

ABSTRACT

Wijoyo Hadi Mursito, **LEGAL PROTECTION OF PATIENTS FOR CERTAINTY TO PERFORM SURGERY THAT HAVE PERFORMED MEDICAL CONSENT (INFORMED CONSENT) FOR HEART SURGERY AT INDONESIAN**, under the guidance of Prof.Dr. Abdullah Sulaiman, SH, MH As Promoter and Dr. Megawati Barthos, SH, MM As Co-Promoter.

Referring to the legal actions of patients if they are associated as consumers who have been regulated in laws and regulations have the right to all information on actions taken by doctors, the question also arises for doctors whether in practice every medical health service permits or allows patients to always ask for medical approval for what is done by doctors or medical personnel including before the operation process or after the operation period is over. The problems studied in this dissertation are 1) How are the legal arrangements for medical action consent (informed consent) for heart surgery at the Indonesian? 2) How is the implementation of informed consent for heart surgery at the Indonesian? 3) How is the legal protection for patients to undergo surgery who have carried out informed consent for heart surgery at Indonesian?

Based on the problems studied, this type of research is a normative legal research method. The approach method-used in this research is legal sociology. While the legal theory used is the theory of legal certainty, agreement theory, progressive law theory and legal protection theory.

Based on the results of the research conducted, it was found that the legal arrangements for medical action consent (informed consent) for heart surgery at the Gatot Soebroto Army Hospital were very clearly mandated in Law no. 36 of 2009, Government Regulation no. 32 of 1996, Law no. 29 of 2004 and Law no. 8 of 1999. Legal protection for patients involved in informed consent in surgery, lies in the respective responsibilities of rights and obligations. In the event of a difference of opinion between the doctor and the patient regarding the medical action to be performed, in practice the doctor is fully aware of the patient's right to self-determination, and that the doctor is only a facilitator seeking healing for the patient himself.

Keywords: Legal Protection, Patients, Informed Consent