

Pembiaran medik ditinjau berdasarkan hukum kesehatan: analisis putusan no.381/Pid.B/2014/PN.TK = Medical negligence according to medical law: analysis of verdict No. 381/Pid.B/2014/PN.TK

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Abstrak

Penelitian ini membahas tentang pembiaran medik dan keselamatan pasien dalam Putusan No. 381/Pid.B/2014/PN.Tk. Putusan tersebut dikategorikan sebagai pembiaran medik yaitu apabila pimpinan fasilitas pelayanan kesehatan dan/atau tenaga kesehatan tidak memberikan pertolongan pertama dalam keadaan gawat darurat. Dalam kasus tersebut pihak rumah sakit tidak termasuk pembiaran medik dalam hukum kesehatan. Pihak RSUD. Dr. A. Dadi Tjokro Dipo Bandar Lampung tidak memenuhi tujuh standar keselamatan pasien yang terdapat dalam Permenkes No.1691.Menkes/Per/VIII/2011 tentang Keselamatan Pasien Rumah Sakit sehingga pihak rumah sakit dapat dikenakan sanksi berupa teguran tertulis, teguran lisan, penundaan atau penangguhan perpanjangan izin operasional. Metode penelitian yang digunakan pada skripsi saya adalah yuridis normatif. Saran dari penelitian : 1 . Untuk pemerintah agar dapat mengawasi dengan ketat prosedur pelayanan rumah sakit seperti halnya adanya Badan Pengawas Rumah Sakit Indonesia yang salah tugasnya adalah mengawasi hak dan kewajiban pasien sehingga kasus yang menimpa pasien Suparman tidak terulang kembali. 2 . Untuk pemerintah juga agar dapat membuat peraturan mengenai pembiaran medik yang lebih luas di dalam ruang lingkup hukum kesehatan sehingga pengaturan mengenai pembiaran medik di dalam hukum kesehatan tidak hanya mengenai pertolongan pertama pada keadaan gawat darurat saja. 3 .Terhadap pihak rumah sakit agar memberikan sosialisasi mengenai Keselamatan Pasien Rumah Sakit terutama Tujuh Standar Keselamatan Pasien Rumah Sakit yang terdapat dalam Permenkes No.1691.Menkes/Per/VIII/2011 tentang Keselamatan Pasien Rumah Sakit.

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This research examines medical negligence and patient's safety in Verdict No. 381 Pid.B 2014 PN.Tk. The mentioned verdict is categorized as medical negligence, which means the head of healthcare facility and or medical workers do not give a first aid treatment in an emergency situation. In the case, the hospital did not do any medical negligence according to medical law. Public hospital RSUD. Dr. A. Dadi Tjokro Dipo Bandar Lampung did not fulfill the seven standard of patient's safety as stipulated in the Ordinance of the Health Minister No.1691.Menkes Per VIII 2011 about Safety of Hospital's Patient, hence the hospital could be penalized by giving them oral warning, delay or suspension of operational permission extension. Research method that is used in this thesis is normative juridical method. This thesis suggest 1 . The government should keep an eye close to hospital's service procedure through Indonesian Hospital Supervising Body, which have the authority to supervise the rights and obligations of patients so that the Suparman case will not happen again 2 . For the government also to make regulations on broader medical broadcasting within the scope of health law so that the regulation of medical neglect in health law is not only about first aid in emergencies 3 . Hospital have to give socialization about the Safety of Hospital's Patient. Particularly, the Seven Standards of the Safety of Hospital's Patient, which are stipulated in the Ordinance of the Health Minister No.1691.Menkes Per VIII 2011 about Safety of Hospital's Patient. hence the hospital could be penalized by giving them oral warning, delay or suspension of

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