



Care Act 2014

2014 CHAPTER 23

PART 1

CARE AND SUPPORT

Miscellaneous

[^{F174} Discharge of hospital patients with care and support needs

- (1) Where a relevant trust is responsible for an adult hospital patient and considers that the patient is likely to require care and support following discharge from hospital, the relevant trust must, as soon as is feasible after it begins making any plans relating to the discharge, take any steps that it considers appropriate to involve—
 - (a) the patient, and
 - (b) any carer of the patient.
- (2) In performing the duty under subsection (1), a relevant trust must have regard to any guidance issued by NHS England.
- (3) For the purposes of this section, a relevant trust is responsible for a hospital patient if the relevant trust manages the hospital.
- (4) In this section—
 - “adult” means a person aged 18 or over;
 - “carer” means an individual who provides or intends to provide care for an adult, otherwise than by virtue of a contract or as voluntary work;
 - “relevant trust” means—
 - (a) an NHS trust established under section 25 of the National Health Service Act 2006, or
 - (b) an NHS foundation trust.]

Changes to legislation: Care Act 2014, Section 74 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

- F1** S. 74 substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), **ss. 91(1)(a)**, 186(6); S.I. 2022/734, [reg. 2\(a\)](#), [Sch.](#) (with [regs. 13, 29, 30](#))

Modifications etc. (not altering text)

- C1** Pt. 1 modified (1.4.2015) by [The Care and Support \(Isles of Scilly\) Order 2015 \(S.I. 2015/642\)](#), [arts. 1, 2\(2\)\(a\)](#); S.I. 2015/993, [art. 2\(a\)](#)
- C2** Pt. 1 applied in part (with modifications) (1.4.2015 coming into force in accordance with [reg. 1\(1\)](#)) by [The Care and Support \(Children's Carers\) Regulations 2015 \(S.I. 2015/305\)](#), [regs. 1\(1\), 2\(1\)\(a\)\(2\), 4-12](#); S.I. 2015/993, [art. 2\(q\)](#)

Commencement Information

- I1** S. 74 in force at 1.10.2014 for specified purposes by S.I. 2014/2473, [art. 2\(1\)\(y\)](#)
- I2** S. 74 in force at 1.4.2015 in so far as not already in force by S.I. 2015/993, [art. 2\(s\)](#) (with transitional provisions in S.I. 2015/995)

Changes to legislation:

Care Act 2014, Section 74 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 15(2)-(3B) substituted for s. 15(2)(3) by [2022 c. 31 s. 166\(2\)](#)
- s. 26(1)-(2A) substituted for s. 26(1)(2) by [2022 c. 31 s. 166\(4\)](#)