

## LEGAL PROTECTION OF PATIENT RIGHTS AND LEGAL RESPONSIBILITIES OF MEDICAL PERSONNEL IN HEALTHCARE SERVICES IN INDONESIA

**Hotmaria Hertawaty Sijabat**

Post Graduate Faculty of Law Universitas 17 Agustus 1945 Jakarta  
[sjabathotmaria@gmail.com](mailto:sjabathotmaria@gmail.com)

**Gunawan Widjaja**

Senior Lecturer Faculty of Law Universitas 17 Agustus 1945 Jakarta  
[widjaja\\_gunawan@yahoo.com](mailto:widjaja_gunawan@yahoo.com)

### Abstract

This study discusses legal protection of patients' rights and the legal responsibilities of medical personnel in health services in Indonesia. Patients' rights as recipients of health services are fundamental rights that must be protected through various regulations such as Law No. 36 of 2009 concerning Health and Law No. 44 of 2009 concerning Hospitals, which guarantee the rights to information, privacy, and service safety. On the other hand, medical personnel have legal responsibilities that include criminal, civil, and administrative responsibilities to ensure safe, professional, and standard-compliant services. This study uses a literature review method with an analysis of relevant laws, legal literature, and court decisions. The results of the study show that although a legal framework is in place, there are still challenges in implementing patient rights protection and enforcing the legal responsibilities of medical personnel, particularly in relation to understanding rights and obligations, access to justice, and complaint mechanisms. Strengthening regulations, education, and mechanisms for supervision and dispute resolution are essential to improve the quality of equitable health services in Indonesia.

**Keywords:** legal protection, patient rights, legal responsibility, medical personnel, health services, Indonesia.

### Introduction

Legal protection of patients' rights in healthcare is a fundamental aspect that cannot be ignored in Indonesia's modern healthcare system. Patients' rights as recipients of healthcare services guarantee that every individual receives humane, fair treatment in accordance with applicable medical standards (Levinson, 2021). In this context, legal protection plays an important role not only in protecting the basic rights of patients, but also in increasing public trust in the existing healthcare system. However, the implementation of legal protection faces various challenges, both in terms of regulation and implementation in the field (Jansen, 2017).

Law No. 36 of 2009 concerning Health and Law No. 44 of 2009 concerning Hospitals are the main legal frameworks governing patient rights and the obligations of medical personnel in Indonesia. These two regulations contain provisions that require healthcare providers to provide services in accordance with professional standards,