

[First Reprint]

**ASSEMBLY, No. 5977**

**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

INTRODUCED NOVEMBER 18, 2019

**Sponsored by:**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Assemblywoman JOANN DOWNEY**

**District 11 (Monmouth)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

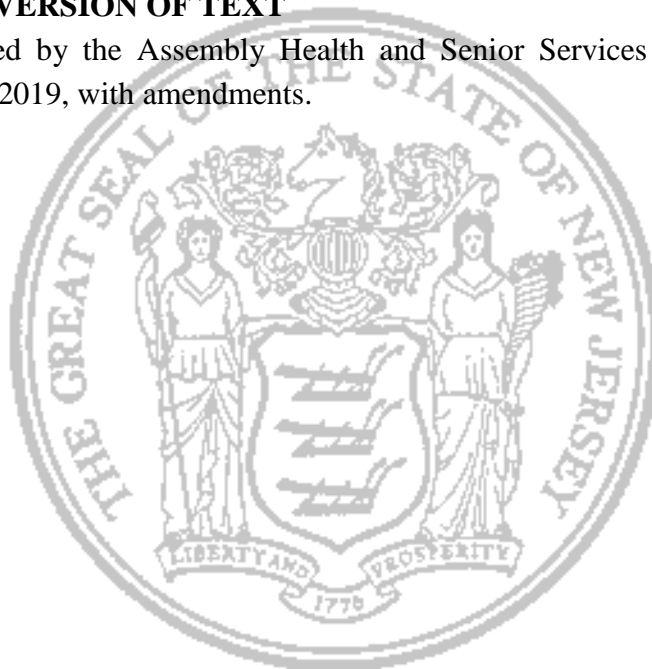
**District 37 (Bergen)**

**SYNOPSIS**

Provides for establishment of Regional Health Hub Program as replacement to Accountable Care Organization Demonstration Project, and designates existing accountable care organizations and look-alike organizations as Regional Health Hubs.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Health and Senior Services Committee on December 5, 2019, with amendments.



**(Sponsorship Updated As Of: 12/13/2019)**

1 AN ACT concerning the establishment of a Regional Health Hub  
2 Program as a replacement to the Accountable Care Organization  
3 Demonstration Project, and supplementing Title 30 of the  
4 Revised Statutes.

5  
6 **BE IT ENACTED** by the Senate and General Assembly of the State  
7 of New Jersey:

8  
9 1. The Legislature finds and declares that:

10 a. Significant State resources are invested in both the health  
11 and social service sectors in New Jersey, and the development of  
12 improvements in how Medicaid benefits and payment models  
13 interact with social services would provide a benefit to all New  
14 Jersey residents.

15 b. A more regional approach to care, involving the coordinated  
16 provision of person-centered health care in combination with robust  
17 connections to social services and community resources, is required  
18 at both the patient and organizational levels.

19 c. It is in New Jersey's best interest to establish a regional  
20 network of non-profit organizations that partner with Medicaid and  
21 State agencies to reduce health disparities and improve health  
22 outcomes and the delivery of care for Medicaid recipients in the  
23 State. Such non-profit organizations have the capacity to become  
24 local innovation engines that use real-time actionable data and  
25 diverse stakeholder input to develop and implement innovative  
26 models for the delivery of effective, person-centered care.

27 d. It is both reasonable and appropriate for the Department of  
28 Human Services to designate and recognize existing accountable  
29 care organizations as Regional Health Hubs, and to establish new  
30 Regional Health Hubs in appropriate areas of the State, as provided  
31 by this act, in order to enable the State to:

32 (1) identify existing and emerging threats to health and  
33 wellbeing, and problems with the State's regional health care  
34 delivery systems, and identify and determine how to implement  
35 solutions to those problems;

36 (2) promote and facilitate cooperation, coordination, innovation,  
37 and goal setting by and among relevant stakeholders;

38 (3) evaluate the progress that has been made in achieving  
39 identified goals and priorities; and

40 (4) otherwise encourage and enable the overall improvement of  
41 the health of New Jersey residents and the delivery of health care  
42 throughout the State.

43  
44 2. As used in this act:

45 "Commissioner" means the Commissioner of Human Services.

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

**<sup>1</sup>Assembly AHE committee amendments adopted December 5, 2019.**

1 “Core region” means the geographic area of responsibility for a  
2 Regional Health Hub.

