
STATUTORY INSTRUMENTS

2012 No. 2996

The National Health Service Commissioning
Board and Clinical Commissioning Groups
(Responsibilities and Standing Rules) Regulations 2012

PART 6

Standing rules: NHS Continuing Healthcare and NHS funded nursing care

Persons in receipt of flat rate payments immediately before the relevant date

29.—(1) Where, immediately before the relevant date, a Primary Care Trust was making a flat rate payment in respect of any person pursuant to the National Health Service (Nursing Care in Residential Accommodation) (England) Directions 2007(1), paragraph (2) applies.

(2) The relevant body which has responsibility for a person falling within paragraph (1) must continue to pay to a registered person for the relevant premises the flat rate payment in respect of the person falling within paragraph (1) on and after the relevant date unless or until that person—

- (a) has their need for nursing care assessed on or after the relevant date and it is determined that that person no longer has any need for nursing care;
- (b) is no longer resident in the relevant premises;
- (c) becomes eligible for NHS Continuing Healthcare pursuant to this Part; or
- (d) dies.