

Juridical Review Of Laws And Professional Ethics On The Refusal Of Emergency Patients In The Implementation Of Private Hospital Services

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Abstract

Health services in hospitals have shifted from public goods to private goods, the impact is less than optimal medical services for the poor in the Emergency Installation, there is often patient rejection because there is no down payment guarantee. The creation of conflicts between patients and health professions in private hospitals creates conditions that are not conducive and constructive for health development, Problem formulation, Do Private Hospitals have the right to refuse patients in emergencies? What is the legal and ethical responsibility if a private hospital refuses emergency patients in order to create justice for the community. The purpose of the study, to explain that Private Hospitals have no right to refuse Patients in an emergency and explain Legal Responsibility, ethics of Private Hospitals when Rejecting Emergency Patients in order to create justice for the community. This research method is with normative juridical, statute approach and library research from primer and secondary materials. The analysis knife in this study uses Grand Teor i State Law and Teori Aristotle's justice as Middle Theory. The result of the discussion, Obtaining profit is a natural for private hospitals but it needs to be realized that the operation of the hospital must still prioritize the social function of the hospital as formulated in Article 2 of Law Number 44 of 2009 concerning Hospitals. Hospital business functions and hospital social functions must be managed properly and professionally, private hospitals should continue to provide indigent / poor patient service facilities in emergency services without down payments in accordance with hospital service standards and in accordance with their hospital service capabilities based on the independence of professional ethics.

Keywords: Profit, Law, Social Functions of Hospitals, Professional Ethics.

A. Introduction

The State of Indonesia places the law in the highest position (rule of law), meaning that the State of Indonesia is a state of law (rechtsstaat) not based on mere power (machtsstaat), there is no power above the law (above to the law), all are subject to applicable

legal provisions, the implementation of which there must be no arbitrary power and abuse of power.¹ The rule of law protects all citizens without intervention by and from any party, including by state administrators. As formulated in Article 1 paragraph (3) of the Constitution of the Republic of

Indonesia Year 1945 that, "The State of Indonesia is a state of law",² Meaning, the state places the law above everything else and contains norms that require the government and state administrators to be obliged to obey the law³.

The government is obliged to protect and uphold human rights because people have surrendered some of their rights to the state to become law. Recognition of human rights (HAM) in accordance with the Universal Declaration of Human Rights, promulgated by the United Nations General Assembly on December 10, 1948. Human rights are one of the elements of welfare that must be realized in accordance with the ideals of the Indonesian nation, are basic rights or citizenship inherent in individuals since humans are born by nature given directly by God Almighty which cannot be deprived and deprived of existence and must be respected, upheld, and protected by the state, law, government and everyone for the honor and protection of human dignity and dignity, carried out by the State of Indonesia to provide justice to all Indonesian people without discrimination, in accordance with the mandate of Article 28H Paragraph (1) of the 1945 Constitution which formulates,

"Everyone has the right to live a prosperous life outwardly and mentally, to reside, and to get a good and healthy living environment and the right to health services"

and Article 28 I Paragraph (2) of the 1945 Constitution formulates that:

"Everyone is free from discriminatory treatment on any basis and has the right to protection against discriminatory

treatment".⁴

Hospital institutions are responsible for patient safety by prioritizing the social function of the hospital as a social institution, regulated in Article 2 Number 44 of 2009 Law on Hospitals which formulates that the operation of the hospital is a social function.⁵ One of the social functions of hospitals is to provide health facilities to treat underprivileged patients. Hospitals as health service institutions that deal directly with patients are required to prioritize safe, quality, anti-discrimination and effective health services by prioritizing the interests of patients in accordance with hospital service standards (Law on Health No.36 of 2009 and Article 29b of Law No.44/2009 of Hospital Law). Patients as users of health services have the right to obtain their security and safety while in hospital treatment (Law on Health and Hospitals Article 32 Law No.44/2009).

