

**IMPLEMENTATION OF ARTICLE 44 PP NUMBER 47 OF 2021
CONCERNING THE IMPLEMENTATION OF THE HOSPITAL SECTOR
TOWARD HOSPITAL PATIENT COMPLAINTS AT THE MABARROT MWC
NU PUBLIC HOSPITAL IN GRESIK CITY**

THESIS

BY:

MAR'ATUS SHOLIAH

SIN 200202110147



SHARIA ECONOMIC LAW DEPARTEMENT

SHARIA FACULTY

STATE ISLAMIC UNIVERSITY MAULANA MALIK IBRAHIM MALANG

2024

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STATE ISLAMIC UNIVERSITY MAULANA MALIK IBRAHIM MALANG

2024

STATEMENT OF THE AUTHENTICITY

In the name of Allah.

With consciousness and responsibility toward the development of science, the writer declares that thesis is entitled:

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THE IMPLEMENTATION OF THE HOSPITAL SECTOR TOWARD HOSPITAL
PATIENT COMPLAINTS AT THE MABARROT MWC NU PUBLIC HOSPITAL
IN GRESIK CITY

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Author,



Mar'atus Sholihah

Student ID 200202110147

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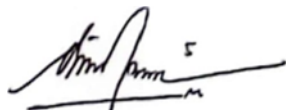
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Department of Sharia Economic Law, Sharia Faculty of The State Islamic University
Maulana Malik Ibrahim of Malang entitled:

**IMPLEMENTATION OF ARTICLE 44 PP NUMBER 47 OF 2021
CONCERNING THE IMPLEMENTATION OF THE HOSPITAL SECTOR
TOWARD HOSPITAL PATIENT COMPLAINTS AT THE MABARROT MWC
NU PUBLIC HOSPITAL IN GRESIK CITY**

The supervisor stated that this thesis has met the scientific requirements to be proposed
and to be examined on the Assembly Board of Examiners.

Malang, 05 February 2024

Acknowledged by,
The Head Department of
Sharia Economic Law



Dr. Fakhruddin, M. HI.
NIP 197408192000031002

Supervisors



Kurniasih Bahagiati, MH
NIP 198710192019032011

CONSULTATION PROOF



KEMENTERIAN AGAMA UNIVERSITAS ISLAM NEGERI
MAULANA MALIK IBRAHIM MALANG
FAKULTAS SYARIAH
Jl. Gajayana 50 Malang Telp. (0341) 551354 Fax. (0341) 572533

CONSULTATION PROOF

Name : Mar'atus Sholihah
Student Number : 200202110147
Department : Shariah Economic Law
Supervisor : Kurniasih Bahagiati, M.H.
Thesis Title : Consumer Protection Towards Hospital Patient Complaints At Mabarroto Mwe Nu
Public Hospital In Gresik City

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Malang, 05 February 2024

Acknowledged by:

Head Department of Shariah Economic
Law

Dr. Fakhruddin, M.H.
NIP 197408192000031002

LEGITIMATION SHEET

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The Assembly Board of Thesis Examiners of Mar'atus Sholihah (SIN 200202110147), student of Sharia Economic Law Department, Sharia Faculty of The State Islamic University Maulana Malik Ibrahim of Malang entitled:

IMPLEMENTATION OF ARTICLE 44 PP NUMBER 47 OF 2021 CONCERNING THE IMPLEMENTATION OF THE HOSPITAL SECTOR TOWARD HOSPITAL PATIENT COMPLAINTS AT THE MABARROT MWC NU PUBLIC HOSPITAL IN GRESIK CITY

Has been certified to pass in examination 23 February 2024

Board of Examiners:

1. Rizka Amaliah, M.Pd.
NIP 198907092019032012

()
Chairman

2. Kumiasih Bahagiati, M.H.
NIP 198710192019032011

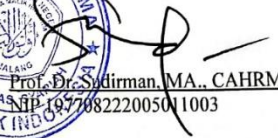
()
Secretary

3. Iffaty Nasvi'ah, M.H.
NIP 197606082009012007

()
Main Examiner

Malang, 06 March 2024



Dean

Prof. Dr. Sydirman, MA., CAHRM.
NIP 197708222005011003

MOTTO

"Primary Care: Implementing Consumer Protection in Responding Wisely to Patient Complaints"

ACKNOWLEDGMENT

بسم الله الرحمن الرحيم

Alhamdulillah rabbil'alamin, have given His rahmat and servan, so we can finish this thesis entitled "**IMPLEMENTATION OF ARTICLE 44 PP NUMBER 47 OF 2021 CONCERNING THE IMPLEMENTATION OF THE HOSPITAL SECTOR TOWARD HOSPITAL PATIENT COMPLAINTS AT THE MABARROT MWC NU PUBLIC HOSPITAL IN GRESIK CITY**". Peace be Upon into The Rasulullah Prophet Muhammad SAW who has taught us guidance (*uswatun hasanah*) to do activity correctly in our life. By following Him, may we belong to those who believe and get their intercession an the last of the end. Amien.

From all the teaching, advice, guidance, and helps of service for us to finish this thesis, then with all humility the writer will expresses the gratitude which is unequaled to:

1. Prof. DR. H.M Zainuddin, MA, as the Rector of The State Islamic University Maulana Malik Ibrahim of Malang
2. Prof. Dr. Sudirman, MA., CAHRM, as the Dean of Sharia Faculty of The State Islamic University Maulana Malik Ibrahim of Malang

3. Dr. Fakhruddin, M.HI., as the Head of Sharia Economic Law Department of Sharia Faculty of The State Islamic University Maulana Malik Ibrahim of Malang
4. Mahbub Ainur Rofiq, M.HI., as supervisor lecturer of the writer during his study at Sharia Economic Law Department of Sharia Faculty of The State Islamic University Maulana Malik Ibrahim of Malang
5. Kurniasih Bahagiati, M.H, as my thesis supervisor. The writer thanks for her spending time to guide, direct, and motivate to finish writing this thesis. The writer hopes that she and her family will be blessed by Allah
6. All lectures at Sharia Faculty of The State Islamic University of Maulana Malik Ibrahim Malang who have provided learning to all of us. With sincere intentions, may all of their charity be part of worship to get the pleasure of Allah SWT.
7. Staff of Sharia Faculty of The State Islamic University Maulana Malik Ibrahim of Malang with the completion of this thesis report, the hope that knowledge which we have gained during our studies can provide the benefits of life in the world and the hereafter. As a human who has never escaped fault, the author is very hopeful for the forgiveness, criticism and suggestions from all parties for future improvement efforts.

Writer realizes that this thesis has many shortcomings, therefore suggestions and constructive criticism are very much expected for future

improvement. Writer hopes that the knowledge gained while at State Islamic University Maulana Malik Ibrahim Malang can be useful for all circles.

Malang, 05 February 2024

Author,

A handwritten signature in black ink, appearing to be 'Mar'atus Sholihah', written in a cursive style.

Mar'atus Sholihah

200202110147

TRANSLITERATION GUIDELINES

In writing this scientific work, the use of foreign terms is often unavoidable. In general, according to the General Guidelines for Indonesian Spelling, foreign words are written (printed) in italics. The following table presents transliteration guidelines as a reference for writing scientific papers. The Arabic-Indonesian transliteration of the Sharia Faculty of UIN Maulana Malik Ibrahim Malang is guided by the United States Library of Congress (LC) model as follows:

Arab	Indonesia	Arab	Indonesia
أ	'	ط	t
ب	B	ظ	z
ت	Q	ع	'
ث	Th	غ	Gh
ج	J	ف	F
ح	h	ق	Q
خ	Kh	ك	K
د	D	ل	L
ذ	Dh	م	m
ر	R	ن	N
ز	Z	و	W
س	S	هـ	H
ش	Sh	ء	'

ص	ṣ	ي	Y
ض	ḍ		

To indicate a long life sound (madd), the method is to write horizontal stripes above the letters, such as ā, ī and ū (أ, إ, و). The Arabic double vowel sound are transliterated by combining the two letters “ay” and “aw” like layyinah, lawwāmah. Words ending in tā' marbūṭah and functioning as an adjective or mudāf ilayh are transliterated with "ah", while those that functioning as muf are transliterated with "at".

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ABSTRAK

Mar'atus Sholihah, 200202110147, 2024, Implementasi Pasal 44 PP Nomor 47 Tahun 2021 tentang penyelenggaraan bidang perumahsakitatan atas Pengaduan Pasien Rumah Sakit di RS Umum Mabarrot MWC NU Kota Gresik, Skripsi, Jurusan Hukum Ekonomi Syariah, Fakultas Syariah, Universitas Islam Negeri Maulana Malik Ibrahim Malang. Pembimbing: Kurniasih Bahagiati, M.H.

Kata Kunci: Perlindungan konsumen, Pengaduan, Maqashid Syariah

Perlindungan konsumen adalah segala upaya yang menjamin adanya kepastian hukum untuk melindungi konsumen. Perlindungan konsumen di Indonesia diatur dalam beberapa peraturan seperti UU Nomor 8 Tahun 1999 tentang perlindungan konsumen dan UU Nomor 17 Tahun 2023 tentang kesehatan, PP No. 47 tahun 2021 tentang Penyelenggaraan Bidang Perumahsakitatan. Adanya peraturan ini, pemerintah telah menjamin hak-hak konsumen (pasien) jika dirugikan oleh pelaku usaha yakni pihak rumah sakit. Salah satu hak yang terdapat dalam PP No 47 Tahun 2021 tentang penyelenggaraan bidang perumahsakitatan yaitu mengajukan pengaduan atas pelayanan yang diterima.

Tujuan dalam penelitian ini yaitu untuk mengetahui bagaimana pemenuhan hak-hak pasien yang sesuai dengan pasal 44 PP No 47 tahun 2021 tentang Penyelenggaraan Bidang Perumahsakitatan dan untuk mengetahui penyelesaian keluhan pasien di Rumah sakit. Metode penelitian yang digunakan dalam penelitian ini yaitu penelitian hukum empiris (yuridis empiris). Pendekatan yang digunakan dalam penelitian ini yaitu pendekatan yuridis sosiologis. Sumber data dalam penelitian ini yaitu data primer diperoleh dari hasil wawancara dan dokumentasi.

Hasil dari penelitian menunjukkan bahwa pertama, bentuk pemenuhan hak-hak pasien di RS Umum Mabarrot MWC NU Kota Gresik yaitu menyediakan sistem yang efisien terkait pengaduan atau pengajuan keluhan seperti menyediakan formulir pengaduan, website resmi pengaduan pasien. Namun tidak ada perbedaan antara prosedur pengajuan kritik dan saran dengan pengaduan. Hal ini menyebabkan pengaduan tidak direspon dengan baik. Kedua, penyelesaian keluhan pasien jika merujuk pada kebijakan RS Umum Mabarrot MWC NU Kota Gresik dapat dilalui 3 cara yaitu kekeluargaan atau secara damai, negosiasi, dan mediasi. Namun, selama ini proses penyelesaian keluhan hanya dilakukan dengan kekeluargaan atau secara damai. Penyelesaian tersebut juga dilakukan sesuai alur penyelesaian keluhan dan komplain pasien yang ditetapkan dalam SK Direktur Mabarrot MWC NU Bungah Gresik Nomor 01.358/A/RSI.NU/X/2022.

ABSTRACT

Mar'atus Sholihah, 200202110147, 2024, Implementation of **Article 44 PP Number 47 Of 2021 Concerning The Implementation Of The Hospital Sector Toward Hospital Patient Complaints at the Mabarro MWC NU Public Hospital In Gresik City**, Sharia Economic Law Department, Sharia Faculty, State Islamic University Maulana Malik Ibrahim Malang, Thesis Supervisor Kurniasih Bahagiati, MH

Keywords: Consumer protection, Complaints, Maqashid Syariah

Consumer protection is any effort that ensures legal certainty to protect consumers. Consumer protection in Indonesia is regulated in several regulations such as Law Number 8 of 1999 concerning consumer protection and Law Number 17 of 2023 concerning health, PP No. 47 of 2021 concerning the Implementation of the Hospital Sector. With this regulation, the government has guaranteed the rights of consumers (patients) if they are harmed by business actors, namely hospitals. One of the rights contained in PP No. 47 of 2021 concerning the administration of the hospital sector is to submit complaints regarding the services received.

The aim of this research is to find out how patients' rights are fulfilled in accordance with article 44 PP No. 47 of 2021 concerning the Administration of the Hospital Sector and to find out the resolution of patient complaints in hospitals. The research method used in this research is empirical legal research (empirical juridical). The approach used in this research is a sociological juridical approach. The data source in this research is primary data obtained from interviews and documentation.

The results of the research show that first, the fulfillment of patient rights at the Mabarro MWC NU Public Hospital, Gresik City, namely providing an efficient system regarding complaints or submitted complaints, such as providing a complaint form, an official patient complaint website, but there is no difference between the procedure for submitting criticism and suggestions and complaints. This causes complaints not to be responded to properly. Second, resolving patient complaints at the Mabarro MWC NU Public Hospital in Gresik City in 3 ways, namely familial or peacefully, negotiation and mediation and carried out in accordance with the flow of resolving patient complaints and grievances as specified in the Decree of the Director of Mabarro MWC NU Bungah Gresik Number 01.358/A/ RSI.NU/X/2022.

