HOSPITAL EFFORTS IN FULFILLING PATIENTS' RIGHTS TO EMERGENCY UNIT HEALTH SERVICES

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ABSTRACT
A hospital is a health service facility that provides complete individual health services through promotive, preventive, curative, rehabilitative and/or palliative health services by providing inpatient, outpatient and emergency services. The Emergency Department (IGD) is a hospital unit that provides first care to patients. Emergency Services are medical actions required by Emergency Victims/Patients immediately to save lives and prevent disability. The current difficulty of society is expensive health financing. Not only because of the doctor, but to reach health facilities and infrastructure you also have to make a lot of effort. We can see in several cases of patient refusal in the ER at hospitals in several regions of Indonesia how difficult it is for people to get optimal health services. The method used is the Normative Juridical Method which aims to find legal regulations regarding hospitals in their efforts to treat emergency patients. The problem formulation that the author can put into this paper is how to implement and optimize hospital efforts to fulfill patients' rights to health services in the emergency unit. The results of the author's research are that in order to optimize the fulfillment of patient rights, hospitals are required to form internal hospital regulations and require hospitals to implement good corporate governance and good clinical governance.

Keyword: hospital; service; emergency; life; disability.

INTRODUCTION
Humans were created by God Almighty with a set of rights that guarantee their status as humans. These rights are then called human rights, namely rights obtained from birth, as humans, which are a gift from the Creator. Human Rights are a set of rights that are inherent in the essence of human existence as creatures of God Almighty and are His gifts that must be respected, upheld and protected. Since birth, every human being has been attached to a natural right that humans have as human beings which must be respected, upheld and protected by the state, law and government for the sake of respect and protection of human honor and dignity. (Grenaldo, 2017).

One of the goals of the Republic of Indonesia is to protect the entire Indonesian nation and all of Indonesia's blood and promote general welfare. Efforts to advance people's welfare means an effort to realize an optimal level of social life in the form of physical well-being and inner happiness with a quality of life that can fulfill the elements of basic human needs, namely health. The health services sector is one of the elements of health supplies as the most dominant factor in meeting the needs to achieve this level of health (Basuki, 2020).

Achieving health efforts as mentioned above is essentially one manifestation of general welfare as intended in the Preamble to the 1945 Constitution. Health as an element of general welfare must be realized in accordance with the ideals of the Indonesian nation as intended in the Preamble to the Law The 1945 Constitution through sustainable national development based on Pancasila and the 1945 Constitution. Health is a crucial issue that must be faced by every country
because it is directly correlated with the development of the personal integrity of each individual so that they can live with dignity (health, together with the level of education and purchasing power society, is a component of assessing the achievements of the Human Development Index of countries in the world). Countries whose people's health is not well managed, resulting in low human resources, will find it difficult to compete with other countries in the midst of fierce global competition. (Grenaldo, 2017).

Meanwhile, we look at the Emergency Unit cases in the mass media, some of which are cases of poor Jambi patients who died after allegedly being rejected by the hospital. A patient from a poor family died after allegedly being refused further treatment at the Raden Mattaher Jambi Regional Hospital due to lack of funds. The patient underwent surgery on July 16 2023 and was discharged from the hospital on July 26 2023. Four days after returning from the hospital, the patient experienced pain again and was taken to the hospital. At that time the patient was treated in the emergency room. However, because they did not bring a certificate of incapacity (SKTM), the patient was asked to go home to take care of the SKTM. Meanwhile, to make an SKTM, the patient must first return to their village in Sarolangun and the SKTM will be taken care of by the family in Sarolangun. Meanwhile the patient is in Jambi. Because he was told to go home, the patient's life could no longer be saved. One of the reasons the ER staff refuses patients is that it is full and patients are told to go home and come back if they have taken care of BPJS and SKTM.

