

These notes refer to the Health and Social Care (Community Health and Standards) Act 2003 (c.43) which received Royal Assent on 20 November 2003

HEALTH AND SOCIAL CARE (COMMUNITY HEALTH AND STANDARDS) ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 - Recovery of Nhs Charges

Information

Section 160: Provision of information

340. The system for recovery of NHS charges is reliant upon information being exchanged by the various parties involved in the chain of events from accident to payment of compensation. *Subsections (1) and (2)* of this Section provide that a person against whom a claim for compensation is made and other persons set out in *paragraphs (b) to (g) of subsection (1)* must provide the authority with such information about the case as is required by regulations and that such information must be provided within the timescales and in the manner required by regulations. *Subsection (3)* makes clear that the information required may include information about NHS treatment or ambulance services provided to an injured person. It is envisaged that the only information which would be needed about the injured person's NHS treatment would be the category of treatment - treatment without admission, for example in accident and emergency or at an out-patient clinic, or treatment given as an in-patient plus the number of days' admission and in some instances the type of treatment provided.

Section 161: Use of information held by the Secretary of State or the Scottish Ministers etc.

341. This section allows information obtained for the purposes of the benefit recovery scheme, as set out in the Social Security (Recovery of Benefits) Act 1997, to be used for the purposes of the scheme relating to recovery of NHS costs and vice versa. This will mean, for example, that in cases involving both NHS and benefit recovery a single set of information can be used for both purposes. *Subsections (1) to (3)* enable information held for the purposes of the social security scheme to be supplied to those responsible for the NHS costs recovery scheme. *Subsections (4) to (6)* enable information held for the purposes of the NHS costs recovery scheme to be supplied to those responsible for the social security scheme.