

Governance of Hospital Administration, Hospital Organization and Hospital Classification on the Legal Basis of Health Law No. 17 of 2023

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Abstract

The background to the problem is that Indonesia is a country of law, this is written in article 3 of the 1945 Constitution. All forms of regulations, decisions on activities taken by the state and activities carried out in the life of the nation and state must be based on law. The national goal of the Indonesian people, as stated in the Preamble to the 1945 Constitution, is to protect the entire Indonesian nation and all of Indonesia's blood and promote general welfare, make the life of the nation intelligent, and participate in implementing world order based on freedom, eternal peace and social justice. To achieve this goal, the country carries out various developments, including development in the health sector. Health is a human right, as written in the 1945 Constitution article 28 H paragraph (1) which states that every person has the right to live in physical and spiritual prosperity, to live and have a good and healthy living environment and has the right to receive health services. Article 34 paragraph (3) states that the state is responsible for providing adequate health facilities and legal services. The state regulates the laws used in the health sector based on our country's 1945 Constitution. In our country there have been several changes to the Health Law, namely: Law No. 23 of 1952, Law No. 36 of 2009, Law No. 17 of 2023. Method : This paper uses a method to analyze the impact of Law No. 17 of 2023 on the Health service system. includes hospital administration, hospital organization and hospital classification. Result : with the formation of Law No. 17 of 2023, there has been an increase in the quality of health service efforts, especially individual health service efforts, namely hospitals, including hospital management, hospital organization and hospital classification, with the aim of improving the level of public health and bringing the community closer to vision and mission of Health in the unitary state of the Republic of Indonesia.

Keywords: Legal basis, hospital administration, hospital organization, hospital classification

1. INTRODUCTION

Health is a basic need for every human being. The definition of health according to WHO in 1947, health is a state of physical, mental and social well-being which is a unity and not just free from disease or disability. According to Law No. 17 of 2023, health is a person's healthy condition both physically, mentally and socially and not just being free from disease to enable him to live a productive life. Obtaining health services is a human right. This is written in article 28 H paragraph (1) which states that every person has the right to live in physical and spiritual prosperity, to live and have a good and healthy living environment and has the right to obtain health services. The state is responsible for making it happen. This is stated in article 34 paragraph 3 of the 1945 Constitution. However, in reality there are still many things that happen that are not in line with the fulfillment of health services, including the availability of health service facilities, the availability of human resources in health services, less than optimal health services or financing problems in health service efforts. For this reason, the state continues to strive to improve the Health service system, where efforts to improve the Health service system cannot be carried out only by the Ministry of Health alone but must be integrated with other fields, whether it is the Ministry of Education, or other ministries such as Industry, Trade, etc.

Objective

For this reason, there have been changes to the Health system, with the formation of a new Health law, namely Law No. 17 of 2023, with the aim and objective of making the Health system more well integrated, not only limited to the Health part but also related to other parts, including energy. non-medical, non-health personnel, supporting personnel and so on, so that health service efforts can spread throughout the territory of the unitary state of the Republic of Indonesia to all 38 provinces. Not only that, it is hoped that more job opportunities will be opened up, the more medical and health personnel as well as non-medical and non-health personnel will be needed, with this it is hoped that it will be able to reduce the unemployment rate and improve welfare, including health service facilities such as equipment. Health, pharmacy and other supporting facilities can be better equipped.

Formulation of the problem

Hospital administration, hospital organization and hospital classification

So far, the management of hospitals is regulated in Law No. 44 of 2009, but starting in August 2023, this law will no longer be enforced after a new Health Law was created, namely Law No. 17 of 2023, which regulates the health system as a whole and integrated. It is hoped that there will be a transformation in the governance of hospital administration. Hospital organizations according to Law No. 44 of 2009, the head of the hospital must be a medical worker who has the ability and expertise in the field of hospitals. The hospital organizational structure must at least consist of the head of the hospital or hospital director, medical service elements, nursing elements, medical support elements, medical committees, internal audit units, as well as general and financial administration. Meanwhile, according to Health Law No. 17 of 2023, it is stated that the leadership elements of a hospital can be medical staff, health workers, other professional staff who are competent in hospital management. The organizational structure of a hospital at least consists of leadership elements, medical service elements, nursing elements, medical and non-medical support elements, administrative implementation elements, and operational elements.

Struktur Organisasi Rumah Sakit

UU ini dalam pasal 186 ayat (2) membuka seluas – luasnya, unsur pimpinan Rumah Sakit tidak lagi eksklusif hanya bagi tenaga medis, namun dapat dipimpin oleh; Tenaga Medis, Tenaga Kesehatan dan Tenaga Profesional yang memiliki kompetensi manajemen Rumah Sakit.



Pasal 186 ayat 1
Struktur organisasi Rumah Sakit paling sedikit terdiri atas;

- unsur pimpinan,
- unsur pelayanan medis,
- unsur keperawatan,
- unsur penunjang medis dan nonmedis,
- unsur pelaksana administratif, dan
- unsur operasional.

