



Review of Law No.17 of 2023 concerning Health Chapter VI (Health Service Facilities)

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Abstract

Law no. 17 of 2023 concerning Health is the latest health law created by the government as a form of health transformation in Indonesia. This law includes promotive, preventive, curative and rehabilitative efforts with the aim of improving the quality of health services, protecting the community, as well as regulating the authority and responsibilities of health workers. The purpose of this research/writing is to find out changes or improvements to a number of aspects of the previous health law to become the latest health law, especially in the aspect of health service facilities and how they are implemented. The research method used is a qualitative method, namely document/text study. In the previous health law, the use of information and communication technology was not implemented as an effort to provide health services to the public, in contrast to the latest health law, the government has developed it in the form of telehealth and telemedicine. And there are several other aspects that are also undergoing changes and improvements to health service facilities contained in this latest Health Law.

Keywords: *health transformation, promotive, preventive, curative, telemedicine*

INTRODUCTION

The new Health Law is a regulation that regulates various aspects of the health system in Indonesia. This law covers things such as promotive, preventive, curative and rehabilitative efforts. The aim is to improve the quality of health services, protect the community, and regulate the authority and responsibilities of health workers.

[Law Number 17 of 2023](#) concerning Health (Health Law) was passed on August 8 2023. This Health Law carries out the mandate of the 1945 Constitution of the Republic of Indonesia, in particular Article 28H paragraph (1) which states that, "65Everyone has the right to live in physical and spiritual prosperity. , reside, and obtain a good and healthy living environment and have the right to obtain health services," and Article 34 paragraph (3) which states that, "The State is responsible for providing adequate health service facilities and public service facilities."

The problems of this research are:

1. How to change or improve any aspects contained in the previous health law into the latest health law, especially in the aspect of health service facilities.
2. How is the implementation of the latest health law, especially in the aspect of health service facilities.

The aims of this research are:

1. To find out how any aspects of the previous health law have been changed or improved to become the latest health law, especially in the aspect of health service facilities.
2. To find out how the latest health law is implemented, especially in the aspect of health service facilities.

METHOD

This research includes normative legal research, prescriptive and applied with a case approach. The technique for collecting legal materials used in this research is literature study. The legal material is obtained from statutory regulations, judge's decisions, books, legal journals related to the problems studied. The analytical method in this research is deductive / syllogistic deduction, the legal material that has been collected is analyzed using a case approach and then draws conclusions from general matters regarding the problems faced.

RESULTS AND DISCUSSION

A. Changes to the latest Health Law

Health service facilities are places or containers used to provide health services to individuals or communities using promotive, preventive, curative, rehabilitative and palliative approaches carried out by the central government, regional government and/or the community.

Health service facilities include: first level health service facilities, advanced health service facilities and supporting health service facilities. Health service facilities are obliged to provide health services to the community in accordance with health service standards and must fulfill business permits from the Central Government or Regional Government in accordance with their authority.

- 1) First Level Health Service Facilities: can be a Community Health Center, primary clinic, independent practice of Medical Personnel or Health Personnel who are providers of primary health services aimed at supporting the implementation of government programs, especially Health Services in the form of promotive, preventive, curative and/or palliative.

First level health service facilities can provide Telehealth and Telemedicine services which include between health service facilities and between health service facilities and the community.

- 2) Advanced Health Service Facilities: can be hospitals, main clinics, health centers, independent medical practices or health workers who provide advanced health services which include specialist services and/or sub-specialty services.

Every hospital is required to have good hospital management and clinical management, which can be led by Medical Personnel, Health Personnel, or professionals who have hospital management competence.

Teaching hospitals can provide academic programs, vocational programs, and professional programs and specialist/subspecialist programs as the main provider of education (college based) with provisions based on the permission of the Minister of Education and Culture.

Hospitals must provide correct information about hospital services to the community, provide safe, quality and effective services, provide emergency services according to service capabilities, be active in disaster management, provide adequate public infrastructure, implement a referral system, reject the wishes of patients who contrary to professional and ethical standards, respecting and protecting patient rights, implementing hospital ethics, compiling and implementing internal regulations, protecting and providing legal assistance for all hospital staff in carrying out their duties, having a SIMRS.

Hospitals have the right to determine the number, type and classification of human resources according to classification, receive compensation for services, collaborate with other parties, receive assistance from other parties, sue parties who cause losses, obtain legal protection in health services, promote health services. , is not responsible for refusing action, cannot be sued for carrying out life-saving duties, is legally responsible for all losses incurred due to negligence by hospital resources. Hospital revenues managed by the Central and regional governments are used entirely directly for hospital operational costs and cannot be used as state income.

- 3) Supporting health service facilities: in carrying out their functions, First Level and Advanced Level Service Facilities must be supported by supporting health service facilities. Supporting health service facilities can stand alone and/or join first-level and advanced-level service facilities.

Health service facilities have an obligation to provide broad access to service needs, education, research and service development in the health sector. Providing quality services, prioritizing patient safety, maintaining medical records which must keep patients' personal health confidential, creating standard operational procedures, employing medical personnel and health workers who have practice permits, improving the quality of health services internally and externally.

In emergency situations, health service facilities are prohibited from refusing patients, asking for down payments, and not prioritizing administrative matters, thereby causing delays in health services.

B. Implementation of the latest Health Law

The government has a big agenda in the health sector, this regulation is a new basis for carrying out various accelerated efforts in carrying out health transformation through 6 pillars, namely transformation of primary services, referral services, health resilience systems, health financing systems, health human resources and health technology. This Health Law is a strong foundation for carrying out health transformation as well as several other things that need to be pursued and carried out, such as preparing and providing superior Indonesian human resources during the demographic bonus.

Even though the Health Law is currently being tested materially or judicially reviewed by the Constitutional Court (MK), the support of all parties will help carry out the mandate of this regulation considering that the benefits provided to society are very broad in the health sector. The Health Law which was passed on August 8 2023 carries out the mandate of the 1945 Constitution. Article 28H paragraph 1 of the 1945 Constitution states that every person has the right to live in physical and spiritual prosperity, to live and to have a good and healthy living environment and has the right to receive health services. Article 34 Paragraph 3 of the 1945 Constitution states that the state is responsible for providing adequate health service facilities and public service facilities.

The Health Law received various public responses, both support and criticism, including a judicial review at the Constitutional Court (MK). Therefore, it is very important for all government public relations personnel to incorporate the Health Law which is an effort to carry out health transformation. The main intention of the Health Law is actually to act as a first step in rebuilding the health system to make it more resilient throughout Indonesia without exception,

including underdeveloped, frontier and outermost areas (3T). Therefore, this Health Law must be communicated to the public so that they can understand it better and ultimately be able to actively participate in the implementation of the Health Law. Apart from that, cooperation to communicate the Health Law can also change people's attitudes from unsupportive to supportive. In fact, there has been a change in behavior from remaining silent to actively participating in supporting the Health Law.

Various public communication assets are managed so that health transformation reaches all corners of the country, so that people understand better. The role of the Ministry of Communication and Information in supporting health transformation is through equal distribution of internet networks. This infrastructure is very important for community health centers in regions in Indonesia.

CONCLUSION

Health service facilities have an obligation to provide broad access to service needs, education, research and service development in the health sector. This Health Law is a strong foundation for carrying out health transformation as well as several other things that need to be pursued and carried out, such as preparing and providing superior Indonesian human resources during the demographic bonus.

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