خلاصة

ماراتوس صاليجا، ٢٠٢٤، ٢٠٠٢٠٢١١٠١٤٧، تنفيذ حماية المستهلك لشكاوى المرضى في المستشفيات في مستشفى ماباروت م وچ نَهَضَةُ الْعُلَمَاءِ العام، مدينة جريسيك، أطروحة، قسم القانون الاقتصادي الشرعي، كلية الشريعة، جامعة مولانا مالك إبراهيم الإسلامية الحكومية مالانج. المشرف كورنياسيه باهاجياتي، أم أتش

الكلمات المفتاحية: حماية المستهلك، الشكاوى، المقاصد الشرعية

حماية المستهلك هي أي جهد يضمن اليقين القانوني لحماية المستهلكين. يتم تنظيم حماية المستهلك في إندونيسيا من خلال العديد من اللوائح مثل القانون رقم ٨ لعام ١٩٩٩ بشأن حماية المستهلك والقانون رقم 17 لعام ٢٠٢٣ بشأن الصحة، اللوائح الحكومية قانون رقم ٤٧ لسنة ٢٠٢١ في شأن تنفيذ قطاع المستشفيات ومن خلال هذه اللائحة، ضمنت الحكومة حقوق المستهلكين (المرضى) في حالة تعرضهم للأذى من قبل الجهات التجارية، أي المستشفيات. من الحقوق الواردة في اللائحة التنفيذية رقم ٤٧ لسنة ٢٠٢١ بشأن إدارة قطاع المستشفيات تقديم الشكاوى المتعلقة بالخدمات المقدمة.

الهدف من هذا البحث هو معرفة كيفية استيفاء حقوق المرضى وفقا للمادة ٤٤ ع رقم ٤٧ لسنة ٢٠٢١ في شأن إدارة قطاع المستشفيات والتعرف على حل شكاوى المرضى في المستشفيات. ومنهج البحث المستخدم في هذا البحث هو البحث القانوني التجريبي (القانوني التجريبي). والمنهج المتبع في هذا البحث هو المنهج القانوني الاجتماعي. مصدر البيانات في هذا البحث هو البيانات الأولية التي تم الحصول عليها من المقابلات والوثائق.

تظهر نتائج البحث أنه أولاً، استيفاء حقوق المريض في مستشفى ماباروت م وچ نَهَضَةُ الْعُلَمَاءِ العام، بمدينة جريسيك، أي توفير نظام فعال فيما يتعلق بالشكاوى أو تقديم الشكاوى، مثل توفير نموذج شكوى، وموقع ويب رسمي لشكاوى المرضى، ولكن لا يوجد فرق بين إجراءات تقديم النقد والاقتراحات والشكوى. وهذا يؤدي إلى عدم الاستجابة للشكاوى بشكل صحيح. ثانياً، حل شكاوى المرضى في مستشفى ماباروت م وچ نَهَضَةُ الْعُلَمَاءِ العام في مدينة جريسيك بثلاث طرق، وهي عائلية أو سلمية،

والتفاوض والوساطة ويتم تنفيذها وفقًا لتدفق حل شكاوى وشكاوى المرضى على النحو المنصوص عليه
في مرسوم مدير ماباروت م وچ تَهَضَّةُ الْعُلَمَاءِ رقم ٠١.٣٥٨/أ/ المستشفى الاسلامي / X/ ٢٠٢٢.

CHAPTER I

INTRODUCTION

A. Research Background

Indonesia is a country that upholds the value of justice within its territory which aims to prosper its people. It is undeniable that health can be used as a measure of community welfare in addition to economic and social factors. This is regulated in article 34 paragraph (3) of the 1945 Constitution, which states that every country must provide adequate health and public welfare facilities and be carried them out professionally without any discrimination.¹ Health services for the community have also been regulated by law, namely article 9 of Law Number 39 of 1999 concerning human rights.²

In Indonesia, the development of consumer protection occurred after the change of government with the establishment of Law Number 8 of 1999 concerning Consumer Protection. According to the law, consumer protection is an effort to guarantee legal certainty in providing protection to consumers which aims to increase consumer awareness to protect themselves.³ In addition to Law Number 8 of 1999 concerning consumer protection, there are several

¹ Henny Saída Flora, "PROTECTION OF PATIENTS' RIGHTS AS CONSUMERS IN HEALTH SERVICES FROM THE PERSPECTIVE OF CONSUMER PROTECTION LAW," *Fiat Iustitia : Legal Journal*, February 25, 2023, 154–64, <https://doi.org/10.54367/fiat.v3i2.2531>.

² "UU no. 39 of 1999 concerning Human Rights," accessed October 10, 2023, <https://peraturan.bpk.go.id/Details/45361/uu-no-39-tahun-1999>.

³ "UU no. 8 of 1999 concerning Consumer Protection," Regulatory Database | JDIH BPK, accessed September 23, 2023, <http://peraturan.bpk.go.id/Details/45288/uu-no-8-tahun-1999>.

laws and regulations, including Law Number 17 of 2023 concerning health, PERPU Number 2 of the year of Job Creation, Government Regulation Number 47 of 2021 concerning the implementation of the hospital sector, PERMENKES Number 3 of 2020 concerning hospital classification and licensing.

Service consumers protection, especially in medical services, aims to protect patient rights as explained in article 17 paragraph (2) letter f of PERMENKES Number 4 of 2018, namely that every patient has the right to submit a complaint about the quality of service received.⁴ The existence of these regulations means that formally the government has succeeded in making provisions that can guarantee consumers rights if they are disadvantaged in terms of health services. However, in practice there are still many cases of violating the rights of consumers of medical services in accordance with statutory regulations.

Mabarrot MWC NU Public Hospital is a public hospital that is famous for its good service. Based on data from Mabarrot MWC NU Public Hospital, there were 11 patients who submitted complaints or complaints out of 8,965 patients. The data is calculated from 1 January 2023 to August 2023. The reasons for patients submitting complaints are the arrival of doctors who do not

⁴ "Minister of Health Regulation No. 4 of 2018 concerning Hospital Obligations and Patient Obligations," Regulatory Database | JDIH BPK, March 28, 2018, <http://peraturan.bpk.go.id/Details/111761/permenkes-no-4-tahun-2018>.

accordance with practice hours and medical services that are less friendly when dealing with patients and complaints that are not responded to properly.⁵

One of the cases that violated the rights of consumers of medical services occurred in July 2022. The case occurred for the first time in Indonesia, namely the case of a baby boy who was switched at Sentosa Hospital, Ciseng District, Bogor Regency, West Java. Siti was the mother of one of the switched babies.

This case began with Siti's oddities and suspicions about the baby she was holding, from the physical appearance to the colour of the clothes the baby was wearing, she then complained to the hospital but the hospital did not respond properly. For almost a year, Siti did not receive any explanation from the hospital but she tried to prove that the baby was not her child. Finally, in August 2023, Siti took a DNA test and the baby was proven that the baby was not her biological child.⁶

Based on this, it is clear that there is an imbalance between legal protection of consumers in practice in community. Whereas, in article 44 paragraphs (5), (6), and (7) of Government Regulation Number 47 of 2021 concerning the implementation of the hospital sector, it is stated that in paragraph (5) each hospital must provide a complaints service unit to fulfill

⁵Muhammad B, interview, (Gresik, 27 February 2024)

⁶ team, "The Journey of the Case of Swapped Babies in Bogor Until It's Finally Completed," national, accessed September 19, 2023, <https://www.cnnindonesia.com/nasional/20230827101821-20-990992/perjalanan-case-bayi-tertukar-di-bogor-until-finally-finished>.

patient's rights, namely submitting complaints. or complaints, and paragraph (6) explains that the complaint service unit carries out information gathering, clarification and resolution of patient complaints regarding dissatisfaction with the services provided by the hospital. Paragraph (7) states that complaints submitted by patients must be followed up quickly, fairly and objectively.⁷

From the background, the author is interested in studying in depth how fulfilment of patient rights and settlements at Mabarro MWC NU Public Hospital regarding patient complaints based on consumer protection. In this research, the author raises the title "Implementation of Article 44 PP Number 47 of 2021 Concerning The Implementation of The Hospital Sector Toward Hospital Patient Complaints at The Mabarro MWC NU Public Hospital In Gresik City."

B. Statement of Problem

Based on the background description above, in this research there is a problem formulation, namely:

1. How is the fulfilment of patient rights at Mabarro MWC NU Public Hospital regarding complaints from a consumer protection perspective?
2. How are the settlement of patient complaints at Mabarro MWC NU Public Hospital from a consumer protection perspective?

⁷ "PP no. 47 of 2021 concerning the Implementation of the Hospital Sector," Regulatory Database | JDIH BPK, accessed October 8, 2023, <http://peraturan.bpk.go.id/Details/161982/pp-no-47-tahun-2021>.

C. Objective of Research

Based on the problem formulation above, in this research there are research objectives, namely:

1. To find out and understand the fulfillment of patient rights at MWC NU Public Hospital regarding complaints from a consumer protection perspective.
2. To find out and understand the settlement of patient complaints at Mabarro MWC NU Public Hospital from a consumer protection perspective.

D. Benefits of Research

1. Theoretical Benefits

The results of this research are intended to provide knowledge about law as a whole, especially for students. This is mainly related to hospital consumer protection regarding complaints made by patients.

2. Benefits of Practice

The benefits of this research are expected to provide information to the public regarding the existence of legal protection that can be taken if a patient is harmed by medical personnel and to add information material to those who need references.

E. Operational Definition

The operational definition is an explanation of the research concepts or variables contained in the research title. This explanation is very useful for understanding the title of the research and helps readers limit the researcher's interpretation and ensures that this research remains focused on the study that the researcher hopes. Some terms that researchers consider require explanation include:

1. Patient

The patients referred to in this research are people who receive medical treatment because they suffer from illness or injury and need a doctor's help to recover. Such patients also have a set of rights that must be respected. Based on this, not only do patients receive medical treatment, but patients also have rights such as the right to obtain clear information about the patient's condition, submit complaints about the quality of services received, and so on. In addition, patients are expected to comply with treatment guidelines set by medical personnel.

2. Consumer protection

Consumer protection referred to in this research is an effort to guarantee or ensure that there is legal certainty to protect consumers which includes protecting consumer rights through law. In

Indonesia, regulations that specifically guarantee consumer protection are Law Number 8 of 1999 concerning Consumer Protection. UUPK has a very important role in business, especially for consumers. Consumers often depend on business actors to meet their daily needs. This dependency can make consumers feel forced to accept unprofitable business practices or find it difficult to file complaints. Therefore, consumers need UUPK to protect their rights.

F. Structure of Discussion

In writing the thesis entitled "IMPLEMENTATION OF HOSPITAL CONSUMER PROTECTION IN PATIENT COMPLAINTS" it will be organized into five chapters. Each chapter will have a number of sub-chapters that provide an in-depth overview of the discussions that will be described in this thesis in relation to each other. The writing systematics include:

Chapter I Introduction

In this chapter the author discusses the contents of the thesis as a whole which consists of background, problem formulation, research objectives, benefits of research and systematic discussion.

Chapter II: LITERATURE REVIEW

This chapter discusses a general overview of patients and hospitals including the definition of patients, the rights and obligations of

patients, the meaning of complaints, the rights and obligations of hospitals, the legal basis for hospital consumer protection.

Chapter III: RESEARCH OF RESEARCH

The research method contains the type of empirical legal or empirical juridical research, the research location at the Mabarro MWC NU Public Hospital, the type and source of data consisting of primary data collected through interviews with the directors of the relevant hospitals, secondary data collected through several journals and previous research. Data collection methods through interviews and documentation.

Chapter IV: DISCUSSION OF RESEARCH FINDINGS

This section will review and answer the conclusions of the problems raised by the author, namely legal protection of patient rights and obligations regarding complaints and hospital management regarding complaints.

CHAPTER V: CLOSING

The author ends with the fifth chapter which includes conclusions and suggestions. The conclusion in this chapter is not a summary of the research conducted but rather a short answer to the problem formulation. Suggestions are proposals or recommendations to related parties for the good of society, and suggestions for further research in the future.

CHAPTER II

LITERATURE REVIEW

A. Previous Research

In this section, researchers explain the comparison between the studies researched by the researchers and those that have been researched by previous researchers. The focus of this study is the implementation of hospital consumer protection. The purpose of this is to prevent overlapping or repetition of research on similar topics. The following is a list of studies used by researchers as a review of this research and related to the research to be conducted. The following is some previous research related to the author's title, including:

1. Karim Amriyanto, 2023, Review of Legal Protection for Alternative Medicine Patients According to Law No. 8 of 1999 concerning Consumer Protection.⁸ This research is normative research that focuses on legal protection for alternative medicine patients which originates from Law Number 8 of 1999 concerning Consumer Protection and alternative medicine liability for losses experienced by patients or consumers of alternative medicine related to the

⁸ Karim Amriyanto, "JURIDICAL REVIEW OF LEGAL PROTECTION OF ALTERNATIVE MEDICINE PATIENTS ACCORDING TO LAW NO. 8 OF 1999 CONCERNING CONSUMER PROTECTION" (undergraduate, Sultan Agung Islamic University Semarang, 2023), <http://repository.unissula.ac.id/30064/>.

provision or service of services that are considered detrimental to patients or consumers. , shows that first, the legal protection obtained by consumers or alternative medicine patients according to Law Number 8 of 1999 concerning Consumer Protection which includes comfort, security and safety of services provided if the services are not appropriate, and consumer protection dispute resolution. Second, based on Law Number 8 of 1999 concerning Consumer Protection, alternative medicine service providers must compensate for all losses suffered by patients or consumers.

2. Alivia Vabesta, 2022, Legal Protection in Medical Services for Patients at the Bumiayu Regional General Hospital (RSUD).⁹This research is a type of empirical juridical research that focuses on legal protection in medical services for patients at the Bumiayu Regional General Hospital (RSUD) and the efforts made by the Hospital for patients in providing legal protection. The legal protection provided to patients is a preventive measure where patients must know complete information about procedures and risks that may occur before being treated in hospital. The efforts made by Bumiayu

⁹ "Legal Protection in Medical Services for Patients at the Bumiayu Regional General Hospital (RSUD) - Walisongo Repository," accessed October 11, 2023, <https://eprints.walisongo.ac.id/id/eprint/19494/>.

Regional Hospital are to improve rights by ensuring optimal performance of doctors and nurses in providing health services.

