



# Public Health Act 1936

## 1936 CHAPTER 49

### PART VI

#### HOSPITALS, NURSING HOMES, &C.

##### *Hospitals.*

#### **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

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**Status:** This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

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- (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.