

Electronic Medical Record: Legal Protection and Challenges in Health Services in Hospitals

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Abstract

Implementation of Electronic Medical Records (EMR) at home Sick has become global initiative for increase efficiency and quality service health. In Indonesia, it was published Regulation of the Minister of Health of the Republic of Indonesia No. 24 of 2022 concerning Record Medical marking a new era in health data management electronics, offers opportunity For enhancement service health while face challenge in protection law and data security. This study use approach juridical normative for analyze framework applicable laws and challenges faced House Sick in EMR implementation . Through studies literature, regulations legislation, and interviews with experts. This research evaluate aspect protection law and security information in implementation of EMR at home Sick. Findings show that, though Minister of Health Regulation no. 24 of 2022 provides base strong law for EMR implementation, still there is various challenges, incl need will enhancement IT infrastructure, management privacy and consent patients, as well training and awareness staff about data security. Study this also identifies exists gap in standard security between House Sick large and small, especially in the regions isolated. For overcome challenge is required more cooperation tightly between government, organizer service health , and related stakeholders for ensure that adequate IT infrastructure available and available accessible to all House Sick. The besides, development and implementation of a comprehensive training program for staff House Sick about importance data security and privacy patient very required . Lastly, improvements facilitating regulations management and protection of patient data in a way effective too key For ensure success implementation of EMR in Indonesia.

Keywords: Electronic Medical Records, Legal Protection , Challenges Health services

1. INTRODUCTION

Development digital technology has bring change significant in various aspect life, incl in sector health. Transformation digitalization in service health bring up need will management record medical in a way electronic, which is not only notice efficiency and effectiveness service but also make sure principle security and confidentiality of data and information patient . Record medical electronics (EMR), as one of the subsystem from system information facility service health, be component crucial connected with subsystem other information on the facility the. Publishing Minister of Health Regulation No. 24 of 2022, replaces regulations previous, marking milestone important in maintenance record medical electronics in Indonesia, mandates all facility service health for implement EMR accordingly with established standards. Record medical, which is documentation comprehensive about identity patient, history examinations, treatment, actions , and services health that has been given, held vital role in system health . Implementation record medical electronic aim for increase quality service health through more data management organized, delivering certainty law on management and administration record medical, as well ensure security, confidentiality, integrity and availability of patient data. EMR is also directed for realize administration and management record digital-based and integrated medical care, facilitating access fast and accurate to important patient data for practitioner health in taking decision medical. With oblige EMR implementation throughout facility service health, including house hospitals, clinics, laboratories, and others, government endeavor for ensure that benefit record medical electronic can felt by all holder interest in system health. Benefit the covers, but no limited to, maintenance health and treatment patient, tool proof in legal processes, education, research, basic financing health, and collection of statistical data health. Through EMR, hopefully happen enhancement quality service safety oriented health

patient, efficiency time and costs, as well enhancement coordination and communication between provider service health. Success implementation record medical electronic need understanding deep about various aspect, start from administration until law, which shows how breadth benefits and uses record medical electronic in practice modern health. With thus, research this no only study aspect technical and benefits from the EMR but also highlights challenges and obstacles possible law faced in implementation , remember importance guard security and confidentiality of patient data in this digital era. Study This endeavor for give outlook comprehensive about implementation of EMR in Indonesia, identify opportunities and challenges, as well give recommendation strategic for ensure protection law and improvement quality service health at home illness and facilities health other. In context law, the implementation of Electronic Medical Records (EMR) touches on several issue related critical issues with personal data protection , security information , and compliance to existing regulations. In many countries, including Indonesia, the development and implementation of EMR is regulated by a framework purposeful law for protect rights patient while facilitate innovation in service health. In narrative background behind study it is us will explore aspects related laws with the EMR, pay attention How regulations handle challenges that arise from digitalization notes health.

