

Patient Protection in the Health Service System Based on Law Number 17 of 2023 Concerning Health

Agung Suhirman¹, Imam Ropii²

¹ University of Wisnuwardhana Malang, Indonesia; agungsuhirman314@gmail.com

² University of Wisnuwardhana Malang, Indonesia; ropii@wisnuwardhana.ac.id

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ABSTRACT

This study aims to analyze the implementation of patient protection in the health service system based on Law Number 17 of 2023 concerning Health. The method used is a normative method, with a study approach to applicable legal norms through literature studies in the form of books, journals, and the latest official regulatory documents. The analysis was carried out systematically to understand the substance, implications, and effectiveness of the provisions of the law in protecting patients' rights. The results of the study show that Law Number 17 of 2023 provides a strong legal basis in guaranteeing patients' rights to information, approval of medical procedures, and quality health services. However, the implementation of patient protection still faces various obstacles such as a lack of understanding of medical personnel and health facility managers regarding the new rules, limited resources, and a complaint mechanism that is not optimal. The active role of medical personnel and health institutions is crucial in implementing this protection, especially through the application of professional standards, effective communication with patients, and strict supervision. Strategic efforts identified include increasing socialization and education, strengthening accountability, utilizing information technology, developing an organizational culture that respects patients' rights, and strengthening cross-sector cooperation. The implementation of these measures is expected to improve the quality of safe, fair, and sustainable health services, while increasing public trust in the national health system.

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Corresponding Author:

Fenti Maya Sari

University of Wisnuwardhana Malang, Indonesia; fenti24sari@gmail.com

1. INTRODUCTION

The development of the health service system in Indonesia has undergone significant changes in line with the enactment of Law Number 17 of 2023 concerning Health. This regulation establishes a new legal framework that regulates various aspects of health services, including the protection of

patients as the main beneficiaries of medical services. However, in practice, there are still a number of obstacles and challenges that hinder the optimization of patient protection, such as the imbalance between patients' rights and obligations, as well as the lack of understanding of health workers towards the new regulations. This phenomenon poses a risk of violating patients' rights which can have negative implications for the quality of service and public trust in health institutions (Abdurrohman et al., 2024).

The condition of health services in the field shows that patients often experience discrimination, lack of clarity of information, and even the risk of malpractice due to weak implementation of protection rules. Case reports prove that patient protection enforcement is far from ideal, especially in terms of transparency, the right to correct information, and fair treatment. In addition, the complexity of the health administration system and the difference in resources in different regions also have an impact on the uneven protection of patients, which ultimately leads to dissatisfaction and insecurity in obtaining health services (Amalina et al., 2024).

The existence of Law Number 17 of 2023 actually provides a more detailed and strong legal foundation to guarantee patients' rights in the health service system. However, making good rules is not enough without a deep understanding and consistent implementation in the field. This raises an urgent need to assess the effectiveness of the implementation of the law, especially in ensuring comprehensive protection for patients at various levels of health care. Aspects of health institution compliance, awareness of medical personnel, and the role of supervisors are crucial things that must be studied in depth in order to realize optimal patient protection (Astuti & Savitri, 2025).

Another challenge that arises is the need for a responsive and adaptive mechanism in responding to patient complaints and resolving health service disputes. Often patients are unable to access the complaint line or do not get a proper response to their complaints. This condition underscores the urgency of research that focuses on the effectiveness of patient protection based on the latest legislation. This research seeks to understand the various obstacles and opportunities that exist in implementing patient protection and how these legal instruments are able to provide real solutions to health service problems in Indonesia.

The purpose of this study is to analyze the implementation of patient protection in the health service system based on Law Number 17 of 2023 concerning Health. This study focuses on mapping barriers, supporting factors, and strategic recommendations related to strengthening patient protection so that health service standards that meet patients' constitutional rights can be realized comprehensively and sustainably throughout Indonesia.

2. METHODS

In this study, the research method used is a normative method. The normative method is a research approach that focuses on the study of applicable legal norms, including laws, regulations, and legal principles that govern a particular field. The researcher collected data from relevant legal sources, including health law textbooks, academic journals that discuss patient protection and legal aspects of health services, as well as official documents such as Law Number 17 of 2023 and its implementing regulations. This secondary data was selected to obtain a normative picture of the provisions of legislation and the development of the literature that discusses patient protection in the health care system.