3 “Data catchment area” means the zip codes in New Jersey for  
4 which a Regional Health Hub receives <sup>1</sup>~~Medicaid~~ NJ  
5 FamilyCare<sup>1</sup> claims data.

6 “Department” means the Department of Human Services.

7 “Existing Regional Health Hub” means those four organizations  
8 designated as Regional Health Hubs by the FY20 New Jersey State  
9 Budget, P.L.2019, c.150 and identified in subsection b. of section 3  
10 of this act.

11 “Health information platform” means a Health Information  
12 Exchange (HIE) or other electronic platform that is used to run  
13 population-level analytics or exchange health information among  
14 various organizations.

15 “New Regional Health Hub” means an entity that is designated  
16 by the commissioner as a Regional Health Hub after the effective  
17 date of, and as provided by, this act.

18 “Prospective service region” or “prospective region” means a  
19 geographical area that is designated by the commissioner, pursuant  
20 to subsection a. of section 4 of this act, as being in need of a  
21 Regional Health Hub.

22 “Regional Health Hub” means any entity that is designated as a  
23 Regional Health Hub, as provided by this act, including an existing  
24 Regional Health Hub or a new Regional Health Hub.

25

26 3. a. The Department of Human Services shall establish a  
27 Regional Health Hub Program, and shall designate <sup>1</sup>~~and certify~~<sup>1</sup>  
28 Regional Health Hubs in appropriate areas of the State, as provided  
29 by this act. The Regional Health Hub Program shall replace the  
30 Medicaid Accountable Care Organization Demonstration Project  
31 established pursuant to P.L.2011, c.114 (C.30:4D-8.1 et seq.),  
32 which is now subject to expiration by law.

33 b. The following certified accountable care organizations and  
34 accountable care look-alike organizations, which are operating in  
35 this State as of the effective date of this act, shall be grandfathered  
36 into the Regional Health Hub Program, and shall be automatically  
37 designated <sup>1</sup>~~and certified~~<sup>1</sup> as Regional Health Hubs, for the  
38 purposes of this act:

- 39 (1) the Healthy Greater Newark ACO;  
40 (2) the Trenton Health Team;  
41 (3) the Camden Coalition of Health Care Providers; and  
42 (4) the Health Coalition of Passaic County.

43 c. (1) The Department of Human Services <sup>1</sup>~~, in consultation~~  
44 ~~with the Department of Health,~~<sup>1</sup> shall be authorized to designate  
45 <sup>1</sup>~~and certify~~<sup>1</sup> additional non-profit organizations to operate as  
46 Regional Health Hubs under the Regional Health Hub Program,  
47 pursuant to section 4 of this act, as determined to be appropriate.

1 4. a. The commissioner shall designate and delineate the  
2 boundaries of regions of the State that are in need of new Regional  
3 Health Hubs 'within six months of the effective date of this act'.

4 b. The commissioner's designation and delineation of  
5 prospective service regions for new Regional Health Hubs shall be  
6 based on the following factors:

7 (1) the availability of State and federal funding necessary to  
8 support the new Regional Health Hub, and the State's ability to  
9 provide necessary funding **'[without negatively impacting the**  
10 **operation and effectiveness of other Regional Health Hubs in the**  
11 **State]'**;

12 (2) the number and density of Medicaid beneficiaries in the  
13 region;

14 (3) the existence, in the region, of multiple health and social  
15 service systems of care that are in need of convening and  
16 coordination; and

17 (4) the volume, in the region, of avoidable inpatient hospital  
18 admissions and emergency department visits.

19 c. Based on the analysis of factors identified in subsection b. of  
20 this section, the commissioner may designate any county, zip code,  
21 or group of zip codes in the State as a prospective service region.  
22 The boundaries of any prospective service region designated under  
23 this section shall not **'[include] overlap with'** any portion of a core  
24 region served by another Regional Health Hub.

25 d. Once an area has been designated by the commissioner as a  
26 prospective service region, the commissioner shall **'[solicit and**  
27 **review applications from qualified non-profit organizations that**  
28 **wish to be designated and certified] evaluate organizations for**  
29 **designation'** as the new Regional Health Hub for the prospective  
30 service region. The commissioner shall only designate **'[and**  
31 **certify]'** an organization as a new Regional Health Hub if the  
32 organization:

33 (1) is a registered New Jersey non-profit organization exempt  
34 from federal taxation under 26 U.S.C. s.501(c)3;

35 (2) submits a request identifying the proposed boundaries of the  
36 Regional Health Hub's anticipated core region, which boundaries  
37 shall include the total area of a prospective service region  
38 designated by the commissioner, and shall not include any area that  
39 is already included in another Regional Health Hub's core region;  
40 **'[and]'**

41 (3) submits a request identifying the proposed boundaries of the  
42 Regional Health Hub's anticipated data catchment area **';** and

43 (4) demonstrates, to the commissioner's satisfaction, the ability  
44 to perform the mandatory functions of a Regional Health Hub, as  
45 described in subsection a. of section 6 of this act'.

