PELINDUNGAN HUKUM DOKTER MUDA DALAM PELAKSANAAN TINDAKAN MEDIS INVASIF BERDASARKAN PELIMPAHAN
KEWENANGAN OLEH DOSEN PEMBIMBING KLINIK (DPK) DI RS BETHESDA YOGYAKARTA
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Amartya Nathaniela Amaris[1], Muhammad Jibril[2]

INTISARI

Penelitian ini bertujuan untuk menganalisis pengaturan dan pelaksanaan pelimpahan tugas medis invasif oleh Dosen Pembimbing Klinik (DPK) kepada dokter muda di RS Bethesda berdasarkan hukum nasional dan peraturan internal rumah sakit, serta menganalisis konstruksi pertanggungjawaban dan pelindungan hukum para pihak yang terlibat dalam pelaksanaan tindakan medis tersebut.

Penelitian ini merupakan penelitian hukum normatif empiris. Penelitian dilakukan dengan mengkaji setiap peristiwa hukum yang terjadi dengan pelaksanaan yang sesuai dengan ketentuan hukum positif dan dokumen tertulis. Data diperoleh melalui studi kepustakaan dan wawancara dengan DPK dan dokter muda di RS Bethesda, narasumber ahli hukum Kesehatan serta narasumber dokter praktisi.

Hasil penelitian menunjukkan bahwa pengaturan pelimpahan tindakan medis invasif kepada dokter muda belum diatur secara eksplisit baik dalam hukum nasional maupun peraturan internal RS Bethesda. Dalam praktiknya, pelaksanaan tindakan medis oleh dokter muda berpedoman pada SKDI, *logbook* kepaniteraan klinik, perjanjian kerja sama antara rumah sakit dan institusi pendidikan, serta supervisi DPK. Pelimpahan tersebut lebih tepat dikualifikasikan sebagai pelimpahan mandat karena dokter muda belum memiliki kewenangan praktik mandiri. Selanjutnya, pertanggungjawaban hukum dalam pendidikan profesi kedokteran bersifat berlapis, di mana DPJP tetap menjadi penanggung jawab utama pelayanan medis, DPK bertanggung jawab dalam aspek pembimbingan dan supervisi, sedangkan dokter muda memiliki tanggung jawab profesional terbatas sesuai ruang lingkup instruksi dan pengawasan yang diberikan.

Kata Kunci: Pelimpahan Tindakan Medis Invasif, Dokter Muda, Dosen Pembimbing Klinik (DPK), Pertanggungjawaban Hukum, Pelindungan Hukum.

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LEGAL PROTECTION FOR CLINICAL CLERKSHIP STUDENT IN PERFORMING INVASIVE MEDICAL PROCEDURES UNDER THE DELEGATED AUTHORITY OF CLINICAL SUPERVISORS AT BETHESDA HOSPITAL YOGYAKARTA

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ABSTRACT

This research aims to analyze the regulation and implementation of the delegation of invasive medical procedures by Clinical Supervisors (Dosen Pembimbing Klinik or DPK) to medical students in clinical clerkship (dokter muda) at Bethesda Hospital based on Indonesian national law and the hospital's internal regulations, as well as to examine the construction of legal liability and legal protection for the parties involved in the implementation of such medical procedures.

This research employs a normative-empirical legal research method. The study was conducted by examining legal events occurring in practice in light of applicable positive law and written legal documents. Data were collected through library research and interviews with Clinical Supervisors (DPK) and medical students in clinical clerkship at Bethesda Hospital, as well as a health law expert and a medical practitioner. The data were analyzed qualitatively by comparing the applicable legal framework with its implementation in practice.

The results show that the delegation of invasive medical procedures to medical students in clinical clerkship has not been explicitly regulated under either Indonesian national law or the internal regulations of Bethesda Hospital. In practice, the implementation of medical procedures is guided by the Indonesian Medical Competency Standards (Standar Kompetensi Dokter Indonesia or SKDI), clinical clerkship logbooks, cooperation agreements between the hospital and educational institutions, and supervision by Clinical Supervisors (DPK). Such delegation is more appropriately classified as a mandate delegation, as medical students in clinical clerkship do not yet possess independent authority to practice medicine.

Furthermore, legal liability in clinical medical education is layered in nature. The Attending Physician (Dokter Penanggung Jawab Pelayanan or DPJP) remains primarily responsible for medical services provided to patients, the Clinical Supervisor (DPK) is responsible for clinical guidance and supervision, while medical students in clinical clerkship bear limited professional responsibility within the scope of the instructions and supervision provided.

Keywords: *Delegation of Invasive Medical Procedures, Medical Students in Clinical Clerkship, Clinical Supervisors, Legal Liability, Legal Protection.*

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