

Legal Protection of the Right to Health Services Viewed from a Human Rights Perspective

Isep H Insan¹, Hidayati²
{isep.insan@unpak.ac.id¹, hidayati@borobudur.ac.id²}

Universitas Borobudur^{1,2}

Abstract. Law enforcement against those responsible for human rights violations in the health service sector. The goal is to ensure that citizens receive legal protection for their rights to health care. This type of normative legal research conducts a thorough analysis of primary legal materials that are authoritative, which means that it has authority, secondary legal materials from literature studies, articles, and journals. The results of the study explain that Law Number 36 of 2009 concerning Health regulates actions that can affect human rights in health services, both carried out by health workers and leaders of health service facilities. Human Rights Law Number 39 of 1999 states that everyone has the right to live in a peaceful, safe, and secure society that respects and protects basic human obligations. The study focuses on how human rights abuses impact health services, and the importance of setting legal standards for law enforcement against such abuses.

Keywords: Legal Protection, Health Services, Human Rights

1 Introduction

Protect and guarantee human rights, especially the right to health, the need for effective law enforcement efforts to prevent violations committed by doctors, dentists, or health professionals who carry out medical acts or practices that are contrary to the laws and regulations regarding their duty to provide appropriate medical care. Universal human rights law establishes two health-related laws: first, the protection of public health, in terms of the law guaranteeing the protection of human rights; and second, the individual's right to health and the responsibility of governments to facilitate services cost-effectively, based on trust and integrity. Engage with all stakeholders and always strive to develop meaningful relationships.[1]

Welfare includes physical well-being and spiritual well-being. Physical well-being is related to physical well-being, while mental well-being is related to how individuals feel when carrying out daily activities including all areas of life, including physical health.[2] In theory, many aspects affect the health and well-being of work so that they are ready to be qualified so that productivity can be utilized effectively and have a good relationship with the community.[3]

It is expected that the hospital will provide fighting spirit to medical personnel consisting of doctors, dentists, and non-medical personnel so that they can grow and improve their performance well. Furthermore, the hospital also realizes wishes based on comfort for patients, enthusiasm in providing services, and patient loyalty. Good mental health is comprehensive, helping patients recover faster. This atmosphere proves that mental well-being has a significant effect on the thinking of patients and health workers. On the other insecurity is caused by the mental state of health workers who are afraid or worried about doing their jobs in the future and

face the problem of community demands if the services provided to patients are considered to violate medical law. ethics when a medical practice results in the death of a patient and violates a person's right to health. When combined with human rights, what is often called job insecurity is meaningful in conditions related to individual concerns about losing a source of income or being embarrassed and any other concerns affecting working conditions related to reduced mental well-being and reduced uncomfortable work.[4] Insecurity in the work process affects psychologically health workers who show feelings of confusion or insecurity due to environmental changes.[5] This situation occurs because various kinds of health services have not met the standards so it is also illustrated by feelings of conflict, stress, anxiety, and diversity of problems that occur. Extreme concern leads to a continuous reduction in the quality of health services, giving rise to the risk of insecurity in health services.

In the field of health, the government must ensure that its citizens respect the people's right to health and provide the best health services to ensure patient comfort, because, in the system, health is the right of every individual life in a country, as defined in the article 2 laws Health Law Number 36 of 2009 means that health is realized based on humanity, balance, values, safety, respect for rights and obligations, justice, gender and non-discrimination, and religious values. One of the most important human rights is health, as stated in Article 28 of the Constitution of the Republic of Indonesia Year 1945 which means everyone has the right to live and prosper outwardly and mentally, livelihood, and welfare. safe and healthy housing and access to healthcare. The implementation of health services is recorded in Law Number 36 of 2009 concerning Health, and Article 1 paragraph (1) explains individual activities to maintain and improve health conditions, handle diseases, and restore health benefits. country. government.

The development of the world of medicine today is very rapid, and the findings about new diseases including medical technology are also experiencing very rapid development. Health services sometimes experience problems due to a lack of good understanding between doctors and patients. In an emergency, the doctor must take medical action by medical science professionally preceded by the consent of the patient and his family, but the patient who receives medical care is declining health conditions causing death. The patient's family objected to the reason for improper handling or malpractice so doctors and health workers felt uncomfortable with the treatment of the patient's family. Considering that health is a national development goal because in the preamble of the 1945 law, namely protecting the entire Indonesian nation and advancing general welfare, educating the nation's life, and participating in world peace with social justice. Therefore, based on Article 5 of the 1945 Law, people have the same right to access justice, regardless of position, throne, or social status, to achieve maximum quality of health of citizens. The best health service is part of the national development goals, this is related to health services are one of the human rights that need to be respected, as recorded in Law Number 36 of 2009 concerning Health which states that health is a human right. Concrete actions will be carried out according to the ideas of the Indonesian nation recorded in Pancasila, the 1945 Constitution.