3. Andri Yadi, 2022, Legal Protection of the Rights of BPJS Health Patients at Eka Hospital Pekanbaru.¹⁰This research is field research that focuses on consumer protection of patient rights, especially BPJS health patients, where the reality is that patients using BPJS cards often have their rights as patients neglected, as shown by the many reports from patients in hospitals that they are dissatisfied. or even be harmed by the health services they receive. This shows that public legal awareness is increasing.
4. Didiek Wahyu Indarta (2019) Legal Protection of Patients as Consumers of Services in Health Services (Study at Ibnu Sina Hospital Bojonegoro).¹¹This research is empirical juridical research. In an effort to improve the quality of life and adequate health services, the government and private sector provide health service institutions called hospitals. The large number of cases and lawsuits from patients involving a hospital as a result of patients being

¹⁰ Andri Yadi, "Legal Protection of the Rights of BPJS Health Patients at Eka Hospital Pekanbaru" (masters, Riau Islamic University, 2022), <https://repository.uir.ac.id/16962/>.

¹¹ Didiek Wahyu Indarta, "LEGAL PROTECTION OF PATIENTS AS CONSUMERS OF SERVICES IN HEALTH SERVICES (STUDY AT IBNU SINA HOSPITAL BOJONEGORO)," JUSTITIABLE - Journal of Law 1, no. 2 (January 1, 2019): 85–116.

dissatisfied or even harmed by the health services provided by the hospital is an indication that public legal awareness is increasing.

5. Yuris Tri Naili, Litya Surisdani Anggraeniko, Maya Ruhtiani, and Hesti Ayu Wahyuni, 2022, Legal Protection of Patients in Health Services Based on the Legal Perspective of Consumer Protection in Indonesia.¹²This research is sociological juridical research or what is called an empirical juridical approach. Based on the consumer protection law in force in Indonesia, this research focuses on regulations regarding patients as consumers in health services. In this case, patient legal protection must be provided in accordance with the provisions of the laws in force in Indonesia. Health services are considered adequate if they fulfill the patient's rights, including obtaining necessary information, guarantees of security, comfort and safety, as well as equal treatment from doctors or health workers.

¹² Yuris Tri Naili et al., "Legal Protection of Patients in Health Services Based on the Legal Perspective of Consumer Protection in Indonesia," National Seminar on Research and Community Service, December 28, 2022, 615–23, <https://doi.org/10.35960/snppkm.v2i1.1158>.

Table1
Similarities and Differences from Previous Research

No	Researcher Name and Year of Research	Formulation of the problem	Results	Equality	Difference
1.	Karim Amriyanto (2023) Juridical Review Legal Protection for Alternative Medicine Patients According to Law no. 8 of 1999 concerning Consumer Protection.	1. What form of legal protection for alternative medicine patients is based on Law Number 8 of 1999 concerning Consumer Protection? 2. What are the legal consequences for alternative medicine that has provided services to clients based on Law No. 8 of 1999 concerning Consumer Protection?	1. Legal protection provided to consumers or patients of alternative medicine from the perspective of Law Number 8 of 1999 concerning Consumer Protection, namely obtaining comfort, security and safety of services provided, receiving compensation if services are not appropriate, and resolving consumer protection disputes	The similarity with my research is that they both discuss consumer protection for patients	In Karim Amriyanto's thesis he discusses the responsibilities carried out by business actors, while in this research the discussion concerns the resolution of patient complaints in hospitals.

			2. Losses experienced by consumers or alternative medicine patients are the responsibility of alternative medicine service providers in accordance with Law Number 8 of 1999 concerning Consumer Protection.		
2.	Alivia Vabesta (2022) Legal Protection in Medical Services for Patients at the Bumiayu Regional General Hospital (RSUD)	<p>1. What is the legal protection for medical services for patients at the Bumiayu Regional General Hospital (RSUD)?</p> <p>2. What are the obstacles and problems that arise in efforts to provide legal protection in medical services to patients at</p>	<p>1. The legal protection provided to patients is preventive protection (before implementing medical services, the hospital will provide information to patients regarding the rules in the hospital and the risks that may occur).</p> <p>2. The problems that occur at Bumiayu Regional</p>	The similarity with my research is related to the role of hospitals in providing legal protection in health care.	The difference in my research lies in hospital management towards fulfilling patient rights and hospital obligations.

		the Bumiayu Regional General Hospital (RSUD) and what efforts are made by Bumiayu Regional Hospital to resolve problems that arise in efforts to provide legal protection in medical services to patients at RSUD? Bumiayu?	Hospital are that the services provided by the hospital are less than satisfactory, while the efforts made by Bumiayu Regional Hospital are to prioritize the rights of consumers (patients) by providing good service, paying attention to the performance of nurses and doctors when providing medical services to patients.		
3.	Andri Yadi (2022) Legal Protection of the Rights of BPJS Health Patients at Eka Hospital Pekanbaru	<p>1. What is the legal protection for the rights of BPJS Health patients at Eka Hospital Pekanbaru?</p> <p>2. What are the obstacles to legal protection of the rights of</p>	1. Consumer protection for the rights of BPJS Health patients at Eka Hospital Pekanbaru must ensure the best service for BPJS patients in obtaining services without	What this research has in common is that it both discusses legal protection for patients in hospitals	The difference between my research and this research lies in the discussion in the research because the focus of my research is legal protection for patient complaints.

		BPJS Health patients at Eka Hospital Pekanbaru?	<p>discrimination against patients who pay privately. If hospitals and medical personnel discriminate, patients can report it to the Health Service and related parties to take action against perpetrators who violate it.</p> <p>2. Obstacles in consumer protection of the rights of BPJS Health patients at Eka Hospital Pekanbaru include the lack of facilities and infrastructure in accordance with applicable standards, the large number of medical personnel who have not been certified in treating</p>		
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			BPJS patients.		
4.	Didiek Wahyu Indarta (2019) Legal Protection of Patients as Consumers of Services in Health Services (Study at Ibnu Sina Hospital Bojonegoro)	<p>1. What is the form of legal protection for patients as consumers of services in health services at Ibnu Sina Hospital Bojonegoro?</p> <p>2. What are the factors that support and hinder the legal protection of patients as consumers of services in health services at Ibnu Sina Hospital, Bojonegoro?</p>	<p>1. The legal protection for patients as consumers of services in health services at Ibnu Sina Hospital Bojonegoro is good.</p> <p>2. Factors that support and hinder the implementation of health services at Ibnu Sina Hospital Bojonegoro consist of internal and external factors, internal factors that support namely the existence of good information, good communication, the role of doctors, human resources and legal awareness of doctors/health</p>	The similarity with my research is that they both discuss the rights of patients as consumers in health services based on consumer protection.	The difference in my research lies in the discussion regarding patient rights which focuses on the right to file a complaint

			<p>h workers as well as hospitals and as supporting external factors, namely patient motivation and patient compliance. Internal factors that hinder are inadequate doctor/health worker facilities, inadequate complaint facilities, work environment, and inadequate communication between the hospital and the patient as well as external factors that hinder namely the pessimistic attitude of the patient.</p>		
5.	Yuris Tri Naili, Litya Surisdani Anggraeniko, Maya Ruhtiani	1. How are the regulations regarding	1. Legal protection of patients in health	The similarity with my research is that they both	The focus of discussion in this thesis is hospital management

	and Hesti Ayu Wahyuni (2022) Legal Protection of Patients in Health Services Based on the Legal Perspective of Consumer Protection in Indonesia.	patients as consumers in health services reviewed based on the applicable consumer protection law in Indonesia?	services based on a legal perspective in Indonesia as a whole must follow statutory regulations.	discuss the rights of patients as consumers in health services based on consumer protection.	regarding patient rights and hospital obligations.
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B. Theoretical/ Conceptual Framework

1. Consumer protection

Consumer protection is currently receiving quite a lot of attention because it is beneficial for society, both for business actors and the public as consumers. According to the KBBI, protection is defined as an action or thing that protects.¹³ The term consumer comes from the Dutch language, namely consumer, which means user of goods, recipient of advertising messages, or user of services. In language, a consumer is anyone who uses goods.¹⁴ In article 1 of Law no. 8 of 1999 concerning consumer protection states that a consumer is every individual who uses goods or services

¹³ "The Meaning of the Word Protection - Big Indonesian Dictionary (KBBI) Online," Big Indonesian Dictionary (KBBI) Dictionary online version (online), accessed October 26, 2023, <https://kbbi.web.id/perlindungan>.

¹⁴ Celina Tri Siwi Kristiyanti, Consumer Protection Law, 1st ed. (Jakarta: Sinar Graphics, 2008), https://books.google.com/books/about/Hukum_Perlindungan_Konsumen.html?hl=id&id=IO1XEAAAQBAJ.

available in society for the benefit of themselves, their family, other people or other living creatures that are not for trade.¹⁵

According to this law, consumers only refer to individuals or natural persons. However, in reality consumers are not only individuals but also legal or unincorporated business entities. Black's law dictionary states that a consumer is one who consumers, individuals who purchase, use, maintain and dispose of products and services, which means someone who consumes or individuals who buy, use, maintain and dispose of products and services.

The Business English Dictionary explains consumer protection, namely protecting consumers against unfair or illegal traders.¹⁶ The definition of consumer protection is any effort that ensures legal certainty to protect consumers. This consumer protection functions as legal certainty for consumers. The objectives of consumer protection are:¹⁷

- a. Increase consumer awareness to protect themselves
- b. Raising awareness of business actors about the importance of consumer protection so that business actors become honest and responsible in their business.

¹⁵ "UU no. 8 of 1999 concerning Consumer Protection."

¹⁶ Rahmat Suhargon and Faulia Anggeraini, "Judicial Review on Consumer Protection Based on Law Number 8 of 1999 Concerning Consumer Protection," *International Journal of English Literature and Social Sciences*, 2021, <https://doi.org/10.22161/ijels.65.1>.

¹⁷ Amanda Tikha Santriati and Dwi Runjani Juwita, "PROTECTION OF CONSUMER RIGHTS FROM THE PERSPECTIVE OF ISLAMIC LAW AND CONSUMER PROTECTION LAW NUMBER 8 OF 1999," *Opinia de Journal* 2, no. 2 (December 25, 2022): 32–51, <https://doi.org/10.35888/opinia.v2i2.30>.

- c. Increasing consumers' ability to determine their rights as consumers
- d. Increasing the honor and dignity of consumers by avoiding the negative effects of using goods or services.
- e. Improving the quality of goods or services that ensures business continuity of goods or services, health, security and safety of consumers.

A Zen Umar Purba stated that the general framework regarding the main aspects which is the basis for consumer protection regulations is equality between consumers and business actors, consumers and business actors have rights and obligations, the government plays an active role, regulations regarding consumer protection contribute to national development.¹⁸ Meanwhile, Ahmadi Miru and Sutarman Yodo said that there are 5 principles in consumer protection that are relevant in national development, including the principle of benefit, the principle of justice, the principle of balance, the principle of consumer safety and security, and the principle of legal certainty. Consumer protection laws in Indonesia, which form the legal basis, have been established by the government, including:¹⁹

- a. Law Number 8 of 1999 concerning consumer protection

¹⁸ Ika Atikah, "CONSUMER IN STATE LAW," civil media 1 (2020): 193.

¹⁹ Abdul Atsar & Rani Apriani, Textbook of Consumer Protection Law, 1st ed. (Yogyakarta: Deepublish, 2019).

- b. Preamble to the 1945 Constitution, paragraph 4 and article 27 paragraph (2) of the 1945 Constitution
- c. Civil Code in Books II, III, and IV.
- d. Commercial Code in Books I and II.
- e. Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution

Consumer protection in Islam is referred to as *maqashid syari'ah*. *Maqashid syari'ah* is obedience in implementing sharia principles which aims for the benefit of the people. *Maqashid sharia* is divided into 5, namely *hifz al din* (maintaining religion), *hifz al-nafs* (maintaining life), *hifz al-mal* (maintaining wealth), *hifz al-aql* (maintaining reason), and *hifz al-nasl* (maintaining descendants).²⁰

2. Patient Obligations and Rights

According to the Big Indonesian Dictionary (KBBI), a patient is defined as a person who is being treated by a doctor.²¹ The word patient comes from the Latin word *patient*, which means suffering. In terms of terms, a patient is a person who is receiving medical treatment or a person who has an injury

²⁰ Dr Busyro M.Ag and Kencana (Prenada Media), *Maqâshid al-syarîah: Basic Knowledge of Understanding Masalahah* (Jakarta: Prenada Media, 2019).

²¹ "The meaning of the word patient - Big Indonesian Dictionary (KBBI) Online," Big Indonesian Dictionary (KBBI) Dictionary online version (online), accessed September 23, 2023, <https://kbbi.web.id/patient>.

who needs a doctor's help to recover.²²In Law Number 17 of 2023 concerning health, a patient is defined as every individual who receives health services from medical personnel or health workers.²³

The relationship between doctors and patients legally occurs through a contractual agreement or what is called a therapeutic agreement.²⁴A therapeutic agreement is an agreement between a doctor and a patient that gives authority regarding rights and obligations to the doctor.²⁵As in the provisions of article 1320 of the Civil Code and its implementation is based on the provisions of articles 1338 and 1339 of the Civil Code. Based on the provisions of this article, the parties will understand their position and the agreement or agreement will create responsibilities for each party.²⁶

The responsibilities of these parties are contained in several regulations that explain the obligations and rights of patients.²⁷These regulations include Law Number 8 of 1999 concerning Consumer Protection, Law

²² Abdur Rochman, Rahmat Tullah, and Aditya Rahman, "Designing a Patient Data Information System at the Aulia Medika Pasarkemis Clinic," *GLOBAL SISFOTEK JOURNAL* 9, no. 1 (April 1, 2019), <https://doi.org/10.38101/sisfotek.v9i1.203>.

²³ "UU no. 17 of 2023 concerning Health," Regulatory Database | JDIH BPK, August 8, 2023, <http://peraturan.bpk.go.id/Details/258028/uu-no-17-tahun-2023>.

²⁴ Uly Purnama Nasution, "Effectiveness of Mediation in Resolving Medical Disputes (Field Study of PKU Muhammadiyah Gamping Sleman Hospital)," *Widya Pranata Hukum: Journal of Legal Studies and Research* 2, no. 2 (2020): 91–108, <https://doi.org/10.37631/widyapranata.v2i2.263>.