We can see another case of Emergency Unit services in the case of the A. Yani Metro Lampung Regional Hospital which allegedly refused patients. With the chronology of the incident, the victim of rejection, namely Mrs. XX, a resident of East Hadimulyo Village, initially she took her child who was experiencing shortness of breath to the A. Yani Regional Hospital, however, when he went to the emergency room, he received poor treatment. The patient's family was asked to register first and then told that the bed was full and the condition of the patient, namely Mrs. XX's child, who was experiencing shortness of breath, was not given help or checked first and was told by the staff that the room was full. The patient was not examined first, the patient was carried by his mother with shortness of breath and he was not even given a place to sit and the patient's family decided to look for another hospital for help for their child. After being investigated by the General Ahmad Yani Regional Hospital, Metro City, they admitted that one of the patients had been rejected in the emergency room due to negligence by an employee in the registration section. (Supriyadi, 2024).

One of the cases on social media that caught my attention was about "There are lots of people talking about cases in Subang, can hospitals refuse patients" with a chronology of events. A pregnant woman breathed her last after being refused to give birth at Subang District Hospital, West Java. The reason was that the hospital was full at that time. Buniara Village Midwife, the patient was treated briefly in the emergency room, before finally being taken to the PONEK room (special room for giving birth). Upon arrival at the PONEK room, the nurse informed him that the PONEK room and ICU were full, so he asked the patient to be taken to another hospital. Even Euis' request to examine the patient first was ignored by the Subang Regional Hospital nurses. Unfortunately, on the way to the Bandung hospital, the patient died in the ambulance (Dzulfaroh & Herdiyanto, 2023).

In providing health services, several components are related, such as medical personnel, health facilities and patients. Medical personnel are parties who provide health services to cure certain diseases, while patients are parties who need health services (Rondonuwu, 2018).

The current difficulty of society is expensive health financing. Not only because of the doctor, but to reach health facilities and infrastructure you also have to make a lot of effort. We can see in several cases above how difficult it is for people to get optimal health services.

The success of health efforts can depend on the availability of health resources in the form of adequate quality personnel, facilities and infrastructure. Hospitals are one of the health facilities organized by both the government and the community. Health services as the main activity of hospitals place doctors as health workers who are most closely related to patients in treating disease. There are several relationships in these health service efforts, namely the relationship
between hospitals and doctors, nurses and patients, relationships between doctors and nurses and patients; and the relationship between nurses and patients (Praptianingsih, 2006).

RESEARCH METHODS

The method used is the Normative Juridical Method which aims to find legal regulations regarding hospitals in their efforts to treat emergency patients. It is hoped that the research objectives can be used to analyze the problems identified. Next, the regulations will be reviewed regarding the extent to which hospitals carry out their responsibilities so that they can improve the quality of hospitals in fulfilling patient rights.

In this research, a qualitative research methodology was used with a descriptive research type, namely describing things related to hospital law through a conceptual approach. In this research, the Normative Juridical concept is used, namely in this research, what is studied is library materials or secondary legal materials, including primary, secondary and tertiary legal materials.

Data collection instruments refer to the material tools used to obtain data and record it. This research focuses on literature study or document study and this research is carried out more on secondary data while primary data is only complementary.

RESULTS AND DISCUSSION

Implementation of Fulfillment of Patients' Rights to Health Services in Emergency Units in Hospitals.

Hospitals are complex, professional and capital intensive health care institutions. This complexity arises from the fact that hospital services span different levels and types of disciplines, including different service, educational, and research functions, and enable hospitals to perform professional functions in both medical technology and health care. To maintain and improve hospital quality, facilities are needed to ensure quality improvement at all levels (Rustiyanto, 2009). America Hospital Association (1974) defines a hospital as an organization that, through organized professional medical personnel and permanent medical infrastructure, provides medical services, continuous nursing care, diagnosis and treatment of diseases suffered by patients. (De Carvalho, 2019).

In relationships that occur in the community, hospitals can act as legal subjects if they enter into legal relationships either with patients or with other parties who have an interest in health services.

