

EFFORTS TO FULFILL AND PROTECT PATIENTS' LEGAL RIGHTS IN HEALTH CARE SERVICES AT MEURAXA REGIONAL GENERAL HOSPITAL, BANDA ACEH CITY.

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Abstract

The fulfillment and legal protection of patients' rights are essential components of safe and equitable healthcare services. This study aims to analyze the fulfillment of patients' rights and the forms of legal protection in healthcare services at a regional public hospital in Indonesia. An empirical juridical method with a qualitative approach was employed, combining statutory analysis with field data collected through in-depth interviews, observation, and documentation. The findings indicate that patients' rights have generally been fulfilled, particularly the rights to information, informed consent, privacy, and healthcare services in accordance with applicable standards. Preventive legal protection is implemented through the application of standard operating procedures, while repressive legal protection is carried out through complaint mechanisms and professional disciplinary enforcement. However, the effectiveness of legal protection is influenced by institutional commitment, the understanding of health workers regarding patients' rights, and the accessibility of complaint mechanisms for patients. These findings provide an empirical overview of the implementation of legal protection for patients' rights in public hospital healthcare services and may serve as a reference for improving governance and accountability in public healthcare institutions.

Keywords: patients' rights, health law, healthcare services, legal protection, hospital

INTRODUCTION

Health is a human right that is constitutionally guaranteed in Article 28H of the 1945 Constitution of the Republic of Indonesia, which affirms every person's right to live in physical and spiritual well-being, including the right to obtain proper healthcare services. [1] This constitutional guarantee imposes a legal obligation on the state to ensure the provision of healthcare services that are high-quality, affordable, and non-discriminatory. In the context of healthcare delivery, patients are legal subjects who are entitled to legal protection and respect for their rights throughout the treatment process. Hospitals, as providers of public healthcare services, are not only responsible for delivering medical care but are also obliged to ensure patient safety, transparency of medical information, and access to justice mechanisms in cases of rights violations. [2] In practice, the fulfillment of patient rights still faces several obstacles, including low legal literacy among patients, suboptimal complaint mechanisms, and limited resources in healthcare facilities. These conditions may create an imbalance in the relationship between healthcare providers and patients, placing patients in a vulnerable position. Therefore, strengthening legal protection for patients is crucial, especially in hospitals as public healthcare institutions. Such protection includes preventive measures through the implementation of service standards and transparency of medical information, as well as repressive measures through the provision of effective medical dispute resolution mechanisms. [3][4]

Normatively, patient rights have been regulated under Law Number 17 of 2023 concerning Health. [5] Articles 4 and 276 of the law affirm patients' rights to safe and high-quality healthcare services, the right to medical information, informed consent for medical procedures, and protection of health data confidentiality. The law also strengthens the responsibility of both central and regional governments in ensuring access to healthcare and legal protection in the health sector. However, there remains a gap between legal norms and their implementation in practice, particularly regarding the effectiveness of supervision and patient empowerment. [6] The fulfillment of patients' right to medical information is not only related to the normative obligations of healthcare professionals but also to the extent to which the information is understood by patients. Empirical studies in regional hospitals show that although general consent mechanisms have been implemented, patients do not fully understand their rights and

obligations in healthcare services, which may weaken legal protection of patient rights in medical practice. [7][8] In the context of regional hospitals, such as RSUD Meuraxa in Banda Aceh City, the implementation of legal protection for patient rights serves as an important indicator of the quality of public healthcare governance. As a local government-owned hospital, RSUD Meuraxa is legally obliged to provide healthcare services in accordance with Law Number 17 of 2023 concerning Health. [9] This obligation is further regulated under Government Regulation Number 28 of 2024 as an implementing regulation governing service standards, informed consent procedures, and mechanisms for protecting patient rights. These regulations include compliance with service standards, implementation of informed consent, protection of health data confidentiality, and provision of effective complaint mechanisms. In healthcare practice, the protection of patient privacy and medical data confidentiality still faces challenges, particularly due to the absence of specific standard operating procedures regulating patient privacy protection in hospitals. [10]

