

ASPEK HUKUM PERAWATAN PASIEN DENGAN PELAYANAN *HOMECARE* BERBASIS PRAKTIK KLINIK PRATAMA

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Abstrak

Perkembangan dalam layanan kesehatan sekarang ini di era globalisasi sangat pesat, apalagi ditengah pandemik Covid-19 yang menyebabkan tumpukan antrian pasien di fasilitas pelayanan Kesehatan. Pelayanan *Homecare* merupakan solusi di tengah pandemic Covid-19 dikarenakan beberapa orang takut pergi ke rumah sakit karena tidak ingin terinfeksi COVID-19. Di sisi lain, ketika seseorang sakit, mereka membutuhkan perawatan medis yang tepat dan benar. Pelayanan *homecare* adalah perawatan yang berkelanjutan dan menyeluruh bagi seseorang dan keluarga di rumah dan termasuk ke dalam pelayanan medis yang bisa didapat dari Klinik Pratama, sesuai dalam Permenkes Nomor 9 Tahun 2014 Tentang Klinik. Namun dengan trend semakin banyaknya pelayanan *homecare* yang ada, permasalahannya semakin banyak tenaga Kesehatan yang melakukan pelayanan *homecare* secara individualis tanpa melibatkan Fasilitas Kesehatan yang ada. Apabila seorang Tenaga Kesehatan melakukan pelayanan *homecare* sendiri dan tidak memenuhi syarat administrasi kedepannya menjadi permasalahan bahwa pelayanan *homecare* telah melanggar standard pelayanan medis, pelanggaran etik, pelanggaran disiplin, dan pelanggaran hukum. Penelitian ini merupakan penelitian yuridis-normatif dengan metode *Statue Approach* yang membatasi pada regulasi pelayanan *homecare* dan pelimpahan wewenang dari dokter ke perawat dalam pelayanan *homecare*. Penelitian ini dilaksanakan pada bulan Oktober-November 2021 dengan berbagai sumber literasi dasar dan menengah. Hasil dari penelitian ini didapatkan masih kurangnya harmonisasi regulasi mengenai perawatan pasien secara *homecare*, serta pelimpahan wewenang medis dokter kepada perawat dalam pelayanan *homecare*. Kesimpulan dalam penelitian ini berupa pelayanan kesehatan pasien bisa dilakukan di rumah tetapi dari pelimpahan wewenang tindakan medis, dimana jika terjadi kesalahan dalam pelayanan medis, akibat hukum selanjutnya akan diatur menurut hukum pidana.

Kata kunci: Pelayanan *Homecare*; Perawatan Pasien; Klinik Pratama; Pelimpahan Wewenang

LEGAL ASPECTS OF PATIENT CARE WITH HOMECARE SERVICES BASED ON PRATAMA CLINICAL PRACTICES

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Abstract

Developments in health services today in the era of globalization are very rapid, especially in the midst of the Covid-19 pandemic which causes piles of patient queues at health service facilities. Homecare services are a solution in the midst of the Covid-19 pandemic because some people are afraid to go to the hospital because they don't want to be infected with COVID-19. On the other hand, when a person is sick, they need proper and correct medical care. Homecare services are continuous and comprehensive care for a person and family at home and are included in medical services that can be obtained from the Primary Clinic, according to the Minister of Health Regulation Number 9 of 2014 concerning Clinics. However, with the trend of increasing number of existing homecare services, the problem is that more and more health workers carry out homecare services individually without involving existing health facilities. If a health worker performs his own homecare service and does not meet the administrative requirements in the future, it becomes a problem that the homecare service has violated medical service standards, violated ethics, violated discipline, and violated the law. This research is a juridical-normative research with the Statue Approach method which limits the regulation of homecare services and the delegation of authority from doctors to nurses in homecare services. This research was conducted in October-November 2021 with various sources of primary and secondary literacy. The results of this study showed that there is still a lack of harmonization of regulations regarding homecare patient care, as well as the delegation of medical authority from doctors to nurses in homecare services. The conclusion in this study is that patient health services can be carried out at home but from the delegation of authority for medical action, where if an error occurs in medical services, the legal consequences will then be regulated according to criminal law.

Keywords: *Homecare Assistance; Patient Care; Primary Clinic; Delegation of Authority*