Health services related to the law of partnership between doctors and patients are called one level / Verbintennis inspanning which means one form of success content that someone tries to do the best, and as much as possible and as well as possible for others. If described in detail, then the doctor's work on his patients is a serious effort and needs to be done to treat and treat the patient's health.[6] The point is that there is an agreement between the doctor and the patient during medical treatment so that there is no medical dispute between the doctor/health worker

and the patient or the patient's family. The doctor will make every effort to serve and treat the patient. So what must be considered is how to do the best medical action.[7] Human rights are important in legal philosophy because the purpose of law itself is to protect human beings as social beings who have the right to life and human dignity and dignity. A sense of fairness, protecting human rights, order, order, or legal certainty is the purpose of the law as a tool and means. Human rights are fundamental human rights created by Allah Almighty God Almighty and have been brought from birth.[8] Human rights have existed since the country's inception, so the state must protect it with its laws. The purpose of the study is to ensure that citizens receive legal protection for their rights to health services.

2 Problem

- a. How do health authorities deal with patients in emergencies?
- b. What is the legal protection for health workers who carry out medical actions on patients based on Law Number 39 of 1999?

3 Method

This article uses normative legal analysis as its method, which is carried out through in-depth research of primary data, secondary data, third-party data, and other information related to problem-solving, legal analysis, and preparation of discussions and conclusions. The first required legal documents, namely: a) The 1948 General Declaration of Human Rights, recognized by the Law of the People's Consultative Assembly of the Republic of Indonesia Number XVII/MPR/1998 on Human Rights; b) Human Rights Law No.39 of 1999; c) Health Law No.36 of 2009; d) Other laws and regulations relating to human rights and health. Secondary legal documents are taken from literary articles, scientific articles, journals, research reports library sources, and so on. News in print or electronic media; and tertiary legal documents derived from legal dictionaries, encyclopedias, and other legal data sources.

4 Discussion

4.1 Healthcare authorities handle patients in emergencies

Health services are structured based on agreements made between healthcare providers and patients aimed at upholding health, preventing disease, promotive care, curative care, and facilitating rehabilitation care. These practices should always be based on scientific principles, efficacy, and utilization of technology acquired through education, experience, and adherence to professional ethics According to Konsil Kedokteran Indonesia [9], with several principles including: a) the principle of benefit affirms that medical practice must provide benefits for the community to maintain and improve public health standards; b) the principle of fairness requires that medical services be provided fairly to all individuals at a reasonable cost while maintaining quality standards; c) humanitarian principles specify that medical care should offer unbiased care without discrimination based on ethnicity, nationality, religion, race, sex, social class, economic status, or political affiliation; d) the principle of mandating that health care practices

achieve a balance of prioritizing the needs of care to citizens; e) the principle of protecting and saving health services through the improvement of overall health conditions while prioritizing patient safety and well-being. While doctors as health workers can only help with treatment, but cannot guarantee the patient's recovery, doctors only consistently try to alleviate the patient's suffering.

The responsibilities of health care providers in the health care system are some part of the Minister of Health Regulation No.2052/Menkes/Per/X/2011 on Guidelines for Licensing and Practice of Medical Professionals, based on their education and competence, including: a) interviewing patients. Conduct physical and mental assessment of patients through diagnostic tests; b) formulate a diagnosis. Develop patient management and care plans; c) administer general medical or dental procedures; d) write prescriptions for medicines and medical devices; e) issue a general medical or dental certificate; f) maintain proper stocks of drugs; and g) concocting and dispensing medications to patients, especially in underserved areas lacking pharmacies.

