

DAFTAR PUSTAKA

Buku

- Reni Agustina harahap. 2021, *Etika dan Hukum Kesehatan*. Medan: Merdeka Kreasi.
- Novekawati, ed. oleh Irhamudin, 2019, *Hukum Kesehatan Kotabumi*, Sai Wawai Publishing.
- Nurmiati Amir, dkk. 2012, *Pedoman Nasional Pelayanan Kedokteran (PNPK) Jiwa/ Psikiatri*, Jakarta, PP PDSKJI
- Peter Mahmud Marzuki, 2010 *Penelitian Hukum*, Jakarta: Kencana Prenada, 2010, hlm. 35.
- Takdir.2018 *Pengantar Hukum Kesehatan*. Cet. I. Palopo: Lembaga Penerbit Kampus IAIN Palopo, 2018.
- Takdir,2018 *Pengantar Hukum Kesehatan*, Cet. I Palopo. Lembaga Penerbit Kampus IAIN Palopo. hlm. 4.
- Tobias Wasser,2017, *Psychiatry and the Law basic principles*. Switzerland, Springer. International Publishing AG.

Jurnal

- Ahmed Bait Amer, 2013 *Informed Consent in Adult Psychiatry*. Oman Medical Journal (2013) Vol. 28, No. 4:228-231 DOI 10. 5001/omj.2013.6
- Ana, saya, et al, 2019 *Criteria, Procedures, and Future Prospects of Involuntary Treatment in Psychiatry Around the World: A Narrative Review*. Chair of Psychiatry, Department of Systems Medicine, University of Rome Tor Vergata, Rome, Italy. Published online 2019 Apr 29. doi: 10.3389/fpsyt.2019.00271
- Achmad busro. “Aspek Hukum Persetujuan Tindakan Medis (*Inform Consent*) Dalam pelayanan Kesehatan.” *Law, Development and Justice Review* 1, no. 1 (9 November 2018): 1–18. <https://doi.org/10.14710/ldjr.v1i1.3570>.
- Claessen, Dorien, Majda Lamkaddem, Barbara Oomen, dan Quirine Eijkman. “Bringing Human Rights Home: Access to Justice and the Role of Local Actors Implementing the United Nations Convention on the Rights of Persons with Disabilities.” *Journal of Human Rights Practice*, 30 November 2023, huad053. <https://doi.org/10.1093/jhuman/huad053>.
- Chinwe S. F. Ezeruigbo.et. al, 2022. *Obtaining Informed Consent: Psychiatric Nurses’ Knowledge and Practice at Federal NeuroPsychiatric Hospital Enugu*, Nigeria,
- C W Van Staden, C Krüger, 2002I. *incapacity to give informed consent owing to mental disorder*.

- Déirdre Dwyer, Healthcare Law: The Impact of the Human Rights Act, *Medical Law Review* 11, no. 1 (1 Januari 2003): 159–65, <https://doi.org/10.1093/medlaw/11.1.159>.
- Deklarasi Umum Hak Asasi Manusia. Pasal 25.
- Devi Kumalasari dan Dwi Wachidiyah Ningsih, Syarat Sahnya Perjanjian tentang Cakap Bertindak dalam Hukum menurut Pasal 1320 ayat (2) KUHPperdata, *Jurnal Pro Hukum* 7, no. 2 (5 Desember 2018), <https://doi.org/10.55129/jph.v7i2.725>.
- Dwyer, Déirdre. “Healthcare Law: The Impact of the Human Rights Act. *Medical Law Review* 11, no. 1 (1 Januari 2003): 159–65. <https://doi.org/10.1093/medlaw/11.1.159>.
- Firdaus, Muhammad Ihsan. “Metode Omnibus Law Dalam Pembaharuan Hukum Pembentukan Peraturan Perundang-Undangan Di Indonesia (Studi Perbandingan Negara Kanada, Amerika Serikat, Filipina Dan Vietnam).” *Jurnal Hukum Ius Quia Iustum* 30, no. 2 (30 Mei 2023): 233–55. <https://doi.org/10.20885/iustum.vol30.iss2.art1>.
- Fletcher, Ruth, Marie Fox, dan Julie McCandless. “Legal Embodiment: Analysing the Body of Healthcare Law.” *Medical Law Review* 16, no. 3 (1 Oktober 2008): 321–45. <https://doi.org/10.1093/medlaw/fwn017>.
- Furkhan Ali et al, 2019. *consent in current psychiatric practice and research: An Indian perspective*,
- Frimston, Richard, Alexander Ruck Keene, Overdijk Claire Van, Ward Adrian D, Richard Frimston, Alexander Ruck Keene, Claire Van Overdijk, dan Adrian D Ward, ed. “United Nations Convention on the Rights of Persons with Disabilities: Preamble and Articles 1–5, 12 and 32.” Dalam *The International Protection of Adults*, 0. Oxford University Press, 2015. <https://doi.org/10.1093/9780198727255.005.0011>.
- Gore, D M. “Ethical, professional, and legal obligations in clinical practice: a series of discussion topics for postgraduate medical education Introduction and topic 1: informed consent.” *Postgraduate Medical Journal* 77, no. 906 (1 April 2001): 238–39. <https://doi.org/10.1136/pmj.77.906.238>.
- Jones, Natalie. “Self-Determination and the Right of Peoples to Participate in International Law-Making.” *British Yearbook of International Law* 0, no. 0 (20 November 2021): 1–33. <https://doi.org/10.1093/bybil/brab004>.
- Kumalasari, Devi, dan Dwi Wachidiyah Ningsih. “Syarat Sahnya Perjanjian tentang Cakap Bertindak dalam Hukum menurut Pasal 1320 ayat (2) KUHPperdata.” *Jurnal Pro Hukum* 7, no. 2 (5 Desember 2018). <https://doi.org/10.55129/jph.v7i2.725>.
- McGee, Summer, dan Ross D. Silverman. “Treatment Agreements, Informed Consent, and the Role of State Medical Boards in Opioid Prescribing.” *Pain Medicine* 16, no. 1 (1 Januari 2015): 25–29. <https://doi.org/10.1111/pme.12580>.
- Grainne Neilson, Gary Chaimowitz, *Informed Consent to Treatment in Psychiatry*.

