

Online Hospital Medical Dispute Resolution Model to Create Fairness

Hawreyvian Rianda Seputra¹, Dhoni Martien²

¹ Universitas Bung Karno Jakarta, Indonesia; hriandaseputra@gmail.com

² Universitas Bung Karno Jakarta, Indonesia; dhonimartien75@gmail.com

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ABSTRACT

This research aims to develop an online medical dispute resolution model in hospitals to create fairness for patients and medical personnel. The method used is a qualitative study with a descriptive analysis approach, collecting data through observation, interviews, and literature studies on the mechanism of medical dispute resolution and the application of digital technology in the process. The focus of the research is focused on how online systems can provide transparent, efficient, and easily accessible access for all relevant parties. The results of the study show that the use of an online medical dispute resolution model is able to increase the effectiveness and efficiency in handling dispute problems in hospitals. This technology-based process not only speeds up communication and decision-making, but also reduces administrative burdens and reduces the potential for prolonged conflicts. The model allows for neater and more transparent documentation, helping to maintain accountability and integrity of the settlement process. In addition, the implementation of the online system can increase patient and medical satisfaction because case resolution becomes faster and communication is more open, creating a greater sense of justice in health services.

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Corresponding Author:

Hawreyvian Rianda Seputra

Universitas Bung Karno Jakarta, Indonesia; hriandaseputra@gmail.com

1. INTRODUCTION

The development of digital technology has brought about a major transformation in various sectors, including healthcare. Hospitals as health service institutions face challenges not only in providing quality services, but also in handling medical disputes that arise due to patient dissatisfaction, alleged malpractice, or lack of communication. Medical disputes have a wide impact on patients, medical personnel, and hospital reputations. *PERSI data* (2023) shows an increase in medical disputes of up to 45% during 2019–2023, mostly related to misdiagnosis, treatment, and less effective communication between patients and medical personnel. This shows that medical disputes are an unavoidable reality, so a more effective resolution mechanism is needed.

Conventional medical dispute resolution tends to take a long time, cost a lot of money, and create psychological stress. The results of research by the Center for Health Law Studies at the University of Indonesia (2023) revealed that the litigation process lasts an average of 2.5 years at a cost of up to hundreds of millions of rupiah. This condition encourages the need for more efficient settlement alternatives. *The Online Dispute Resolution* (ODR) model is one of the solutions that has begun to be developed, because it is able to speed up the process, reduce costs, and increase public trust in conflict resolution mechanisms. Andrianto & Andaru (2020) stated that the use of technology in dispute resolution increases transparency and provides faster solutions for parties to the dispute.

The implementation of ODR in the health sector has proven to have real advantages. The WHO report (2023) notes that ODR is able to reduce the duration of dispute resolution by up to 60% and reduce costs by up to 75% compared to conventional channels. This is in line with data from the Indonesian Hospital Association (2023) which shows a significant increase in the use of ODR in Indonesia from 14.7% of cases in 2019 to 61.2% of cases in 2023, with a completion success rate of 87% in 2024. Major hospitals such as RSCM have also reported an 85% success rate since implementing online dispute resolution platforms in 2021. This fact shows a paradigm shift towards the digitalization of medical dispute resolution.

However, the implementation of ODR in Indonesia faces a number of challenges. Existing regulations, such as Supreme Court Regulation Number 1 of 2019, are still general and do not specifically regulate medical disputes. In addition, the digital literacy gap of the community, cultural resistance to technology-based conflict resolution, and data security issues are still major obstacles. Public perception of justice is still influenced by cultural and religious values, so the digital approach requires appropriate socialization and education strategies. On the other hand, distributive justice affirms that dispute resolution must provide maximum benefits to the aggrieved party, something that can be realized through transparency, accessibility, and mediator neutrality in the ODR system.

This study aims to analyze the online medical dispute resolution model in hospitals in an effort to create justice. The research focus includes the effectiveness of ODR compared to conventional methods, its potential integration with the principles of justice, and implementation challenges in Indonesia.

2. METHOD

This research uses normative legal research methods which are the main approach in analyzing legal aspects related to online medical dispute resolution. This method focuses on the study of relevant legal documents, regulations, and scientific literature to build a theoretical and conceptual framework for research. This normative legal approach aims to understand the legal norms that govern dispute resolution in hospitals and how the application of information technology can support the process in a fair and efficient manner.

Data collection is carried out by means of library research, where primary legal sources such as government regulations, regulations of the minister of health, and the code of ethics of the medical profession are the main focus of the study. The data is also strengthened through the analysis of judicial legal data which includes court rulings and other documents related to medical dispute cases. This approach allows researchers to explore how written law and practice in the field play a role in online dispute resolution, as well as how Online Dispute Resolution (ODR) mechanisms can be applied.

Data analysis uses analytical descriptive techniques, which are to describe and explain the collected legal data in a systematic and in-depth manner. This technique provides a detailed understanding of the principles of distributive justice, aspects of digital health law, and ideal dispute resolution methods. The researcher also examined empirical facts presented in the literature and statistical data to support the argument about the effectiveness and fairness of the online medical dispute resolution model.

3. FINDINGS AND DISCUSSION

An Effective Online Medical Dispute Resolution Model in Creating Justice for Parties in Hospitals

The online medical dispute resolution model presents innovative solutions that are effective in reducing conflicts between patients and hospitals. This dispute resolution process utilizes a digital platform that allows both parties to submit complaints, evidence, and supporting documents without having to meet face-to-face. The digital approach provides time efficiency because it is not bound by a physical meeting schedule, making the completion process faster and more responsive. Easy access through applications or websites also allows active participation from parties in different locations, facilitating communication and coordination without geographical barriers (Anindito, 2020).