46 e. Within 180 days after an organization is approved to operate  
47 as a Regional Health Hub, the organization shall:

1 (1) establish and maintain a headquarters within the boundaries  
2 of the core region;

3 (2) establish and convene an advisory committee of persons who  
4 reside or work in the core region, which committee shall include  
5 community members and representatives from organizations that  
6 exemplify the diversity of geography, gender, disability, age, sexual  
7 orientation, veterans' status, and prevalent health conditions in the  
8 core region. The following types of persons may be included in an  
9 advisory committee established under this paragraph: (a)  
10 community members having lived experience with the health care  
11 system; (b) Medicaid beneficiaries; (c) representatives from school  
12 districts; (d) representatives of local government; (e) representatives  
13 of housing organizations; and (f) representatives of the faith-based  
14 community; <sup>1</sup>and<sup>1</sup>

15 (3) establish and convene a governing board that includes  
16 members from a majority of the following groups and entities, to  
17 the extent that such groups and entities are present in the core  
18 region: (a) hospitals or hospital systems; (b) Federally Qualified  
19 Health Centers; (c) private clinicians, including physicians and  
20 nurses; (d) community-based organizations such as behavioral  
21 health providers and social service agencies; (e) managed care  
22 organizations; (f) the advisory committee established pursuant to  
23 paragraph (2) of this subsection; and (g) health care consumers<sup>1</sup>;  
24 and

25 (4) demonstrate, to the commissioner's satisfaction, the ability  
26 to perform the mandatory functions of a Regional Health Hub, as  
27 described in subsection a. of section 6 of this act<sup>1</sup>.

28 f. If more than one organization meets the criteria for  
29 designation as a Regional Health Hub in a prospective service  
30 region, the commissioner, in the commissioner's discretion, shall  
31 designate the organization that the commissioner determines will be  
32 best able to meet the needs of, and fulfill the purposes of this act  
33 within, the prospective service region.

34 g. Before <sup>1</sup>[approving an application to become] designating<sup>1</sup>  
35 a Regional Health Hub under this section, the commissioner shall  
36 review each of the boundary requests submitted by the <sup>1</sup>[applicant]  
37 organization<sup>1</sup> under <sup>1</sup>[paragraphs (6) and (7)] paragraph (2)  
38 subsection d. of this section, and shall either approve the requests,  
39 as submitted by the <sup>1</sup>[applicant] organization<sup>1</sup>, or require the  
40 <sup>1</sup>[applicant] organization<sup>1</sup> to make appropriate modifications to the  
41 boundary requests as a precondition to their approval. If a  
42 boundary request cannot be modified as necessary to comply with  
43 the provisions of this act, the commissioner <sup>1</sup>[shall] may<sup>1</sup> select  
44 another <sup>1</sup>[applicant] organization<sup>1</sup> to serve as the Regional Health  
45 Hub in the proposed service region.

46 h. A designated Regional Health Hub may submit an  
47 application to the commissioner, at any time, requesting the

1 expansion of its core region. The commissioner ~~‘[shall]~~ may<sup>1</sup>  
2 approve the requested expansion if:

3 (1) the boundaries of the expanded core region will not overlap  
4 with the core region of another Regional Health Hub;

5 (2) the area would otherwise qualify for designation as a  
6 prospective service region under subsection b. of ‘this<sup>1</sup> section ‘[4  
7 of this act]<sup>1</sup>; and

8 (3) the applicant demonstrates, to the commissioner’s  
9 satisfaction, the applicant’s ability to perform, in the requested  
10 expansion area, and within one year following submission of the  
11 application, the mandatory activities of a Regional Health Hub, as  
12 described in subsection a. of section 6 of this act.

13

14 5. a. The commissioner may revoke an organization’s status as  
15 a Regional Health Hub if the organization fails to perform the  
16 mandatory activities of a Regional Health Hub, as described in  
17 subsection a. of section 6 of this act.

