

*These notes refer to the Community Care (Delayed Discharges etc.) Act 2003 (c.5) which received Royal Assent on 8 April 2003*

# COMMUNITY CARE (DELAYED DISCHARGES ETC.) ACT 2003

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1 – Delayed Discharge Payments**

##### **Preliminary**

##### ***Section 1: Meaning of “NHS body” and “qualifying hospital patient”***

10. *Section 1* identifies the kinds of patients with whom the Act is concerned by giving a definition of “qualifying hospital patient”. A qualifying hospital patient is an NHS patient at a health service hospital or an independent hospital who is receiving care of a prescribed description. It is intended that this should be acute care. The types of care may later be extended to other sectors, such as mental health or intermediate care, as appropriate. *Subsection (3)* provides that an NHS body may make arrangements with others for them to do anything which is required or authorised to be done by the NHS body under Part 1. *Subsections (4)* and *(5)* set out the effect of such an arrangement.