According to Kadir Sanusi, the definition of a hospital is a building where accommodation is provided and provides care for the healing and restoration of the health of patients for the short and long term, where observation, diagnosis, therapy and rehabilitation are carried out for patients suffering from an illness or injury and people giving birth. (Sanusi, 1995).

Health Law Number 17 of 2023 concerning Health in Chapter I General Provisions Article 1 paragraph 10 states that the definition of a hospital is a Health Service Facility that provides complete individual Health Services through promotive, preventive, curative, rehabilitative and/or Health Services, palliative by providing inpatient, outpatient and emergency services.

Then in Article 1 paragraph 24 of the Health Law it is stated that an Emergency is a clinical condition of a patient who requires immediate medical and/or psychological action to save life and prevent disability. In paragraph 23 it is explained that a patient is anyone who receives health services from medical personnel and/or health workers.

The Emergency Department (IGD) is a hospital unit that provides first care to patients. This unit is led by a duty doctor with expert and experienced doctors in handling PGD (Emergency Services), who then, if necessary, will refer patients to certain specialist doctors. (Hidayati, 2014).

RI Minister of Health Regulation No. 19 of 2016 concerning integrated emergency services system Chapter I Article 1 paragraphs 1 and 2 explains that:
Emergency is a patient's clinical condition that requires immediate medical action to save life and prevent disability. Emergency Services are medical actions required by Emergency Victims/Patients immediately to save lives and prevent disability.

Then, paragraph 7 of the article above explains that Emergency Victims/Patients are people who are in danger of death or disability who require immediate medical action. Therefore, hospitals are seen as liable for the errors and/or negligence of the health workers who work there. Law Number 17 of 2023 concerning Health explains the Obligations of Hospitals, including:

- Providing correct information about Hospital services to the community; Providing safe, quality, anti-discriminatory and effective health services by prioritizing the interests of patients in accordance with hospital service standards; Providing emergency services to patients according to their service capabilities; play an active role in providing Health Services during disasters in accordance with their service capabilities; Providing facilities and services for disadvantaged or poor communities; Carrying out social functions, among others, by providing service facilities for indigent or poor patients, emergency services without down payment, free ambulances, services for disaster and outbreak victims, or social services for humanitarian missions; create, implement and maintain quality standards for Health Services in Hospitals as a reference in serving Patients; Organizing medical records;
- Providing adequate public facilities and infrastructure, including prayer facilities, parking lots, waiting rooms, facilities for people with disabilities, breastfeeding women, children and the elderly; Implement a referral system; Rejecting patient wishes that conflict with professional and ethical standards as well as statutory provisions; Provide correct, clear and honest information regarding the patient's rights and obligations; Respect and protect the rights of Patients; Implementing Hospital ethics; Having an accident prevention and disaster management system; Implementing government programs in the Health sector, both regionally and nationally; Make a list of Medical Personnel who practice medicine or dentistry and other Health Personnel; Prepare and implement internal hospital regulations; Protect and provide legal assistance to all Hospital officers in carrying out their duties; Implement the entire hospital environment as a smoke-free area

In reality, the implementation of fulfilling the patient's right to health services in the Emergency Unit at the Hospital in the case that the author studied was that the Emergency Unit should be obliged to carry out public services as well as possible, but this could not be realized properly. Therefore, the Emergency Unit of Indonesian Hospitals must pay attention to improving the quality of public services by developing Standard Operational Procedures. These Standard Operational Procedures must be owned by every service unit as a guideline in the implementation of services which functions as a control in every service, especially for hospitals in the Emergency Unit section which provides public services in the health sector. Based on the research results, it can be concluded that currently the service procedures provided by the Hospital Emergency Unit do not comply with established standard procedures, the current procedures that the public perceives are still complicated and so the service is not running optimally.

The community as service recipients certainly hopes that the service they receive will not be complicated and will not make things difficult for them so that the service time provided to the community can be made more effective and this is also the hope of the community throughout Indonesia. Success in providing services to the community can also be seen from the officers who provide services, where in providing services to patients the Emergency Unit officers strive to always provide fast service to the community and every community served is satisfied with the services provided.