The implementation of these obligations not only serves as an instrument for improving service quality but also as a form of preventive legal protection for patients and a means of mitigating medical dispute risks. Therefore, the analysis of patient rights fulfillment practices in RSUD Meuraxa is relevant to assess the extent to which health law norms are consistently implemented in regional healthcare services. Based on these conditions, a study is needed that not only examines the normative aspects of patient rights regulation but also analyzes its empirical implementation in healthcare practice. An empirical juridical approach is relevant to assess the extent to which the provisions of Law Number 17 of 2023 and its implementing regulations are effectively applied by hospitals as public service providers. [11] Through analysis of patient rights fulfillment practices and available legal protection mechanisms, this study is expected to identify gaps between legal norms and healthcare realities, as well as formulate recommendations to strengthen legal protection of patient rights in order to support the realization of fair, accountable, and patient safety-oriented healthcare services. [12]

METHOD

Type and Research Design

This study is a juridical empirical research with a qualitative approach. The juridical empirical approach is used to analyze the implementation of legal norms concerning the fulfillment and protection of patient rights in healthcare service practices. The analysis is conducted by integrating the examination of health-related legislation with empirical findings obtained from the field.

Research Location and Time

The study was conducted at the Regional General Hospital (RSUD) Meuraxa. The selection of this location is based on its role as a regional referral hospital and provider of public healthcare services. The research was carried out during the study period in accordance with the needs of field data collection.

Research Informants and Selection Technique

Research informants include patients or patients' families, healthcare professionals, and hospital management personnel directly involved in healthcare service delivery. Informants were selected using a purposive sampling technique, considering their relevance and involvement in the focus of the study. The number of informants was determined based on the principle of data saturation.

Data Collection Techniques

The data consist of primary and secondary data. Primary data were obtained through in-depth interviews and direct observation of healthcare service processes. Semi-structured interviews were conducted to explore the practice of patient rights fulfillment and legal protection mechanisms in the hospital. Secondary data were obtained through document analysis, including legislation, legal literature, scientific journals, and relevant official hospital documents.

Data Analysis Techniques

Data were analyzed using qualitative juridical analysis through the stages of data reduction, data presentation, and conclusion drawing. The analysis focused on comparing legal norms governing patient rights (*das sollen*) with actual healthcare practices in the field (*das sein*).

Data Validity

Data validity was ensured through source and method triangulation techniques by comparing interview results, observations, and documentation in order to obtain a comprehensive and consistent understanding.

Research Ethics

This study obtained research permission from the relevant authorities and was conducted in accordance with ethical research principles, including informed consent from informants, confidentiality of identities, and the use of data solely for academic purposes.

RESULTS AND DISCUSSION

Overview of Research Locations Meuraxa Hospital is a regional general hospital that provides referral health services for the community. This hospital provides medical and non-medical services to outpatients, inpatients, and emergencies by involving health workers from various professions. In the implementation of health services, Meuraxa Hospital applies standard operating procedures as a guideline for the implementation of services to patients. Fulfillment of Patients' Rights in Health Services Based on the results of field observations and preliminary research data, it was found that most patients already have a basic understanding of the existence of their rights in health services. This understanding is mainly related to the right to obtain medical information, the right to privacy and confidentiality of health data, the right to give consent or rejection of medical procedures, and the right to submit complaints if the services received are not up to standard. This understanding shows that there is an initial awareness of the patient's position and role in the health service relationship. The results of the study show that patient rights as formulated in Law Number 17 of 2023 concerning Health have in principle been fulfilled in service practice at Meuraxa Hospital, Banda Aceh City. The fulfillment of these rights is reflected in the implementation of medical services which is preceded by providing an explanation of the diagnosis, procedure of action, risks, benefits, and available alternative medical measures. This practice is part of the hospital service standards and is carried out regularly by medical personnel and health workers. However, empirical findings show that patients' level of understanding of each right still varies. One of the rights that is relatively not optimally understood is the right to ask for the opinion of medical personnel or other health workers (second opinion). In practice, some patients tend to interpret second opinion in a limited way, for example only in the context of dissatisfaction with the results of a particular examination, and have not understood it as a right that can be used more widely in the decision-making process regarding diagnosis or therapy plan. This variation in understanding shows that the fulfillment of patients' rights does not only depend on the hospital service mechanism, but is also influenced by the level of health literacy, educational background, and patient experience. These findings indicate the need to strengthen patient education strategies that are more adaptive and communicative, so that patients' rights are not only fulfilled procedurally, but also substantively understood by patients. Thus, the fulfillment of patients' rights can contribute more optimally to improving the quality of health services and patient safety.