- Informed Consent to Treatment in Psychiatry Grainne Neilson, MD, MRCPsych, FRCPC, LLM1 and Gary Chaimowitz, MB ChB, 2015
- Lefri Mikhael, “Tanggung Jawab Negara dalam Pemenuhan Hak atas Kesehatan Jiwa dihubungkan dengan Hak Asasi Manusia,” *Jurnal HAM* 13, no. 1 (2022): 151–166, <http://dx.doi.org/10.30641/ham.2022.13.151-166>.
- Muhammad Ihsan Firdaus, “Metode Omnibus Law dalam Pembaharuan Hukum Pembentukan Peraturan Perundang-Undangan di Indonesia (Studi Perbandingan Negara Kanada, Amerika Serikat, Filipina Dan Vietnam),” *Jurnal Hukum Ius Quia Iustum* 30, no. 2 (30 Mei 2023): 233–255, <https://doi.org/10.20885/iustum.vol30.iss2.art1>.
- M, Joshua, et al 2017. *Influence of Psychiatric Symptoms on Decisional Capacity in Treatment refusal*.
- Matthé Scholten, Jakov Gather, Jochen Vollmann, *Equality in the Informed Consent Process: Competence to Consent, Substitute Decision-Making, and Discrimination of Persons with Mental Disorders*, 2021.
- Mikhael, Lefri. “Tanggung Jawab Negara dalam Pemenuhan Hak atas Kesehatan Jiwa dihubungkan dengan Hak Asasi Manusia.” *Jurnal HAM* 13, no. 1 (2022): 151–66. <http://dx.doi.org/10.30641/ham.2022.13.151-166>.
- Muhaimin, Muhaimin. *Metode Penelitian Hukum*. Mataram: Mataram University Press, 2020.
- Noe, Agung. “Jaminan Kesehatan Jiwa Perlu Aturan Turunan Dalam UU No 18 Tahun 2014 - Universitas Gadjah Mada,” 23 Desember 2021. <https://ugm.ac.id/id/berita/22128-soal-jaminan-kesehatan-jiwa-diperlukan-aturan-turunan-uu-no-18-tahun-2014/>.
- Novekawati. *Hukum Kesehatan*. Disunting oleh Irhammudin. Kotabumi: Sai Wawai Publishing, 2019.
- Nurmardiansyah, Eko, dan Endang Wahyati Y. “Regulation of Medical Waste Management Based on Green Legislation in the Era of Omnibus Law.” *SOEPRA* 8, no. 1 (27 Juni 2022): 143–55. <https://doi.org/10.24167/shk.v8i1.5071>.
- Novekawati, *Hukum Kesehatan, ed. oleh Irhammudin (Kotabumi: Sai Wawai Publishing, 2019)*.
- Patnogie, Jovica. “International Medical Law.” *International Review on Red Cross* 1, no. 1 (t.t.): 121–29.
- Parth Shah et. al, 2023, *Informed Consent*. StatPearls [Internet]. Treasure Island (FL): StatPearls Publishing.
- Peled, Roy, dan Yoram Rabin. “The Constitutional Right to Information.” *Columbia Human Rights Law Review* 42 (2011 2010): 357.
- Powell, Rhonda. “Health Professionals and Trust: The Cure for Healthcare Law and Policy.” *Medical Law Review* 23, no. 3 (1 September 2015): 494–98. <https://doi.org/10.1093/medlaw/fwv005>.

