

**HOSPITAL BYLAWS SEBAGAI PEDOMAN PENYELESAIAN MASALAH
HUKUM DI RUMAH SAKIT: STUDI PADA RUMAH SAKIT UMUM
PUSAT PERSAHABATAN**

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ABSTRAK

Rumah sakit sebagai institusi padat modal, padat teknologi dan padat manusia dalam menyelenggarakan pelayanan kesehatan perorangan secara paripurna berupa pelayanan rawat jalan, rawat inap dan gawat darurat sangat potensial menimbulkan konflik antara pemilik, pengelola, staf medis. Rumah sakit memerlukan peraturan internal yang mengatur hubungan ketiga unsur rumah sakit tersebut yang disebut *Hospital bylaws*. Penyusunan dan pelaksanaan *Hospital bylaws* merupakan salah satu kewajiban yang harus dipenuhi Rumah Sakit menurut Undang-Undang Republik Indonesia no.44 tahun 2009 tentang Rumah Sakit dan juga salah satu penilaian standar tata kelola rumah sakit pada standar nasional akreditasi rumah sakit Republik Indonesia. Tujuan penelitian ini adalah mengetahui kesesuaian *Hospital bylaws* RSUP Persahabatan dengan undang-undang dan peraturan yang ada di atasnya, serta standar tata kelola rumah sakit Standar Nasional Rumah Sakit (SNARS) dan implementasi dalam penyelesaian masalah hukum. Metode penelitian adalah yuridis normatif, dengan menggunakan data sekunder dari sumber hukum primer, sekunder dan tertier. Hasil dari penelitian ini adalah *Hospital bylaws* RSUP Persahabatan sesuai sejalan dengan Keputusan Menteri Kesehatan no.772 tahun 2002 dan standar Tata Kelola Rumah Sakit, Standar Nasional Rumah Sakit Indonesia edisi 1.1, tetapi *Hospital bylaws* ini belum dipedomani secara konsisten dalam menyusun kebijakan teknis operasional rumah sakit berupa Surat Keputusan Direktur Utama dan Standar Prosedur Operasional terkait penyelesaian masalah medikolegal/masalah hukum.

Kata kunci: *hospital bylaws*, rumah sakit, pedoman

**HOSPITAL BYLAWS AS A GUIDELINES FOR RESOLUTION OF LEGAL
PROBLEMS IN HOSPITAL: A STUDY AT PERSAHABATAN HOSPITAL,
JAKARTA**

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ABSTRACT

Hospitals as capital-intensive, technology-intensive, and human-intensive institutions in providing complete individual healthcare in the form of outpatient, inpatient, and emergency services have the potential to cause conflict between owners, managers, and medical staff. Hospitals need internal regulations that regulate the relationship between the three elements in the hospital, which are called Hospital bylaws. The preparation and implementation of hospital bylaws are one of the obligations that must be fulfilled by hospitals according to the Law of the Republic of Indonesia No. 44 of 2009 concerning Hospitals. It is also one of the assessments of hospital governance standards in the national standards of hospital accreditation in the Republic of Indonesia. The purpose of this study was to determine the conformity of the hospital bylaws of Persahabatan Hospital with the existing laws and regulations and its compliance to hospital governance standards of Indonesian National Hospital Standards abbreviated as SNARS. It will also seek implementation to hospital bylaws to solve legal problems in the hospital. This research is normative legal research using secondary data. It consists of primary, secondary, and tertiary legal sources. The results of this study proved that the Hospital bylaws of Persahabatan Hospital are in line with the Minister of Health Decree no.772 of 2002 and hospital governance standards of the Indonesian National Standard for Hospitals. However, hospital bylaws as a guideline to the hospital technical operational policy is not consistently referred to, especially in the Director Decree and Standard Operating Procedures in resolution of medicolegal/legal problems.

Keywords: hospital bylaws, hospital, guidelines, legal issues