



Care Act 2014

2014 CHAPTER 23

PART 1

CARE AND SUPPORT

Market oversight

55 Assessment of financial sustainability of care provider

- (1) Where this section applies to a registered care provider, the Care Quality Commission must assess the financial sustainability of the provider's business of carrying on the regulated activity in respect of which it is registered.
- (2) Where the Commission, in light of an assessment under subsection (1), considers that there is a significant risk to the financial sustainability of the provider's business, it may—
 - (a) require the provider to develop a plan for how to mitigate or eliminate the risk;
 - (b) arrange for, or require the provider to arrange for, a person with appropriate professional expertise to carry out an independent review of the business.
- (3) Where the Commission imposes a requirement on a care provider under subsection (2) (a), it may also require the provider—
 - (a) to co-operate with it in developing the plan, and
 - (b) to obtain its approval of the finalised plan.
- (4) Where the Commission arranges for a review under subsection (2)(b), it may recover from the provider such costs as the Commission incurs in connection with the arrangements (other than its administrative costs in making the arrangements).
- (5) Regulations may make provision for enabling the Commission to obtain from such persons as it considers appropriate information which the Commission believes will assist it to assess the financial sustainability of a registered care provider to which this section applies.

Status: This is the original version (as it was originally enacted).

- (6) Regulations may make provision about the making of the assessment required by subsection (1).
- (7) The Commission may consult such persons as it considers appropriate on the method for assessing the financial sustainability of a registered care provider's business; and, having done so, it must publish guidance on the method it expects to apply in making the assessment.