The health worker's authority when carrying out medical measures in emergencies is based on the following rules:

- a) respect for fellow human beings, with the principle that everyone must be regarded as an autonomous human being (the right to take a stand personally), and all autonomously weak people must be protected;
- b) elevating the dignity of human beings, as doctors and medical personnel also need to ensure patient health services are friendly or helpful, not just fulfilling duties;
- c) medical treatment in emergencies will select the treatment that offers the least risk and the greatest benefit;
- d) fairness in social status, economic status, political opinions, religion and beliefs, marital status, and sex are prohibited from being taken into account and do not change the treatment of medical personnel towards patient care. Prioritizing patient health for the benefit of society.

The implementation of the principles and principles of medical practice as medical personnel in Indonesia include: a) health protection to patients; b) maintaining and improving the quality of medical care; c) the provision of legal services and certainty to citizens, medical professionals, and dentists; c) By medical needs, the doctor may take medical or dental measures other than his clinical authority in emergencies to save lives. It must still be carried out by professional standards, the ability to effectively need to be possessed by the doctor or dentist to carry out his professional activities with the consent of the patient and the patient's family. These medical handlers can be independently in a community environment created by professional organizations regarding knowledge, skills, and professional attitudes. Doctors must wisely make medical or action decisions if facilities and infrastructure are limited. This decision is recorded in the medical record and given proportionally to the patient. If the doctor is of a good opinion about the ability to be provided in the form of appropriate therapy to patients who need significantly by the limited facilities and equipment needed, or the need for other medical devices, then the knowledge needs to be conveyed to the authorities for the improvement of the infrastructure facilities. Doctors need to inventory data about weaknesses and concerns about equipment that does not work so that actions that have been taken through several aspects are then referred to doctors who can meet disease specifications and more complete infrastructure.[10]

4.1.1 Determining proper care

Determining appropriate services means that medical personnel providing health services must rely on an assessment of the patient's health condition and effective that assessment. The same applies to stipulations regarding health care. Thus, this health service is prohibited from affecting the patient's habitual pattern of life, culture, beliefs, race, color, sex, disability, age, and economic status of the patient. Doctors are encouraged to always accept patients through medical mechanisms issued by hospitals under the law. If the doctor believes the patient is not sure about the advice or health care mechanism used as the basis for action, the doctor should again explain in detail the medical advice, treatment, and procedures that will be conveyed to the patient. Furthermore, the doctor informs the patient about his right to get medical services from other doctors or hospitals to get alternatives. In addition, doctors are required to always receive and treat patients even though they suffer from pain that can transmit to doctors and endanger them. If the patient's illness poses a risk to his patient, the doctor must protect himself before taking action to check/perform drug services. like the COVID-19 emergency, and other infectious diseases that endanger human lives.

Law no. 36 of 2009 concerning Health provides various provisions for various health services. Article 4 means that every citizen has the right to health services, and article 7 means that the government is obliged to be responsible for planning, implementing, and monitoring the implementation of health services in a fair and affordable manner for all Indonesian people

Criteria for determining the right treatment

- 1) Non-discrimination: Health services should be provided regardless of the patient's social strata, culture, creed, race, color, gender, disability, age or economic status. Every patient should be treated fairly and equitably;
- 2) Informed consent: The physician is obliged to provide complete and clear information about the patient's medical condition, available treatment options, and the risks and benefits of each treatment option. This allows patients to make informed decisions;
- 3) the right to a second alternative: The patient has the right to seek alternative medical advice if he has any doubts or doubts about the medical advice given. The doctor will respect this decision and allow access to important information; and
- 4) Protection from infectious diseases: Doctors should take steps to protect themselves when treating patients with infectious diseases, such as using personal protective equipment (PPE). This is important to protect the safety of doctors and prevent the spread of disease.
- 5) Government Services: The government is responsible for ensuring that health services are available, affordable and accessible to all people. Including providing adequate health facilities and qualified medical personnel.

Implementation in the field is followed by services that health professionals must, including:

- 1) Conduct a thorough assessment of the patient's medical condition based on accurate medical data; 2) Provide a clear and complete explanation of the condition, treatment options, as well as the risks and benefits of each treatment option. Respect the patient's right to seek a second alternative or choose another service; 3) take necessary precautions when treating patients with a history of infectious diseases; and 4) comply with all standards set by health and human rights laws.

Therefore adhering to these guidelines, healthcare professionals can provide appropriate, equal, and high-quality care to each patient, while respecting their rights and protecting the safety of all parties involved.