²⁵ Dwi Ratna Kartikawati, "Hospital Responsibility for Fulfilling Patients' Rights During the COVID-19 Pandemic," *Indonesia Law Reform Journal* 1, no. 3 (November 25, 2021): 318–35, <https://doi.org/10.22219/ilrej.v1i3.18223>.

²⁶ Sitti Aminah K and Ashabul Kahpi, "A Review of the Rights and Obligations of Patients in Health Services," *Alauddin Law Development Journal* 3, no. 3 (November 18, 2021): 572–80, <https://doi.org/10.24252/aldev.v3i3.16074>.

²⁷ Hulman Panjaitan, *Consumer Protection Law*, 1st ed. (Jakarta: Jala Permata Aksara Publishers, 2021).

Number 17 of 2023 concerning Health, PP Number 47 of 2021 concerning the Implementation of the Hospital Sector, PMK Number 4 of 2018 concerning Hospital Obligations and Patient Obligations. Obligation according to the KBBI means something that must be carried out or something that is required.²⁸ John Salmond said that an obligation is something that a person must do and if someone does not do it, they can receive sanctions or consequences.²⁹

Understanding patient obligations is something that must be carried out by the patient. The patient's obligations are explained in article 277 of Law Number 17 of 2023 concerning Health, including:³⁰

- a. Provide complete and honest information about their health condition
- b. Follow the advice and instructions of doctors and medical personnel
- c. Comply with the applicable regulations at the hospital or health facility
- d. Reward or pay for services received.

²⁸ "Meaning of the Word Wajib - Big Indonesian Dictionary (KBBI) Online," Big Indonesian Dictionary (KBBI) Dictionary online version (online), accessed October 30, 2023, <https://kbbi.web.id/wajib>.

²⁹ "Citizens' Rights and Obligations in the 1945 Constitution," Best Law Faculty in Medan, North Sumatra (blog), July 29, 2023, <https://fahum.umsu.ac.id/hak-dan-kewajiban-warga-negara-dalam-uud-1945/>.

³⁰ "UU no. 17 of 2023 concerning Health."

Patient obligations are also explained in article 26 of PERMENKES Number 4 of 2018 concerning Hospital Obligations and Patient Obligations, namely:³¹

- a. Comply with applicable regulations at the Hospital
- b. Use hospital facilities responsibly
- c. Respect the rights of visitors, other patients, medical personnel and other personnel working at the Hospital
- d. Provide honest, complete and accurate information about health problems according to their knowledge capabilities
- e. Provide information about financial capabilities and health insurance
- f. Comply with the therapy plan recommended by Health Workers at the Hospital and approved by the patient concerned after receiving an explanation in accordance with statutory provisions.
- g. Accept all consequences for personal decisions related to rejecting the therapy plan suggested by medical personnel or not complying with instructions suggested by medical personnel to cure the disease
- e. Provide rewards or pay for services received.

³¹ "Minister of Health Regulation No. 4 of 2018 concerning Hospital Obligations and Patient Obligations."

The definition of rights is a person's demand for something that is in accordance with justice, morality and legality. Sudikno Mertokusumo in his book *Knowing the Law* states that rights are interests protected by law.³² Patient rights are personal rights that every person has, where every patient has self-protection from irresponsible health service efforts such as neglect.³³ Patient rights are also mentioned in several regulations, including article 4 letter d of Law Number 8 of 1999 concerning patient protection. The law states that every patient has the right to have their complaints and opinions heard about the goods or services they use.³⁴

In article 44 of PP Number 47 of 2021 concerning the administration of the hospital sector, it states 18 rights that every patient has as follows:³⁵

- a. Obtain information about the rules and regulations that apply at the Hospital
- b. Obtain information regarding patient rights and obligations
- c. Get services that are humane, fair, honest and without discrimination

³² Yadi, "Legal Protection of the Rights of BPJS Health Patients at Eka Hospital Pekanbaru."

³³ Anisa Kurniasari, "Implementation of Rights and Obligations for Patients and Families in the Services Provided (Case Study at KRMT WONGSONEGORO Hospital SEMARANG 2021)," *JOURNAL OF LAW, POLITICS AND SOCIAL SCIENCES* 1, no. 1 (2022): 162–77, <https://doi.org/10.55606/jhps.v1i1.1741>.

³⁴ "UU no. 8 of 1999 concerning Consumer Protection."

³⁵ "PP no. 47 of 2021 concerning the Implementation of the Hospital Sector."

- d. Get quality health services in accordance with operational standards and professional standards
- e. Get effective and efficient services so that patients avoid physical and material losses
- f. File a complaint regarding the quality of service obtained
- g. Choose a doctor and treatment class based on your wishes and the regulations that apply at the hospital
- h. Ask for a consultation with another doctor who has a license to practice either within the hospital or outside the hospital regarding the illness
- i. Obtain confidentiality and privacy regarding the disease including the patient's medical data
- j. Obtain information about the diagnosis and procedures for medical procedures, the purpose of medical procedures, alternative procedures, complications and risks that may occur, estimated treatment costs, and the prognosis of the procedures carried out
- k. Giving approval or refusing the medical action that will be carried out by medical personnel for the disease suffered
- l. Provide support or accompany families in critical situations
- m. Carry out worship according to your respective beliefs or religion as long as it does not disturb other patients
- n. Obtain security and safety while being treated in hospital

- o. Submit suggestions, suggestions, improvements to the hospital's treatment of him
- p. Reject spiritual guidance that is not in accordance with your religion and beliefs
- q. Suing or suing the Hospital if the Hospital is suspected of providing services that do not comply with both criminal and civil standards
- r. Complaining about hospital services that do not comply with service standards and statutory regulations through print and electronic media.

3. Hospital Obligations and Rights

Based on Law Number 17 of 2023 concerning health, the definition of a hospital is a health service facility that provides comprehensive health services to patients through promotive, preventive, curative, rehabilitative and palliative services that provide inpatient, outpatient and emergency services.³⁶The definition of a hospital according to WHO is an integral part of a social and medical organization which has the task of providing complete health services to the community, both curative and preventive.³⁷The position of hospitals in consumer protection is as business

³⁶ "UU no. 17 of 2023 concerning Health."

³⁷ Kartikawati, "Hospital Responsibility for Fulfilling Patient Rights During the COVID-19 Pandemic."

actors because they have complex characteristics or organizations and provide services in the form of services.³⁸

A business actor is any person or business entity, whether legal or non-legal, domiciled and established or carrying out activities within the jurisdiction of the Republic of Indonesia, either individually or jointly through an agreement to carry out business activities in various economic sectors.³⁹ Meanwhile, Article 6 of Law Number 8 of 1999 concerning Consumer Protection explains the rights of business actors, including:⁴⁰

- a. The right to receive payment in accordance with the agreement regarding the conditions and exchange value of the goods or services traded
- b. The right to obtain legal protection from bad consumer behavior
- c. The right to self-defense is appropriate in the legal resolution of consumer disputes
- d. The right to repair one's good name if it is legally proven that the consumer's loss was not caused by the goods and services being traded
- e. Other rights regulated in statutory regulations.

³⁸ Eka Nuraeni et al., "Implementation of a Patient Complaint Service Information System as a Solution for Improving Service Quality," *Infotek: Journal of Informatics and Technology* 6, no. 2 (July 20, 2023): 319–27, <https://doi.org/10.29408/jit.v6i2.13680>.

³⁹ Kurniawan, *Consumer Protection Law*, 1st ed. (Malang: UB Press, 2011).

⁴⁰ "UU no. 8 of 1999 concerning Consumer Protection."

The classification of hospitals is explained in article 6 of PERMENKES Number 3 of 2020 concerning classification and licensing of hospitals which are divided into 2, namely general hospitals which provide care or health services for all types of diseases and special hospitals. A special hospital is a hospital that provides primary care in a particular field or type of disease based on scientific discipline, age group, organ, type of disease, or other specialty.⁴¹In carrying out its responsibility to provide comprehensive health services to patients, hospitals have several functions, including:⁴²

- a. Provide treatment and health recovery in accordance with hospital service standards.
- b. Maintain and improve patient health through comprehensive health services according to medical needs.
- c. Providing education and training for human resources to improve their ability to provide health services.
- d. Carrying out educational research and development in order to improve health services.

⁴¹ "Minister of Health Regulation No. 3 of 2020," Regulatory Database | JDIH BPK, accessed October 12, 2023, <http://peraturan.bpk.go.id/Details/152506/permenkes-no-3-tahun-2020>.

⁴² Althaf Naufal Romero, Sri Ratna Suminar, and Asep Hakim Zakiran, "Fulfillment of BPJS Patients' Rights in Obtaining Anti-Discrimination Services Linked to the Hospital Law," *Journal of Legal Research*, July 20, 2023, 31–36, <https://doi.org/10.29313/jrih.v3i1.2121>.

Not only patients, PERPU Number 2 of 2022 concerning job creation also regulates the rights and obligations of hospitals. Hospital obligations contained in this law include:⁴³

- a. Provide patients with correct information about hospital services.
- b. Providing safe, quality, anti-discriminatory and effective medical services by prioritizing patient interests in accordance with hospital service standards.
- c. Provide emergency services to patients based on their service capabilities
- d. Play an active role in health services based on their service capabilities
- e. Providing services and facilities for underprivileged or poor people
- f. Carrying out social functions such as providing service facilities to indigent or poor patients, emergency services without down payment, free ambulances, services for victims of disasters or extraordinary events, as well as social service
- g. Create, implement and maintain quality standards for health services in hospitals as a reference in serving patients
- h. Provide medical records

⁴³ "PERPU no. 2 of 2022 concerning Job Creation," Regulatory Database | JDIH BPK, accessed October 12, 2023, <http://peraturan.bpk.go.id/Details/234926/perpu-no-2-tahun-2022>.

- i. Providing adequate public facilities such as places of worship, parking lots, waiting rooms, facilities for people with special needs, breastfeeding women, children and the elderly.
- j. Implement a referral system
- k. Reject patient wishes that are not in accordance with professional and ethical standards or statutory provisions
- l. Provide correct, clear and honest information about patient rights and obligations.
- m. Respect and protect patient rights
- n. Perform hospital etiquette
- o. Have an accident prevention and disaster management system
- p. Carrying out government programs in the health sector, both regionally and nationally
- q. Make a list of medical personnel who practice medicine or dentistry as well as other health personnel
- r. Prepare and implement internal hospital regulations
- s. Provide and protect legal assistance for all hospital officers in carrying out their duties
- t. Implement the entire hospital environment as a smoke-free area.

The hospital's rights include:⁴⁴

⁴⁴ "UU no. 17 of 2023 concerning Health."

- a. Determine the number, type and qualifications of human resources according to hospital classification
- b. Receive compensation for services and determine compensation, incentives and awards in accordance with statutory provisions.
- c. Collaborate with other parties in service development
- d. Receive assistance from other parties in accordance with statutory provisions
- e. Suing the party who caused the loss
- f. Obtain legal protection in providing health services
- g. Promote health services in hospitals in accordance with statutory provisions.

Regarding rights and obligations, it is also explained in article 44 paragraphs (5), (6), and (7) PP Number 47 of 2021 concerning the administration of the hospital sector which explains that every hospital is obliged to provide a complaint service unit to collect information, provide clarification and handle patient complaints regarding dissatisfaction with the services provided by staff or medical personnel at the Hospital. These complaints and grievances must be followed up quickly, fairly and objectively. In PERMENKES Number 4 of 2018 concerning hospital

obligations and patient obligations, it is stated that hospital obligations include:⁴⁵

- a. Hospitals have a responsibility to convey correct information about the hospital such as complaint mechanisms
- b. Providing safe, quality, anti-discriminatory and efficient medical services that prioritize patient interests in accordance with hospital service standards
- c. Provide emergency services to patients according to hospital capabilities
- d. Play an active role in disaster health services according to the hospital's capabilities
- e. Providing facilities and services for the poor and underprivileged
- f. Carrying out social functions
- g. Create, implement and maintain quality standards for health services in hospitals as a reference in serving patients
- h. Organizing medical records
- i. Providing adequate public facilities, such as places of worship, parking, waiting rooms and facilities for disabled people, breastfeeding women, children and the elderly.

⁴⁵ “PMK_No._4_Th_2018_ttg_Kewajiban_Rumah_Sakit_dan_Kewajiban_Pasien_.Pdf,” accessed September 11, 2023, http://hukor.kemkes.go.id/uploads/produk_hukum/PMK_No._4_Th_2018_ttg_Kewajiban_Rumah_Sakit_dan_Kewajiban_Pasien_.pdf.

- j. Implement a referral system
- k. Rejecting patient wishes that conflict with statutory regulations, professional standards and ethics
- l. Provide correct, clear and honest information about patient rights and obligations
- m. Respect and protect patient rights.
- n. Implement hospital ethics
- o. Create an accident prevention and disaster management system
- p. Implement regional and national government health programs
- q. Make a list of medical personnel who practice medicine, dentistry and other medical personnel
- r. Prepare and implement internal hospital regulations (hospital by laws)
- s. Protect and provide legal assistance to all Hospital officers in carrying out their duties properly.
- t. Make the entire hospital environment smoke-free
- u. Providing services that focus on patient rights and interests, such as providing complaint services
- v. Follow up on complaints quickly, fairly and objectively.

4. Dispute Resolution Theory

Dispute resolution is a method or procedure used to handle conflicts between the parties involved.⁴⁶Based on the literature, contract settlement patterns can be divided into 2, namely the binding adjudicative procedure and the non-binding adjudicative procedure. The meaning of the binding adjudicative procedure is a dispute resolution pattern that requires the parties to be bound by the judge's decision in resolving the dispute, while the nonbinding adjudicative procedure is a dispute resolution process where the decision taken by the judge or an appointed person is not binding on the parties.

The aim of dispute resolution is to provide an opportunity for the parties to express dissatisfaction or complaints, resolve problems. Frank EA Sander suggested that dispute resolution can be divided into 4 so-called dispute resolution pyramids. The dispute resolution pyramid includes litigation, negotiation, mediation and arbitration.

