



Carers (Scotland) Act 2016

2016 asp 9

PART 4

CARER INVOLVEMENT

28 Carer involvement in hospital discharge of cared-for persons

- (1) Each health board must ensure that, before a cared-for person is discharged from hospital, it involves any carer of that person in the discharge.
- (2) A health board fulfils the duty in subsection (1) by—
 - (a) taking such steps as it considers appropriate to—
 - (i) inform the carer, as soon as reasonably practicable, of the intention to discharge the cared-for person, and
 - (ii) invite the carer to give views about the discharge of the cared-for person, and
 - (b) taking account, so far as it is reasonable and practicable to do so, of any views given by the carer in making decisions relating to the discharge of the cared-for person.
- (3) This section applies only—
 - (a) where the health board can identify without delay that a person is the carer of the cared-for person, and
 - (b) where it appears to the health board that the cared-for person is likely to require care following discharge.
- (4) In this section “health board” means—
 - (a) in the case of the state hospital (within the meaning given by section 102 of the National Health Service (Scotland) Act 1978), the State Hospitals Board for Scotland constituted by order under section 2(1)(b) of that Act,
 - (b) in the case of a hospital mentioned in subsection (5), a health board constituted under section 2(1)(a) of that Act.
- (5) The hospitals referred to in subsection (4)(b) are—
 - (a) a health service hospital (within the meaning given by section 108(1) of the National Health Service (Scotland) Act 1978), or

Status: This is the original version (as it was originally enacted).

- (b) where a person receives accommodation or services in a hospital other than a health service hospital under arrangements made by a health board, such a hospital.