Efforts to Optimize the Fulfillment of Patients' Rights to Health Services in Emergency Units in Hospitals.

Law No.17 of 2023 concerning health in Chapter I General provisions Article 2 point h explains that health administration aims to provide legal protection and certainty for patients,
health human resources and the community. Therefore, every activity and effort to improve the highest level of public health is carried out with non-discriminatory, participatory, protective and sustainable principles which are very important for the formation of Indonesia's human resources, increasing the nation's resilience and competitiveness, as well as national development. Efforts to improve the highest level of health initially took the form of efforts to cure disease, then gradually developed towards integrated health efforts for the entire community by involving the community at large which includes promotive, preventive, curative and rehabilitative efforts that are comprehensively integrated and sustainable (Notoatmodjo, 2003).

In general, in health law there are two types of human rights or basic human rights, namely basic social rights and basic individual rights. These two principles underlie health law. Social rights in the health sector are the right to health care, a consequence of this right arises the right to medical services. The right to health care/services will be realized well or not, depending on four factors, namely:

1. Means
2. Geographical
3. Finance
4. Quality

Benyamin Lumenta said that medical services are efforts and activities to prevent and treat disease, all efforts and activities to improve and restore health which are carried out on the basis of individual relationships between medical service experts and individuals who need them. (Lumenta, 1989), then Dhany Wiradharma said that health services need to be differentiated from medical services (Astuti, 2009). The latter are all efforts to prevent and treat disease, as well as improve and restore health which are carried out on the basis of an individual relationship between a doctor and the individual who needs it. The function of health services and medical services is the same, namely meeting the needs of society or individuals to normalize problems related to health conditions.

Hospitals as a health service facility are part of the health resources that are very necessary to support the implementation of health efforts. The implementation of health services in hospitals has very complex characteristics and organization (Indar, 2022).

Hospitals have a very strategic role in efforts to accelerate the improvement of the health status of the Indonesian people. This strategic role is achieved because hospitals are technology-intensive and expert-intensive health facilities. This role is increasingly prominent nowadays considering the emergence of changes in disease epidemiology, changes in demographic structure, developments in science and technology, changes in the socio-economic structure of society and services that are better quality, friendlier and able to meet the needs of those who demand changes in health service patterns in Indonesia. (Sabarguna, 2009).

From time to time, hospital institutions are increasingly required to provide excellent service in the health sector to the community. This need is in line with two important things, namely the increasingly stringent competition in the hospital sector along with increasing awareness and demands from clients/customers regarding the quality of hospital services.

In today's developments, hospitals have become one of the frontline health facilities which are expected to provide health facilities and qualified medical personnel to accelerate the prevention and treatment of emergencies and emergency patients in hospitals. So in its development, the Hospital Law, which is currently being merged into one, namely the Health Law, provides a number of legal bases for hospitals to know their duties, functions, rights and obligations in health services. Apart from that, more broadly, the Health Law can provide a perspective in health services to prioritize service quality standards, especially for handling emergency, emergent and emergency patients.

In an effort to optimize the fulfillment of patient rights, the hospital has a mission to provide quality and affordable health services to the community in order to improve the level of public health. Its task is to carry out health efforts in an efficient and effective manner, by prioritizing healing and recovery efforts which are carried out in a harmonious and integrated manner. To
meet these needs, hospitals need to have the functions of medical services, medical support, nursing services and care, referrals, education and training, research and development as well as carrying out general administration and finance (Grenaldo, 2017).

This requires skilled personnel, good facilities and infrastructure as well as an adequate scale monitoring system. In the field of management, managers of related units in hospitals need to pay attention to demand management efforts, which are characterized by a priority scale and providing services at the right time. In general, these arrangements can be divided into patient services in emergency situations (emergency), immediate services (urgent) and services that can be scheduled/planned (scheduled). (Grenaldo, 2017). In order for efforts to optimize the fulfillment of patient rights to run well, hospitals are required to form internal hospital regulations and require hospitals to implement good corporate governance and good clinical governance.

