

Recovery Right and Authority Profession Post Sanctions Assembly Honor Ethics Medical

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Abstract

Indonesian society needs quality medical services that are not only based on the availability of up-to-date medicines and equipment as well as qualified knowledge and skills, but also the intrinsic value of the noble profession of medicine which is very important, namely the crystallization of noble medical ethical values that are embodied by all individual doctors to their patients. and the wider community. Therefore, the intrinsic value of noble medical ethics must always be carved and carved beautifully, in the form of social-professional control for each individual doctor so that they display the nobility of ethics and professional behavior consistently in their daily lives. The court process and the provision of ethical sanctions are certainly an inseparable part of the form of socio-professional control for each individual doctor. However, in order for the atmosphere of professional spirituality to be maintained and professional fraternity to be well maintained, doctors need to have a sense of belonging, comfort, and obtain justice that applies at the time that ethical sanctions and post-sanctions are determined for them. It often happens that doctors who are given ethical sanctions such as having their careers hampered, having a gloomy future, and after undergoing sanctions they fail to experience a professional work atmosphere that is the same or better than the situation before the doctor was sanctioned. This kind of portrait must end, one of which is by MKEK making a breakthrough in restoring the rights and authority of the profession after sanctions which can guarantee that doctors will return to being comfortable, happy, happy and full of positive motivation when they are declared to have finished undergoing ethical sanctions. This research adopts a normative juridical method, which focuses on analysis of statutory regulations, policy documents and legal literature relevant to the research. This approach was chosen to explore the legal framework that regulates. Analysis was carried out through collecting secondary data sourced from statutory regulations, jurisprudence, government policy documents, scientific journal articles, books and other sources related to the research subject. This approach allows researchers to understand and interpret the legal framework comprehensively, as well as analyze its implications for the restoration of professional rights and authority following sanctions from the Medical Ethics Honorary Council. This research discusses the restoration of professional rights and authority following the sanctions of the Medical Ethics Honorary Council and the Empowerment of the MKEK Development Division through proactive work and providing sanctions in the form of guidance. Restoring the rights and authority of the profession after sanctions is an important step for the Medical Ethics Honorary Council (MKEK) to achieve this goal, as well as restoring the productivity of doctors who were given sanctions to be the same or even better than before the sanctions. It is proposed that five steps can be taken by MKEK and need to be elaborated in the narrative in the MKEK Organization and Work Procedure Guidelines to ensure that the recovery process goes well, namely (1) clearly stating the start and end date of sanctions in the MKEK decision, (2) providing information to colleagues involved. given MKEK sanctions regarding the policy of restoring the rights and authority of this profession at the hearing of the MKEK decision, (3) issuing a preliminary notification to the agency where the respondent doctor works before the end of the sanction period, (4) immediately issuing a letter of restoration of post-sanction rights and authority on the end date of the sanction, and (5) states that the history of MKEK must not be a reason to limit, hinder, or kill careers in the medical profession, service in professional and community organizations, as well as political and government positions.

Keywords: Recovery, Rights and Authorities, Post-Sanctions

INTRODUCTION

Indonesian society needs service medical quality that is not only based on factors availability medicines and tools latest as well as adequate knowledge and skills only, but also value intrinsic profession sublime very important medicine that is crystallization values ethics medical the sublime that is embodied all individual doctor to patients and society wide. Therefore that, value intrinsic ethics noble medicine This must always carved and engraved beautiful, deep form control socio-professional to every individual doctor to show glory ethics and behavior professional in a way consistent in daily life. The court process and the granting of sanctions ethics of course is the part that is not inseparable from form control socio-professional to every individual doctor. However, in order for the atmosphere spirituality profession still awake and brotherhood collegiality maintained with okay then doctor need have a sense of belonging, comfort, and getting justice that applies at the appointed time for him sanctions and post-sanctions ethics. Often occurs, the doctor is given sanctions ethics like hampered his career, his future is bleak, and after undergo sanctions fail feel atmosphere work the same professional or more good than situation before the doctor the sentenced sanctions. Portrait kind of this must ended, one of them is with how MKEK compiles breakthrough in recovery rights and authorities profession post-sanctions that can ensure doctor return comfortable, happy, cheerful, and full motivation positive moment himself stated finished undergo sanctions ethics.