Data analysis in this study uses content analysis techniques that systematically examine the content of regulations and literature to understand the substance, consequences, and legal implications for patient protection. The analysis process is carried out by deciphering, comparing, and interpreting the content of legal documents and related academic writings in order to evaluate the effectiveness of patient protection provisions in the new health law. The focus is not only on existing norms, but also how these norms can be applied to improve the health service system and ensure maximum patient rights.

3. FINDINGS AND DISCUSSION

Legal Provisions in Law Number 17 of 2023 concerning Patient Protection

Law Number 17 of 2023 concerning Health pays great attention to patient protection as an integral part of the national health service system. This regulation emphasizes that patients are the main subjects who must be guaranteed their rights during the service process. Patients' rights include the right to obtain clear, correct, and easy-to-understand information about their health conditions and medical measures to be taken. These provisions are intended to ensure that patients can actively participate in decision-making regarding medical actions concerning them. The articles that regulate this show that health services should not be one-sided, but must be based on transparency, honesty, and respect for patient autonomy (Butar & Yusuf, 2024).

The aspect of legal protection for patients also includes guarantees for the quality of services provided in accordance with professional standards and medical needs. Patients have the right to receive safe, quality, and non-discriminatory services in any form. Every medical action must be carried out by competent and responsible health workers in accordance with the expertise and professional code of ethics. The application of these standards reflects the moral and legal responsibility of health workers in maintaining patient safety. This provision strengthens the position of patients as a party protected by the state from any form of negligence, procedural errors, or ethical violations in medical practice.

The patient's right to give consent or refuse medical procedures is also strictly regulated. Patients have the authority to determine whether a medical procedure will be performed, except in emergencies or situations that endanger the community, such as infectious diseases that have the potential to cause an outbreak. This arrangement is a form of respect for human rights, especially the right to the body and personal integrity. The provision regarding informed consent not only functions as an administrative procedure, but also as a form of respect for human dignity in the context of health services. Patients are given the space to understand the risks and benefits of a medical procedure before expressing consent (Christanto et al., 2024).

Patient obligations are also an important part of the legal protection system regulated in Law Number 17 of 2023. Patients are required to provide honest, accurate, and complete information about their health conditions so that medical personnel can determine the right diagnosis and therapy. Compliance with doctors' recommendations and health facility regulations is an element that supports the success of medical services. The existence of patient obligations shows that there is a balance between rights and responsibilities, so that the relationship between patients and health workers is harmonious and mutually respectful. This effective two-way relationship is expected to increase trust and optimal service results.

The health service system regulated in the law also requires adequate support of health resources. The central and regional governments have the responsibility to ensure the availability of facilities, health workers, and sufficient financing to ensure patient protection. The availability of health infrastructure, equitable distribution of medical personnel, and a transparent financing system are interrelated factors in efforts to achieve fair and equitable health services. This regulation affirms that patient protection cannot be realized without consistent policy support from all levels of government (Frederico et al., 2024).

The aspect of supervision and dispute resolution is an important element in the implementation of patient protection. Health care facilities are prohibited from refusing patients, especially in life-threatening emergencies. A complaint mechanism is provided so that patients have access to submit complaints and obtain a fair settlement. This process reflects the state's commitment to justice and accountability in public services. The delegation of authority from medical personnel to other health workers is also strictly regulated, so as not to pose a risk to patient safety and maintain professional standards.

The implementation of the provisions in Law Number 17 of 2023 emphasizes that patient protection is a fundamental aspect in the development of the national health system. This regulation

serves not only as a legal basis, but also as a moral guideline that guides health workers, service facilities, and the government in carrying out their responsibilities. Higher service standards, measurable accountability, and an effective supervisory system are expected to build public trust in the world of health. Strong patient protection is an important pillar for the creation of humane, safe, and equitable health services for all Indonesian citizens (Ginanjari & Syam, 2025).