In general, there are two options for resolving disputes, namely first, resolution by litigation or through court. Litigation resolution is regulated in Law Number 48 of 2009 concerning judicial power and Law Number 2 of 1986 in conjunction with Law Number 8 of 2004 in conjunction with

⁴⁶ Mardani, Litigation and Non-litigation Sharia Economic and Business Dispute Resolution (Jakarta: Kencana, 2020).

Law 49 of 2009 concerning general justice.⁴⁷ Second, non-litigation dispute resolution or alternative dispute resolution (ADR). The term Alternative Dispute Resolution (ADR) was first used in the United States with the aim of resolving American society's dissatisfaction with its court system.

⁴⁷ Ismi Hariyani, Cita Yustisia Serfiyani, R. Serfianto D. Purnomo, Business Dispute Resolution (litigation, negotiation, consultation, binding opinions, mediation, conciliation, adjudication, arbitration and online dispute resolution), 1st ed. (Jakarta: PT Gramedia Pustaka Utama, 2018).

CHAPTER III

RESEARCH OF RESEARCH

Research methods are the main means in the development of science and technology, therefore, research aims to reveal facts systematically, methodologically and consistently.⁴⁸The research methods used in this research include type of research, research approach, research location, sampling method, type and source of data, data collection methods, data processing methods.

A. Types of Research

Researchers use empirical legal research (empirical juridical). Empirical legal research is research that conducts research in the field using data obtained from field facts.⁴⁹The purpose of this empirical legal research is to gain an understanding of relevant data and facts. In this case, researchers studied existing regulations in Indonesia, namely Law Number 8 of 1999 concerning Consumer Protection, Law Number 17 of 2023 concerning Health, PERPU Number 2 of 2022 concerning Job Creation, Government Regulation Number 47 of 2021 concerning the Implementation of the Hospital Sector. , PERMENKES Number 4 of 2018 concerning Hospital Obligations and Patient

⁴⁸ Zainuddin Ali, *Legal Research Methods*, 1st ed. (Jakarta: Sinar Graphics, 2021).

⁴⁹ Yati Nurhayati, Ifrani Ifrani, and M. Yasir Said, "Normative and Empirical Methodology in a Legal Science Perspective," *Indonesian Law Enforcement Journal* 2, no. 1 (January 17, 2021): 1–20, <https://doi.org/10.51749/jphi.v2i1.14>.

Obligations, PERMENKES Number 3 of 2020 concerning Hospital Classification and Licensing.

B. Research Approach

The research approach is an approach that focuses on collecting and analyzing data so that it begins by reviewing legal materials as a basis for making legal decisions about certain cases.⁵⁰ The research approach used in this research is a sociological juridical approach. The sociological juridical approach prioritizes the importance of understanding the beliefs, actions and role of informants or subjects of research.

In this approach, law is seen as something actual where its application can be influenced or influenced by other factors.⁵¹ The use of a sociological juridical approach in this research aims to find out the implementation of consumer protection or hospital management regarding patient complaints in terms of applicable regulations in Indonesia, both the consumer protection law and the health law.

C. Research Sources

⁵⁰ Kornelius Benuf and Muhamad Azhar, "Legal Research Methodology as an Instrument for Unraveling Contemporary Legal Problems," *Echo of Justice* 7, no. 1 (April 1, 2020): 20–33, <https://doi.org/10.14710/gk.2020.7504>.

⁵¹ Dr Muhammad Chairul Huda MH S. HI, *LEGAL RESEARCH METHODS (Sociological Juridical Approach)* (Semarang: The Mahfud Ridwan Institute, 2021).

A research location is a place where research is conducted.⁵² Researchers chose to conduct research at the Mabarro MWC NU Public Hospital on Jl. Raya Bungah Shaman No.1, Masangan Village, District. Bungah, Kab. Gresik.

D. Data Types and Sources

The data source is the origin of the data obtained in the research. The data sources used in this research are as follows:

a. Primary data

Primary data is data taken directly from the source or the first place the data was created.⁵³ In this research, the primary data source used is related to how hospitals manage complaints from patients or hospital management in resolving patient complaints. This data was obtained directly by conducting interviews with hospitals that were considered relevant to the research problem.

b. Secondary Data

Secondary data is data obtained through official documentation, books related to the research subject, statutory regulations, and scientific writings such as theses.⁵⁴ This research uses secondary

⁵² Ika Atikah, *Legal Research*, 1st ed. (Sukabumi: Haura Utama, 2022).

⁵³ Nurul Qamar and Farah Syah Rezah, *Legal Research Methods: Doctrinal and Non-Doctrinal* (CV. Social Political Genius (SIGn), 2020).

⁵⁴ Ali, *Legal Research Methods*.

data sources such as books, scientific works, legal journals and laws and regulations related to consumer protection.

E. Technique of Data Sources Collection

In an effort to collect data relevant to this research, researchers used several methods, namely conducting interviews and documentation to collect primary data before obtaining secondary data that could be described, including:

a) Interview

An interview is a question and answer session with someone such as an official or so on to ask for their opinion or information about something.⁵⁵ The interviews conducted in this research were a free guided interview method where the author prepared a list of questions before conducting the interview. The purpose of this interview is to direct the course of the interview so that it remains focused on the problem to be studied. However, researchers are also permitted to ask additional questions outside the list that has been made if they feel it is necessary to explore the informant's views. In this case, researchers conducted interviews with Dziki Maulana S.Kep., Nes as head of quality at Mabarro MWC NU Bungah

⁵⁵ "Meaning of the Word Interview - Big Indonesian Dictionary (KBBI) Online," accessed October 1, 2023, <https://kbbi.web.id/interview>.

Public Hospital and one of the patients who submitted the complaint, namely Muhammad B.

b) Documentation

Documentation is the collection, selection, processing and storage of information in the field of knowledge. Apart from that, documentation can also be defined as providing or collecting evidence and information such as images. In carrying out documentation, researchers analyze related literature such as journals, regulations, documents, etc.

F. Data Processing Methods

The data processing method is the process of translating field data in accordance with the objectives, design, nature of the research, and research decision-making needs. The aim of this data processing method is to facilitate understanding so that the researcher compiled this research with several efforts, including the following:

a. *Editing*

Editing is the process of reviewing and improving information that has been collected. The purpose of editing is to ensure completeness, suitability, clear meaning and relevance to the research to be carried out by the researcher. In the editing process,

researchers re-examine notes, files, information from interviews with the parties concerned, and documentation.

b. *Analyzing*

Data analysis is the process of systematically searching and compiling data on several interview data results, field notes and so on to gain a deeper understanding of what has been found, then summarizing the data to reach conclusions. In this case, the researcher used a qualitative descriptive analysis method. Data obtained from interviews is presented in the form of sentence descriptions. Next, it is processed and presented by comparing field data with statutory regulations.

c. *Concluding*

The final stage in data processing is making conclusions or drawing conclusions from the results of previous data analysis. Conclusions are an important step in conveying what has been understood or found from research and data analysis to others. The goal of this final stage is to combine the information discovered during data analysis resulting in a comprehensive understanding of the research.

CHAPTER IV

DISCUSSION OF RESEARCH FINDINGS

A. General Description of the Mabarro MWC NU Public Hospital, Gresik City

1. History of the Establishment of the Mabarro MWC NU Public Hospital, Gresik City

The representative branch council of the Nahdlatul Ulama (MWC) is a socio-religious and community organization based in the Bungah sub-district, Gresik city. The history of the Mabarro MWC NU Public Hospital in the city of Gresik was established starting from the aspirations of community members who wanted their own health services in the Bungah sub-district. In 1989 the NU MWC Management and NU Muslimat PAC announced a program to establish health centers as the main program for the 1989-1994 period.

This program was carried out by NU and Muslimat administrators to hold activities to collect bottles of soy sauce and jumpitan rice from NU Muslimat residents at the branch and village levels for the construction of the NU MWC building and to be used for the NU Bungah MWC Medical Center. In 1995, NU residents carried out community service in shifts every Sunday to prepare the Medical Center and prepare basic medical equipment. The persistent struggle of the NU administrators and NU Muslim

community gave the Mabarrot social institution the task of finding the necessary personnel, namely 1 doctor, 2 nurses and 2 administrative people.

The equipment, room and personnel were deemed ready, so the Medical Center was opened on Legi Saturday, April 6 1996. This Medical Hall was only open in the morning and afternoon on Friday, Saturday and Sunday and was named the MWC NU Bungah Medical Center with the Legal Entity of the Foundation Mabarrot Social No. 02 of 1996. In 2004, medical facilities, equipment and personnel continued to be added so that they could serve emergency departments, observation and specialist clinics.

Strong organizational support and the role of local governments and the community are starting to believe in the health services established by NU. In 2009, MWC NU also applied for a permit to establish a hospital as a step to increase the status of health services to a general hospital, which was named Mabarrot MWC NU Bungah Gresik Public Hospital. The name Mabarrot means gift, so according to the term Mabarrot it is a gift from the community.

2. Vision, Mission and Motto of Mabarrot MWC NU Public Hospital

Vision:

The realization of a hospital that has an Islamic nuance, high quality and professionalism.

Mission:

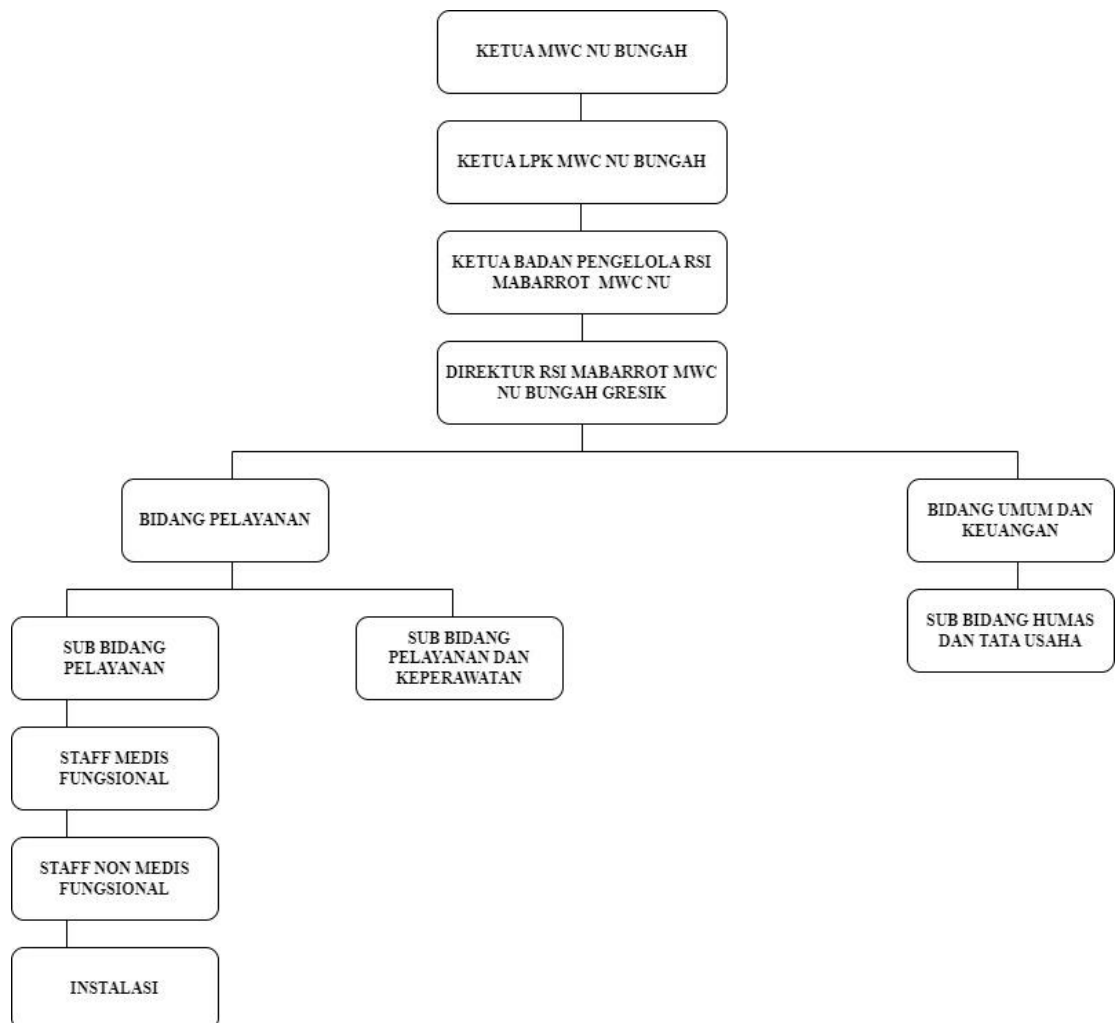
- a) Creating an Islamic feel with complete service
- b) Creating loyal and professional human resources
- c) Realizing improvements in the quality of services at the Mabarroto MWC

NU Public Hospital in Gresik City.

Motto:

Serve sincerely

3. Organizational Structure of RSI Mabarroto MWC NU Bungah Gresik



4. Patient Complaints

Patient complaints are complaints submitted by patients to the hospital regarding services that do not comply with standards or violations of obligations and prohibitions.⁵⁶In this regard, the Mabarrot MWC NU General Hospital, Gresik City, collected data showing that 11 patients had submitted complaints or complaints out of 8965 patients who received services at the hospital. The data was taken from January 1 to August 2023.

Thus, 11 patients out of 8965 patients submitted complaints or complaints regarding the services received. One of the complaints received by the MWC NU General Hospital in Gresik City was that the behavior of nurses at the hospital was considered unfriendly and unprofessional, so it did not reflect the attitude expected in a health environment. Apart from that, there were also complaints regarding the mismatch between the doctor's arrival schedule and the schedule submitted by the hospital as well as treatment being too slow from the hospital.⁵⁷

B. Research Result

Based on research results obtained from field data, namely from interviews. This interview functions to support the legitimacy or validity of the

⁵⁶ Yuke Nurafni Rachmi, "Implementation of Complaint Handling at the Bhayangkara Setukpa Sukabumi Hospital," *Student Journal: Scientific Journal of Student Reasoning and Research* 4, no. 3 (September 9, 2022): 118–28, <https://doi.org/10.51903/jurnalmahasiswa.v4i3.394>.