The crucial issue of private hospitals rejecting poor patients in the media still occurs, the many complaints of the public, the patient's family and their own patients against the lack of quality of hospital services. The problem of repeated patient refusal occurs for patients who cannot afford to pay in conditions of sudden illness (emergency) come to a private hospital through the emergency department, after it is known that the patient is less able to pay, the nurse behaves with a less attentive and less proactive expression, administrative services are complicated and complicated with a long time, the officer is less friendly, less even does not provide medical information and prescribing that must be redeemed by the patient.⁶

An example of a crucial case quoted by researchers from the media, Dera Patients Twin babies from street vendor parents, born 7 months premature at the puskesmas in Pasar Minggu. was born on February 11, 2013, and died on February 15, 2013. The Puskesmas referred the patient to RS Z in South Jakarta, after finding the condition of baby Dera who was sick, the hospital referred the baby to a larger hospital, on the grounds that the number of beds is full. Four-month-old baby Deborah, at Kalideres Family M Hospital, was late in providing treatment to baby Deborah due to the lack of hospital down payment, leading to death.⁷

Delvasari, a resident of Gedung Nyapah village, East Abung District, North Lampung was forced to take an angkot while carrying her baby's body to the funeral home because she was not delivered by an ambulance, September 22, 2017, Mesiya Rahayu, a 15-month-old baby with symptoms of vomiting and shortness of breath died after being rejected by four hospitals in Tangerang. Mesiya's father applied for BPJS Ketenagakerjaan, but was rejected and finally registered as a general patient with Rp. 370 thousand. However, soon the hospital explained that they did not have the tools to deal with Mesiya. Without telling her where to go, Masiya's parents had to go around looking for a hospital to refer their daughter. After going around, Mesiya was rejected by the hospital four times on full grounds, the refusal was also without seeing Mesiya's condition. Finally, because of late getting help, the 15-month-old baby finally died and other cases.⁸

The lack of optimal medical services in private hospitals for the

poor when they need first aid has not been fully handled, both in terms of medical, non-medical and supporting services. Patients of the Health Insurance Administration Agency (BPJS) and patients who are less able to pay who come to private hospitals to get emergency help must wait a long time for medical action to be carried out, Action can be taken in the emergency unit if there is a guarantee in the form of money, even there is often a refusal of patients because there is no down payment guarantee.

The Emergency Department (IGD) is one of the service units in the hospital that should provide first aid and as the first way for patients with emergency conditions. An emergency does not look at whether the patient is coming with money or not but a clinical situation where the patient needs immediate medical help to save lives and prevent further disability, As the first unit to handle patients in emergencies, the emergency room is required to provide extra services compared to other units both in terms of the availability of medical personnel and the availability of equipment and medicines. It aims to make patients get high-quality and timely care.

The creation of conflict conditions between patients and health professionals in private hospitals results in conditions that are not conducive and constructive for health development efforts, every hospital should participate in realizing social justice for the people of Indonesia because people in Indonesia deserve justice in terms of health, both in terms of promotive, preventive, curative and rehabilitative.

Justice in terms of health is in

accordance with Aristotle's theory of justice which gives a view of justice, as a grant of equal rights but not equality. Aristotle distinguished his equal rights according to proportional rights, rights viewed by man as an equal unit or container. Proportional equality gives each person what is rightfully his/her according to the abilities and achievements he has done.

B. Results and Discussion

The problem approach to this research method is normative juridical, related to phenomena that occur in society connected through a statutory approach (statute approach) and library research, including, primary legal materials, obtained from the 1945 Constitution, Law Number 36 of 2009 concerning Health, Law Number 44 of 2009 concerning Hospitals, Law Number 1 of 1946 concerning the Criminal Code, Civil Code, Law Number 29 of 2004 concerning Medical Practice, professional ethics, Indonesian Hospital Code of Ethics, and other laws and regulations while secondary legal materials, namely legal materials that provide explanations to primary legal materials, in the form of literature books, documents, archives, legal expert opinions and research results of researchers in the field of criminal law in this case related to the above problems. To draw conclusions using qualitative analysis set forth in the form of explanations. Soerjono and Mamudji said that analyzing secondary data can save costs and energy, Can strengthen and expand the basis of drawing generalizations from research results, with secondary data can be used as material to conduct research conducted before conducting actual research and not bound by time and place. (Soerjono Soekanto and Mamudji 2019: 34).

