

Impact Law About Implementing The Management Information System In Hospital

Harysinto Linoh¹, Siti Nurhayati²

^{1,2}Program Study Magister Hukum Kesehatan, Pascasarjana UNPAB, Indonesia

Email: ¹harysinto@gmail.com, ²sitinurhayati@dosen.pancabudi.ac.id

Abstract

In the hospital context, vendors are important entities that provide various essential products and services for daily operations. From security guards to hospital management information system (SIMRS) providers, their presence is crucial in maintaining the efficiency and effectiveness of health services. Hospital relationships with these vendors often present legal complexities, especially in terms of contracts and shared responsibilities. With Law no. 17 of 2023 concerning Health This research aims to explore the legal relationship between hospitals and vendors in health services in Indonesia, considering the cooperation and legal protection required. This research uses a juridical analysis method with a focus on studying legal and regulatory documents related to hospital and vendor relationships. With research results. Hospital Management System (SIMRS): Digital transformation in hospitals through the implementation of SIMRS has replaced old and inefficient manual systems. RI Minister of Health Policy No. 82 of 2013 mandates the implementation of SIMRS in all hospitals to improve efficiency, data security and patient privacy, marking a significant change in the way hospitals manage health information. Duties and Functions of Hospitals (Law No. 17 of 2023): The new law regulates the roles and functions of hospitals more comprehensively, focusing on providing complete health services, from clinical care to rehabilitation, and emphasizing the importance of education and research in the health sector. Legal Relationship between Hospitals and SIMR Vendors: This regulation establishes the legal framework for the relationship between hospitals and SIMR vendors, covering contractual, data security and privacy aspects. Minister of Health Regulation No. 82 of 2013 and Law no. 17 of 2023 emphasizes the necessity of integrating SIMR with the National Health Information System, highlighting the need for integrated solutions that support high quality health services. Given the importance of information system integration, it is recommended that the government develop programs that support hospitals in implementing SIMR, facilitating integration and connectivity between hospitals. The program should be free and accessible to all hospitals, ensuring continuity of care and informed medical decisions. This initiative is expected to improve the quality of health services in Indonesia, in accordance with Law no. 17 of 2023.

Keywords: Impact Law, Implementing, Management Information, Hospital

1. INTRODUCTION

In the business sector, "vendor" refers to an individual or entity that supplies goods or services to a company or other organization that requires them. Specific to the hospital environment, vendors include parties that offer a variety of products, technology and essential services to support the daily functions of the hospital. In addition to security and medical equipment providers who are classic examples of vendors in hospitals, there are also other vital but less widely known service providers, including Hospital Management Information Systems (SIMRS) providers. In the digital era, digital management of patient data and medical information by SIMRS vendors demands high security standards to keep data protected from illegal access while also being easily accessible to health workers. Hospitals also often collaborate with vendors for supporting services such as catering, medical waste management, and providing employee linen and uniforms. Catering services ensure patients receive nutrition according to their specific diets, while medical waste management aims to deal with hazardous waste in a safe and standardized manner. On the other hand, technology services such as telemedicine solutions, which enable patient consultations with doctors online, have become increasingly important, especially

during the pandemic. This collaboration is driven by the need for efficiency and effectiveness of services. However, this kind of collaboration also raises legal questions, including the drafting of contracts, the rights and obligations of each party, and dispute resolution. In Indonesia, Law no. 44 of 2009 concerning Hospitals allows collaboration with third parties as long as it does not interfere with patient services, although it does not explain in detail the legal relationship with vendors, especially in technical aspects. UU no. 17 of 2023 concerning Health provides a legal basis for hospitals to collaborate and innovate in health services. While not explicitly mentioning “vendors,” the term “other parties” includes vendors that support hospital operations and services. Thus, hospitals are given the authority to choose the right vendor and carry out collaboration according to regulations to improve the quality of health services, while ensuring that every collaboration is legally protected to avoid risks. The important role of vendors and the need for strong legal protection in hospital operations demands deeper research into the legal relationship between hospitals and vendors, especially based on Law no. 17 of 2023 concerning Health. This research aims to provide recommendations for hospitals to establish effective collaboration with vendors, while considering legal and ethical aspects. Therefore, the research focus includes an analysis of the duties and functions of hospitals according to the law and what the legal relationship is with vendors in providing health services.

2. METHODOLOGY

This study applies legal analysis methods to explore the dynamics of legal relationships between hospitals and vendors in the health sector, by reviewing relevant legal and regulatory documents. The main data used includes statutory regulations and contracts between hospitals and vendors, while secondary data is obtained from literature sources such as books, journals and articles. This data collection approach through the study of legal documents aims to understand the juridical framework that regulates this collaboration. Data analysis was carried out qualitatively, by reviewing and interpreting the documents to gain an in-depth understanding of the legal aspects involved. This study was designed to be carried out according to the established research timeline.