Recovery rights and authorities profession after undergo sanctions in fact is key for guard climate each other mutual trust between each other colleagues Indonesian doctors, and from beautiful solidarity the of course will give benefit wide for community. Recovery rights and authorities profession perfect post-sanction will eliminate atmosphere emotional like "nothing" Sorry for you now and forever. Temporary prisoners just restored various rights and obligations after undergo sanctions criminal, then of course forgiveness and restoration rights and authorities profession doctor post-sanctions ethics must more worthy and perfect again from recovery rights and authorities name good post-sanctions criminal. Recovery rights and authorities post- sanctions sequence perfect will ensure doctors who have undergo sanctions imposed truly get atmosphere same work with before sentenced sanctions even as much as possible possible more good, so devotion profession from doctor the become can be done optimally. Other things that need to be done understood is that recovery rights and authorities profession This need with clear stated different with determination sanctions laws that can give implications more far from administrative status career someone in the future. MKEK sanctions only related ethics and have objective repair behavior. Therefore, don't until history once sanctioned ethics by MKEK will influence or become limitation from career doctor who performed the procedure sanctions the good from aspect practice as doctor and career achievements academic, position in organization profession and position others in the future. For smooth out recovery rights and authorities post-sanction, then we propose necessary editorial entered in plan change Ortala MKEK as following :

1. State with clear date start and end sanctions in MKEK decision
2. Give information to colleagues given MKEK sanctions regarding policy recovery rights and authorities profession this is at trial reading MKEK decision
3. Publish announcement introduction to agency place doctor defendant Work before the end of the period sanctions
4. Quick publish letter recovery rights and authorities post-sanction on the date the end sanctions in MKEK decision
5. State that history once accept MKEK sanctions do not justified for restrict, hinder, or turn off career profession medicine, service in organizations profession and society, as well as position politics and government.

As for the method research used in this study is method study transcendental, with the approach used nature analytical-philosophical. This study focus on a set ideal values, which should be become reference / benchmark in a process of formation, formulation and implementation rules law. Problem is incident or circumstances that give rise to question in heart about his position, no satisfied only with see only, but want to know more in. Based on things that have been presented in the background behind, then problems that will discussed is recovery right and authority profession post-sanction assembly honor ethics medicine and empowerment of the MKEK development division through work proactive and giving sanctions in the form of coaching.

METHODOLOGY

This study adopt method juridical normative, which focuses on analysis to regulation legislation, documents policies, as well as literature relevant laws with recovery right and authority profession post sanctions assembly honor ethics medicine. This approach chosen for delve into framework the laws that govern recovery right and authority profession post sanctions assembly honor ethics medicine, evaluating compliance to norm existing

laws, and identify challenge emerging laws in its implementation for doctor. Analysis done through secondary data collection from sources from regulation legislation, jurisprudence, documents policy government, articles journal scientific, books and other related sources with subject research. This approach allows researchers for understand and interpret framework law in a way comprehensive, as well as analyze the implications to recovery right and authority profession post sanctions assembly honor ethics medicine. In this study, it is hoped can give recommendations based on proof recovery right and authority profession post sanctions assembly honor ethics medicine, at the same time support improvement ethics profession doctor in give health services for public as patient.