⁵⁷ Dziki, interview, (Gresik, 14 November 2023)

data presented. The resource persons in this research were employees of the Mabarro MWC NU Bungah Gresik Hospital and it was conducted on November 14 and 15 2023 at the Mabarro MWC NU Bungah Gresik Hospital office.

Hospital management carries out several methods in dealing with patient complaints or grievances, as follows:⁵⁸Firstly, the hospital directly responds to patient complaints and complaints and evaluates the staff during the morning report. This is done so that patient complaints regarding their complaints can be handled immediately. The process of responding to complaints and evaluations is part of the hospital's commitment to prioritizing quality services so that it reflects the hospital's efforts to maintain patient trust.

Second, if the complaint is verbal or the complaint is conveyed orally. In this regard, the hospital examined the patient's complaint or complaint and the officer concerned was contacted to ask about the chronology of what happened to obtain clarification and further information regarding the incident. This step allows the hospital to provide appropriate responses, clarify uncertainties, and take appropriate actions to improve hospital services.

In order to improve excellent service to patients, the Mabarro MWC NU Public Hospital is carrying out several preventive efforts. Some of these efforts include:⁵⁹first, evaluating the services available at the Mabarro MWC

⁵⁸Dziki, interview, (Gresik, 14 November 2023)

⁵⁹Dziki, interview, (Gresik, 15 November 2023)

NU Public Hospital, ensuring that employees understand and comply with existing policies at the Hospital, providing an effective and efficient system for receiving and responding to patient complaints, holding coordination meetings regarding patient complaints and complaints.

Second, if the hospital makes an error or negligence, the hospital will provide an SP or warning letter to the party concerned. SP or warning letter is a disciplinary action given to hospital employees who commit violations related to their duties and responsibilities at the hospital. The warning letter aims to increase awareness and a sense of responsibility to follow the standards and norms that apply within the Mabarrot MWC NU Public Hospital.

Fulfilling patient rights regarding patient complaints and complaints, Mabarrot MWC NU Bungah Gresik Public Hospital is in accordance with SPO Number 001/SPO/Hum/VIII/2022, including:⁶⁰

- a. Officers greet and thank patients who will provide suggestions, complaints or input either via social media, in person, SMS, telephone or suggestion box.
- b. Officers receive, record and review complaint information received in the complaint book

⁶⁰Dziki, interview, (Gresik, 15 November 2023)

- c. The officer provides a temporary explanation to the patient and tries to calm him down and ensure that the complaint or complaints will be followed up.
- d. The officer reports the complaint to the PIPP or unit head if the patient is not satisfied with the officer's answer.
- e. The officer submits the complaint to the PIPP or unit head and asks for an answer according to the contents of the complaint as follows:
 - 1) The service section relates to doctor's hours and actions, surgery, pharmacy and other service actions.
 - 2) The nursing section concerns the attitudes and ethics of nurses, the availability of treatment rooms, and nursing actions
 - 3) Medical committee regarding doctor's service hours and procedures, operations, ethics and other service actions
 - 4) The financial section concerns financing for care and services at the Mabarro MWC NU Public Hospital Bungah Gresik
- f. If the answer has been received by the officer, the officer will convey the answer to the patient.
- g. Officers convey to patients that complaints, suggestions and input have been received and followed up on.

- h. The complaints management team resolves complaints by examining, classifying, analyzing in accordance with existing provisions
- i. The complaint management team conveys the results of complaint case resolution to officers to be conveyed to patients via SMS, email.

C. Fulfillment of Patient Rights at Mabarro MWC NU Gresik Public Hospital

Table2

Complaint Rights Provisions

No.	Regulation	Chapter	Contents (Settings)	Implementation
1.	Law Number 8 of 1999 concerning Consumer Protection	Article 4 letter d	The right to have opinions and complaints heard regarding the goods and/or services used	Mabarrot MWC NU Public Hospital, Gresik City has implemented this article well
2.	Government Regulation Number 47 of 2021 concerning the Implementation of the Hospital Sector	Article 44 paragraph (1) letter f	File a complaint regarding the quality of service received	The hospital has run well based on these provisions.
3.	PERMENKES Number 4 of 2018 concerning Hospital Obligations and	Article 17 paragraph (2) letter f	File a complaint regarding the quality of service received	The hospital has run well based on these provisions.

	Patient Obligations	Article 17 paragraph (2) letter r	Complaining about hospital services that do not comply with service standards through print and electronic media in accordance with statutory provisions.	Mabarrot MWC NU Public Hospital Gresik City has implemented this article by providing a website for submitting complaints or complaints.
		Article 17 paragraph (5)	(5) In order to fulfill the patient's right to submit complaints or grievances as intended in paragraph (2) letters f and r, every hospital is obliged to provide a complaint service unit.	Mabarrot Public Hospital provides an effective or easily accessible system for patients regarding complaints.
		Article 17 paragraph (6)	(6) The complaint service unit as intended in paragraph (5) carries out information gathering, clarification	Mabarrot Public Hospital provides an effective or easily accessible system for patients

			and resolution of patient complaints regarding dissatisfaction with the services provided by health workers at the hospital and/or service procedures at the hospital.	regarding complaints.
		Article 17 paragraph (7)	(7) Complaints or grievances as referred to in paragraph (5) must be followed up quickly, fairly and objectively.	Mabarrot Public Hospital provides an effective or easily accessible system for patients regarding complaints.

Point 1 of Law Number 8 of 1999 concerning consumer protection, there is article 4 letter d, that patients are consumers of the Mabarrot MWC NU Public Hospital in Gresik City, which provides hospital services. Based on this article, hospitals provide an effective and efficient system regarding complaints and complaints. The Mabarrot MWC NU Public Hospital in Gresik City always provides opportunities to submit complaints and complaints about the services they receive.⁶¹

⁶¹Dziki, interview, (Gresik, 15 November 2023)

Point 2 of Government Regulation Number 47 of 2021 concerning the Implementation of the Hospital Sector in article 44 paragraph (1) letter f, that the Mabarrot MWC NU Public Hospital in Gresik City is obliged to provide correct, clear and honest information regarding the rights and obligations of patients. One of these rights is that patients have the right to submit complaints about the quality of the services they receive. In connection with this, the Mabarrot MWC NU Public Hospital, Gresik City, made a poster or placard containing the procedures for submitting complaints and resolving complaints as explained in the Decree of the Director of Mabarrot MWC NU Number 01.358/A/RSI.NU.B/X/2022 and explain to patients the patient's rights and obligations.⁶²



Flow of Complaint Submission and Resolution

⁶²Dziki, interview, (Gresik, 15 November 2023)

Point 3 of PERMENKES Number 4 of 2018 concerning Hospital Obligations and Patient Obligations, there is article 17 paragraph (2) letter f, that hospitals are health service institutions that provide complete services to patients. Mabarro MWC NU Public Hospital Gresik City is related to providing complete services, the hospital tries to fulfill the rights and obligations of patients, especially in terms of complaints and grievances. For example, Mabarro MWC NU Public Hospital provides a complaint form that is easy for patients to understand.

Complaint Submission Form

In this case, at the Mabarro MWC NU Public Hospital, Gresik City, there are several ways to submit complaints, such as submitting complaints directly or verbally. Regarding direct complaints, hospital staff provide a temporary explanation to the patient regarding the complaint submitted and try to calm and ensure that the complaint or complaint will be followed up. This process is carried out to provide an explanation to the patient and provide confidence that the complaint or complaint submitted by the patient will be resolved immediately.⁶³

Point 3 of PERMENKES Number 4 of 2018 concerning Hospital Obligations and Patient Obligations in Article 17 paragraph (2) letter r states that hospitals are obliged to provide a complaint service unit in order to fulfill patients' rights regarding submitting complaints or complaints. Apart from providing several offline complaint service units, the Mabarro MWC NU Public Hospital in Gresik City also provides complaints or complaint services through an online system. For submitting complaints or complaints online, the hospital provides the official website of the Mabarro MWC NU Public Hospital Bungah Gresik, namely <https://rsimabarrotnu.rumahsakit.online/>.⁶⁴

⁶³Dziki, interview, (Gresik, 15 November 2023)


⁶⁴Dziki, interview, (Gresik, 15 November 2023)



Official website of Mabarrot MWC NU

Point 3 regarding the fulfillment of patient rights as explained in article 17 paragraph (5), (6), (7) PERMENKES Number 4 of 2018 concerning hospital obligations and patient obligations, Mabarrot MWC NU Public Hospital Gresik City provides a special service unit complaints and a special team handles patient complaints. This complaints unit aims to collect information, provide clarification and handle patient complaints regarding the services received. The complaint was followed up by the Mabarrot MWC NU Public Hospital, Gresik City, quickly, fairly and objectively, such as conducting an evaluation of the officers and the hospital. examine, classify, analyze the complaint in accordance

with SPO Mabarro Public Hospital MWC NU Number 001/SPO/Hum/VIII/2022.⁶⁵

t Mabarro MWC NU Bungah		No. Dokumen 001/SPO/Hum/VIII/2022	No. Revisi 01	Halaman 1/3
STANDAR PROSEDUR OPERASIONAL (SPO)				
Tanggal diterbitkan: 03 Oktober 2022		Ditetapkan di: Gresik Direktur,  dr. Izzuddin Syahbana NIP : 20110101		
Pengertian	Komplain merupakan akibat situasi dimana keinginan atau kehendak yang berbeda atau berlawanan antara pasien dengan pihak rumah sakit, sehingga keduanya saling terganggu.			
Tujuan	Sebagai acuan untuk menangani semua keluhan dan komplain dari pasien agar bisa diselesaikan secara profesional dan kekeluargaan.			
Kebijakan	1. Surat Keputusan Direktur RSI Mabarro MWC NU Bungah Gresik Nomor 01/157/A/RSIM.NU.B.VIII/2022 Tentang Kebijakan Pelayanan Terhadap Hak Pasien Dan Keluarga, 2. Undang-Undang RI Nomor 14 Tahun 2008 tentang Keterbukaan Informasi Publik, 3. Permenpan Nomor 62 Tahun 2018 tentang Pedoman Sistem Pengaduan pelayanan Publik Nasional, 4. Peraturan Menteri Kesehatan Republik Indonesia Nomor 13 Tahun 2017 tentang Penanganan Pengaduan Masyarakat Terpadu di Lingkungan Kementerian Kesehatan.			
Prosedur	1. Ucapkan salam, "Selamat pagi/Sore/Malam Bapak/Ibu", dan perkenalkan diri dan unit kerja. "Saya bagian". 2. Tawarkan bantuan pada keluarga pasien, dan dengarkan dengan baik dan tenang keluhan yang disampaikan oleh keluarga pasien. 3. Apabila keluhan disampaikan via media elektronik misal telepon, email			

SPO Mabarro Public Hospital MWC NU Number 001/SPO/Hum/VIII/2022

Mabarrot MWC NU Public Hospital not only complies with applicable regulations regarding complaint resolution but also strives to ensure the rights and comfort of consumers (patients). In this case, Mabarro MWC NU Public Hospital ensures that patient rights regarding complaints or complaints are in accordance with the regulations in force in Indonesia. Although in its implementation, Mabarro MWC NU Public Hospital does not differentiate

⁶⁵Dziki, interview, (Gresik, 15 November 2023)

between the delivery of suggestions and criticism and complaints submitted by patients, resulting in complaints not being responded to properly, such as patients not responding and following up on complaints submitted via the suggestion box.⁶⁶

Fulfillment of patient rights at Mabarrot MWC NU Hospital aims for human benefit and avoids harm both in this world and in the afterlife or what is called *hifz an-nafs*. *Hifz an-nafs* is one of the concepts or points in *maqasid shari'ah* which emphasizes the protection and maintenance of the soul.⁶⁷ This protection and care of life aims to ensure that patients' rights are fulfilled and prevent acts of discrimination or abuse. In other words, *hifz an-nafs* emphasizes the importance of maintaining the survival and welfare of patients and protecting them from treatment that is not in accordance with Islamic principles.⁶⁸

Guarantee for the preservation of the soul (*hifz an-nafs*) is a guarantee of safety for the honorable and noble right to life for every human being. In this regard, it includes the safety of life, limb and human honor (freedom to think, freedom to express opinions, choose a place to live). Imam al-Ghazali quoted by Masdhar Farid Mas'udi stated that *hifz an-nafs* is one of the principles of al-

⁶⁶ Muhammad B, interview, (Gresik, 27 February 2024)

⁶⁷ Siti Sarah and Nur Isyanto, "Maqashid Al-Syari'ah in Theoretical and Practical Studies," *Tasyri': Journal of Islamic Law*, 2022, <https://doi.org/10.53038/tsyr.v1i1.6>.

⁶⁸ Suhaimi Suhaimi, Muhamad Rezi, and Maman Rahman Hakim, "AL-MAQÂSHID AL-SYARÎ'AH:," *Sahaja: Journal Sharia and Humanities* 2, no. 1 (May 29, 2023): 153–70, <https://doi.org/10.61159/sahaja.v2i1.13>.

kulliyyat al-maqashid al-khamsah or the main provisions in the Islamic religion which focuses on protecting human rights. This is in accordance with the words of Allah SWT in Surah Al-Isra verse 33 which reads:

ولا تقتلوا النفس التي حرم الله إلا بالحق ومن قتل مظلوما فقد جعلنا لوليه سلطانا فلا يسرف فى القتل إنه كان منصورا

Meaning: do not kill people whom Allah has forbidden (to kill), except for a valid (reason). Whoever is murdered in a cruel way, we have truly given authority to his guardian. However, let him (his guardian) not exceed the limit in killing (kisas). Indeed, he is the one who gets help.