Framework law for EMR in Indonesia has been experience evolution, with Minister of Health Regulation No. 24 of 2022 becomes milestone latest in effort increase implementation of EMR in the facility service health . Regulations this no only replace regulation previously but also set standards and requirements new for administration and management record medical electronic , with objective main for increase quality service health and protect patient data. From perspective law, challenge main in EMR implementation includes aspect data security , confidentiality information patients , and integration compliant system regulations. Personal Data Protection Law , which still exists in the legislative process in many countries, including Indonesia, are expected will give more foundation strong for data protection in EMR. Confidentiality and data security in EMR is not only is interest patient but also becoming not quite enough answer law for provider service health. Violation to principle this can result penalty law and loss reputation for facility health. Besides that's an issue interoperability and standardization EMR systems give rise to challenge other. For reach service efficient and effective healthcare, EMR systems must be can communicate and exchange data with safe between various platforms and providers service health. This matter need framework Work supporting law standardization and interoperability EMR system. Effective and safe EMR administration need cooperation between maker policy, provider service health, and technology information for ensure that EMR systems do not only fulfil need clinical but also obey provision applicable law. This matter including ensure that the EMR is protected from access no lawfulness, data manipulation, and violations privacy. Obedience to regulations national and international become key for build trust patient and make sure continuity service quality health.

2. METHODOLOGY

Study This adopt method juridical normative, which focuses on analysis to regulation legislation, documents policies, as well literature relevant laws with Electronic Medical Records (EMR) and protection law related. Approach this chosen for deepen framework laws governing EMR, evaluate obedience to norm existing laws, and identify challenge emerging law in implementation at home Sick. Analysis done through collection of sourced secondary data from regulation legislation, jurisprudence, documents policy government, articles journal scientific, books and other related sources with subject study. Approach this possible researcher for understand and interpret framework law in a way comprehensive, as well analyze the implications to practice administering EMR at the facility service health. In this study, researchers will too use analysis comparative for compare regulations and practices possible implementation of EMR between Indonesia and other countries own system similar laws and challenges or different. This matter aim for identify best practices and lessons learned adapted for overcome challenge law in implementation of EMR in Indonesia. Analysis comparative this will done with consider aspects like data security, privacy patient, interoperability system, as well mechanism monitoring and enforcement law. Through method juridical normative and analysis comparative, research This expected can give based recommendations proof for strengthen protection law and overcoming challenge in implementation of EMR at home sick, all at once support enhancement quality service health.

3. RESULTS AND DISCUSSION

Minister of Health Regulation no. 24 of 2022 concerning Medical Records

Record medical is element key in provision service medical, remembering he covers information sensitive and confidential written information, including identity data patients, as well all over history examination, treatment, and services health that has been provided. This reflect importance guard confidentiality in practice medical and confirm security information patient. The concept of "ALFRED" outlines benefit record medical covers aspect Administrative , which explains action and responsibility answer power medical ; Legal, that

shows record medical as proof in enforcement law ; Financial , as base for determine cost service medical; Research for development knowledge knowledge and technology; Education, as reference learning ; and Documentation, as notes medical who have performed on patients . Change significant in regulations record medical introduced through Regulation of the Minister of Health of the Republic of Indonesia Number 24 of 2022, which replaces regulation previously for adapt with progress technology and needs service health. Regulation This set framework law new for maintenance record medical electronics, focusing on three aspect main: system electronics, activities maintenance, and security as well as data protection. System electronic for record medical electronic involve various option development , both by the Ministry of Health, of facilities service health that yourself, or Organizer System Electronic registered. Importance interoperability and compatibility intersystem for ensure effective communication and data exchange between service Health is also emphasized, accordingly with standards set by the Ministry of Health. Implementation process record medical electronic covers various stages, start from registration patient, distribution , filling information clinical, processing, and data storage, up to guarantee quality and transfer of information record medical. Security, integrity and confidentiality of data must be always guarded, with facility service health must own system data backup. Regulation no. 24 of 2022 defines in a way clear not quite enough answer facility service health in maintenance record medical electronics, set limit time implementation, and elaboration potency penalty for violation. This reflect commitment to certainty laws and benefits legal, though consider challenge geography and infrastructure in Indonesia. The Ministry of Health is expected give adequate assistance and facilitation, guarantee no only certainty law but also benefits law for service equitable and quality health throughout Indonesia. With authority large given to the Ministry of Health, especially related with data access and management record medical electronics, required not quite enough proportional answer for protect personal data patient. This matter underline importance strengthen regulations about confidential medical and data protection, as well harmonization and synchronization regulation For ensure integrity and security information health. A number of notes that can be given to Regulation of the Minister of Health of the Republic of Indonesia Number 24 of 2022 concerning Record Medical :