Obstacles to the Implementation of Patient Protection in Health Service Facilities

The implementation of patient protection based on Law Number 17 of 2023 concerning Health still faces various obstacles that are quite complex, especially at the implementation stage in the field. One of the main obstacles lies in the low level of socialization and understanding of this new regulation among medical personnel and health facility managers. Many health workers have not been adequately briefed on patients' rights as provided for by law, including the right to medical information, the right to consent to action, and the right to fair and dignified treatment. This condition has led to many health services not fully integrating the principles of patient protection into their daily practices. The implementation of protection is often limited to administrative formalities without a deep understanding of the substantial meaning of the patient's rights themselves. As a result, communication between medical personnel and patients has become less open, and patient trust in the health service system has decreased (Indina, 2024).

The unpreparedness of the administrative system and infrastructure of health facilities is also a major obstacle in realizing effective patient protection. Many health facilities, especially in regions, still face limited human resources, information technology facilities, and standard operating procedures that have not been integrated with patient protection provisions. The absence of an adequate system makes the implementation of services often not in line with the mandate of the law, thus creating a gap between legal norms and field practice. Healthcare services that have not been fully digitized also slow down access to patient data, complicate medical documentation, and increase the risk of administrative errors. In situations like this, patients often do not get consistent services according to legal standards, and even experience difficulties when they want to take the complaint route against violations of their rights.

The weak patient complaint mechanism is one of the crucial points that hinders the effectiveness of legal protection. Most health care facilities do not have an easily accessible, transparent, and responsive complaint system. Many cases of patient complaints are not resolved completely because there is no special unit that functions to handle these problems professionally and fairly. The long, convoluted, and unbiased dispute resolution process has caused the public's distrust of health institutions to increase. In these conditions, many patients choose not to pursue complaints because they are concerned about adverse social and administrative repercussions. The weakness of this complaint mechanism indicates that there is still a gap between regulation and its implementation in the field, so that patients' rights guaranteed by law have not been truly protected (Japar et al., 2024).

Concerns and psychological pressures experienced by medical personnel are also serious obstacles in the implementation of patient protection. Many medical personnel feel they are in a vulnerable position due to the high risk of lawsuits, especially related to alleged malpractice. This situation encourages the emergence of defensive behavior in medical practice, where medical personnel are more cautious and even avoid difficult cases to avoid potential lawsuits. This condition has the potential to reduce the quality of service and hinder open communication between patients and doctors. Lengthy and complicated legal processes often do not provide a sense of security for medical personnel, especially if there is no strong legal support from health institutions. This imbalance between legal protection for patients and medical personnel creates tension in the professional relationship between the two, thus disrupting the health service climate that should be oriented towards patient safety and welfare.

Weaknesses in the supervision and law enforcement system are also factors that worsen the situation of patient protection implementation. Supervisory agencies and law enforcement officials in the health sector have not shown maximum effectiveness in ensuring compliance with regulations. Many violations of patients' rights are not strictly acted upon, either due to limited supervisory

resources or because there are no technical regulations derived from the law. This lack of operational guidelines causes the implementation of supervision to be non-uniform between regions and between health institutions. When violations are not responded to quickly and fairly, the public's sense of justice is harmed. Indecisiveness in law enforcement ultimately weakens the credibility of the national health system and makes patients' rights increasingly vulnerable to being ignored (Kesuma, 2024).

The gap in the quality of health services between regions also adds to the complexity of the implementation of patient protection. The difference in the availability of resources, facilities, and medical personnel between urban and rural areas creates inequalities in the implementation of patient protection standards. In many remote areas, patients often face difficulties in accessing healthcare services that meet national standards due to limited infrastructure and the competence of health workers. The uneven distribution of specialist doctors, medical device facilities, and inefficient referral systems hinder the implementation of patient protection as a whole. This inequality shows that patient protection still cannot be applied equally throughout Indonesia, even though the main purpose of Law Number 17 of 2023 is to ensure justice and equality for every citizen to obtain safe, quality, and humane health services (Fadillah & Sewu, 2025).

The Role of Medical Personnel and Health Institutions in the Implementation of Patient Protection

The role of medical personnel in the implementation of patient protection as mandated by Law Number 17 of 2023 concerning Health has a very vital position. Medical personnel are at the forefront of providing quality, safe, and equitable health services. Their duties are not only limited to curing illnesses, but also include moral and legal responsibilities to ensure patients' rights are met. Every medical procedure carried out must be based on professional standards, standard operating procedures, and uphold medical ethics. The implementation of these principles creates a balance between the authority of medical professionals and the right of patients to receive transparent and safety-oriented services. The implementation of this obligation emphasizes that medical personnel are an important part of realizing a patient-centered health system (Makarim & Wijayanto, 2024).