4.1.2 Collaborate with healthcare partners

It used to be said that although the resources and equipment of medical studies are limited, doctors determine a medical act in the field of health in the right way. A correct determination of medical activities or activities of medical staff is the appointment of the patient to other health colleagues or specialists to confirm the results of the diagnosis. The purpose of the referral is to obtain clarification recommendations, evaluations, or other medical actions for patients. The referring physician has the authority under the professional code of ethics, to continue all medical or treatment activities and obtain agreement from the patient. For example, in some cases, the referred specialist carries out additional activities/treatment through an agreement between the doctor and the patient beforehand. patient follow-up activities. From the beginning of the diagnosis of the hospitalized patient, the doctor can indicate the possibility of sending the patient to another colleague, depending on his ability. Referrals can take the form of counseling, collaborative treatment, or support. When requesting the patient's consent on referral activities, the physician is obliged to provide the reason for the referral, the purpose of which is to be referred to a higher-level hospital. Such an occurrence provides the benefit that the patient has the right to determine the referring physician, as well as the general treatment procedure the treating physician should choose. Another consideration when working with colleagues is that physicians should treat colleagues without discrimination regarding differences in gender, race, disability, religious beliefs, age, social status, and education that could jeopardize the professional performance of coworkers. Doctors are not justified in criticizing their fellow patients, which leads to a decrease in credibility.

In terms of health financing, community participation is very important to maintain health in the area where they live, their families, and themselves. Therefore, society also has a responsibility to facilitate the need for healthy living. Law Number 36 of 2009 concerning Health in articles 9 to 11 explains public participation in health services. To achieve this community participation, the government must provide legal certainty so that the balance between plans, goals, and citizen involvement to fulfill health rights by the authority given by the government to BPJS and provide written sanctions to BPJS members who have not been fulfilled for their mandatory contributions, this is a form of legal protection.[11]

The Health Law regulates the makeup of society and emphasizes that everyone has equal rights in accessing health facilities and access to decent, quality, and cheap health services accessible to citizens. According to Komalawati (2002), this health service is provided based on existing legal principles, namely: legal principles, this principle appears in Article 23 paragraphs (1), (2), and (3) of the Health Law which states that: a) Health authorities have the right to regulate health services; b) the ability to provide health services as referred to in paragraph (1) is used according to the field of expertise; c) For the implementation of health services, health workers must obtain permission from the government.

Law No. 29 of 2004 concerning the Practice of Medicine. The explanation above can illustrate that, all procedures that have been fulfilled become the basis for the legality of doctors and dentists to carry out health service activities. That is the "principle of legality" in health services as a whole. In addition, Article 4 paragraph 1 of the Regulation of the Minister of Health No. 36 of 2012 concerning the Protection of Medical Confidentiality makes a statement to all

relevant officials in the provision of health services regarding the use of patient data and information must maintain medical confidentiality. To reduce cyber attacks that can result in damage or leakage of patient data, strengthening cyber security is also needed in online health consultation services. You should also perform data backups to prevent loss or corruption of patient data.[12]

4.2 Legal certainty of health workers, doctors, and dentists when carrying out medical activities on patients based on Law Number 39 of 1999

4.2.1 Denying Medical Services from the Criminal Law Perspective

In carrying out medical activities, a hospital is required to follow the standardization of operating procedures to avoid medical disputes in providing services to patients. That is one of the reasons patients always trust medical professionals. Medical disputes due to lack of trust of patients and families after medical actions that cause the loss of life of patients due to these medical actions and drastically decline in health cause the patient to die. Medical services in Indonesia are based on Law Number 36 of 2009 concerning Health, Article 5 which states that all citizens have the right to access quality and cheap health services.[13] Health services that violate procedures are unlawful and violate criminal law, Article 531 of the Criminal Code also reflects health care disputes. The actions of health workers violating procedures when the act that causes death or what is called the act of refusing health services can be witnessed by people who refuse to provide health services, any medical personnel who do not accept such as employees, general doctors, dentists, nurses, or hospital leaders. Health refusal is called a violation contrary to Law Number 36 of 2009 concerning Health or Law Number 44 of 2009 concerning Hospitals. Medical disputes through procedural errors or refusal of treatment cause the death of patients, as a result of which hospitals can be sued based on Article 190 paragraph (2) of Law Number 36 of 2009 provides explanations, including 1) health services do not maximally result in disability or death, the director of the hospital or the head of the Puskesmas and health workers/doctors will be punished with a maximum imprisonment of eleven years and a minimum fine of Rp 1 billion. Conversely, medical disputes originate from non-medical personnel, as a result, the answer is the director or non-medical personnel because orders carried out by non-medical personnel are orders from their superiors/directors. If the law is on behalf of a person, the employee will also be punished because Law Number 36 of 2009 concerning Health, Article 190 paragraph (1) also has the meaning of what is meant by "director of a health institution and/or medical personnel who work". in health facilities, whoever intentionally ignores and does not help patients during emergencies as referred to in Article 32 paragraph (2) or Article 85 paragraph (2), shall be punished with a maximum imprisonment of 2 years and a minimum fine of 200,000,000 (two hundred million). Refusing health services is very contrary to Law Number 36 of 2009 concerning Health Article 32 paragraph (2) which means that in emergency conditions, health care institutions, residents are also prohibited from refusing patients to seek treatment. This means that rejecting the patient and the patient does not accept the results of the doctor's work when the patient urgently needs medical assistance during an emergency is a crime.[14] Responding in implementing that the role of the state in implementing technical measures for health services has not been maximized. The legal product regulating patient rejection is recorded in Article 14 paragraph (1) of Law No. 2009 concerning Health, meaning that the state has responsibilities ranging from planning, organizing, coordinating, promoting and supervising the implementation of fair and cheap health efforts for citizens.

