

# CARE ACT 2014

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1 – Care and Support**

#### **Review of funding provisions**

#### *Section 71 – Five-yearly review by Secretary of State*

416. This section requires the Secretary of State for Health to review how the capped cost system is operating every five years, the results of which can be used to inform decisions on whether to change the level of the cap, or other parameters, such as general living costs, in the system.
417. In reviewing how the cap is operating, the Secretary of State will have to consider how certain factors are having an impact on the capped cost system parameters, such as healthy life expectancy or changes in the way services are delivered (*subsection (2)*). The Secretary of State can commission other people to carry out the review (*subsection (6)*).
418. *Subsection (3)* requires a report of the review to be prepared and published, the report must also be presented to Parliament (*subsection (7)*). *Subsection (4)* requires the first report to be published within five years of the commencement of the section and *subsection (5)* requires subsequent reports to be published within five years of each previous report. This means that there will be a review within any five year rolling period.