18 b. Before revoking an organization’s status as a Regional  
19 Health Hub, the commissioner shall notify the organization of the  
20 potential revocation and provide a reasonable timeframe for  
21 corrective action.

22 c. The commissioner’s revocation of Regional Health Hub  
23 status shall be a final agency action for the purposes of the  
24 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et  
25 seq.).

26 d. After revoking an organization’s status as a Regional Health  
27 Hub, the commissioner shall immediately determine whether a new  
28 Regional Health Hub is needed in the area where status was  
29 revoked. If such need is determined to exist, the commissioner  
30 shall designate a new Regional Health Hub to serve the area, as  
31 provided by subsection d. of section 4 of this act.

32

33 6. a. Each designated Regional Health Hub shall engage in the  
34 following mandatory activities:

35 (1) establish, operate, and maintain a health information  
36 platform that allows for population-level views and analytics, and  
37 patient-level health interventions. Unless annually exempted by the  
38 commissioner, each Regional Health Hub’s health information  
39 platform shall, to the extent practicable, be interoperable with all  
40 other Regional Health Hubs’ platforms, and with any other  
41 Statewide health information ~~‘[project]~~ platform<sup>1</sup> designated by the  
42 commissioner;

43 (2) convene and obtain relevant input from community  
44 stakeholders within the Regional Health Hub’s core region. At a  
45 minimum, convening activities shall include quarterly opportunities  
46 for the active engagement and interaction of relevant stakeholders,  
47 including, but not limited to, managed care organizations, local and  
48 State government entities, health care and social service providers,

1 community-based organizations, and local consumers of health  
2 care;

3 (3) upon request, provide the department and other State  
4 agencies, including the Departments of Health, Children and  
5 Families, and Community Affairs, with information and feedback to  
6 assist the departments in program design, population analysis,  
7 strategic planning, and other appropriate functions; and

8 (4) engage in any other activity that the commissioner deems  
9 necessary to achieve the goals of this act.

10 b. Each designated Regional Health Hub shall be authorized to  
11 engage in the following activities as necessary either to further the  
12 Regional Health Hub's goals or to comport with the provisions of  
13 <sup>1</sup>~~["a memorandum of understanding executed between"]~~ the proposal  
14 submitted by<sup>1</sup> the Regional Health Hub <sup>1</sup>~~["and"]~~ to<sup>1</sup> the department  
15 pursuant to section 7 of this act:

16 (1) plan and execute population-level and patient-level health  
17 interventions;

18 (2) establish, operate, and maintain, or partner with a third-party  
19 who will establish, operate, and maintain, a community resource  
20 inventory that is capable of referring and tracking the referral of  
21 community members to appropriate services;

22 (3) perform a health needs assessment on all or part of the  
23 population in the Regional Health Hub's core region;

24 (4) perform quality improvement activities based on population-  
25 level data and health needs assessment findings;

26 (5) develop screening protocols that provide for a  
27 comprehensive risk assessment to determine a patient's need for  
28 follow-up and wrap-around services related to the social  
29 determinants of health;

30 (6) facilitate the coordination, within the Regional Health Hub's  
31 core region, of health care and ancillary services related to the  
32 social determinants of health, including, but not limited to, food  
33 assistance services, legal services, and other social services, for  
34 high-need populations;

35 (7) provide care management services to the entire population,  
36 or to underserved sub-populations, in the Regional Health Hub's  
37 core region;

38 (8) submit <sup>1</sup>~~["an annual report"]~~ reports<sup>1</sup> to the commissioner  
39 describing the health needs in the Regional Health Hub's core  
40 region, identifying the Regional Health Hub's near and long-term  
41 health goals for the core region, and describing the activities that  
42 have been undertaken, and the progress that has been made, over  
43 the preceding year, by the Regional Health Hub and relevant  
44 stakeholders in the core region to improve the effectiveness or  
45 efficiency of the core region's health care system; and

46 (9) engage in any other appropriate activity that the  
47 commissioner or Regional Health Hub deems relevant to the  
48 attainment of the Regional Health Hub's goals.

1 c. Nothing in this section shall be deemed to limit the activities  
2 that a Regional Health Hub may conduct on behalf of other State  
3 departments or funders.

