

# **PERTANGGUNGJAWABAN HUKUM DAN KEADAPTIFAN DOKTER DALAM MELAKUKAN PELAYANAN KESEHATAN MELALUI PEMANFAATAN TELEMEDICINE DI PUSKESMAS**

**(Studi Kasus : Sinjai-Sulawesi Selatan dan Tual-Maluku)**

## **INTISARI**

**Oleh:**

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Penelitian tesis ini bertujuan untuk menganalisis pertanggungjawaban hukum dan keadaptifan dokter dalam melakukan pelayanan kesehatan melalui pemanfaatan *telemedicine* di puskesmas.

Penelitian ini bersifat deskriptif-eksplanatoris, berjenis yuridis empiris, yaitu mengkaji ketentuan hukum yang berasal dari data sekunder berupa bahan hukum primer, sekunder dan tersier. Data primer diperoleh dari responden dan narasumber dengan melakukan penelitian lapangan berupa pengamatan, *Focus Group Discussion* (FGD), dan wawancara kemudian dianalisis secara kualitatif dan hasil analisis dijelaskan dengan metode deskriptif-eksplanatoris. Lokasi penelitian ini di wilayah Sulawesi Selatan (puskesmas yang tersebar di seluruh kabupaten Sinjai, RS. Unhas, dan Dinas Kesehatan Sinjai) dan Maluku (Dinas Kesehatan Kota Tual dan seluruh puskesmas di kota Tual)

Berdasarkan hasil analisis peneliti dapat disimpulkan bahwa perikatan yang timbul dari hubungan pasien-dokter pada pemanfaatan telemedicine di puskesmas adalah *inspaningverbentenis*, sehingga tanggung jawab hukum dokter (bentuk tanggung gugat) dalam hal keperdataan yang bisa dilakukan oleh pengguna (pasien) dapat didasarkan: gugatan berdasarkan wanprestasi dan gugatan berdasarkan melawan hukum. Keadaptifan dokter dalam pemanfaatan telemedicine di Puskesmas Sinjai-Sulawesi Selatan nilai yang unggul pada aspek *Empathy*, *Tangibles* sedangkan pemanfaatan telemedicine di Puskesmas Tual-Maluku memiliki nilai setara pada aspek *Reliability*, *Responsiveness*, *Assurance*, *Empathy*, *Tangibles*.

**Kata Kunci :** Pertanggungjawaban Hukum, Dokter, *Telemedicine*

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## LEGAL RESPONSIBILITY AND DOCTORS' ADAPTIVENESS IN DOING HEALTH SERVICES THROUGH THE USE OF TELEMEDICINE IN PUSKESMAS

(Case Study : Sinjai-Sulawesi Selatan and Tual-Maluku)

### ABSTRACT:

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This thesis research aims to analyze legal responsibility and the doctors' adaptiveness in conducting health services through the utilization of telemedicine.

This research is descriptive-explanatory, juridical empirical research Which examines the legal provisions derived from secondary data in the form of primary, secondary and tertiary legal materials. Primary data obtained from respondents and interviewees by doing field research in the form of observation, Focus Group Discussion (FGD), and interview then analyzed qualitatively and analysis result was explained by descriptive-explanatory method. The location of this research is in South Sulawesi (puskesmas spread throughout Sinjai district, Unhas hospital and Sinjai health office) and Maluku (Tual City Health Office and all puskesmas in Tual city).

Based on the results of the analysis, it can be concluded that the engagement that arises from the patient-physician relationship on the use of telemedicine in the puskesmas is inspaningverbentenis, so the legal responsibility of the doctor (in the form of liability) in the case of credibility that can be done by the user (patient) can be based: And lawsuits are based against the law. The doctors' adaptiveness in the utilization of telemedicine at Sinjai-South Sulawesi Public Health Center is superior in Empathy, Tangibles, while telemedicine at Tual-Maluku Public Health Center has equal value on Reliability, Responsiveness, Assurance, Empathy, Tangibles.

**Keywords:** Legal Responsibility, Doctor, Telemedicine

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