3. RESULTS AND DISCUSSION

Hospital Management System (SIMRS)

Before the advent of computer technology and the internet, hospital operations relied heavily on large numbers of support staff and physical paperwork to function effectively. Processes such as medical registration have to be done manually with paper forms, which often causes problems such as hard-to-read handwriting and wasted paper and ink. However, technological developments have enabled hospitals to adopt the use of computers and the internet in their operations, facilitating systems that integrate various hospital operational activities into one platform. This system is known as the Hospital Management Information System (SIMRS), which is an application of the broader Hospital Information System (SIRS), as defined by the Ministry of Health of the Republic of Indonesia. SIMRS functions as a communications IT system that enables the integration of hospital services through coordination, reporting and administration networks, ensuring information can be accessed quickly, precisely and accurately. As a vital tool in modern hospital operational management, SIMRS facilitates the collection, processing and presentation of hospital data, which the Indonesian government recognized as important through the issuance of Article 3 of the Republic of Indonesia Minister of Health Regulation No. 82 of 2013. This article requires every hospital to use SIMRS, either using an open source application from the Ministry of Health or a home-made application that meets the standards determined by the Minister. Even though hospitals can operate without SIMRS, its adoption brings various benefits, including improving patient services through integrated data access, simplifying the accounting process with an integrated bookkeeping system, and avoiding logistical gaps. Thus, the use of SIMRS not only increases operational efficiency but also ensures better service to patients and more effective resource management.

Hospital Legal Relations with Third Parties Hospital Management System (SIMR) in Health Services.

Republic of Indonesia Minister of Health Regulation No. 82 of 2013 concerning Hospital Management Information Systems and Law Number 17 of 2023 concerning Health which the author adopted in this research became the legal basis for analyzing SIMR, both the legal relationship between vendors and hospitals and the responsibility for using the application, especially at Mitra Medika Hospital. Pontianak. This legal aspect is closely related to the implementation, management and compliance with statutory standards in the use of SIMR in the health service environment. Minister of Health Regulation No. 82 of 2013 mandates that SIMR used by hospitals, both public and private, must comply with statutory standards Article 3 Paragraph (1) *Every hospital is obliged to organize SIMRS*. This includes data security, patient privacy, and efficiency in managing health information. On the other hand, Law no. 17 of 2023 concerning Health requires hospitals to implement a Hospital

Health Information System that is integrated with the National Health Information System. Article 190 *Hospitals are required to implement a Hospital Health Information System that is integrated with the National Health Information System*. Compliance with these regulations not only guarantees quality of care, but also ensures the protection of patient data and compliance with privacy and data protection laws. In a legal context, the relationship between the hospital and the vendor providing SIMR is regulated through a collaboration contract. This contract must include clauses on technical specifications, data security, confidentiality and other provisions that are in line with applicable regulations. The vendor is responsible for providing a system that meets established data security standards, while the hospital has the responsibility to use the system in accordance with applicable policies and procedures. Data security and confidentiality is one of the most important legal aspects in this relationship. Vendors need to ensure that the systems they develop are able to protect patient data from unauthorized access or data leaks. This includes implementing encryption technology, firewalls, and other security measures. Hospitals, on the other hand, must ensure that access to the system is limited to authorized personnel only and that all data use complies with applicable data protection laws. Borrowing opinions from 2 legal experts, namely Friedrich Kessler and Lawrence O. Gostin. Friedrich Kessler, with the Theory of Obligations Based on Contracts, states that contracts create a series of legal obligations between the parties involved. In the context of Mitra Medika Hospital and SIMR vendors, the cooperation contract is the legal basis that determines the obligations and rights of each party.

