

# CARE ACT 2014

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1 – Care and Support**

##### **Miscellaneous**

##### *Schedule 3 – Discharge of hospital patients with care and support needs*

##### **Cases where the discharge of the patient is delayed**

439. *Paragraph 4* sets out what is to happen if the discharge of the patient is delayed because the local authority has not carried out the relevant care and support assessments or put the required package of care and support in place.
440. Sub-paragraph (2) provides that the local authority is liable to make payments to the responsible NHS body for each day that a patient is unable to be discharged.
441. Regulations will be introduced to set out:
- how the delayed discharge period is to be calculated; and
  - the amount to be paid.
442. This section replicates provisions set out in sections 6 and 7 of the 2003 Act.