This verse explains the importance of protecting the soul, namely the prohibition on killing souls who do not meet the legal requirements to be sentenced to death. The prohibition on killing souls which Allah forbids in this verse is a form of maqashid ammah because its impact includes the general benefit, not just the individual. As explained by Ibn Assyur, this prohibition arises because it is for the benefit of Islam as a whole, not for certain individuals.⁶⁹

Based on the level of importance, Hifz an-nafs can be divided into 3, including:⁷⁰

⁶⁹ Eva Musdzalifah, "HIFDZ AL-NAFS IN THE AL-QUR'AN: A STUDY IN THE INTERPRETATION OF IBN 'ÂSYÛR" (Undergraduate thesis, Syarif Hidayatullah State Islamic University Jakarta, 2019), <https://repository.uinjkt.ac.id/dspace/bitstream/123456789/62407/1/ARIANI%20OKTAVIANI%20-%20FSH.pdf>.

⁷⁰ Suhaimi, Rezi, and Hakim, "AL-MAQÂSHID AL-SYARÎ'AH."

- a. Caring for the soul at the dharuriyyat level, such as fulfilling basic human needs which if not met will result in threat to the human soul.
- b. Maintaining the soul at the hajiyyat level, such as being allowed to hunt and eat delicious but halal food.
- c. Maintaining the soul at the tahsiniyat level, such as setting rules for eating and drinking.

Maqasid sharia itself consists of two words, namely maqashid and syari'ah. Maqashid is the plural form of the word maqshud which means towards one direction or praiseworthy goals found in all forms of work ordered by Allah. Satria Effendi said that maqashid sharia is the goal of Allah SWT and His Messenger in formulating Islamic law and the verses of the Qur'an and the Prophet's sunnah can be used to formulate laws that are oriented towards the benefit of the people. Based on this understanding, maqashid sharia is the principles of sharia in protecting patients (consumers) which aims for the benefit of the people.⁷¹

The substance of maqashid sharia theory is to realize the benefit of the people by providing benefits and preventing harm to humans. Classical Islamic jurists divide maqashid sharia into 3, namely al-dharuriyah (primary), al-hajiyyat (secondary), and tahsinat or kamaliyat (tertiary). The scholars stated that

⁷¹ Siti Yuhana, Muhajirin Muhajirin, and Hasbi Abdul Al-Wahhab Kh, "Analysis of the Implementation of Maqashid Syariah in Sharia Competent Hospitals in Indonesia as a Unique Value Proposition," *Reslaj: Religion Education Social Laa Roiba Journal* 6, no. 3 (2024): 1737–45, <https://doi.org/10.47467/reslaj.v6i3.5663>.

maqashid sharia can be divided into 5 main points of life, including hifz al din (maintaining religion), hifz al nafs (maintaining the soul), hifz al mal (maintaining wealth), hifz al aql (maintaining reason), and hifz al nasl (looking after offspring).⁷²

The maqashid sharia classification only focuses on individuals but ignores aspects of family, society and humans in general. According to this perspective, the main subject is the individual (life, self-esteem and individual assets) not society (national dignity, sharia economics, society and national economy, justice, freedom and so on). In an effort to improve this, contemporary ulama have put forward concepts related to maqashid sharia. Contemporary scholars divide maqashid sharia into 3, including general maqashid sharia, specific maqashid sharia, and partial maqashid sharia.⁷³

Some of the methods implemented by Mabarrot MWC NU General Hospital in hifz an-nafs or maintaining the soul include:⁷⁴

- a. Mabarrot MWC NU Public Hospital has developed an effective mechanism to handle patient complaints or grievances in a fair and fast manner

⁷² Sarah and Isyanto, "Maqashid Al-Syari'ah in Theoretical and Practical Studies."

⁷³ Noer Yasin, "Implementation of the Policy for Fulfilling the Religious Rights of Persons with Disabilities by the State from a Maqashid Syariah Perspective," *De Jure: Journal of Law and Sharia* 13, no. 2 (December 31, 2021): 170–83, <https://doi.org/10.18860/j-fsh.v13i2.14462>.

⁷⁴ Dziki, interview, (Gresik, 15 November 2023)

- b. Mabarro MWC NU Public Hospital actively involves patients in the complaint resolution process such as holding meetings with related parties, listening to complaints, and providing clarification.
- c. Mabarro MWC NU Public Hospital provides information to patients on how to submit complaints including the steps that must be followed as well as the patient's rights in resolving complaints.

D. Resolving Complaints or Complaints From Patients at the Mabarro MWC NU Public Hospital in Gresik

Complaint resolution is the process or procedure used to handle complaints submitted by patients or patient families regarding the health services received. The hospital complaint resolution process includes evaluation and analysis of complaints, resolution of complaints, communication with the patient concerned, and carrying out follow-up actions.⁷⁵ The flow of complaint resolution or complaints at the Mabarro MWC NU Bungah Gresik Public Hospital as stipulated in the Decree of the Director of Mabarro MWC NU Bungah Gresik Number 01.358/A/RSI.NU.B/X/2022:

⁷⁵ Nurul Hairat and M. Gazali Suyuti, "IMPLEMENTATION OF SERVICE STANDARDS ACCORDING TO LAW NUMBER 25 OF 2009 AT SEGERI HEALTH CENTER," SIYASATUNA: SCIENTIFIC JOURNAL OF SIYASAH SYARI'YYAH STUDENTS 1, no. 3 (September 30, 2020): 594-601.

- e. If the officer has received the answer, the officer will convey the answer to the patient according to the complaint submitted such as SMS, telephone, social media
- f. Officers convey to patients that complaints, suggestions and input have been received and followed up on
- g. The complaint management team resolves complaints by examining, classifying, analyzing in accordance with SPO Number 001/SPO/Hum/ VIII/ 2022.
- h. The complaint management team conveys the results of complaint case resolution to officers to be conveyed to patients via SMS, telephone, email or social media.
- i. If the complaint or complaints are not resolved PIIP or the unit head coordinates with the head of medical services or the head of adum (hospital management)
- j. If the complaint or complaint is not resolved then the head of the Yanmed or adum division submits the complaint or complaint to the deputy director
- k. If the complaint or grievance is not resolved, the deputy director coordinates with the director and owner of the hospital
- l. The final solution if the complaint or complaint is not resolved is that the complaint or complaint is submitted to the court.

So far, the complaint system at Mabarrot MWC NU Public Hospital has been classified as appropriate to patient needs. This is supported by good complaint resolution procedures that are easy for patients to understand. However, in practice there are operational deficiencies which can be seen from the fact that officers only provide temporary explanations to patients without conveying the results of complaint resolution from the complaint management team to patients, the hospital does not respond or follow up on complaints through the suggestion box.⁷⁶In this regard, it shows that the complaint system or complaint resolution procedures are not working well.

According to Article 45 paragraph (1) of Law Number 8 of 1999 concerning consumer protection, it is explained that every consumer who is harmed has the ability to sue business actors through institutions responsible for resolving disputes between business actors and consumers or through courts in the general court environment.⁷⁷Meanwhile, article 310 of Law Number 17 of 2023 concerning health states that if there is a case where medical personnel or health workers are suspected of making a mistake in carrying out their duties which causes harm to the patient, then the dispute is first resolved through alternative dispute resolution outside of court.⁷⁸ Dispute resolution is generally divided into 2, namely as follows:

⁷⁶Muhammad B, interview, ((Gresik, 27 February 2024)

⁷⁷ "UU no. 8 of 1999 concerning Consumer Protection."

⁷⁸ "UU no. 17 of 2023 concerning Health."

1. Litigation Settlement

The word litigation comes from English, namely litigation (court). In terms of litigation, it is the process of taking a case to a court of law so that a judgment can be made. Black's dictionary states that litigation is the process of resolving disputes through courts or legal channels.⁷⁹ This process is also known as a more formal resolution method than other methods of resolving complaints or disputes.⁸⁰

Completion of litigation, the patient files a lawsuit in court and participates in the trial until the judge decides on a decision that is binding on the parties. The court as the executor of judicial power is responsible for accepting, examining, adjudicating and resolving every lawsuit to uphold law and justice based on the regulatory provisions in force in Indonesia.⁸¹ In this settlement, the alternative judge has binding power so that the parties must submit to and respect the decision.

⁷⁹ Firda Ainun Fadillah and Saskia Amalia Putri, "ALTERNATIVE DISPUTE RESOLUTION AND ARBITRATION (LITERATURE REVIEW ETHICS)," *Journal of Applied Management Science* 2, no. 6 (July 21, 2021): 744–56, <https://doi.org/10.31933/jimt.v2i6.486>.

⁸⁰ Maryanto Maryanto, Lathifah Hanim, and Dini Amalia Fitri, "PROCEDURE FOR RESOLVING CONSUMER DISPUTES THROUGH CONSUMER DISPUTE SETTLEMENT AGENCY (BPSK)," *International Journal of Law Society Services* 1, no. 2 (October 26, 2021): 64–78, <https://doi.org/10.26532/ijlss.v1i2.17822>.

⁸¹ Yulia Yulia Kusuma Wardani et al., "MEDICAL DISPUTE RESOLUTION IN INDONESIA: DISCUSSING LEGAL AND PEACEFUL PATHWAYS IN HEALTH SERVICES," *Monograph* (Bandar Lampung: AURA, November 2023), <http://repository.lppm.unila.ac.id/52931/>.

The resolution of litigation at the Mabarro MWC NU Public Hospital was carried out after coordinating with the management or hospital director regarding complaints or grievances, however the complaints or grievances could not be resolved. In this regard, if complaints or grievances cannot be resolved through these actions, then they require resolution through legal channels. Currently, Mabarro MWC NU Public Hospital has not recorded any cases that have gone to court.⁸²

2. Non-Litigation Settlement

Resolving complaints or complaints is not only through the litigation process but there are other methods which are usually called out-of-court dispute resolution. There are several ways to resolve complaints or grievances outside of court.⁸³ The process of resolving disputes or complaints outside of court is considered a high quality resolution because it can resolve disputes without leaving feelings of hatred or resentment between the parties.⁸⁴

⁸²Dziki, interview, (Gresik, 15 November 2023)

⁸³ Hilman Akbar Nurrobby, Ramdan Fawzi, and Panji Adam, "Analysis of the Decision of Sharia Economic Dispute Case Number 0124/Pdt.G/2017/ PTA.Bdg concerning Default on Murabahah Financing Agreement Number: TSM/024/2014 Regarding the Execution Auction for Mortgage Rights Objects, " Proceedings of Sharia Economic Law, January 10, 2020, 22, <https://doi.org/10.29313/syariah.v0i0.19336>.

⁸⁴ Dr Nita Triana M.Si SH, Alternative Dispute Resolution: Alternative Dispute Resolution Using Mediation, Arbitration, Negotiation and Conciliation Models (Kaizen Sarana Edukasi, 2019).

Mabarrot MWC NU Public Hospital has implemented several alternatives to resolve complaints or grievances outside of court, including:⁸⁵

a. Family or peacefully

In resolving complaints or grievances in a friendly or peaceful manner, the hospital verifies the patient's complaint by checking medical records, service documentation, or communicating with officers involved in the care of the patient concerned. If the answer has been received by the hospital staff, the officer will convey the answer and provide clarification to the patient.

b. Negotiation

Completion of negotiations means that the hospital appoints a negotiator to communicate with representatives of the parties concerned (patients) with the aim of finding the best solution for both parties concerned. One of the negotiations carried out by the hospital is to provide clarification regarding complaints or complaints submitted by patients and carry out necessary improvements or

⁸⁵Dziki, interview, (Gresik, 15 November 2023)

evaluations to ensure that the complaints or complaints submitted are not repeated in the future.

c. Mediation

Settlement through mediation carried out by the hospital is similar to negotiation, but involves a neutral third party or mediator to help the parties concerned reach an agreement.

Based on the three alternatives for resolving non-litigation complaints at the Mabarro MWC NU Public Hospital, all complaints apply the first complaint resolution, namely through kinship or peacefully.⁸⁶In resolving family complaints or peacefully, the emphasis is on resolving complaints by establishing a good relationship between the hospital and the patient, without involving legal processes.

⁸⁶Dziki, interview, (Gresik, 29 February 2023)

CHAPTER V

CLOSING

A. Conclusion

Implementing consumer protection is one step to ensure patient rights are protected. The form of protection or fulfillment of patient rights at the Mabarro MWC NU Bungah Gresik Public Hospital is by obtaining safe, quality and anti-discrimination health services, providing an effective system for submitting patient complaints, such as verbally or directly to hospital staff, electronic media. official hospital.

In implementing the fulfillment of patient rights at the Mabarro MWC NU Public Hospital in Gresik City, it refers to the regulations in force in Indonesia such as Law No. 8 of 1999 concerning Consumer Protection, Law No. 17 of 2023 concerning Health, Government Regulation No. 47 of 2021 concerning the Implementation of the Field. Hospitals, PERMENKES No. 4 of 2018 concerning Hospital Obligations and Patient Obligations. However, the implementation of transparency in fulfilling patient rights regarding complaints at this hospital is not good and there is no difference between the delivery of suggestions and criticism and complaints about the services received by patients. This causes complaints submitted by patients not to receive a good response.

The complaint settlement carried out by the Mabarro MWC NU Bungah Gresik Public Hospital is settlement through court (litigation settlement) and non-litigation settlement. The complaint was resolved based on the Decree of the Director of Mabarro MWC NU Bungah Gresik Number 01.358/A/RSI.NU.B/X/2022. However, in practice there are operational deficiencies which can be seen from the fact that officers only provide temporary explanations to patients without conveying the results of complaint resolution from the complaint management team to patients.

B. Suggestion

Regarding law enforcement which aims to protect consumers and the precautions that can be taken to avoid being deceived by service providers, the author makes several suggestions as follows:

1. For consumers (patients)

Patients or consumers should seek information regarding their rights and obligations as patients in hospitals and not be easily influenced by other patients.

2. For hospitals

Hospitals should convey clear information about the rights and obligations of both the hospital and the patient, provide health services to patients well and optimally in accordance with statutory provisions so that no parties will be harmed.