The contract includes clauses on technical specifications, data security and confidentiality. According to this theory, vendors are responsible for providing systems that meet established data security standards. This includes developing systems that are safe, reliable, and appropriate to the clinical and administrative needs of the hospital. Next, Lawrence O. Gostin with the Theory of Authority " *Public Health Law* ". This theory focuses on the authority and responsibility given to entities in the context of health law. Here, Mitra Medika Hospital as a SIMR user has an obligation to use the system in accordance with applicable policies and procedures. This includes adequate staff training, proper management of patient data, and compliance with applicable health regulations. The hospital is also responsible for errors in use of the system, which can include errors in managing patient data or using system features. In practice, Mitra Medika Hospital must negotiate and agree to a contract that explicitly outlines the vendor's obligations and responsibilities, in accordance with the Theory of Contractual Obligations. This includes, but is not limited to, technical aspects of SIMR, technical maintenance and support, as well as risk prevention and mitigation efforts related to data security. Meanwhile, based on the Theory of Authority in the Context of Health Law, Mitra Medika Hospital must take proactive steps to ensure that the use of SIMR is in accordance with health practice standards and applicable regulations. This includes employee training, monitoring system usage to prevent errors, and ensuring that all updates and changes to the system remain aligned with clinical and administrative needs. Risk management is also an important part of this relationship. Hospitals and vendors must both understand the risks associated with using SIMR, including technical, operational, and legal risks. Contracts between hospitals and vendors must include clauses regarding liability for damage, system failure, or data breaches, as well as steps to be taken in the event of such incidents. In addition, SIMR must be compatible and can be integrated with the National Health Information System. This means that the system being developed must be able to communicate and exchange data with other systems used in the national health environment, in accordance with interoperability standards set by the government. Hospital Management Systems (SIMR) are also discussed specifically in CHAPTER hospitals in carrying out this SIMR. Why not, the government only sets rules, both in Regulation of the Minister of Health of the Republic of Indonesia Number 82 of 2013 concerning Hospital Management Information Systems, and Law Number 17 of 2023 concerning Health, in essence, that every hospital is obliged to carry out SIMR with the standards they have determined.

Meanwhile, with which vendor and in what form or form and operation the state does not want to know about this. For this reason, the author says that the government's policy should be called a "selfish policy", with the presence of Health Law Number 17 of 2023 concerning Health, not as a regulator and shelter for health services but on the contrary. Therefore, we are waiting for the government regulations that have been promised. Hopefully, the government in the case of SIMR will provide a free application or system that is not only integrated but automatically synchronized not only with the center but also with similar hospitals based on Article 344. *Further provisions regarding Health Technology are regulated by Government Regulations*. The next thing that is no less interesting to discuss is, what is the hospital's responsibility if an error occurs in the hospital's use of SIMR? When referring to *Article 197 Health Human Resources consist of: c. health support or support staff*. *Article 200 (1) further clarifies that health support or support personnel as referred to in Article 197 letter c work at Health Service Facilities or other institutions in the Health sector. (2) Further provisions regarding support or health support personnel as intended in paragraph (1) are regulated by Government Regulation*.

There are lots of vendors offering Hospital Management Systems such as Ksatria Medical Systems, Krakatau Medika, inovamedika.co.id, Trustmedis, Aido Health and many others. We consider that it is certain that all these vendors understand and are very knowledgeable in their fields, therefore we do not doubt that. However, behind all of that, we are looking forward to the implementation of the Health Law in the form of an Omnibuslaw which replaces the 14 Laws relating to health (UU No. 17 of 2023 concerning Health) as the Sapujagad Law which is considered capable of providing legal certainty that is not only for patients but also health workers and entrepreneurs in the health sector. Hopefully in the future, the government will not only act as a SIMR regulator by setting standards but will also provide a solution in the form of a SIMR that can be enjoyed by all health services in this country.

4. CONCLUSION

The author would like to express his infinite thanks to the organizers of this Proceedings and I have the opportunity to present the findings and results of the research that I have carried out. Hope it is useful. Adding to the previous conclusion, there are important suggestions regarding the future development of the health system. Considering the importance of integration and connectivity in the Hospital Management Information System (SIMR), it is hoped that the government can take the initiative to develop programs that support hospital service entrepreneurs in implementing SIMR. This program should ideally not only be free but also facilitate integration and connectivity between one hospital and another. The goal of this program is to ensure that all hospitals, both large and small, can access advanced health information technology without financial barriers. With integrated and connected programs, patient health data can be accessed easily and securely across multiple healthcare facilities, enabling better continuity of care and more informed medical decision-making. This will also support government efforts to monitor and manage public health issues more effectively. System integration between hospitals will also support the management and coordination of patient care, particularly in referral cases or emergency situations, where timely and accurate health information is critical. Thus, it is hoped that this kind of initiative can advance the quality of health services in Indonesia, in line with the standards and objectives set by Law no. 17 of 2023 concerning Health.