RESULTS AND DISCUSSION

Recovery Right and Authority Profession Post Sanctions By The Assembly Honor Ethics Medical

1. State with Clear Date Beginning and Ending Sanctions in MKEK Decision

Clarity date beginning and ending sanctions in MKEK decision made by the Assembly Examiner will reduce interpretation dual and potential arbitrary interpretation compared to with only mention sanctions set during that's all month. Date started sanctions in principle can set as soon as possible maybe at trial reading MKEK decision if the execution pure there is in the realm of the MKEK Development Division. For determination execution date the sanctions need party executive IDI organizations such as PB IDI, Regional IDI, Branch IDI, and PDSP / PDPP, for example in sanctions dismissal membership, then can given deadline is no later than 4 weeks from hearing reading MKEK decision. This matter prevent protracted implementation sanctions that will be very detrimental colleagues who were sentenced sanctions said. If the date the end sanctions clear There is in MKEK decision, then the recovery process rights and authorities profession can with clearly planned and evaluated from beginning, and give clarity limit time to parties related

2. Information Regarding Recovery Rights and Authorities Profession

Understanding colleagues who are currently undergo hearing court or official given sanctions after reading decision court of law, about his rights for get recovery rights and authorities profession, it will be very helpful climate each other believe the happened . It would be better information about recovery rights and authorities this already given before or since beginning of the trial period court to doctor complained by MKEK or Assembly Examiner Budiningsih Y, Prawiroharjo P, and Purwadianto a which were formed. Information the can served in a way written. Understanding about mechanism this also allows for MKEK to get bait come back from doctor the defendant so that the recovery process this can truly walk good and smooth after stated finished undergo sanctions.

3. Notification Introduction Before the Expiry Date Sanctions

For can more ensure the recovery process both formally and informally essence cultural can walk with good after giving sanctions, then MKEK can publish announcement introduction to agency place doctor defendant working. Notification this intended so that the agency place doctor defendant work can do steps necessary preparations in help the recovery process so that walk with ok. Notification this state that colleagues given MKEK sanctions will accept recovery rights and authorities a full profession from MKEK throughout operate sanctions with good. Announcement written can sent a month before the end of the period sanctions If MKEK's decision was stated open for that, according to principle rule openness MKEK decision. The letter at a time request leadership agency place colleagues the work for can take the necessary steps immediately after date the end enforcement sanctions, peers the can feel support and relationships in environment same work even more good compared to moment before undergo sanctions.

4. Recovery Letter Rights and Authorities Post-Sanction on Date The End Sanctions

Of course just hurry up publish letter recovery rights and authorities post-sanctions is matter technical very important and helpful occurrence recovery rights and authorities profession in a way good for ensure procedure this walk okay then need policy one door, so that need set that the authorities make letter recovery the is MKEK, different a little with mechanisms contained in the guidelines organization and administration work (Ortala) MKEK. This matter can excluded if in the process of undergoing sanctions set, MKEK gets report that dropped colleague sanctions no carry out sanctions the with good. In situation thus, the decision must made with involving the justice division specifically member team assembly the examiner in charge cases, development division and chair of MKEK at the level decision the taken, with still put forward principle presumption not guilty and necessary do clarification to the doctor who was given sanctions. Decisions made as response to matter the no need must through hearing court repeat again, but Enough with decision hearing MKEK plenary session. MKEK sanction history no limit career, devotion, as well as position information this need more clear made explicit in ortala MKEK that colleagues who have given

recovery rights and authorities profession from MKEK, history once accept sanctions from the MKEK no justified for restrict, hinder, or even kill / destroy career three pillars profession medical and career dedication to the organization profession, organization society, as well as position politics and government. Therefore that, nature recovery rights and authorities profession in context sanctions ethics can confirmed nature perfect, without defects and potential disabilities in the future during defendant can change his attitude and not fall into trouble ethics other.

Empowering The Mkek Guidance Division Through Proactive Work and Sanctions in The Form of Guidance