Table 1. Implementation of the Fulfillment of Patient Rights in Healthcare Services

No	Type of Patient Rights	Status of Rights Fulfillment
1	Right to obtain information regarding their health condition	Fulfilled
2	Right to receive adequate explanation regarding healthcare services	Fulfilled
3	Right to obtain healthcare services in accordance with medical needs, professional standards, and service quality	Fulfilled
4	Right to accept or refuse medical treatment	Fulfilled
5	Right to access medical record information	Fulfilled
6	Right to request a second opinion from other medical personnel or healthcare professionals	Fulfilled, but patient understanding varies

Source: Primary Research Data, 2025

Preventive Legal Protection of Patient Rights

Preventive legal protection refers to efforts undertaken to prevent violations of patient rights from occurring at the earliest stages of healthcare services. This form of protection aims to ensure patient safety, improve service quality, and minimize potential conflicts between patients and hospitals. Based on the research findings at RSUD Meuraxa, preventive legal protection has been implemented through various mechanisms integrated into daily

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healthcare service practices. As summarized in Table 2, one of the main forms of preventive legal protection is the implementation of Standard Operating Procedures (SOP) in healthcare services. SOP functions as a guideline for medical personnel and healthcare workers in carrying out medical actions and patient care. The implementation of SOP serves as a quality control and patient safety instrument, ensuring that every medical procedure is carried out in a measured, systematic manner and in accordance with applicable service standards. In practice, the existence of SOP helps minimize service errors that may potentially harm patients.

In addition to SOP implementation, the research findings show that informed consent is also an essential component of preventive legal protection. Informed consent is provided before medical procedures are performed, either in written or verbal form, depending on the type and level of risk involved. This practice reflects respect for patients' rights to obtain adequate information regarding their health condition, medical procedures, benefits, and potential risks. However, patients' understanding of the information provided still varies, meaning that the effectiveness of informed consent largely depends on the quality of communication delivered by healthcare professionals.

Preventive legal protection is also reflected in efforts to maintain the confidentiality of patient medical records. The study found that medical record management at RSUD Meuraxa is carried out with restricted data access and confidentiality principles. The protection of medical records not only fulfills patients' privacy rights but also serves as a preventive measure against misuse of medical data that could lead to legal consequences. In addition, healthcare services are provided by competent medical personnel in accordance with professional standards, ensuring that medical actions are carried out professionally and responsibly.

Overall, the findings indicate that preventive legal protection at RSUD Meuraxa is implemented through SOP application, informed consent procedures, confidentiality of medical records, and the provision of services by competent healthcare professionals as presented in Table 2. These practices function not only as administrative mechanisms but also play an important role in preventing violations of patient rights and maintaining the quality and accountability of healthcare services in the regional public hospital.

Table 2. Preventive Legal Protection of Patient Rights in Healthcare Services

No	Form of Preventive Legal Protection	Implementation in Healthcare Services
1	Implementation of Standard Operating Procedures (SOP)	SOP is used as a work guideline for medical personnel and healthcare workers in every medical action and patient service
2	Informed Consent	Consent is obtained before medical procedures, either in written or verbal form, depending on the type and level of risk of the procedure
3	Protection of Medical Record Confidentiality	Medical record management is carried out through restricted data access and the application of patient confidentiality principles
4	Services in Accordance with Professional Standards	Medical actions are performed by competent medical personnel in accordance with their authority and professional standards
5	Quality Control and Patient Safety	The implementation of service procedures aims to prevent medical errors and ensure patient safety