REFERENCES

- Al-Busaidi, Z. Q. and O'Brien, J. (2016). "Health Information Systems—Challenges and Strategies of Implementation." *International Journal of Medical Informatics*, Vol. 90, p. 1-11.
- Billy Immanuel Mingkid. (2020). "Judicial Implications of Article 46 of Law No. 44 of 2009 concerning Hospitals regarding Negligence by Health Personnel, in this case Medical Personnel." *Lex Et Societatis Journal*, 8, no. 1, p. 51.
- E. Cohen et al. (March 2011). "Children With Medical Complexity: An Emerging Population for Clinical and Research Initiatives." *PEDIATRICS*, Vol. 127, no. 3, p. 529–538.
- Friedrich Kessler. (1943). "Contracts of Adhesion—Some Thoughts about Freedom of Contract." *Columbia Law Review*, 43, no. 5, p. 629-642.
- Hartati, S. and Lestari, F. (2021). "Analysis of Hospital Management Information Systems in Improving Health Services." *Journal of Administrative and Organizational Science, Business & Bureaucracy*, Vol. 7, no. 2, p. 112-118.
- Irsyam Risdawati, T Riza Zarzani. (December 4, 2023). "Legitimation Of National Health Services Law: The Right to Health for All Citizens." *International Journal of Social Science, Education, Communication and Economics (SINOMICS JOURNAL)*, 2, no. 5, p. 1325-1330.
- Kumar, R. et al. (2018). "Effectiveness of IT in Healthcare Industry: A Systematic Review." *Health Information Science and Systems*, Vol. 6, no. 1.
- Laksmi, S. and Hidayanto, AN (2020). "The Influence of Management Information Systems on Hospital Employee Performance." *Journal of Services Management and Marketing*, Vol. 13, no. 1, p. 1-16.
- NI Ismail, NH Abdullah, A. Shamsudin, and NAN Ariffin. (2013). "Implementation Differences of Hospital Information System (HIS) in Malaysian Public Hospitals." *Int. J. Soc. Sci. Humanity*, p. 115–120.
- Nugroho, A. et al. (2018). "Hospital Management Information System: Case Study at XYZ Regional Hospital." *Journal of Information Systems (Journal of Information Systems)*, Vol. 14, no. 2, p. 108-115. Link
- Prasetyo, B. et al. (2019). "Evaluation of the Implementation of Hospital Management Information Systems (SIMRS)." *Indonesian Journal of Health Administration*, Vol. 7, no. 1, p. 77-85.
- Rahardja, U. et al. (2019). "The Influence of Hospital Management Information Systems on Improving the Quality of Health Services." *Journal of Information Systems*, Vol. 15, no. 2, p. 41-50.
- Rahman, F. (2017). "Medical Waste Management in Hospitals." *Journal of Environmental Health*, Vol. 8, no. 1, p. 56.

- Redyanto Sidi, et al. (December 2023). *Capita Selecta Indonesian Health Law*. Printing 1. ISBN: 978-623-8491-20-9.
- Redyanto Sidi. (April 28, 2022). "Aspects of Legal Implementation of Medical Practice Based on Law No. 9/2004 concerning Medical Practice." *Public Health Research Journal*, vol. 4, no. 2, p. 1-9.
- Regulation of the Minister of Communication and Information Technology Number 20 of 2016 concerning Protection of Personal Data in Electronic Systems.
- Regulation of the Minister of Health of the Republic of Indonesia Number 82 of 2013 concerning Hospital Management Information Systems.
- Regulation of the Minister of Health of the Republic of Indonesia Number 26 of 2018 concerning the Implementation of Health Services Through a Health Information System.
- Regulation of the Minister of Health of the Republic of Indonesia Number 269 of 2008 concerning Medical Records.
- Riski Darwaman, Redyanto Sidi, Yasmirah Mandasari Saragih. (March 24, 2023). "Legal Protection for Doctors in Independent Doctor Practice Health Services." *Nursing Journal*, 7, no. 1, p. 225-231.
- S. Yuliana et al. (2020). "Hospital SIM: Procedures for Application of an Integrated Hospital Management Information System." *The Journal Publishing*.
- Saputra, KE et al. (2019). "Analysis and Design of a Web-Based Hospital Management Information System." *Journal of Information Technology and Computer Science (JTIK)*, Vol. 6, no. 5, p. 537-544.
- Sari, DK and Wibowo, A. (2020). "Optimizing SIMRS in Improving the Quality of Health Services." *Health Scientific Journal*, Vol. 9, no. 2, p. 213-220.
- Setiawan, B. (2016). "Hospital Collaboration with Third Parties: A Legal Review." *Journal of Health Law and Policy*, Vol. 5, no. 1, p. 40.
- Silva, BA et al. (2017). "A Review of the Integration of Hospital Information Systems." *Studies in Health Technology and Informatics*, Vol. 238, p. 35-
- Widiyanto, A. (2015). "Supply Chain Management in the Healthcare Industry." *Journal of Industrial and Logistics Management*, Vol. 2, no. 1, p. 33.
- Wijaya, C. et al. (2018). "Health Data and Information Management in Hospital Information Systems." *Wijaya Kusuma Medical Scientific Journal*, Vol. 7, no. 1, p. 55-62.