I. Private hospitals do not have the right to refuse patients in emergencies.

Social functions carried out by hospitals do not run optimally if they are not supported by hospital facilities and infrastructure, especially in the current era of globalization, the advancement of digital technology in the field of medicine is growing rapidly with advanced technology, especially in the field of nuclear medicine technology, X-rays, Digital technology that uses magnetic waves, telemedicine and other therapeutic and supporting tools¹². The sophistication of medical technology requires a fairly expensive cost that affects the operational system hospital in terms of cost, human resources and others. The complexity of hospital management is the basis for the desire of the Government of Indonesia to implement good hospital governance, especially for private hospitals.

The provisions of Article 21 of Law Number 44 of 2009 concerning Hospitals relate to the Substance in Article 7 paragraph (2) and paragraph (4), Article 20 paragraph (1) and Article 21 of Law Number 44 of 2009 concerning Hospitals that allow Private hospitals to seek Profit as long as it is managed by a Legal Entity in the form of a Company or Limited Liability Company. The stipulation of Law Article 21 Number 44 of 2009 concerning Hospitals, is a legal breakthrough that has encouraged a paradigm shift in the establishment of hospitals, so far hospitals understood as social oriented have now turned into business oriented.¹³

Health services in hospitals according to the results of Anthony Giddens' research which has been quoted by Sudarmono and rewritten by Endang Wahyati in the book Know the Law of Hospitals has shifted from

public goods to private goods¹⁴ To fulfill patient satisfaction, the more complex it resulted in several hospitals competing to find ways to attract sympathetic patients by preparing offers of facilities and infrastructure such as five-star hotels, the impact of the social function turned into a multi-product organization to generate profits.

Obtaining profits from health services provided to patients is a natural for private hospitals but it needs to be realized that in the operation of hospitals must continue to prioritize the social function of hospitals as formulated in Article 2 of Law Number 44 of 2009 concerning Hospitals, that "The operation of the hospital is a social function. One of the social functions of hospitals is to provide health facilities to care for underprivileged patients ¹⁵. And in Article 49 paragraph of Law Number 36 of 2009 concerning Health that, the implementation of health efforts must pay attention to social functions, values, and norms of religion, socio-culture, morals, and professional ethics, because health services are human rights and one of the elements of welfare that must be realized in accordance with the ideals of the Indonesian nation as referred to in Pancasila and the Constitution of the Republic of Indonesia Year 1945¹⁶, In Article 5 (1) of Law Number 36 of 2009 concerning Health, it is formulated that:

"Everyone has equal rights in gaining access to resources in the field of Health"¹⁷

means that social function is part of the inherent responsibility of every hospital and the moral, ethical bond of the hospital in helping patients, especially those who are less / unable to meet the needs of health services including hospitals managed by Limited Liability Companies.

Hospitals that prioritize business functions by refusing treatment or abandoning patients who are less able to pay or who use BPJS when they need hospital services on an emergency basis, are discriminatory treatment and violate patient rights protected by the Constitution 1945, Law Number 36 of 2009 concerning Health, Law Number 44 of 2009 concerning Hospitals, Law Number 29 of 2004 concerning Medical Practice, Hospital code of ethics, medical code of ethics and other professional ethics.

The government urges all hospitals, both government and private, to always be committed to providing the best health services for patients regardless of economic conditions or the type of guarantee they have. Government policy in the field of public services, in Article 34 paragraph (1) of the Constitution of the Republic of Indonesia Year 1945 formulates that, "The poor and abandoned children are cared for by the state", and in paragraph 2 of the Constitution of the Republic of Indonesia Year 1945 formulates "The State develops a social security system for all people and empowers the weak and incapable in accordance with human dignity" and in paragraph (3) of the Constitution of the Republic of Indonesia Year 1945 formulates "The State is responsible for the provision of health service facilities.

The hospital may not refuse or ask for advances to patients during emergencies when the patient's condition is critical, the legal basis is article 32 paragraphs 1 and 2 of Law No. 36 of 2009 concerning Health, in Article 32 ayat (1) "In an emergency, both government and private health care facilities must provide health services to save patients' lives and prevent recording in advance." And in Article 32 paragraph (2) "In an

emergency, health care facilities, both government and private, are prohibited from rejecting patients and/or asking for advances".¹⁸ Warning to hospital leaders who manage hospital management, the Government expressly provides obligations and laws and regulations, in Article 190 paragraph (1) of Law Number 36 of 2009 concerning Health formulates that, "Leaders of health care facilities and/or health workers who practice or work in health care facilities who deliberately do not provide first aid to patients in an emergency as referred to in Article 32 paragraph (2) or Article 85 paragraph (2) shall be punished with a maximum imprisonment of 2 (two) years and a maximum fine of Rp200,000,000, 00 (two hundred million rupiah)." And in paragraph (2) In the event that the act as referred to in paragraph (1) results in disability or death, the leader of the health service facility and/or health worker shall be punished with a maximum imprisonment of 10 (ten) years and a maximum fine of Rp1,000,000,000.00 (one billion rupiah).