Source: Primary Research Data, 2025

Repressive Legal Protection of Patients' Rights Repressive legal protection is an effort made after an alleged violation of patients' rights in health services. This protection serves as a settlement mechanism if preventive efforts are not fully able to prevent violations from occurring. Based on the results of observations and interviews at Meuraxa Hospital, this study found that the repressive legal protection mechanism has in principle been prepared and institutionalized in the hospital service system. As presented in table 3, one of the forms of repressive legal protection available is the provision of patient complaint facilities. The hospital provides a complaint mechanism that can be accessed by patients or patients' families if there is an alleged violation of the patient's rights in health services. The complaints are handled through the hospital's complaints and management units as part of the hospital's institutional responsibility to patients. The results of the study show that until this study was conducted, no cases have been found that have continued in the process of settling civil or criminal laws against medical personnel or health workers at Meuraxa Hospital. This condition causes the effectiveness of repressive legal protection to not be empirically assessed comprehensively. However, based on the informant's information, the hospital still places the public relations and management unit as the party responsible for facilitating patient complaints and providing assistance

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according to the applicable mechanism in the event of alleged violations of patient rights. In addition to the complaint mechanism, repressive legal protection is also realized through the examination and enforcement of discipline against medical personnel and health workers. Disciplinary examinations are carried out in accordance with applicable provisions if there are suspected violations in the implementation of health services. This form of discipline enforcement includes the provision of administrative sanctions and professional coaching, which aims to provide legal certainty for patients while preventing the recurrence of similar violations. Overall, the findings of this study show that although there has not been an application of repressive legal protection in the form of legal disputes at Meuraxa Hospital, repressive legal protection instruments are available and ready to be used. The existence of complaint mechanisms, internal resolution, and enforcement of professional discipline as summarized in table 3 shows the institutional readiness of hospitals in providing legal protection to patients in the event of a violation of patients' rights in the future.

Table 3. Repressive Legal Protection of Patient Rights in Healthcare Services

No	Form of Repressive Legal Protection	Implementation
1	Patient Complaint Mechanism	Patients or their families may submit complaints through the hospital's complaint unit
2	Internal Hospital Resolution	Complaints are handled by hospital management and relevant units as part of institutional responsibility
3	Complaint Assistance	The hospital facilitates and provides assistance to patients in accordance with applicable mechanisms
4	Disciplinary Examination of Healthcare Workers	of Alleged violations are followed up through professional disciplinary examination mechanisms
5	Application of Disciplinary Sanctions	Administrative sanctions and professional coaching are imposed according to the level of violation

Source: Primary Research Data, 2025

DISCUSSION

The fulfillment of patients' rights in health services at Meuraxa Hospital shows that the principle of protecting patients' rights in health law has been implemented in service practice. Based on the findings of the research, the right to information, approval of medical measures, privacy, and health services according to standards have generally been carried out by health workers in the service process. The implementation of the right to information and approval of medical actions reflects respect for patient autonomy as one of the important principles in health services. [13] The application of standard operating procedures in health services plays a role as an instrument of preventive legal protection. Based on the results of the research, standard operating procedures are guidelines for health workers in carrying out medical actions and services to patients, so that services can be carried out measurably, consistently, and in accordance with professional standards. The existence of this standard procedure contributes to preventing violations of patients' rights and minimizing the risk of service errors. [14] In addition to preventive legal protection, the complaint mechanism and the enforcement of professional discipline are a form of repressive legal protection. The results of the study show that the mechanism has been provided by the hospital as a means for patients to submit complaints about the services received and as an instrument for handling if there are alleged violations by health workers. The existence of this mechanism shows that the system of protecting patients' rights is not only oriented towards prevention, but also on solving health service problems. [15] In the context of health service relationships in hospitals, patients can also be seen as recipients of health services. In this perspective, patients have the right to recover if they suffer losses due to negligence or errors in medical services. Although no legal disputes have been found in this study related to compensation claims, the mechanism is conceptually part of the repressive legal protections available in the health legal system. [16] Overall, this discussion shows that legal protection of patient rights at Meuraxa Hospital has been implemented through a combination of preventive and repressive mechanisms in the implementation of health services. These findings reflect an effort to align health law norms and health service practices in the context of regional general hospitals.

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CONCLUSION

This research shows that the fulfillment and legal protection of patients' rights in health services at Meuraxa Hospital has in principle been implemented. Patients' rights to information, consent to medical procedures, privacy, and health services according to standards have been implemented in service practice. Legal protection of patients' rights is carried out through preventive mechanisms in the form of the implementation of standard operating procedures and repressive mechanisms through the provision of complaint facilities and the enforcement of professional discipline. These findings show that the protection of patients' rights has been integrated into the hospital service system and contributes to improving the quality and

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