Although the nature of closeness between doctors and patients has changed a lot, it remains the same until now, doctors occupy the highest position as experts who treat patients from unhealthy conditions to healthy.

4.2.2 Denying health care to patients from a civil law perspective

Viewed from a civil perspective, the responsibility of health workers if they carry out acts of refusing health services, can be pursued in civil cases for health workers who commit violations under article 1239 of the Civil Code, which explains every obligation of action, if health services neglect to fulfill their obligations, determined responsibility to provide compensation for unlawful acts. As a result of this negligence, and because his negligence resulted in death, article 1366 of the Civil Code explains that every human being has responsibility not only for losses caused by his actions but also for losses caused by his negligence or carelessness. According to civil law, any individual may breach a contract if: 1) Failure to do as agreed; 2) carry out what was agreed to the service provider, but time has passed; 3) carry out as agreed but not as promised; and 4) acting like a contract does not allow it to be done. Based on this description, the refusal of health services by medical personnel/doctors can be based on Article 1371 paragraph (1) of the Civil Code, namely: Injury to promises or Wan of achievement either intentionally or due to individual negligence. Restoring public trust in medical personnel or hospitals providing compensation for medical expenses, asking for compensation for losses caused by appointment injuries or disability. Furthermore, if health workers do not perform their duties according to professional standards and breach the contract, they can be liable for payment.

According to Indonesian law, the act is said to be unlawful due to the fulfillment of conditions, including[15]: 1) the act fulfills the element of violation of people's rights or violates the legal compliance of the party carrying out the infringing act; 2) the act of violating based on the element of negligence is reviewed for its purpose and purpose. The point of this statement is that, despite the same circumstances, every sick individual suspects that there will be loss-making activities due to disputes in medical services. On the contrary, from a general point of view, it means a person or health worker who does what is known that what he does will appear to be a loss; c) there must be losses, both material losses, real losses to the affected person and the benefits to be obtained, as well as losses such as fear of disease, and/or death; and d) there is a link between actions and financial or material losses and even human lives that arise, while intangible losses such as despair to recover, because of long-suffering from diseases and even the loss of certain organs and even the death of patients are not included in losses that can be sued because of Wan achievement, but can be sued in documents for unlawful acts (onrechmatige daad).

4.2.3 Legal protection for health workers for medical services in emergencies

The first thing to do before discussing the legal protection of health workers and patients who receive mistreatment is to know in advance the meaning of consumer protection. According to Article 1 paragraph (1) of Law Number 8 of 1999 concerning Consumer Protection explains that consumer protection is all efforts that ensure legal certainty to protect consumers. Consumer here means health workers or hospitals as service providers or consumers or patients who receive health services. This can be interpreted as an effort for legal certainty by providing legal protection to health workers and patients who are both referred to as consumers.[16] Consumer

here is defined not only as individuals (individuals) but can be companies that are buyers or last users.

Judging from its position, patients and consumers cannot be equated because, from the patient's point of view, it cannot be taken from Law Number 8 of 1999 considering that the interests of patients are very many and also very unique as well as from the point of view of health workers cannot be equated with business actors in the economic sector.

