

VIRGINIA ACTS OF ASSEMBLY -- 2018 SESSION

CHAPTER 574

An Act to amend and reenact § 59.1-9.4 of the Code of Virginia, relating to the Virginia Antitrust Act; exemption for certain hospitals.

[S 989]

Approved March 30, 2018

Be it enacted by the General Assembly of Virginia:

1. That § 59.1-9.4 of the Code of Virginia is amended and reenacted as follows:

§ 59.1-9.4. Certain activities not prohibited.

~~(a)~~ A. No provision of this chapter shall be construed to make illegal:

~~(1)~~ 1. The activities of any labor or professional organization or of individual members thereof that are directed solely to labor or professional objectives legitimate under the laws of ~~this~~ the Commonwealth or the United States.

~~(2)~~ 2. The activities of any agricultural or horticultural cooperative organization, or of individual members thereof, to the extent necessary to achieve the aims of the enacted laws of either ~~this~~ the Commonwealth or the United States.

~~(3)~~ 3. The bona fide religious and charitable activities of any nonprofit corporation, trust or organization established exclusively for religious or charitable purposes.

~~(4)~~ The activities of any nonprofit hospital, or of any officer, director or employee thereof, that are directed to a reduction in services or an improvement in the quality of services to the extent that any such reduction or improvement will reduce, stabilize or limit cost increases.

~~(b)~~ B. Nothing contained in this chapter shall make unlawful conduct that is authorized, regulated or approved ~~(1)~~ (i) by a statute of ~~this~~ the Commonwealth; or ~~(2)~~ (ii) by an administrative or constitutionally established agency of ~~this~~ the Commonwealth or of the United States having jurisdiction of the subject matter and having authority to consider the anticompetitive effect, if any, of such conduct. Nothing in this ~~paragraph~~ subsection shall be construed to alter or terminate any other applicable limitation, exemption or exclusion.