4  
5 7. a. <sup>1</sup>~~Each~~ Regional Health Hub <sup>1</sup>~~may~~ shall<sup>1</sup> annually  
6 <sup>1</sup>~~enter into~~ submit<sup>1</sup> a <sup>1</sup>~~memorandum of understanding with~~  
7 proposal to<sup>1</sup> the department, describing the Regional Health Hub's  
8 annual goals, and the elective activities that the Regional Health  
9 Hub will undertake during the upcoming fiscal year.

10 b. In order to <sup>1</sup>~~facilitate the annual execution of memoranda~~  
11 ~~of understanding~~ become effective, each Regional Health Hub's  
12 proposal shall be approved by the department. Approval shall be at  
13 the sole discretion of the department, and the department may  
14 request that the Regional Health Hub modify and resubmit a  
15 proposal, in order to receive approval.

16 c. In order to facilitate the development of proposals<sup>1</sup> under  
17 this section, the department shall annually provide each Regional  
18 Health Hub with a list of the department's goals, projects, or  
19 priorities for the upcoming fiscal year.

20 <sup>1</sup>~~c. Any Regional Health Hub wishing to enter into a~~  
21 ~~memorandum of understanding with the department shall first~~  
22 ~~convene an annual planning meeting of stakeholders within the~~  
23 ~~Regional Health Hub's core region in order to identify potential~~  
24 ~~goals, projects, and priorities for the core region. The convening of~~  
25 ~~a meeting under this subsection may overlap with the Regional~~  
26 ~~Health Hub's duties under paragraph (2) of subsection a. of section~~  
27 ~~6 of this act.]~~<sup>1</sup>

28 d. When <sup>1</sup>~~executing a memorandum of understanding~~  
29 finalizing a proposal<sup>1</sup> under this section, the department and  
30 relevant Regional Health Hub shall negotiate joint goals, projects,  
31 and priorities for the upcoming fiscal year, and agree upon the  
32 associated funding that will be needed to accomplish those joint  
33 goals, projects, and priorities.

34 e. Each <sup>1</sup>~~memorandum of understanding executed~~ proposal  
35 approved<sup>1</sup> pursuant to this section shall include, at a minimum:

36 (1) a description of the joint goals, projects, and priorities  
37 agreed upon by the Regional Health Hub and the department for the  
38 upcoming fiscal year pursuant to subsection d. of this section;

39 (2) an indication of the amount of funding that will be needed to  
40 attain each joint goal, project, and priority identified in the  
41 <sup>1</sup>~~memorandum of understanding~~ proposal<sup>1</sup>, and an indication of  
42 the total amount of funding, overall, that will <sup>1</sup>~~be~~<sup>1</sup> needed to  
43 execute the <sup>1</sup>~~memorandum of understanding~~ proposal<sup>1</sup>;

44 (3) a description of the clear deliverables and performance  
45 metrics that will be used to evaluate and measure success in relation  
46 to the achievement of the goals, projects, and priorities described in  
47 the <sup>1</sup>~~memorandum of understanding~~ proposal<sup>1</sup>; and



1 (4) a description of performance-based payments <sup>1</sup>[,  
2 representing at least 10 percent but not more than 25 percent of the  
3 total funding needed to execute the memorandum of  
4 understanding]<sup>1</sup>, which <sup>1</sup>[payments will] shall<sup>1</sup> be tied to the  
5 achievement of the clear deliverables <sup>1</sup>and performance metrics<sup>1</sup>  
6 described in paragraph (3) of this subsection. <sup>1</sup>Each year, at least  
7 10 percent, but no more than 25 percent of the total funding  
8 provided by the department to each Regional Health Hub to  
9 undertake the activities described in section 6 of this act shall be  
10 contingent upon the Regional Health Hub's achievement of such  
11 deliverables and performance metrics. Determination of whether a  
12 Regional Health Hub has achieved such deliverables and  
13 performance metrics shall be at the sole discretion of the  
14 department.<sup>1</sup>

15  
16 <sup>1</sup>8. a. A Regional Health Hub may be funded in part by the  
17 department, in accordance with the provisions of the annual  
18 appropriations act. As described in paragraph (4) of subsection e.  
19 of section 7 of this act, a portion of such funding shall be contingent  
20 on the Regional Health Hub's achievement of deliverables and  
21 performance metrics, as specified in the Regional Health Hub's  
22 approved proposal each year.

23 b. In addition to funding described in subsection a. of this  
24 section, the commissioner shall have the discretion to support a  
25 Regional Health Hub's innovation projects that advance Medicaid  
26 priorities using other available dollars as appropriate.