The problem raised by the author is how to form legal protection for health workers and patients who are denied medical services. The relationship between health workers and patients gives rise to reciprocal rights and obligations. The rights of health workers in the sense that health workers, employees, and hospitals are the obligations of patients, and vice versa, patient rights are the obligations of health workers.

Hospital patients are considered consumers, in general, and they are covered under Law No. 8 of 1999 on Consumer Protection. As outlined in Article 4, consumer rights include:

- 1) the privilege to receive clear and accurate, transparent, and accountable news regarding the terms and guarantees of goods/services;
- 2) freedom to express opinions and file complaints about the goods/services used;
- 3) rights of representation, protection, and initiative adapted to the resolution of disputes between consumers;
- 4) the right to access training and skills on consumer issues;
- 5) the right to objective and non-discriminatory behavior or services; and
- 6) the right to redress, as well as a refund if the goods/services fail to fulfill the agreed terms or standards upon receipt.

Medical disputes in the form of dissatisfaction between patients and doctors/non-physician health workers as well as denial of medical services are now based not on the therapeutic relationship between medical personnel and patients, but on causality associated with errors that cause physical harm, be it disability or death.[17]

Medical mishandling and denial of medical services constitute a breach of law, violating not only medical ethical standards but also legal statutes, as follows:[18]

- 1) Some considerations in the decision-making of handling medical actions taken during emergencies and conditions and refusal of health personnel including doctors and non-physicians to provide services to patients fulfill the following requirements: The medical profession always carries out actions concerning ethics and law, but events that cannot be because both are always related and become the basis of virtues and goals. This violation will have legal consequences. The evil law is not good;
- 2) Refusal of health services will violate the law, health standards as stipulated in medical ethics and the doctor's oath;
- 3) A code of ethics means principles, regulations, mechanisms, standardization, and principles in the implementation of work. When it comes to the world of health, including medicine, the code of ethics is a set of rules or regulations in the provision of medical services.[19] Law and order are like two inseparable currencies. The difference is that legal sanctions are coercive, while ethical sanctions focus on behavior. Currently, various institutions, hospitals, and their medical personnel regulate certain ethical standards under the name of the Code of Ethics. Therefore, the medical profession has many codes of ethics such as codes of ethics for medicine, pharmacy, nursing, and midwifery. In reality, health workers who facilitate health services fairly and reasonably are not sufficient evidence when there is a legal lawsuit, even though it has a good basis and purpose. Therefore, the

philosophical basis of giving the highest respect to the patient's human right to decide the direction of his or her future is still being sought." [19], coined the term "medical malpractice" because if a person with medical professional knowledge is found to have committed professional misconduct or refused medical services, the doctor will be able to provide evidence. But otherwise, the term is used from the medical perspective, the offense or refusal of medical services is a criminal act.

5 Conclusion

Protection and respect for human rights, especially rights in health services require effective and strong legal certainty to prevent violations of the code of ethics committed by doctors/health workers. Health workers including doctors who are tempted by violative practices from a medical perspective carry out actions that violate the law or refuse to provide medical assistance to patients to provide proper health services. Health services are properly organized based on an agreement between the healthcare provider and the patient to maintain health, prevent disease, provide health services, and promote treatment and rehabilitation. Doctors are obliged to make informed decisions about medical mechanisms or practices when material and other resources are limited. This decision is recorded in the medical record and then communicated to the patient and his/her family. If a doctor believes with good reason that his or her ability to provide appropriate treatment to a patient is severely hampered by a lack of treatment facilities, necessary equipment, or other factors, an authority will be referred to for information to correct the problem.

Law and order are two interrelated things. The difference is that legal sanctions are coercive, while ethical sanctions focus on human behavior. Nowadays, many institutions, including hospitals and medical personnel, make regulations regarding the standardization of certain ethics under the name of the Code of Ethics. Therefore, the medical profession has several codes of ethics, among others: Code of Ethics for Medicine, Pharmacy, Nursing, Midwifery, and Pharmacy. In reality, health workers and doctors as well as non-health workers who provide health services effectively to prevent claims or lawsuits, are based on good intentions. Therefore, it requires a cultural, philosophical approach to provide a sense of security and to the patient's human right to determine his future or the term because if it is taken that the medical officer has made a mistake or denies it. health services, there needs to be evidence first. But in any case, from a medical point of view, an error in an act of medical service is a bad act.

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