1. Regulation of the Minister of Health of the Republic of Indonesia Number 24 of 2022 imposes burdens obligation to all over facility service health (incl place practice independent , organized by energy health and energy medical) for organize record medical electronic in accordance with regulation said , no later than December 31, 2023. Minister of Health via Director General Ministry of Health Health Services can wearing penalty administrative (reprimand written and/ or recommendation retraction or revocation of accreditation status) against facility service health does violation.
2. Regulation of the Minister of Health of the Republic of Indonesia Number 24 of 2022 provides great authority towards the Ministry of Health, in particular of data and content record medical electronic as well as system maintenance record medical electronic. Facility service health must open access to all over fill record medical electronic to the Ministry of Health and all system maintenance record medical electronic must registered with the Ministry of Health.
3. Regulation of the Minister of Health of the Republic of Indonesia Number 24 of 2022 is an " umbrella". law ” against maintenance record medical electronic. Therefore its nature is “ umbrella law ”, regulations This nature macro and must translated Again in form nature of regulations micro (for example : Standard Operational Procedure or Book Guidelines Maintenance Record Medical Electronic). The goal is for prevent misinterpretation occurs to the provisions contained therein regulation of the Minister of Health of the Republic of Indonesia Number 24 of 2022 and describe in a way comprehensive.

Protection & Challenges House Sick Post enactment Regulation Minister of Health No. 24 of 2022 concerning Medical Records

Regulation of the Minister of Health of the Republic of Indonesia No. 24 of 2022 concerning Record Medical has become point come back important in management record medical in Indonesia, replacing regulation previously for adapt with progress technology information and needs service increasing health complex. Implementation regulation this give rise to series challenge and protection law new for House sick, in need analysis deep For understand the implications in a way comprehensive. Regulation new this give framework more laws clear and strict related with management record medical electronics (RME) at home sick, underlined importance patient data protection and security information. Protection law this covers a number of aspect main :

1. Ownership and Access Record Medical : Regulations confirm that record medical is owned by facility service health, however fill from record medical is right patient. This matter give rise to not quite enough answer law for House Sick for guard confidentiality and data integrity, simultaneously give

reasonable access to patient or rightful guardian on the information.

2. Security and Protection : Remembering record medical now required for held in a way electronics, home Sick must ensure that system they fulfil standard strict security and data protection , incl in matter compatibility and interoperability system. This matter demand investment in IT infrastructure and training staff for manage risk data leaks and attacks cyber.
3. Arrangement about Interoperability: Rules This facilitate health data integration between facility service health through standard established interoperability. This is step proceed in create ecosystem integrated health, but also give rise to challenge in implementation and maintenance appropriate system.

With enactment Minister of Health Regulation no. 24 of 2022, home Sick faced with several challenge main :

1. Effort Enhancement IT Infrastructure : Home Sick need allocate source significant power for renew or obtain compliant RME system standard new. This including cost purchase device software, hardware, and training employees, which is possible become burden finance for a number of facilities, especially those in the regions isolated or with source Power limited .
2. Management Consent and Privacy Patient : Confirmed concentrate patient in use of their data for various goals, incl research and education , be more complicated. House Sick must develop efficient mechanism for acquire, document, and maintain concentrate patient while ensure transparency and compliance to right privacy patient.
3. Risk Data Security and Leakage Information : Although regulation This increase standard security, risk data security and potential leakage information still become attention main. House Sick must implement steps security cyber strong and composed plan response incident for overcome data breach.
4. Need Training and Awareness Employees : Successful implementation of RME No only need device hardware and devices adequate software but also need trained and aware staff will importance data security and privacy patient. Comprehensive and ongoing training program become key for ensure that all member staff understand role they in protect patient data.