- Rahayu, Derita Prapti, dan Sulaiman Sulaiman. *Metode Penelitian Hukum*. Yogyakarta: Thafamedia, 2020.
- Ruth Fletcher, Marie Fox, dan Julie McCandless, “Legal Embodiment: Analysing the Body of Healthcare Law,” *Medical Law Review* 16, no. 3 (1 Oktober 2008): 321–45, <https://doi.org/10.1093/medlaw/fwn017>.
- Rhonda Powell, “Health Professionals and Trust: The Cure for Healthcare Law and Policy,” *Medical Law Review* 23, no. 3 (1 September 2015): 494–498, <https://doi.org/10.1093/medlaw/fwv005>.
- Sara Manti, Amelia Licari, 2018. *How to obtain informed consent for researchs*
- Santi Novia Ayu, Kurniawati Erna Dyah Kusumawati, 2023, *Right to Consent in Informed Consent for Medical Treatment for People with Mental Health Disorders*
- Scott Zeller, MD, 2017. *Response to inhaled loxapine in patients with schizophrenia or bipolar I disorder: PANSS-EC responder analyses*.
- S. E. Salako, “Medical Law and Ethics.,” *BJA: British Journal of Anaesthesia* 90, no. 3 (1 Maret 2003): 407–8, <https://doi.org/10.1093/bja/aeg531>.
- Salako, S. E. “Medical Law and Ethics.” *BJA: British Journal of Anaesthesia* 90, no. 3 (1 Maret 2003): 407–8. <https://doi.org/10.1093/bja/aeg531>.
- Scholten, Matthé, Jakov Gather, dan Jochen Vollmann. “Equality in the Informed Consent Process: Competence to Consent, Substitute Decision-Making, and Discrimination of Persons with Mental Disorders.” *The Journal of Medicine and Philosophy: A Forum for Bioethics and Philosophy of Medicine* 46, no. 1 (1 Februari 2021): 108–36. <https://doi.org/10.1093/jmp/jhaa030>.
- Soekanto, Soerjono, dan Sri Mamudji. *Penelitian Hukum Normatif*. Jakarta: PT. Raja Grafindo Persada, 2004.
- Taylor, Mark J, Edward S Dove, Graeme Laurie, dan David Townend. “When can the Child Speak for Herself? The Limits of Parental Consent in Data Protection Law for Health Research.” *Medical Law Review* 26, no. 3 (1 Agustus 2018): 369–91. <https://doi.org/10.1093/medlaw/fwx052>.
- Wu, Dawei, Meimei Chen, Jing Liang, Shuang Li, Weijing Zhang, Yu Lei, Jing Ding, dkk. “Consensus on informed consent for participants in cancer clinical studies (2021 edition).” *Asia-Pacific Journal of Oncology Nursing* 9, no. 11 (1 November 2022): 100130. <https://doi.org/10.1016/j.apjon.2022.100130>.
- Wolters Kluwer ,2020, *Consent in psychiatry - concept, application & implications*, Indian Journal of Medical Research, published by - Medknow for Director-General, Indian Council of Medical Research.
- Yasir Al Khalili, Jordan Calabrese, 2023, *Psychosis*. Author Information and Affiliations, national library of medicine, Journal of Business, Economics and Law, Vol. 28, Issue 3 (April) ISSN 2289-1552,

Peraturan Perundang-Undangan

Undang-Undang Dasar Negara Republik Indonesia Tahun 1945

Undang-undang KUH Perdata No 433 tentang pengampuan

Pasal 14 Kode Etik Kedokteran Indonesia

Undang-Undang No. 29 / 2004

Undang-Undang No. 18 / 2014

Undang-Undang No. 17 / 2023

Internet

Aspek Hukum Informed Consent bagi Pasien Orang Dalam Gangguan Jiwa (ODGJ),2021. Diakses melalui <https://heylaw.id/blog/aspek-hukum-informed-consent-bagi-pasien-orang-dalam-gangguan-jiwa-odgj>.

Consent and people with an intellectual disability: The basics,2021. Diakses melalui <https://www.herts.ac.uk/intellectualdisability/how-to-guides/articles/consent-and-people-with-an-intellectual-disability-the-basics-2021>

DPR Bahas Definisi Pengampuan dalam KUHPperdata,2022. Diakses melalui <https://www.mkri.id/index.php?page=web.Berita&id=18714&menu=2>

Diagnosis Retardasi Mental. Diakses melalui <https://www.alomedika.com/penyakit/psikiatri/retardasi-mental/diagnosis>

Psychiatric Emergency,2010. Diakses melalui <https://www.sciencedirect.com/topics/medicine-and-dentistry/psychiatric-emergency>.