Pasal 186 ayat 2
Unsur Pimpinan Rumah Sakit dijabat oleh;

- Tenaga Medis;
- Tenaga Kesehatan; atau
- tenaga profesional,

yang memiliki kompetensi manajemen Rumah Sakit

Pasal 175
Setiap pimpinan Fasilitas Pelayanan Kesehatan **harus memiliki kompetensi manajemen Kesehatan yang dibutuhkan**. Ketentuan mengenai kompetensi manajemen Kesehatan yang dibutuhkan diatur dengan Peraturan Pemerintah

Pasal 34 ayat (3) UU 44/2009
Pemilik Rumah Sakit tidak boleh merangkap menjadi kepala Rumah Sakit.



Hospital classification according to Law No. 44 of 2009 is regulated in article 24. General hospitals and special hospitals are classified based on the completeness of the facilities and also the ability of the hospital services. The classification in question is:

1. Class A general hospital
2. Class B general hospital
3. General ski hospital class c
4. Class D general hospital

And for special hospitals, they have classifications;

1. Class A specialty hospital
2. Class B specialty hospital
3. Class c specialty hospital

Organisasi Rumah Sakit

UU 44/2009	Organisasi	UU Kes 2023
<ul style="list-style-type: none">Kepala / Direktur Rumah SakitUnsur Pelayanan MedisUnsur KeperawatanUnsur Penunjang MedisKomite MedisSatuan Pemeriksa Internal (SPI)Administrasi UmumKeuangan	<p>Organisasi</p> <p>Rumah Sakit</p> <p>Paling Sedikit</p>	<ul style="list-style-type: none">Unsur PimpinanUnsur Pelayanan MedisUnsur KeperawatanUnsur Penunjang MedisUnsur Penunjang non medisUnsur pelaksana administratifUnsur operasional

Pasal 33 ayat (2)

Organisasi Rumah Sakit **paling sedikit** terdiri atas

Kompetensi

Memiliki Kompetensi Manajemen Rumah Sakit

Pasal 186

Struktur organisasi Rumah Sakit **paling sedikit** terdiri atas

Kepala Rumah Sakit harus seorang tenaga medis yang mempunyai kemampuan dan keahlian di bidang perumahsakaan. Tenaga struktural yang menduduki jabatan sebagai pimpinan harus berkewarganegaraan Indonesia. Pemilik Rumah Sakit tidak boleh merangkap menjadi kepala Rumah Sakit. (ps. 34 UU 44/2009)

bs

This paper uses a method of analyzing the impact of the new Health Law, namely No. 17 of 2023, replacing Law No. 44 of 2009 concerning hospitals, on the health service system in hospitals. includes hospital management, hospital organization and hospital classification.

With the issuance of the new health law UU No. 17 of 2023, UU No. 44 of 2009 concerning hospitals was cancelled. According to Health Law No. 17 of 2023, a hospital is a complete individual health service facility through promotive, preventive, curative, rehabilitative and/or palliative health services by providing inpatient, outpatient and emergency care. And this Health Law includes and regulates integrated and integrated hospital management, including human resources (article 200, article 203, article 204, article 234, article 251 and article 253), infrastructure and health service facilities (article 184, article 186, article 187 and article 196), pharmacy (article 145 and article 320), health funding (article 406), finance for health service facilities (article 194 and 402), traditional medicine (article 160-article 161).

[illegible]

The function of the hospital is:

1. Organizing individual health services in the form of specialism and/or subspecialism
2. Providing basic health services
3. Education and research in the field of Health

Hospitals can be hosted by

1. Central government
2. Local government
3. Public

Hospital Organization

The hospital organizational structure according to law no. 17 of 2023 article 184 paragraph (1) consists of at least

1. Leadership elements
2. Elements of Medical Services
3. Nursing elements
4. Medical and non-medical supporting elements
5. Administrative implementing elements
6. Operational Elements

