL SECURING THE PAYMENT OF PUBLIC BODY OBLIGATIONS OF A CLOSED OR DELICENSED HOSPITAL WHICH WAS PROVIDED BY ANY ENTITY ASSOCIATED WITH THE HOSPITAL IF SUCH ACTION IS DETERMINED BY THE AUTHORITY TO BE:

(I) NECESSARY TO PROTECT THE INTERESTS OF THE HOLDERS OF THE PUBLIC BODY OBLIGATIONS; OR

(II) CONSISTENT WITH THE PUBLIC PURPOSE OF ENCOURAGING AND ASSISTING HOSPITAL TO CLOSE.

(3) IN MAKING THE DETERMINATION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE AUTHORITY SHALL CONSIDER:

(I) THE CIRCUMSTANCES UNDER WHICH THE GUARANTY OR OTHER COLLATERAL WAS PROVIDED; AND

(II) THE RECOMMENDATIONS OF THE HEALTH SERVICES COST REVIEW COMMISSION AND THE HEALTH RESOURCES PLANNING COMMISSION.

[(2)](4) Any amount realized by the Authority or any assignee of the Authority in the enforcement of any claim against a hospital for which a plan has been developed in accordance with subsection [(f)] (H) of this section shall be applied to offset the amount of the fee required to be assessed by the Health Services Cost Review Commission pursuant to subsection [(h)] (J) of this section. The costs and expenses of enforcing the claim, including any costs for maintaining the property prior to its disposition, shall be deducted from this amount.

(L) IT IS THE PURPOSE AND INTENT OF THIS SECTION THAT THE HEALTH SERVICES COST REVIEW COMMISSION, THE HEALTH RESOURCES PLANNING COMMISSION, AND THE AUTHORITY CONSULT WITH EACH OTHER AND TAKE INTO ACCOUNT EACH OTHERS' RECOMMENDATIONS IN MAKING THE DETERMINATIONS REQUIRED TO BE MADE UNDER THIS SECTION.