27 c. A Regional Health Hub shall not receive funding provided  
28 for under this section until the Regional Health Hub has submitted  
29 an annual proposal, as described in section 7 of this act.<sup>1</sup>

30  
31 <sup>1</sup>[8.] <sup>1</sup>9. <sup>1</sup>a. A health information platform operated pursuant  
32 to paragraph (1) of subsection a. of section 6 of this act shall  
33 contain detailed health data from the Regional Health Hub's core  
34 region, including macro-level analytics of broad population trends,  
35 and micro-level analytics of both individual health data, and disease  
36 trends by category of disease, age group, or other subset.

37 <sup>1</sup>b. <sup>1</sup>[Each hospital in the State shall be required to submit  
38 pertinent patient data to the health information platform that is  
39 maintained by the Regional Health Hub operating in the same  
40 region of the State in which the hospital is located, or, if there is no  
41 Regional Health Hub operating in the region, to the health  
42 information platform that is maintained by the Regional Health Hub  
43 that is closest in geography to the hospital. The data submitted  
44 pursuant to this paragraph shall be provided on a real-time basis, to  
45 the extent practicable, and in no case, less frequently than daily.

46 <sup>1</sup>c. Each managed care organization operating in the State shall  
47 be required to share all relevant health data with each health

1 information platform that is maintained in a region of the State in  
2 which the managed care organization provides services to patients.

3 d.] Each Regional Health Hub shall maintain a data sharing use  
4 and reciprocal support agreement, and any applicable use case  
5 agreement, with any Statewide health information platform  
6 designated by the commissioner in order to promote  
7 interoperability.

8 c. The department shall, consistent with federal and State law,  
9 make available NJ FamilyCare claims data to the Regional Health  
10 Hubs, as needed for the Regional Health Hub's population health  
11 work or other tasks, and enter into appropriate data sharing  
12 agreements for the exchange of such data. The department shall  
13 share with each Regional Health Hub the NJ FamilyCare claims  
14 data for beneficiaries residing within the Regional Health Hub's  
15 data catchment area, as mutually agreed to by the Regional Health  
16 Hub and the department. The data catchment area shall include, but  
17 need not be limited to, the Regional Health Hub's core region, and  
18 may overlap with the data catchment areas for other Regional  
19 Health Hubs.

20 d.<sup>1</sup> The Departments of Human Services, Health, Children and  
21 Families, and Community Affairs shall be authorized <sup>1</sup>, to the  
22 extent permissible by federal and State law or regulation,<sup>1</sup> to share  
23 with the health information platforms established, or the Regional  
24 Health Hubs designated, pursuant to this act, any available health  
25 data that is maintained by the departments.

26  
27 <sup>1</sup>[9.] 10.<sup>1</sup> Any State department that implements a pilot  
28 program related to health care delivery shall be encouraged to  
29 consult with the Regional Health Hubs operating in the regions of  
30 the State that will be affected by the pilot program, in order to  
31 ensure that all relevant considerations have been accounted for, and  
32 that the pilot program is effectively and efficiently implemented  
33 with the assistance of all relevant stakeholders.

34  
35 <sup>1</sup>[10.] 11.<sup>1</sup>In addition to utilizing any State-appropriated  
36 funding that supports Regional Health Hubs, the Commissioner of  
37 Human Services shall apply for such State plan amendments or  
38 waivers as may be necessary to implement the provisions of this  
39 act, and to secure federal financial participation for State Medicaid  
40 expenditures under the federal Medicaid program, and shall take  
41 such additional steps as may be necessary to secure, on behalf of  
42 participating Regional Health Hubs, such waivers, exemptions, or  
43 advisory opinions to ensure that such Regional Health Hubs are in  
44 compliance with applicable provisions of State and federal law  
45 related to fraud and abuse, including, but not limited to, anti-  
46 kickback, self-referral, false claim, and civil monetary penalty  
47 provisions.

1       <sup>1</sup>**【11.】** 12.<sup>1</sup>The Commissioner of Human Services shall adopt  
2 rules and regulations, pursuant to the “Administrative Procedure  
3 Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), as may be necessary to  
4 implement the provisions of this act.

5  
6       <sup>1</sup>**【12.】** 13.<sup>1</sup>This act shall take effect immediately <sup>1</sup>; however,  
7 funding appropriated for the Regional Health Hub Project in the  
8 Fiscal Year 2020 annual appropriations act, P.L.2019, c.150, shall  
9 not be subject to the provisions of this act.<sup>1</sup>