

ABSTRACT

BALQIS WASLIATI, 2017 Legal Protection Against Patients Users Medical Service Hospitals Experiencing Violations of Operational Standards Informed Consent Procedures Medical Measures, Supervised by Prof. Dr. H. Faisal Santiago, S.H, M.M as Supervisor and Prof. Dr. Zudan Arif Fakhrulloh, S.H, MH as Co Supervisor.

The research problem is why patients using medical services in hospitals may experience breach of operational standard procedure of informed consent of medical action, how the implementation of legal protection to patient of a hospital hospital service which violation of operational standard procedure informed consent of medical action and how protection model law against patients who use Hospital medical services who have violated the standard operational procedures informed consent of medical treatment.

The research object focused on the legal protection of hospital users who had violated the standard of procedure of informed consent of medical procedure based on Law No.8 Year 1999 on Consumer Protection, Law No.29 of 2004 on Medical Practice, Law No. 36 Year 2009 about Health and Law Invite-no. 44 Year 2009 on Hospital.

This research is done by juridical normative and juridical empirical approach. Normative juridical research is intended to discuss problems and legislation as a tool. Field studies are useful in collecting primary data through interviews.

The result of the study was found that the patient of the hospital service user could have violated the operational standard procedure of informed consent because the lack of good communication between the doctor and the patient so that the patient is not understood by the doctor or the medical staff when the therapeutic engagement takes place. Implementation of patient's legal protection can be done by mediation between patient and medical personnel, lodge complaints against doctors / dentists suspected of negligence MKEK (Medical Ethics Council of Honor) or MKDKI (Honorary Council of Indonesian Medical Discipline), or report civilian health workers to court and when it is found that the element of intent may file a criminal complaint. Legal protection model for hospital users who have violated the standard of operational procedure of informed consent procedure of medical treatment is a socio-religiocultural model that is communication between the parties between the medical staff and the patient by way of deliberation to solve the problem outside the court of the courts to reconcile according to religious and custom orders apply within the community.

Keywords: Legal protection, *informed consent*