The legal position of hospitals managed by Limited Liability Companies must have social functions as stipulated in Article 74 of Law Number 40 of 2007 concerning Limited Liability Companies in paragraph (2) means that social and environmental responsibility pays attention to propriety and fairness and this article is in accordance with Article 29 (1) Number 44 of 2009 Every Hospital has the obligation:

- a. provide safe, quality, anti-discrimination, and effective health services by prioritizing the interests of patients in accordance with hospital service standards;
- b. provide emergency

services to patients in accordance with their service capabilities;

- c. providing facilities and services to the poor or poor;
- d. carry out social functions, among others, by providing facilities for indigent/poor patients, emergency services without down payment, free ambulances, services for victims of disasters and extraordinary events, or social services for humanitarian missions;
- e. implement a referral system;
- f. provide true, clear and honest information regarding the rights and obligations of patients;
- g. respect and protect the rights of patients;
- h. implement Hospital ethics,
- i. formulate and implement hospital by laws;
- j. protect and provide legal assistance for all Hospital personnel in carrying out their duties.

To balance the business function and social function of a Private hospital, it is necessary to have clear and firm legal rules, supported by the professional ethics of related officers, Private hospitals are obliged to carry out their social functions, their presence provides benefits to the community in accordance with the regulations of Article 29 Paragraph (1) letter f of Law Number 44 of 2009 concerning Hospitals, Formulates that "Every hospital has an obligation, to carry out social functions, among others, by providing facilities for indigent/poor patients, emergency services without

down payment, free ambulances, services for victims of disasters and extraordinary events, or social services for humanitarian missions"¹⁹

2 Legal and ethical responsibility if private hospitals refuse emergency patients in order to create justice for the people of Indonesia.

The implementation of the social function of health services in hospitals has not been maximally and evenly implemented, there are still private hospitals that do not or have not complied with their obligations and carry out their social functions, even though the hospital's legal responsibilities have been regulated by the Government in the form of administrative legal sanctions, civil law sanctions and criminal sanctions.

Law is a guide for life (*levensvoorshriften*), has a function as a tool to regulate the order of public relations to solve problems that arise in the development of society so that social justice can be realized outwardly and mentally. In order to realize a health service system that provides comfort for patients, several laws and regulations containing patient rights are regulated in Law Number 36 of 2009 concerning Health (abbreviated as Health Law), Law Number 44 of 2009 concerning Hospitals (abbreviated as Hospital Law), Law Number 29 of 2004 concerning Medical Practice (abbreviated as Medical Practice Law), Government Regulation Number 32 of 1996 concerning Health Workers, Minister of Health Regulation (Permenkes) number 4 of 2018 concerning hospital obligations and patient obligations, Minister of Health Regulation Number 2052/MENKES/X/2011 concerning License to Practice and Practice Medicine, Minister of Health

Regulation Number HK.148/1/2010 concerning Licensing and Implementation of Nurse Practice, Minister of Health Regulation Number 11 of 2017 concerning safety, Government Regulation Number 47 of 2016 concerning Health Service Facilities and other regulations related to Government hospitals and Private hospitals.

Hospitals that prioritize business over social functions, refuse or ask for advances to patients even though they are in a critical / emergency situation, legal steps that patients can take are able to sue the Hospital both civilly and criminally. Legal steps that patients can take if there is no response from hospital management, the patient can make a civil complaint for a lawsuit to the court or through a consumer dispute resolution body against a hospital whose actions have harmed the patient, in Article 1365 of the Civil Code it is formulated that Every unlawful act, which brings harm to another person requires the person who by mistake publishes the loss, indemnify the loss . The legal basis, Article 32 letter q of Law No. 44 of 2009 concerning Hospitals (Hospital Law), reads: "Every patient has the right: to sue and/or sue the Hospital if the Hospital is suspected of providing services that are not in accordance with standards either civil or criminal;".