Different with a deep court division work need input moreover before and usually in the form of complaint suspicion violation ethics from community, development division should no limited by rules that must there is complaint moreover formerly new moving. Although in Ortala MKEK 2008 things this no clear explained for the MKEK Development Division (different with the Division of the Court), but also not explained clear that the development division can work in a way proactive meet case even if need can inspection sudden down direct to field for clarify and confirm is there any violation ethics on -site medical care the work in a way proactive in question covering search, review, clarification, and stage hearing coaching to something information suspicion violation ethics in a way active. Review can done with compare findings information with KODEKI, ethical fatwa related, or study specific ethics review matter said. For example just review to potential information become activity advertise self, need for reviewed no only with subjectivity MKEK administrators but must also reviewed from study special about limitation doctor advertise. Or review information related suspicion violation ethics that involve information on social media, administrators do review use study special about ethics doctors on social media. Therefore one proposal from us in change upcoming MKEK Ortala is describe clear that the development division can proactive in work and dive directly. Similar authority of course can intersecting with IDI BHP2A team, but consider that potential field findings and information daily such a lot, then no wrong if authority the also owned by the MKEK development division and the ethics council PDSp / PDPP. As mechanism mediation if something information or incident field followed up together with the BHP2A IDI and the MKEK development division, then chairman of MKEK and chairman of IDI at the same level can make team combination between BHP2A IDI and the MKEK Development Division for follow up together. likewise if matter the happened in the management PDSp / PDPP. Referring to the 2008 MKEK Ortala, the determination sanctions all of it become the domain of the MKEK court division through hearing court and determined by the Assembly Santosa F and Prawiroharjo P Assigned examiners for every existing complaints and analyzed in accordance with values sublime profession medicine as outlined in the code of ethics indonesian medicine. This is valid for all type sanctions, starting from very light, such as warning oral, until sanctions heavy in the form of dismissal membership.

Problem potential appear due to procedural rules hearing the court is very complex and lengthy, requiring lots source power time and people, and generally eat time up to 90 days work (3 months) more). So that sometimes for visible errors light from review beginning, can potential no followed up more far and stopped the case so just without there is sanctions whatever. This is of course no expected by society from the role of MKEK and how MKEK responds hope public to him. Therefore that, breakthrough need done for simplify handling visible complaints light in review. Consider matter mentioned, then we propose existence giving authority addition to the MKEK development division so that it can make hearing coaching as governance complaints / information suspicion violation ethics. In hearing coaching this, if in review looks just problem violation ethics light, then the development division authorized for give sanctions limited to coaching behavior. Related form sanctions of a nature coaching need explained more clear in a way operational in change Ortala MKEK. In connection with design sanctions three category (category 1: coaching behavior, category 2: awareness without dismissal, and category 3: conviction with dismissal while), 6 must clarified that limitation sanctions that become authority the MKEK development division meeting is only sanctions category 1, and no including dismissal membership as stated in the previous Ortala 2008. Decision hearing coaching This should more nature closed compared to hearing court because the goal is foster behavior and not realization (publication to party outside is one of the element realization). Violation light ethics need guarded from various party for no exaggerated and the sanctions imposed pure is coaching behavior. Nature of the decision this can open if matter this precisely what the doctor wants is given sanctions the another exception is if sanctions imposed tie for opened good part or even whole to a number of parties, or violation ethics the related distribution news massive hoax related to health information, disturbing society, or harm dignity profession medical in a way real so that required clarification to public. For avoid potential miscommunication and improve synergy between divisions in MKEK, it is also proposed that hearing coaching the must attended by at least one member of the local MKEK court division.

CONCLUSION

Recovery rights and authorities profession is step important for MKEK to reach objective enforced ethics medicine and dignity profession with good, and return productivity the doctor who was given sanctions to be at least the same even more good compared to moment before sanctions. Five steps are proposed can carried out by MKEK and necessary elaborated in narrative in Ortala MKEK for ensure the recovery process this walk good. In plan change guidelines organization and administration mkek work, required strengthening the role of the development division, including describe the development division can proactive in working (not must wait complaint first) and give authority addition for the development division for can give sanctions limited to coaching behavior in violation ethics light. Two proposal this expected can make it easier for mkek to achieve objective in essence, namely maintain and improve ethics behavior and professionalism all over indonesian doctor. For that the role of MKEK is very necessary for strengthening to the doctors, and the doctors expected comply oath profession so as not to happen violation ethics and laws that can bother health services to patients and harm doctor that alone.

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