The communication aspect is the core of patient protection carried out by medical personnel. Patients have the right to clear, complete, and easy-to-understand information about their health conditions, including diagnosis, treatment plans, and risks that may arise from medical measures to be taken. The process of submitting this information is referred to as informed consent and is the main requirement in the implementation of medical measures. When the medical personnel provide adequate explanations, the patient can make conscious decisions without pressure. Providing honest and open information fosters trust between patients and health workers. Relationships based on mutual respect contribute greatly to the success of therapy and the sustainability of quality services (Wijayanto & Sriharini, 2024).

Health institutions such as hospitals, clinics, and health centers have a big responsibility in ensuring that the implementation of patient protection runs in accordance with regulations. Health institutions are tasked with providing a safe working environment for medical personnel and decent service facilities for patients. The existence of an internal supervision system, service quality audit, and risk management are important instruments in supporting the creation of professional services. Hospitals are also required to ensure that all medical personnel understand and comply with professional standards, codes of ethics, and applicable service guidelines. The application of the principle of accountability is carried out through good recording and documentation of each medical action to facilitate tracing in the event of legal problems or suspected negligence (Naurah et al., 2024).

The legal responsibility of hospitals is expressly regulated in Article 193 of Law Number 17 of 2023 which affirms the principle of vicarious liability. This means that health institutions can be held accountable for actions taken by medical personnel under their supervision in the event of negligence or violation of procedures. This provision places the hospital as a legal entity that not only functions as a service provider, but also as a protector for the rights of patients. The application of these principles encourages health institutions to tighten supervision mechanisms, improve reporting systems, and

strengthen the role of risk management in preventing violations of patients' rights. This effort is a concrete form of legal protection for people who rely on health services as a basic right.

The quality of patient protection is highly dependent on collaboration between medical personnel and health institutions. These two elements must complement and coordinate with each other in developing service protocols that place patients' rights as a top priority. Medical personnel are required to be proactive in communicating empathetically to patients and their families, while health institutions must provide periodic training so that medical personnel are always aware of the latest developments in regulations, medical technology, and professional ethics. This coordination not only creates more efficient services, but also strengthens the internal supervision system so that any potential violations can be detected early (Riyanto & Ratnawati, 2024).

Health institutions also play a major role in providing legal protection to medical personnel who have carried out their duties professionally. Medical personnel often face legal risks due to the misunderstanding of patients or patients' families regarding the results of medical procedures. In this situation, health institutions and the government have an obligation to provide legal assistance, consultation, and mediation so that dispute resolution can be carried out fairly and proportionately. The protection of medical personnel who work according to procedures will create a sense of security in carrying out their duties, while encouraging higher professionalism and responsibility. Fair treatment of medical personnel is part of the balance of the protection system between patients and service providers (Salima et al., 2025).

The implementation of the role of medical personnel and health institutions in the implementation of patient protection requires sustained collective awareness. Every party in the health care system must understand that patient protection is not only a legal obligation, but also a form of respect for human values. Evaluation of service quality, improvement of the competence of medical personnel, and transparency in every service process must be carried out consistently. When medical personnel, health institutions, and the government work in harmonious synergy, the main goal of Law Number 17 of 2023, which is the realization of safe, quality, and equitable health services for all Indonesian people, can be achieved in a real and sustainable manner.

Strategic Efforts to Improve Patient Protection Effectiveness

Strategic efforts to increase the effectiveness of patient protection as mandated in Law Number 17 of 2023 concerning Health require planned, comprehensive, and sustainable steps from various parties involved in the health service system. Socialization and education are the main foundations to ensure a uniform understanding between medical personnel, health facility managers, and the community as service recipients. Accurate information about patients' rights and obligations should be systematically provided through seminars, training, and workshops at various levels of health services. Educational materials need to be prepared based on the context of medical services, involving a communication approach that is easy to understand by the general public so that legal awareness in the health sector is increasing. The use of mass media and digital platforms is an effective means of expanding the reach of information, especially in the era of digital transformation which demands openness and active participation of all elements of society (Setianari et al., 2025).