Evaluating Cognitive Impairment and Dementia, 2019. Diakses melalui <https://www.camh.ca/en/professionals/treating-conditions-and-disorders/dementia/dementia-screening-and-assessment>.

Dukungan Krisis Kesehatan Mental Berakar pada Komunitas dan Hak Asasi Manusia, dikutip dari https://www-hrw-org.translate.google/report/2023/11/15/mental-health-crisis-support-rooted-community-and-human-rights/case-study?_x_tr_sl=en&_x_tr_tl=id&_x_tr_hl=id&_x_tr_pto=sc

Informed Consent: A Process, not a Form, *denise neal* , 2022.Diakses melalui <https://psychnews.psychiatryonline.org/doi/full/10.1176/appi.pn.2022.09.9.25>

Informed consent and presumption of capacity Understand the importance of seeking informed consent of a person's treatment or medical treatment under the Mental Health and Wellbeing Act, 2022. Diakses melalui <https://www.health.vic.gov.au/mental-health-and-wellbeing-act-handbook/supported-decision-making/informed-consent-and-presumption>

Informed Consent Dengan Orang Yang Menderita Demensia. Diakses melalui https://www.physiopedia.com/Informed_Consent_With_People_Who_Have_Dementia

- Kesehatan mental dan hukum: Apa lagi yang diperlukan dalam konteks rentan yang menghadapi konflik bersenjata dan hambatan pembangunan, 2022, dikutip https://international-review-icrc-org.translate.google/articles/mental-health-and-the-law-what-else-is-needed-for-particularly-vulnerable-contexts-922?_x_tr_sl=en&_x_tr_tl=id&_x_tr_hl=id&_x_tr_pto=sc
- Kompas, 2016, "Setiap Bertengkar, Istri Dipaksa Suami Masuk RSJ", diakses melalui <https://regional.kompas.com/read/2016/03/15/14515091/Setiap.Bertengkar.Istri.Dipaksa.Suami.Masuk.RSJ>
- Kompas, 2023, "*Paksa Ibu Kandung Masuk RSJ untuk Kuasai Warisan, Pria di Sumut Ditangkap Polisi*", diakses melalui <https://medan.kompas.com/read/2023/10/20/174023578/paksa-ibu-kandung-masuk-rsj-untuk-kuasai-warisan-pria-di-sumut-ditangkap>.
- Memahami 7 Objek Kajian Penelitian Hukum Normatif, Sisma, Anisa fiani, 2022. Diakses melalui <https://katadata.co.id/agung/berita/633551d133897/memahami-7-objek-kajian-penelitian-hukum-normatif>
- Mental health and wellbeing act handbook , 2022 *Informed consent and presumption of capacity*, diakses melalui <https://www.health.vic.gov.au/mental-health-and-wellbeing-act-handbook>
- Menelaah 5 Macam Pendekatan dalam Penelitian Hukum, Sisma, Anisa fiani, 2022 <https://katadata.co.id/agung/berita/634ecdc698b51/menelaah-5-macam-pendekatan-dalam-penelitian-hukum>
- Mukhlis muharir, "memahami prosedur pemberian informed consent dalam praktek kedokteran". 2022 diakses melalui <https://bpsdm.sulselprov.go.id/informasi/detail/memahami-prosedur-pemberian--informed-consent--dalam-praktek-kedokteran->
- Mental health, 2023 dikutip dari https://www.who.int/news-room/fact-sheets/detail/mental-health-strengthening-our-response/?gclid=CjwKCAiAk9itBhASEiwA1my_6xcR7wSwOCTwHa8QZzFE-JVAOdFOhaheJbh7-kVYIHEy-nJYRJA_bRoCvPMQAvD_BwE
- Australian ann new zealand mental health association, 2019, Neurosis vs Psikosis: Apa Bedanya?, diakses melalui <https://anzmh.asn.au/>
- Pendekatan perundang-undangan (statute approach) dalam penelitian hukum, 2017
Dikutip dari <https://www.saplawa.top/pendekatan-perundang-undangan-statute-approach-dalam-penelitian-hukum/>
- Retardasi Mental, 2019. Diakses melalui <https://rsupsoeradji.id/retardasi-mental/>
- Test Panss-ec. Diakses melalui <https://www.denpasarmentalhealthcentre.my.id/psikotespsikotik>.
- Suprianto, taufik, "Aspek Hukum Informed Consent bagi Pasien Orang Dalam Gangguan Jiwa (ODGJ)", 2021. dikutip dari <https://heylaw.id/blog/aspek-hukum-informed-consent-bagi-pasien-orang-dalam-gangguan-jiwa-odgj>

What the law says about mental illness, 2023 dikutip dari
<https://www.imha.vic.gov.au/what-law-says-about-mental-illness>
12 Most Reliable Mental Health Assessment Tools, Cellestine, Nicole 202. Diakses melalui
<https://positivepsychology.com/assessment-tools/>