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Attachment

Attachment1-Research Permit Application Letter



KEMENTERIAN AGAMA REPUBLIK INDONESIA
UNIVERSITAS ISLAM NEGERI MAULANA MALIK IBRAHIM MALANG
FAKULTAS SYARIAH
Jl. Gajayana 50 Malang 65144 Telepon (0341) 559399 Faksimile (0341) 559399
Website: <http://syariah.uin-malang.ac.id> E-mail: syariah@uin-malang.ac.id

Nomor : B- 6298 /F.Sy.1/TL.01/11/2023
Hal : **Permohonan Izin Penelitian**

Malang, 08 November 2023

Kepada Yth.
Direktur RS Umum Mabarrot MWC NU
Jl. Raya Bungah Dukun No. 63 Bungah Gresik, Gresik, Jawa timur

Assalamualaikum wa Rahmatullah wa Barakatuh

Dalam rangka menyelesaikan tugas akhir/skripsi mahasiswa kami:

Nama : Mar'atus Sholihah

NIM : 200202110147

Fakultas : Syariah

Program Studi : Hukum Ekonomi Syariah mohon diperkenankan untuk mengadakan *Pra Research* dengan judul :

Implementasi Perlindungan Konsumen Rumah Sakit Pada Pengaduan Pasien (Studi Kasus RS Umum Mabarroto MWC NU), pada instansi yang Bapak/Ibu Pimpin.

Demikian, atas perhatian dan perkenan Bapak/Ibu disampaikan terima kasih.

Wassalamualaikum wa Rahmatullah wa Barakatuh



Scan



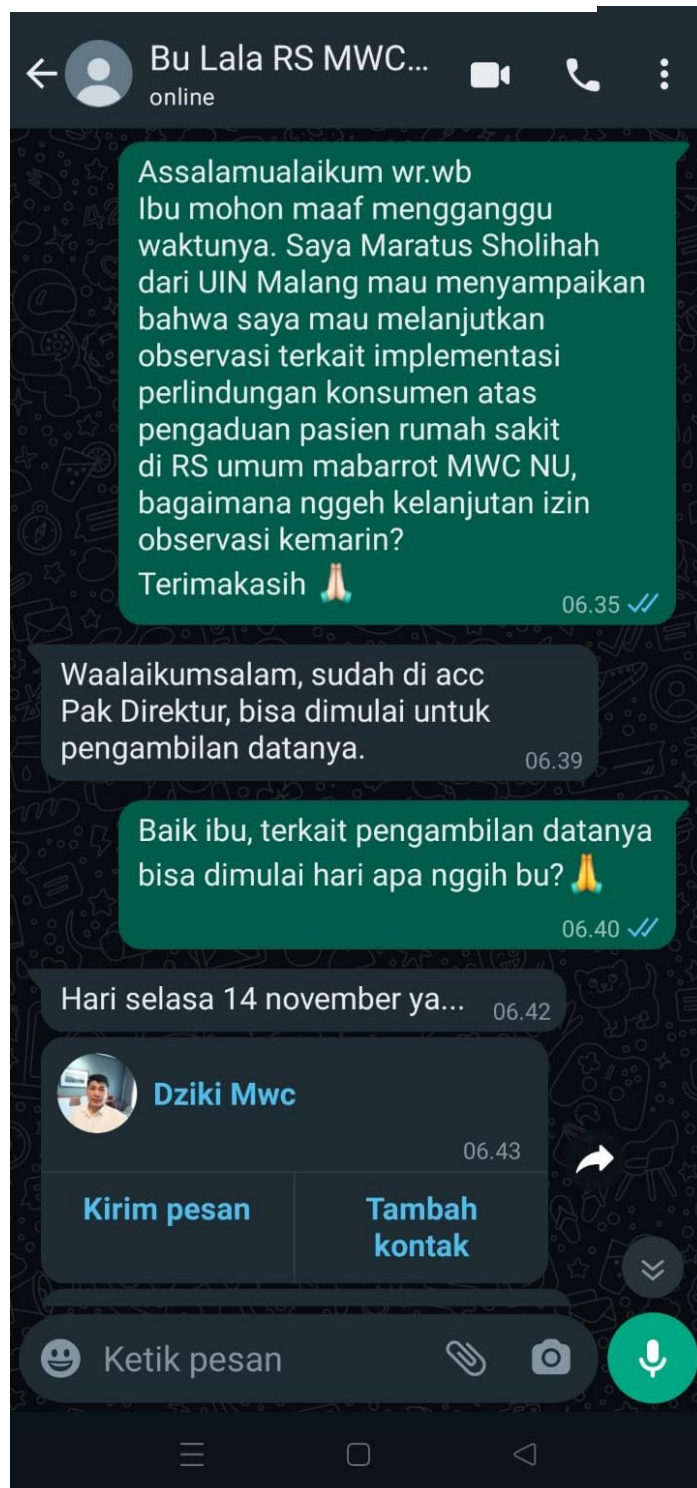
a.n. Dekan
 Wakil Dekan Bidang Akademik,
 Saenul Mahmudi

Untuk Verifikasi

Tembusan :

- 1.Dekan
- 2.Ketua Prodi Hukum Ekonomi Syariah
- 3.Kabag. Tata Usaha

Attachment2-Research Answers



Attachment3-Mabarrot MWC NU Public Hospital Interview Questions

Dartar Pertanyaan Wawancara RS Umum Mabarrot MWC NU

1. Bagaimana manajemen Rumah Sakit terhadap keluhan atau pengaduan pasien?
2. Bagaimana upaya preventif yang dilakukan RS atas pengaduan pasien?
3. Bagaimana pemenuhan hak-hak pasien di RS tersebut?
4. Bagaimana sanksi atau teguran yang dilakukan pihak manajemen RS terhadap pihak yang melanggar?
5. Apakah terdapat peraturan khusus yang mengatur tentang pengaduan?
6. Bagaimana prosedur pelaksanaan penerimaan pengaduan?
7. Mengenai hak dan kewajiban juga dijelaskan dalam pasal 44 ayat (5), (6), dan (7) PP Nomor 47 Tahun 2021 tentang penyelenggaraan bidang perumahsakitannya yang menjelaskan bahwa setiap rumah sakit wajib menyediakan unit pelayanan pengaduan untuk mengumpulkan informasi, memberikan klarifikasi, dan menangani keluhan pasien atas ketidakpuasan dengan layanan yang diberikan oleh staf atau tenaga medis di Rumah Sakit serta pengaduan dan keluhan tersebut harus ditindaklanjuti secara cepat, adil, dan objektif. Apakah sudah sesuai dengan pasal tersebut dan bagaimana pelaksanaannya?
8. Apakah terdapat perbedaan antara prosedur penyelesaian saran dan kritik dengan keluhan?
9. Bagaimana prosedur penyelesaian pengaduan di RS Umum Mabarrot MWC NU Kota Gresik dan apa saja penyelesaian yang sering digunakan untuk menangani pengaduan tersebut?

Attachment4-Interview Answers

JAWABAN WAWANCARA


1. Manajemen RS terhadap keluhan atau pengaduan pasien yang pertama yaitu pihak RS secara langsung menanggapi keluhan atau pengaduan pasien dan melakukan evaluasi kepada petugas pada saat morning report. Kedua yaitu melalui media sosial di mana pihak RS memeriksa pengaduan atau keluhan pasien dan petugas yang bersangkutan dihubungi untuk menanyakan kronologi yang terjadi.
2. Rumah sakit melakukan berbagai upaya preventif untuk menanggapi pengaduan pasien dan meningkatkan kualitas pelayanan antara lain melakukan evaluasi pelayanan, memastikan bahwa pegawai memahami dan mematuhi kebijakan yang ada di Rumah Sakit, menyediakan sistem yang efektif dan efisien dalam menerima dan menanggapi pengaduan pasien, melakukan rapat koordinasi terkait pengaduan dan keluhan pasien.
3. Dalam pemenuhan hak-hak pasien RS Umum Mabarro MWC NU Bungah Gresik yaitu menyediakan sistem yang efektif dan efisien untuk mengajukan pengaduan seperti menyediakan kotak saran, sosial media atau situs web rumah sakit, alamat email yang dapat diakses oleh pasien, menyediakan formulir pengaduan.
4. Sanksi atau teguran yang diberikan RS kepada pihak yang bersangkutan yaitu memberikan SP atau surat peringatan.
5. Belum ada peraturan yang khusus dalam mengatur pengaduan Rumah Sakit
6. Prosedur pelaksanaan penerimaan pengaduan di RS Umum Mabarro MWC NU Bungah Gresik yaitu sesuai dengan SPO Nomor antara lain:
 - a. Petugas memberi salam dan mengucapkan terima kasih kepada pasien yang akan memberikan saran, pengaduan atau masukan baik melalui media sosial atau secara langsung.
 - b. Petugas menerima, mencatat dan mengkaji informasi pengaduan yang diterima dalam buku pengaduan
 - c. Petugas memberi penjelasan sementara pada pasien serta berusaha menenangkan dan memastikan bahwa keluhan atau pengaduan tersebut akan ditindaklanjuti.
 - d. Petugas melaporkan pengaduan kepada case manager jika pasien tidak puas dengan jawaban petugas.
 - e. Pengaduan tersebut disampaikan oleh petugas kepada manajer dan meminta jawaban sesuai dengan isi pengaduan sebagai berikut:
 - a) Bagian pelayanan mengenai jam dan tindakan dokter, tindakan operasi, kefarmasian, dan tindakan pelayanan lainnya.
 - b) Bagian keperawatan mengenai sikap dan etika perawat, ketersediaan kamar perawatan, dan tindakan keperawatan
 - c) Komite medik mengenai jam dan tindakan pelayanan dokter, tindakan operasi, etik dan tindakan pelayanan lainnya.
 - d) Bagian keuangan mengenai pembiayaan perawatan dan pelayanan di RS Umum Mabarro MWC NU Bungah Gresik
 - e) Apabila jawaban sudah diterima petugas, petugas akan menyampaikan jawabannya kepada pasien.
 - f. Petugas menyampaikan kepada pasien bahwa pengaduan, saran dan masukan sudah diterima dan ditindaklanjuti.
 - g. Tim pengelola pengaduan menyelesaikan pengaduan dengan memeriksa, mengklasifikasi, menganalisa sesuai dengan ketentuan yang ada

- h. Tim pengelola pengaduan menyampaikan hasil penyelesaian kasus pengaduan kepada petugas untuk disampaikan kepada pasien melalui sms atau email.
7. Dalam pelaksanaan terkait pengaduan pasien, RS Umum Mabarot MWC NU Bungah Gresik sudah sesuai dengan SPO atau peraturan yang berlaku di Indonesia. Adapun pelaksanaan terkait pengaduan yaitu pasien dapat mengajukan pengaduan ke manajemen rumah sakit jika merasa tidak puas dengan pelayanan yang diterima. Pengaduan tersebut bisa dilakukan secara langsung atau melalui situs resmi yang disediakan RS Umum Mabarot MWC NU Bungah Gresik.
8. Tidak ada perbedaan antara prosedur penyelesaian saran dan kritik dengan keluhan
9. Alur penyelesaian keluhan atau pengaduan di RS Umum Mabarot MWC NU Bungah Gresik yang ditetapkan dalam SK Direktur Mabarot MWC NU Bungah Gresik Nomor 01.358/A/RSI.NU.B/X.2022

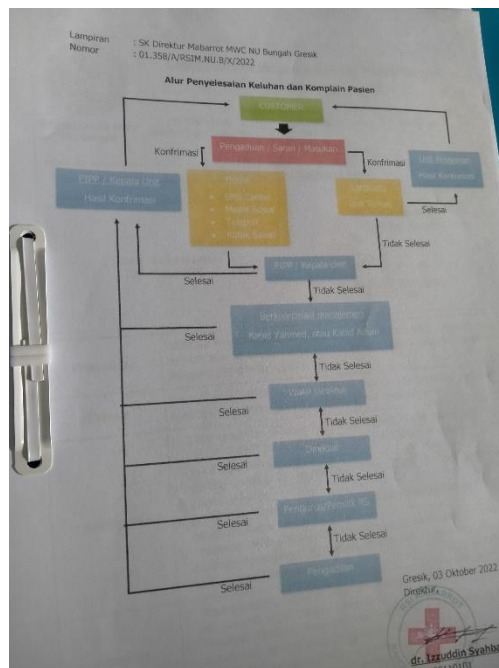
Attachment5-Interview Documentation



Interview with Mr. Dziki Maulana S.Kep., Ns

No. Dokumen 001/SPO/Hum/VIII/2022		No. Revisi 01	Halaman 1/3
STANDAR PROSEDUR OPERASIONAL (SPO)			
Tanggal diterbitkan: 03 Oktober 2022		Ditetapkan di: Gresik Direktur,  dr. Izzuddin Syahbana NIP : 20110101	
Pengertian	Komplain merupakan akibat situasi dimana keinginan atau kehendak yang berbeda atau berlawanan antara pasien dengan pihak rumah sakit, sehingga keduanya saling terganggu.		
Tujuan	Sebagai acuan untuk menangani semua keluhan dan komplain dari pasien agar bisa diselesaikan secara profesional dan kekeluargaan.		
Kebijakan	1. Surat Keputusan Direktur RSI Mabarro MWC NU Bungah Gresik Nomor 01/157/A/RSIM.NU.S.VIII/2022 Tentang Kebijakan Pelayanan Terhadap Hak Pasien Dan Keluarga, 2. Undang-Undang RI Nomor 14 Tahun 2008 tentang Keterbukaan Informasi Publik, 3. Peraturan Menteri Kesehatan Republik Indonesia Nomor 13 Tahun 2017 tentang Penanganan Pengaduan Masyarakat Terpadu di Lingkungan Kementerian Kesehatan.		
Prosedur	1. Ucapkan salam, "Selamat pagi/Sore/Malam Bapak/Ibu", dan perkenalkan diri dan unit kerja. "Saya bagian". 2. Tawarkan bantuan pada keluarga pasien, dan dengarkan dengan baik dan tenang keluhan yang disampaikan oleh keluarga pasien. 3. Apabila keluhan disampaikan via media elektronik misal telepon, email		

SPO (Operational Procedure Letter) Mabarro MWC NU Public Hospital



Mabarrot MWC NU Public Hospital Complaint Resolution Flow