Regulation of the Minister of Health of the Republic of Indonesia No. 24 of 2022 concerning Record Medical set standard new more tall for management record medical electronics at home ill, offered protection more laws strong for patient data while give rise to series challenge implementation for overcome challenge this is home Sick must invest in IT infrastructure, training employees, and systems robust data security. Success implementation no only will increase quality service health but also strengthening trust public in system health Indonesian electronics.

4. CONCLUSION

Implementation of Electronic Medical Records (EMR) at home Sick has become step crucial in the era of digitalization service health . Regulation of the Minister of Health of the Republic of Indonesia No. 24 of 2022 concerning Record Medical marking milestone important in effort modernize management record medical, offers protection more laws strong share patient data and determine standard new for security information . However , transition this also brings challenge significant, incl need will enhancement IT infrastructure, compliance to standard strict security, and training employee for handle EMR system effective. Conclusion that can be taken from analysis This is importance integration between innovation technology and policy solid law for create an EMR system that does not only efficient but also safe and compliant norm privacy . House sick and organizers service health must invest in technology information and training source Power humans , as well develop supportive internal policies safe and appropriate implementation of EMR with regulations applicable.

REFERENCES

- Ambarwati, Law Humanitarian International in Studies Connection International , King Grafindo Homeland, Jakarta, 2017
- Brown, A. "Regulatory Compliance and Data Protection in Electronic Medical Records." *Health Law Review*, vol. 29, no. 4, 2021.
- Consent and Privacy in Record Medical Electronics : Comparison International . *Journal Legal Medicine* , vol. 33, no. 2, 2022.
- Desriza Ratman. *Legal Aspects of Informed Consent and Recording Medical in Transaction Therapeutic* . Keni Media, 2013.
- Doe, J. "Interoperability in Healthcare: Challenges and Solutions." *International Journal of Health Informatics*, vol. 5, no. 3, 2019.
- Enni Soerjati Priowirjanto . " Understanding Transaction Electronics and its Implementation in Indonesia are Linked with E- Consumer Protection ." *Padjadjaran Journal Legal Science* , Volume 1, No. 2, 2014.

- Hartanti , Dewi . " Interoperability in System Health Information : Challenges and Solutions." *Journal Health Informatics* , vol. 18, no. 4, 2022.
- Investment in Health IT: A Guide for Home Administrators Sick . *Review Health Management* , vol. 37, no. 3, 2022.
- Legal Aspects of Records Medical Electronic . Science Tower Management Gadjah Mada University Health Information , 2019.
- Made Karma Maha Wirajaya , Ni Made Umi Kartika Dewi. " Analysis Readiness House Hospital Dharma Kerti Tabanan Apply Record Medical Electronics ." *Journal of Vocational Health* , Vol. 5 No. 1, February 2020.
- Regulation of the Minister of Health of the Republic of Indonesia No. 24 of 2022 concerning Record Medical .
- Siswati, Jessica Dwi. " Overview Application System Record Medical Outpatient Electronics at Jakarta Harbor Hospital." *Scientific Forum* , Volume 14 Number 2, May 2017.
- Smith, J. & Wesson, M. "Data Privacy and Security in the Healthcare Sector." *Journal of Cybersecurity and Privacy*, vol. 1, no. 2, 2020.
- Sudjana . " Legal Aspects of Recording Medical or Record Medical Electronic As Internal Evidence Transaction Therapeutics ." *Veji*, Volume 3 No. 2.
- Sunny Ummul Firdaus. *Record Medic In Legal and Ethics Highlights* . LPP UNS Press, 2008.
- Suryadi , Bambang. " Data Security in Health Services : An Overview Critical ." *Journal Security Cyber and Privacy* , vol. 2, no. 1, 2022.
- Threat Security Cyber in Health Services : An Overview Comprehensive . *Journal Intelligence Security Cyber and Crime Cyber* , vol. 5, no. 1, 2022.