The role of medical personnel as the spearhead of health services must be strengthened through continuous training that focuses on improving professional competence and understanding of medical ethics. This continuing education not only emphasizes technical skills, but also deepens an understanding of the legal aspects and patient rights in medical practice. This kind of training program can be carried out periodically by professional organizations, teaching hospitals, and accreditation institutions. Health law provision for medical personnel will help prevent violations of patients' rights due to ignorance or administrative errors. Increasing professional awareness through systematic training will strengthen the service culture oriented towards patient safety and minimize the potential for legal disputes in the future (Supraba et al., 2025).

The supervision and accountability system in health services must be strengthened through the implementation of firm and measurable operational standards. Healthcare facilities need to have a clear reporting mechanism that is easily accessible to patients and patients' families. The complaint

mechanism must be accompanied by a transparent follow-up system so that every complaint can be resolved fairly. Health supervisory institutions at both the central and regional levels need to carry out active supervision functions, not only waiting for reports of violations, but also conducting regular inspections of patient protection standards. The role of independent institutions in overseeing the implementation of regulations needs to be expanded to ensure that the evaluation process runs objectively without the intervention of certain interests. Transparency in the enforcement of accountability will strengthen public trust in the national health system (Wahyudiono et al., 2024).

Information technology has great potential in strengthening patient protection at all levels of healthcare. The implementation of electronic medical records that are integrated between hospitals and healthcare facilities allows the management of patient data to be more efficient, accurate, and well-documented. The use of this digital system also simplifies the communication process between medical personnel and accelerates service coordination. Data security is an aspect that should not be ignored, because medical information is part of the patient's privacy rights protected by law. Cybersecurity arrangements and information access policies must be strictly implemented to prevent data leakage or misuse. Modern health technology, if applied appropriately, can improve the quality of services while strengthening the legal aspects of patient protection (Supraba et al., 2025).

An organizational culture that places patient protection as the highest priority must be built in every healthcare institution. The formation of this culture begins with managerial leadership that instills the values of integrity, transparency, and concern for patient safety. Hospitals and clinics must have clear risk management policies, internal quality audit systems, and routine evaluation mechanisms to assess the effectiveness of services. Every health worker needs to be involved in the evaluation process in order to create a sense of shared responsibility for the quality of service. Psychological support for medical personnel also needs to be considered because high work pressure can affect performance and quality of interaction with patients. Improved well-being and a healthy work environment will have a direct impact on improving patient protection in the field (Venia et al., 2024).

Cross-sector collaboration is a key strategy in strengthening the effectiveness of patient protection. The government, educational institutions, professional organizations, and health service facilities must work together to develop technical policies that are oriented towards patients' rights. Universities and health research institutions can play a role in developing educational curricula that include patient protection aspects as part of key learning. Professional organizations are expected to be strategic partners of the government in developing competency standards and codes of ethics that are relevant to the development of health law. This collaboration not only creates uniformity of standards, but also encourages the formation of systems that are adaptive to new challenges such as digitalization, globalization of health services, and changes in people's behavior (Wahyudia Putri, 2024).

Improving the effectiveness of patient protection requires a long-term commitment involving all elements of the health system. Periodic evaluations of the implementation of Law Number 17 of 2023 need to be carried out to assess the extent to which the policy has run according to public expectations. Each evaluation result must be used as a basis for improvement so that the health service system is more responsive to patient needs. Transparency in reporting, community empowerment as social supervisors, and the integration of technology that supports patient safety are foundations that must be maintained. When all health components are able to work harmoniously, patient protection is not only a legal slogan, but is realized as the reality of quality, fair, and humanitarian-oriented health services (Wahyudia Putri, 2024).

4. CONCLUSION

Patient protection in the health service system based on Law Number 17 of 2023 provides a strong legal basis to guarantee patients' rights, including the right to information, consent, and quality services. However, its implementation faces various obstacles such as a lack of understanding of medical personnel, limited health facility resources, and a complaint mechanism that is not optimal.

The role of medical personnel and health institutions is essential in implementing these safeguards through professional standards, clear communication with patients, and strict supervision. The strategic efforts needed include increasing socialization, strengthening accountability mechanisms, utilizing information technology, developing an organizational culture that respects patients' rights, and effective cross-sector cooperation. This aims to create safe, fair, transparent, and sustainable health services in order to increase public trust in the national health system.

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