

Status: Point in time view as at 01/10/2014. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: Care Act 2014, Cross Heading: Assessment notice given by responsible NHS body to local authority is up to date with all changes known to be in force on or before 17 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 3

DISCHARGE OF HOSPITAL PATIENTS WITH CARE AND SUPPORT NEEDS

Assessment notice given by responsible NHS body to local authority

- 2 (1) The NHS body responsible for a hospital patient, having given the relevant authority an assessment notice, must—
- (a) consult the authority before deciding what it will do for the patient in order for discharge to be safe, and
 - (b) give the authority notice of the day on which it proposes to discharge the patient.
- (2) A notice under sub-paragraph (1)(b) is referred to in this Schedule as a “discharge notice”.
- (3) A discharge notice must specify—
- (a) whether the NHS body responsible for the patient will be providing or arranging for the provision of services under the National Health Service Act 2006 to the patient after discharge, and
 - (b) if it will, what those services are.
- (4) A discharge notice remains in force until—
- (a) the end of the relevant day, or
 - (b) the NHS body responsible for the patient withdraws the notice by giving a withdrawal notice to the relevant authority.
- (5) The “relevant day” is the later of—
- (a) the day specified in the discharge notice, and
 - (b) the last day of such period as regulations may specify.
- (6) A period specified under sub-paragraph (5)(b) must—
- (a) begin with the day after that on which the assessment notice is given, and
 - (b) last for a period of at least two days.

Commencement Information

II Sch. 3 para. 2(5)(b) in force at 1.10.2014 for specified purposes by [S.I. 2014/2473](#), [art. 2\(1\)\(y\)](#)

VALID FROM 01/04/2015

- 3 (1) The relevant authority, having received an assessment notice and having in light of it carried out a needs assessment and (where applicable) a carer's assessment, must inform the NHS body responsible for the patient—

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- (a) whether the patient has needs for care and support,
 - (b) (where applicable) whether a carer has needs for support,
 - (c) whether any of the needs referred to in paragraphs (a) and (b) meet the eligibility criteria, and
 - (d) how the authority plans to meet such of those needs as meet the eligibility criteria.
- (2) Where, having carried out a needs assessment or carer's assessment in a case within section 27(4), the relevant authority considers that the patient's needs for care and support or (as the case may be) the carer's needs for support have changed, it must inform the NHS body responsible for the patient of the change.

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