Guidelines for Internal Hospital Regulations (Hospital by Laws) based on Minister of Health Decree Number 772 of 2002 state that Hospital by Laws comes from two words, namely hospital (Hospital) and by Laws (local or internal regulations). Hospital by Laws aims to determine regulations, legal certainty and the continuity of hospitals. Hospital by Laws are the “rules of the game” for Hospital management to carry out its functions and duties. Hospital by Laws is a tool for carrying out risk management and good governance programs well and successfully if management rules and discipline have been created and implemented well.

If we trace the incidents or cases described in the background of this research, such as the case "Poor Jambi Patient Died Allegedly Rejected from Hospital" from this case the principle of non-discrimination really does not work well in accordance with the mandate of the law. Likewise, in the case of "RSUD A Yani Metro Lampung suspected of rejecting patients," in this case it was a child who was the victim who did not prioritize emergency care due to the negligence of hospital staff. This is the hospital's duty to supervise and evaluate the performance of each person and/or officers, both medical and non-medical, who work in hospitals together to be able to realize what has been legislated, namely efforts to realize the highest possible level of health. "There is a lot of buzz about the Subang case, can hospitals refuse patients?" This case really attracted public attention and the result was that a pregnant woman died on the way to the Subang Regional Hospital after being rejected from another hospital. Health Law Number 17 of 2023 Chapter V Paragraph 1 concerning Maternal Health in article 40 paragraph 1 Maternal health efforts are aimed at giving birth to healthy, intelligent and quality children and reducing maternal mortality rates. The hospital and everything in it helps the government in reducing the maternal mortality rate so that of course this doesn't happen again.

It can be concluded based on the cases that the author has researched that the hospital still appears to be unable to carry out its obligations in accordance with legislation and the hospital's internal regulations are not running well. This unfortunately happens in several hospitals and several regions in Indonesia. It is necessary for the participation of Hospital Management to fully understand the obligations of the Hospital, not just business, but also include social functions that must be carried out to realize the state's goals as stated in the preamble to the 1945 Constitution.

In essence, hospitals are responsible for fulfilling patients' rights to create complete quality services and will provide satisfaction because satisfaction is closely related to improving service. The better the service provided to patients, the higher the level of patient satisfaction and the fulfillment of patient rights goes hand in hand. Efforts to fulfill patients' rights to health services are a guarantee for the community to obtain optimal levels of health. Optimal health services are the ultimate goal of providing services in hospitals. Health services in hospitals will always be related to the process structure and outcomes of the service system in the hospital. Health services in hospitals can also be seen from the level of utilization of service facilities by the community, the quality of service and the level of hospital efficiency.

Law Number 17 of 2023 concerning health has provided legal certainty, justice and benefits for the community and health workers, regarding rights and obligations, so its implementation needs to be implemented and obeyed so that implementation can run in accordance with the objectives of the Health Law.
CONCLUSION

The implementation of fulfilling patients' rights to health services in the Emergency Unit at the Hospital cannot be realized properly. In Health Law Number 17 of 2023 concerning Health, Health Service Facilities, in this case the Hospital, are obliged to provide complete individual Health Services through promotive, preventive, curative, rehabilitative and/or palliative Health Services by providing inpatient and outpatient services, roads, and Emergency. Indonesian Hospital Emergency Units must pay attention to improving the quality of public services by developing Standard Operational Procedures. These Standard Operational Procedures must be owned by every service unit as a guideline in the implementation of services which functions as a control in every service, especially for hospitals in the Emergency Unit section which provides public services in the health sector.

Hospital efforts to fulfill patients' rights to health services in the emergency unit require the establishment of internal regulations or Hospital by Laws and socialization to all elements in the hospital so that they can be implemented well with the aim of health services, especially in the emergency unit, being optimal. Hospitals are obliged to carry out their responsibilities in accordance with what has been legislated so that the country's goals in accordance with the preamble to the Republic of Indonesia Constitution can be realized properly.

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