If harming a patient who causes disability or death due to being refused treatment and no first aid is performed, the patient can take criminal action by reporting the hospital leader and/or health workers to the police on the legal basis Article 32 paragraph 2 jo Article 190 paragraphs 1 and 2 of Law No. 36 of 2009 concerning Health, hospital leaders and/or health workers who refuse patients and/or ask for advances, can be prosecuted

criminally with a maximum penalty of imprisonment of 2 (two) years and a maximum fine of two hundred million rupiah. And if it causes disability or death to the patient, then the criminal threat is more severe, namely a maximum prison sentence of 10 years and a maximum fine of one billion rupiah. The government will also impose sanctions. In Article 2 Permenkes 378 of 1993 The implementation of social functions of private hospitals that must be carried out includes:

- (1) The arrangement of service rates shall be based on the tariff pattern determined by the Minister in point a. The provision and use of a certain number of beds for class III/lowest class nursing facilities.
- (2) The provisions for the amount of class III / lowest class service rates intended for the exemption of health service fees for underprivileged people for underprivileged people are determined by the Head of the Regional Office. There is a regulation of service rates that the Ministry of Health after consultation.

In addition to the various regulations regarding the legal responsibility of hospitals that have been outlined, hospitals and leaders, medical personnel, medical personnel and health workers on duty at hospitals have professional ethics and the Indonesian Hospital Code of Ethics (KODERSI). Professional ethics of health workers is a moral responsibility for every health worker, is a harmony between the interests of patients and the interests of health workers to support the success of health system development. The profession of doctors, medics or other health

workers is not a commodity that is to be traded for a living, but a virtue, a noble value that is to be devoted to the welfare of mankind.

Professional ethics apply to every profession of health workers who work in hospitals without professional ethics, the public will not respect and do not believe in the profession of health workers, the noble duty of health workers will be an ordinary type of work. Therefore, professional ethics are needed to maintain the dignity and honor of the profession and protect the public from all forms of deviation and abuse of expertise. Professional ethics formed by official organizations of medical professional actors, medical professionals, and other health workers have Professional Ethics Principles, namely ²⁰

- a. The principle of autonomy, requires every professional actor to have the right and authority to do or not do their work based on professional ethics that apply in the profession and the independence of health workers in accordance with the profession carried out.
- b. The principle of responsibility, professional actors must have an awareness of responsibility for the implementation and results of their work that affect the impact of the profession on the lives of others or society in general.
- c. The principle of moral integrity, requires every professional actor to consistently have morals and honesty in carrying out his work, be fair, prioritize the profession, and think about the interests of society.
- d. The principle of justice,

must uphold the principle of justice to members of their profession in every work done. This principle requires members of the profession to provide services to anyone what is their right in carrying out public health services.

Professional ethics requires every professional actor to consistently have morals and honesty in carrying out their work. Professional actors, both medical, non-medical and non-medical health workers who work in hospitals, must always be fair, uphold the name of the profession, and think about the interests of sick people (patients, sufferers). Professional ethical values in the form of loyalty, transparency, accountability, integrity, upholding reputation, respecting colleagues, accepting and giving criticism well are to overcome suffering and restore the health of sick people.

Working without good professional ethics, it is feared that medical personnel, non-medical personnel and other health workers work at will, not according to procedures, do not guarantee patient safety and may only be for the sake of getting material or rewards. Professional actors must respect patient rights (autonomy), non-maleficence (not harming patients), beneficence (doing the best for patients), justice (being fair to all patients), Veracity (being honest with patients and families), Fidelity (always keeping promises to patients). The ethical principle is to provide help, do good and not harm in accordance with the nature of health services to provide help or assistance to patients, and Article 1354 of the Civil Code:

"If a person voluntarily, without giving orders thereto, represents the affairs of others with or

without this person's knowledge, then he tacitly binds himself to continue and settle the affairs until the person representing his interests can do the affairs himself" (zaakwaarneming)

Norms and moral values of Indonesian hospitals to be used as guidelines and guidelines for every health worker involved in the implementation and management of hospitals in Indonesia, in order to achieve quality, professional hospital services and in accordance with the norms and noble values of the medical profession. Article 2 of the Hospital Code of Ethics states that hospitals are obliged to provide services Individual health in full according to the clinical needs of patients and hospital capabilities which means that individual health services are any health service activities provided by health workers to maintain and improve health, prevent and cure disease, and restore health. In the event that the hospital is unable then the hospital is obliged to find other ways such as referring patients to other hospitals.

