



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 2

#### NOTIFIABLE DISEASES, NOTIFIABLE ORGANISMS AND HEALTH RISK STATES

##### *Duties to notify*

#### **14 Health risk states: duties on registered medical practitioners**

- (1) This section applies where a registered medical practitioner has reasonable grounds to suspect that a patient whom the practitioner is attending has been exposed to a health risk state.
- (2) The practitioner must, before the expiry of the period of 3 days beginning with the day on which the practitioner forms that suspicion, provide to the relevant health board, in writing, the information mentioned in subsection (6) in so far as it is known to the practitioner.
- (3) Without prejudice to subsection (2), if the practitioner considers that the case is urgent, the practitioner must, as soon as reasonably practicable, orally provide to the relevant health board—
  - (a) the information mentioned in subsection (6) in so far as it is known to the practitioner; and
  - (b) an explanation of why the practitioner considers the case is urgent.
- (4) In determining whether a case is urgent, the practitioner must have regard to—
  - (a) the nature of the suspected health risk state;
  - (b) the nature of the exposure to that state;
  - (c) the patient's circumstances (including age, sex and health); and
  - (d) any guidance issued by the Scottish Ministers.
- (5) Subsections (2) and (3) do not apply if the practitioner believes on reasonable grounds that another registered medical practitioner—
  - (a) has complied with those subsections in respect of the patient; or
  - (b) has provided information in respect of the health risk state to the relevant health board under section 13(2) or (3).

---

*Status: This is the original version (as it was originally enacted).*

---

- (6) The information referred to in subsections (2) and (3)(a) is—
- (a) the patient’s name;
  - (b) the patient’s address and postcode;
  - (c) the patient’s occupation (if the practitioner considers that it is relevant);
  - (d) the name, address and postcode of the patient’s place of work or education (if the practitioner considers that it is relevant);
  - (e) the patient’s sex;
  - (f) the patient’s date of birth;
  - (g) the suspected health risk state; and
  - (h) the patient’s NHS identifier.
- (7) In this section and section 15, “health risk state” means—
- (a) a highly pathogenic infection; or
  - (b) any—
    - (i) contamination;
    - (ii) poison; or
    - (iii) other hazard,which is a significant risk to public health.
- (8) In this section, references to a patient having been “exposed to a health risk state” are references to the patient—
- (a) having been in physical contact with a health risk state;
  - (b) having been contaminated by a health risk state; or
  - (c) having been in physical contact with or contaminated by—
    - (i) a person who; or
    - (ii) an object which,has been in physical contact with or contaminated by a health risk state.