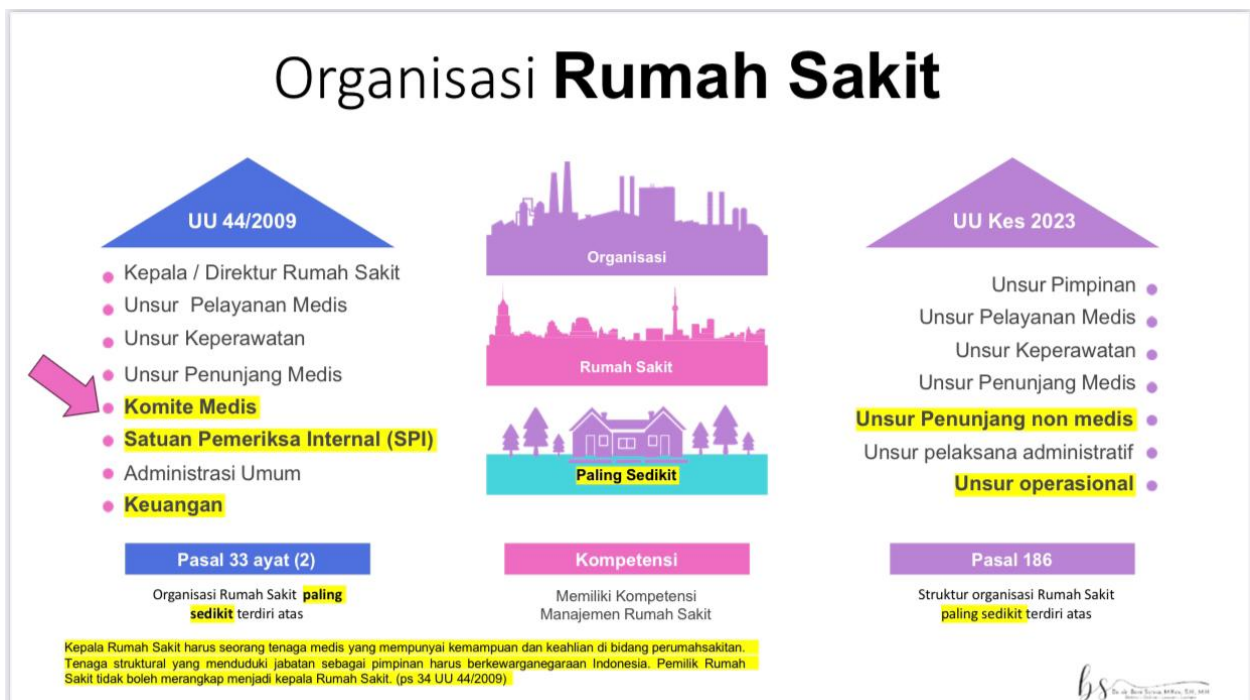
And article (2) regulates the Leadership Elements of a hospital, whatever their background may be

1. Medical personnel
2. Health workers
3. Professional staff who have hospital management competence.

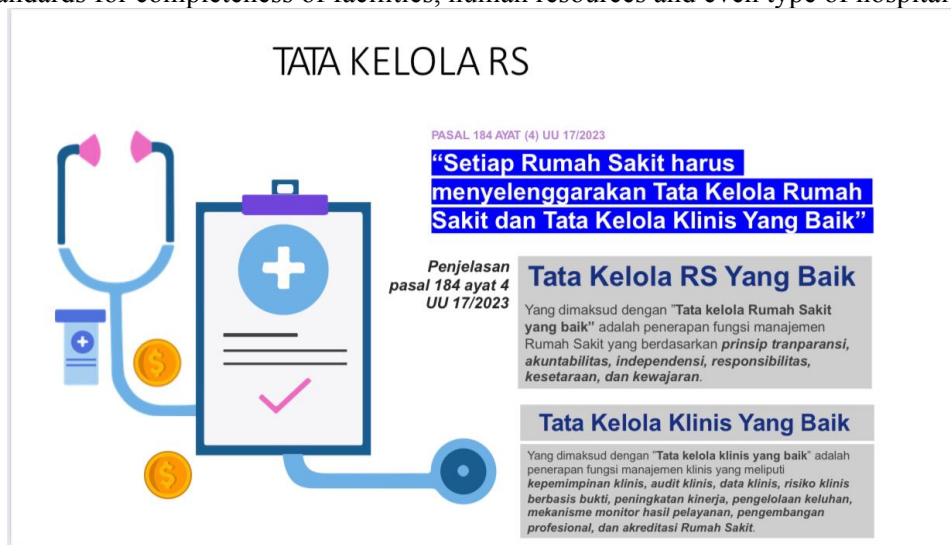
This is a very significant new thing, where the leadership element of a hospital can be led by professionals outside of medical staff and health workers who have hospital management competence.

4. CONCLUSION

Health Law No. 17 of 2023 marks a new point in the world of Health. There were 11 previous laws that were repealed but were merged and combined into one comprehensive unit and are linked to each other to improve an integrated health system. This law stipulates provisions governing all aspects starting from human resources, complete facilities, pharmacy, reference regulations, rights and obligations to legal responsibilities. There is only one significant new provision, where there is a change in provisions in organizational elements, especially hospital leadership elements.



With the formation of the new health law, namely Health Law No. 17 of 2023, it is hoped that the health service system in general and the hospital management system in particular will be better, thereby increasing the level of public health. It is necessary to immediately formulate a derivative of Health Law No. 17 of 2023 to regulate regulations for the management of hospital administration, hospital organizations, namely to create a derivative of competency standards that must be possessed by hospital management, and classify hospitals according to standards for completeness of facilities, human resources and even type of hospital service.



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