Article 3 of the Hospital Code of Ethics states that hospitals are obliged to provide safe treatment and health recovery services, prioritizing the interests of patients and families, quality, non-discrimination, effective, and efficient in accordance with hospital service standards which means that treatment services And the restoration of safe, good, and quality health is basically the provision of services as a whole, which are closely related to one another in such a way.

Hospital business functions and hospital social functions must be managed properly and professionally, private hospitals should continue to provide indigent / poor patient service facilities in emergency services without down payments in accordance with hospital service standards and in accordance with their

hospital service capabilities based on the independence of professional ethics.

Conclusion

The government is present and responsible for providing health facilities including hospitals, based on the values of Pancasila based on human values, ethics and professionalism, benefits, justice, equal rights and anti-discrimination. pursuant to Article 34 paragraph (3) of the 1945 Constitution.

Health services in hospitals have shifted from public goods to private goods giving the impact of less than optimal medical services in private hospitals for the poor when they need first aid in the Emergency Department (IGD). This phenomenon results in the emergence of conflicts between patients and health professionals in private hospitals, conflicts arise and conditions are not conducive and constructive for the implementation of health development efforts.

Private hospitals do not have the right to refuse patients in emergencies, private hospitals to obtain profits are reasonable but must prioritize the social function of the hospital as formulated in Article 2 of Law Number 44 of 2009 concerning Hospitals. The hospital may not refuse or ask for advances to patients during emergencies when the patient's condition is critical, the legal basis is article 32 paragraphs 1 and 2 of Law No. 36 of 2009 concerning Health, Legal and ethical responsibility of private hospitals when rejecting emergency patients in order to create justice for the community To balance the business function and social functions of private hospitals, requires a clear and firm rule of law, supported by high awareness and commitment from the

parties concerned. In order to realize a health service system that provides comfort for patients, the Government establishes laws and regulations containing patient rights regulated in Law Number 36 of 2009 concerning Health, Hospital Law, Law Number 29 of 2004 concerning Medical Practice, and other laws and regulations governing the rights and obligations, hospitals, patients and health workers.

References

- Ameln Fred, Kapita Selektta Hukum Kedokteran, Jakarta: Grafika Tama, 1991.
- Bambang Waluyo, Penegakan Hukum Di Indonesia, Jakarta Timur: Cetakan ke dua, Sinar Grafika, 2017
- Basuki Reksi Wibowo, Negara Hukum Kepastian Keadilan dan Kemanfaatan Hukum, Bandung: Cetakan ke 1, Pustaka Reka Cipta, 2020.
- Boy Sabarguna, Buku Pegangan Mahasiswa Manajemen Rumah Sakit, Jakarta: Cetakan II, Sagung,
- Burhan Bungin, Social Research Methods, Jakarta: Kencana, 2020.
- Departemen Pendidikan Nasional, Kamus Besar Bahasa Indonesia Pusat Bahasa, Jakarta: Gramedia Pustaka Utama, 2016.
- Endang Kusuma Astuti, Transaksi Terapeutik Dalam Upaya Pelayanan Medis Di Rumah Sakit, Bandung: PT Citra Aditya Bakti, 2009.
- Endang Wahyati Yustina, Mengenal Hukum Rumah Sakit, Bandung: Keni Media. 2017.
- Guwandi, J. Hukum Rumah Sakit & Corporate Liability, Jakarta: Badan Penerbit

