

PERLINDUNGAN HUKUM DOKTER INTERNSIP DALAM PELAYANAN KESEHATAN DI PUSKESMAS

INTISARI

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Penelitian mengenai perlindungan hukum dokter internsip dalam pelayanan kesehatan di Puskesmas bertujuan untuk mengetahui dan mengkaji permasalahan hukum yang sudah terjadi dan mungkin terjadi dalam pelayanan yang dilakukan oleh dokter internsip; dan mengetahui dan mengkaji konsep perlindungan hukum yang bisa dikembangkan untuk melindungi dokter internsip dalam pelayanan kesehatan.

Penelitian ini merupakan penelitian yuridis empiris, yang mengkombinasikan pada penelitian langsung di lapangan dan *desk study*. Penelitian ini berusaha mencari masalah riil yang terjadi di lapangan dengan wawancara dan *Focus Grup Discussion* (FGD) menggunakan panduan wawancara dan *check list* untuk kemudian dianalisis secara kualitatif menggunakan data sekunder berupa bahan hukum primer, sekunder dan tersier. Hasil analisis dijelaskan dengan metode deskriptif, dikonseptualisasikan dan dilihat sebagai *legal issue* yang perlu dipecahkan. Lokasi penelitian di 4 (empat) puskesmas wahana internsip di Kabupaten Bantul yaitu Puskesmas Srandakan, Jetis 1, Banguntapan 1 dan Dlingo 1, dengan narasumber KIDI DIY, Dinas Kesehatan Bantul dan Kepala Puskesmas serta responden dokter internsip dan dokter pendamping internsip di 4 puskesmas tersebut.

Berdasarkan hasil penelitian, diperoleh kesimpulan bahwa pada awalnya peneliti menduga telah terjadi permasalahan hukum dalam pelayanan kesehatan oleh dokter internsip di 4 puskesmas yang terkait dengan legalitas perizinan praktik dokter internsip di awal penempatan; dan permasalahan hukum terkait kompetensi pelayanan oleh dokter internsip yang memunculkan komplain pasien dikarenakan ketidakpuasan pasien terhadap layanan dokter internsip. Legalitas perizinan dokter internsip di awal penempatan menurut peneliti tidak perlu dipermasalahkan dengan ada surat tugas dari Kementerian Kesehatan yang menjadi dasar bagi dokter internsip menjalankan tugasnya. Terdapat potensi permasalahan hukum terkait ketidakjelasan tentang penegasan kompetensi pelayanan/kewenangan klinis dokter internsip. Konsep perlindungan hukum yang bisa dikembangkan dalam upaya melindungi dokter internsip dalam pelayanan kesehatan di puskesmas adalah : 1) legalitas perizinan dokter internsip tetap perlu diakui walaupun belum ada SIP di awal penempatan karena adanya surat tugas dari Kementerian Kesehatan, dan sejatinya dokter internsip menjalankan perintah peraturan perundang-undangan, serta didasarkan pada tujuan yang baik; 2) kredensialing sampai terbit surat penugasan klinis yang berisi kewenangan apa yang bisa dilakukan oleh dokter internsip.

Kata Kunci : *perlindungan hukum, dokter internsip, Puskesmas, kompetensi, surat penugasan klinis*

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LEGAL PROTECTION OF INTERNSHIP DOCTORS IN HEALTH SERVICES AT THE PUBLIC HEALTH CENTER

ABSTRACT

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The research as regards legal protection of internship doctors in health services at the public health center aims to know and assess the legal issues that happens and may happen in the services performed by internship doctors; and to find out and review the concept of legal protection that can be developed to protect internship doctors in health services.

The research is empirical juridical research, that combined desk study and field studies. This research is trying to find real problems that happened in the feild by interviews and Focus Group Disscussion (FGD) using interview guide and check list, and then analysed qualitatively using the secondary data in the primary, secondary, and tertiary legal materials. The results of analysis descrabed into descriptive method, conceptually and seen as a legal issue that needs to be solved. The research was conducted at 4 (four) internship mode public health centers of Bantul Regency which is Srandakan, Jetis 1, Banguntapan 1 and Dlingo 1, with sources KIDI DIY, Bantul District Health Office, the head of public health center and the respondents of internship doctors and escort of internship doctors at that public health centers.

Based on the results of the study, it was concluded that at first the researchers suspected that there had been legal problems in health services by internship doctors in 4 Public Health Centers related to the legality of the licensing practice of internship doctors at the beginning of placement; and legal issues related to service competence by internship doctors that raises patient complaints due to the patient's dissatisfaction of internship doctor's services. The legality of the doctor's license at the beginning of placement according to the researcher does not need to be disputed with a letter of assignment from the Ministry of Health which is the basis for the internship doctors to carry out his duties. There are potential legal problem related to uncertainty about the affirmation of service competencies or a clinical privilege of internship doctors.. The concept of legal protection that can be developed in an effort to protect doctors internship in health services in Public Health Centers are : 1) the legality of the internship doctors's permit still needs to be recognized even though there is no Practice License (SIP) at the beginning of placement due to a letter of assignment from the Ministry of Health, because the internsip doctors actually carry out the law orders and are based on good goals; 2) credentials until the issuance of a clinical appointment letter that contains what authority can be done by an internship doctors.

Keywords : *legal protection, internship doctors, Public Health Center, competence, a clinical appointment letter*

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