



Public Health Act 1936

1936 CHAPTER 49

PART VI

HOSPITALS, NURSING HOMES, &C.

Hospitals.

181 Provision of hospital accommodation by county councils and local authorities.

- (1) A county council or a local authority may provide hospital accommodation for persons in their county or district who are sick.
- (2) The power of a county council or local authority under this section to provide hospital accommodation for persons who are sick includes power to provide—
 - (a) clinics, dispensaries and out-patient departments; and
 - (b) in the case of the council of a county or county borough, and in the case of any other council who are a welfare authority for the purposes of Part VII of this Act, maternity homes.
- (3) A county council or a local authority may give reasonable donations or subscriptions to a voluntary hospital or institution, but the expenses incurred by them under this subsection shall not in any year exceed an amount equal to the produce (calculated in accordance with rules made under section nine of the Rating and Valuation Act, 1925) of a rate of one and one-third pence in the pound, or of such higher rate-poundage as the Minister may in any particular case from time to time approve, levied in the area chargeable with the expenses.

182 Consultation with voluntary hospitals as to accommodation to be provided.

A county council or local authority, when making provision for hospital accommodation under this Part of this Act, other than hospital accommodation for persons suffering from an infectious disease, shall consult such committee or other body as they consider to represent both the governing bodies and the medical and surgical staffs of the voluntary hospitals providing services in, or for the benefit of,

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their county or district as to the accommodation to be provided and as to the purposes for which it is to be used.

183 Power to provide houses for officers of a hospital.

A county council or local authority who provide a hospital may provide houses for officers employed by them at the hospital, and any expenses incurred by them in so doing shall be defrayed as expenses incurred in the provision of the hospital.

184 Recovery of expenses of maintenance in certain institutions.

- (1) In the case of a patient who has become an inmate of an institution for the purpose of receiving treatment for infectious disease, a county council or local authority may, and in the case of any other patient maintained by them in an institution shall, recover from the patient, or from any person legally liable to maintain him, or from the patient's estate, if he has died, any expenses incurred by the council or authority in providing for his maintenance in the institution, not being expenses recoverable from any other source, or, 2 the council or authority are satisfied that the persons from whom the expenses are under this subsection recoverable cannot reasonably, having regard to their financial circumstances, be required to pay the whole of those expenses, such part, if any, of the expenses as those persons are in the opinion of the council or authority able to pay :

Provided that any such council or authority may, by agreement with the governing body of any association or fund established for the purpose of providing benefits to members or other beneficiaries thereof, accept from the association or fund, in respect of the expenses incurred by the council or authority in the maintenance of any member or beneficiary of the association or fund, payment of such sums as may be provided by the agreement in lieu of recovering the whole or any part of the said expenses from, or from the estate of, the member or beneficiary, or from any person legally liable to maintain him.

- (2) For the purposes of this section—
- (a) the expression " institution " means any hospital, maternity home or other residential institution wherein accommodation is provided by a county council or local authority under this Act; and
 - (b) the expenses incurred by a county council or local authority in providing for the maintenance of a patient in an institution shall, in respect of each day of maintenance therein, be taken to be a sum representing the average daily cost per patient of the maintenance of the institution and the staff thereof and the maintenance and treatment of the patients therein, and may include a reasonable charge for the patient's removal to or from the institution.
- (3) Expenses recoverable under this section may be recovered as a civil debt, either summarily or otherwise, in proceedings commenced within twelve months from the date of the patient's discharge from the institution or, if he dies in the institution, from the date of his death.
- (4) Nothing in this section affects the provisions of this Act relating to the removal to hospital of infectious persons suffering from tuberculosis of the respiratory tract.

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185 County schemes for provision of hospital accommodation for infectious disease.

- (1) Where as respects any county such a scheme as is mentioned in section sixty-three of the Local Government Act, 1929, has not been prepared before the commencement of this Act, the county council shall, for the purpose of securing the provision of suitable means for the proper isolation and treatment of persons suffering from infectious disease, make a survey of the hospital accommodation for the treatment of infectious disease provided by the council and by any of the councils of county districts within the county.
- (2) Upon the completion of the survey, the county council shall prepare, in consultation with the councils of all county districts in the county, and, if they deem it desirable, with the council of any county borough adjoining the county, and submit to the Minister for his approval, a scheme for the provision of adequate hospital accommodation for the treatment of persons suffering from infectious disease within the county.
- (3) The scheme may provide—
 - (a) for the arrangements under which, and the terms upon which, accommodation in any existing hospital belonging to the council of a county district shall be made available for the use of persons resident in any part of the county outside that district;
 - (b) for the provision by the county council, or by the council of any county district, of new accommodation for the treatment of persons suffering from infectious disease;
 - (c) for embodying arrangements made between the county council, or the council of any county district, and the council of any adjoining county borough for the reception of persons residing in the county borough into hospitals provided by the county council or the council of the county district, or for the reception of persons residing within the county into hospitals provided by the council of the county borough;
 - (d) for any expenses incurred by the county council for the purposes of the scheme being defrayed as expenses for special county purposes chargeable on a part only of the county.
- (4) When a scheme has been submitted to the Minister under this section, the Minister, after considering any representations with respect to the scheme which may be submitted to him by any council affected, may approve the scheme with or without modifications, but until so approved no such scheme shall be of any effect.
- (5) If a county council fail to submit to the Minister a scheme under this section within six months after being required by him so to do, the Minister may, after consulting the county council and the councils of all county districts within the county, himself make a scheme for the purpose, and any scheme so made shall have effect as if it were a scheme submitted by the county council and approved by the Minister.
- (6) A scheme made under this section, or under section sixty-three of the Local Government Act, 1929, may be varied or revoked by a scheme made in the like manner and subject to the like provisions as the original scheme :

Provided that, if the original scheme was made by the Minister, it may be varied or revoked either by a scheme made in the like manner, or by a scheme submitted by the county council and approved by the Minister.
- (7) In this section—

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- (a) references to councils of county districts shall be construed as including references to combinations of such councils; and
- (b) the expression " infectious disease " does not include tuberculosis or venereal disease.

186 Expenses of county councils in making provision for the treatment of infectious disease.

A county council may direct that the expenses incurred by them in providing hospital accommodation for persons suffering from infectious disease, whether defray -able as expenses for general county purposes or for special county purposes, shall be assessed on the parishes liable to contribute thereto in proportion to the use made of that accommodation by persons in those parishes respectively and, while any such direction is in force, any precept for county contributions may include as a separate item any contributions, whether for general or special county purposes, which are so assessed.