- Fakultas Kedokteran UI,
2015
- Johnny Ibrahim, Teori dan Metodologi Penelitian Hukum Normatif, Malang: Bayu Laksono Trisnantoro, Memahami Penggunaan Ilmu Ekonomi Dalam Manajemen Rumah Sakit, Yogyakarta: Gadjah Muda University Press, 2014.
- Moh Hatta, Hukum Kesehatan Dan Sengketa Medik, Jogjakarta: Cetakan Pertama, Moleong, Lexy J, Metodologi Penelitian Kualitatif, Bandung: Remaja Rosdakarya, 2017
- M. Imron Rosyidi, I Wayan Sudarta dan Eko Susilo, Manajemen Mutu Pelayanan kesehatan. Cetakan Pertama. Gosyen, Yogyakarta: Publishing, 2020.
- Mukti Fajar ND dan Yulianto Achmad, Dualisme Penelitian Hukum Normatif dan Hukum Empiris., Yogyakarta: Pustaka Pelajar, 2010
- Oksdelfa Yanto, Negara Hukum Kepastian Keadilan Dan Kemanfaatan Hukum Dalam Sistim Peradilan Pidana Indonesia, Bandung: Pustaka Reka Cipta. 2020.
- Panjaitan Marojahan. Politik, Hak Azasi Manusia, Dan Demokrasi Dalam bingkai Negara Kesejahteraan Dan Kebahagiaan Menurut UUD 1945, Bandung: Cetakan 1, Pustaka Reka Cipta, 2018.
- Salim HS, Penerapan Teori Hukum Pada Penelitian Disertasi dan Tesis, Depok : PT RajaGrafindo Persada, 2017.
- Soerjono Soekanto dan Sri Mamudji, Penelitian Hukum Normatif Suatu Tinjauan Singkat, Jakarta: Cetakan ke-17, Rajawali Press, 2015.
- Zainuddin Ali, Metode Penelitian Hukum, Jakarta: Sinar Grafik, 2018.
- Peraturan Perundang-Undangan:**
- Undang-Undang Dasar 1945
- Undang-undang Nomor 36 Tahun 2009 Tentang Kesehatan Undang-undang Nomor 44 Tahun 2009 Tentang Rumah Sakit Undang-Undang Nomor 29 Tahun 2004 Tentang Praktek Kedokteran Undang-undang Nomor 36 Tahun 2014 Tentang Tenaga Kesehatan Permenkes Nomor 378/Menkes/Per/V/1993 tentang Pelaksanaan Fungsi Sosial Rumah Sakit
- No.2 Tahun 2011 Tentang Tata Cara Penanganan Kasus Dugaan Pelanggaran Disiplin Dokter Dan Dokter Gigi
- Perkonsil Kedokteran Indonesia Nomor 4 Tahun 2011 Tentang Disiplin Profesional Dokter Dan Dokter Gigi.
- Perkonsil Kedokteran Indonesia No.15/KKI/PER/VIII/2006 Tentang Organisasi Dan Tata Kerja MKDKI Dan MKDKI-P
- Jurnal:**
- Perhimpunan Rumah Sakit Seluruh Indonesia, “ Kode Etik Rumah

Sakit Indonesia (KODERSI)",
2015.

Pusat Data Dan Informasi
Kementerian Kesehatan,
"Profil Kesehatan Indonesia
Tahun 2019", 2020.

<https://persi.or.id/buku-kode-etik-rumah-sakit-indonesia-kodersi-dan-penjelasan-tahun-2015/>

Internet:

<https://ajaib.co.id/alasan-rumah-sakit-punya-prospek-bisnis-yang-bagus/>

<https://kebijakankesehatanindonesia.net/>

<https://databoks.katadata.co.id/datapublish/2019/10/11/63-persen-rumah-sakit-di-indonesia-dimiliki-swasta>

<https://news.okezone.com/read/2013/02/19/500/764146/ini-deretan-kasus-penolakan-warga-miskin-oleh-rumah-sakit>

<https://www.cnnindonesia.com/nasional/20170912100017-20241097/ragam-kasus-mirip-bayi-debora>

<https://www.merdeka.com/peristiwa/ditolak-rsmh-palembang-pasien-kanker-miris-warga-depok-pasien-bpjs-ditolak-rs-alasan-kuota-habis.html>
<https://www.merdeka.com/peristiwa/berdalih-tak-ada-konfirmasi-rsud-tangerang-bantah-tolak-bayi-mesiya.html>

<https://www.merdeka.com/peristiwa/balita-balita-ini-meninggal-dunia-karena-ditolak-rumah-sakit.html>

<https://www.merdeka.com/peristiwa/balita-balita-ini-meninggal-dunia-karena-ditolak-rumah-sakit.html>