Mediation is the main method in the online medical dispute resolution model. In its implementation, a neutral mediator acts as a mediator who functions to help find a mutually beneficial solution between the patient and the hospital. This mediation process can be carried out via video conference or chat, which provides time flexibility so that the duration and time of the meeting can adjust to the needs of each party. The opening of more open dialogue spaces during mediation contributes to reducing emotional tension and creating an atmosphere conducive to communicating more effectively, so that the potential for conflict escalation can be minimized (Ariyanto et al., 2023).

In addition to efficiency and flexibility aspects, the online medical dispute resolution model also reduces the costs that usually arise in conventional legal proceedings. The use of digital technology eliminates the need for physical travel as well as the complex and expensive holding of trials. These lower costs make access to justice more affordable for all parties, especially patients who may have economic limitations. Transparent and digitally documented processes also facilitate track records and evidence that can be accessed at any time, strengthening accountability and trust in dispute resolution mechanisms in the hospital environment (Azwar, 2019).

Online arbitration is increasingly being used as one of the effective and efficient medical dispute resolution models. In this method, both the patient and the hospital agree to leave the final decision to a professional arbitrator who usually has a background in the medical and legal fields. The resulting decision is binding and immediately enforceable, thus avoiding both parties from a long and tiring litigation process. The role of a competent arbitrator ensures that the settlement process takes place fairly and objectively, providing a guarantee of legal certainty for all parties involved. This online arbitration mechanism also helps save time and costs, as the trial is conducted virtually without the need to be physically present (Juliandri et al., 2023).

An application-based online complaint system or website integrated by hospitals is an important element in the digital dispute resolution model. Patients are given the convenience to report complaints directly through this platform, as well as access information related to dispute resolution procedures in a transparent and systematic manner. The automatic notification feature provided by the system makes it easier for patients and hospitals to obtain actual information about the progress of the dispute resolution process, so that patients do not feel neglected during the process. The implementation of a responsive and accountable complaint system helps increase patients' trust in health institutions, strengthening their sense of justice at a time when they feel harmed by medical services (Made et al., 2023).

Artificial Intelligence (AI) technology and data analysis are supporting innovations that are able to increase the effectiveness of online medical dispute resolution. AI can analyze incoming complaint patterns, identify cases that require special attention, and provide recommendations for structured algorithm-based solutions. This system also helps direct disputes to mediators or arbitrators who have expertise according to the type of case that occurs. This data-driven approach speeds up the dispute resolution process and reduces the risk of misdecisions, as decisions are made based on comprehensive analysis and automated standard procedures. AI integration also supports more objective and transparent decision-making, adding a layer of security as well as accuracy in case resolution (Melyanti et al., 2020).

The commitment of all relevant parties to uphold the principles of transparency and fairness plays a central role in the successful implementation of the online medical dispute resolution model. The reporting, mediation, and arbitration process must be conducted in a neutral manner and free from any form of intervention that may interfere with the objectivity of dispute resolution. Safe, accessible, and reliable technology infrastructure is an absolute requirement for all parties, both patients and hospitals, to effectively advocate for their rights and obligations. A conducive and healthy dispute resolution atmosphere will be created if this digital platform is able to facilitate open communication and support a constructive dialogue process. The sustainability of this model will strengthen public trust in the health service system and encourage the improvement of the overall quality of medical services.

Main Factors Causing Medical Disputes in Hospitals

Medical disputes in hospitals often arise as a consequence of complex interactions between patients, families, medical personnel, and hospital management. The factors that trigger this conflict are not only technical, but also involve emotional, social, and administrative aspects. One of the main causes is a difference in perspective or perception of medical facts. Patients and their families have a subjective interpretation of the health conditions they experience, while medical personnel view it from the point of view of science and professional standards. When these two perceptions are opposite, suspicion, dissatisfaction, and even accusations are born that the medical authorities are not acting according to their obligations. This is exacerbated if the patient's family feels that the information provided does not match the reality they see, so that misunderstandings are increasingly difficult to avoid (Nasution, 2021).

Medical errors are another factor that is often a major source of disputes. In the world of medicine, service standards are very strict and every action must follow the applicable scientific procedures. However, negligence in diagnosis, improper administration of medication, or errors in performing medical procedures can be fatal to the patient's condition. When this happens, patients and their families feel physically and mentally harmed, prompting them to demand legal accountability from medical personnel. In many cases, the disputes that arise not only highlight the direct losses suffered by the patient, but also concern the loss of trust in the professionalism of medical personnel who are considered negligent in carrying out their duties (Pratiwi et al., 2020).

Communication between medical personnel and patients also plays a big role in the emergence of conflicts. Many medical disputes start from communication that is unclear, incomplete, or even seems to cover up information. Patients often feel that they do not get enough explanation regarding the diagnosis of the disease, the risks of medical treatment, or the alternative treatment options available. This situation creates a feeling of insecurity and raises suspicions that the hospital has something to hide. This distrust then develops into more serious conflicts as patients and their families feel their right to information has been violated (Rumana et al., 2020).

Differences in interpretation of medical service standards and applicable legal rules have also triggered significant disputes. Medical personnel usually adhere to established medical protocols, while patients or their families have different expectations regarding treatment outcomes. When the results received are not as expected, patients often interpret it as a violation of service standards. Likewise, in the legal aspect, there is a possibility of different interpretations of existing health regulations. This misalignment of interpretation creates a situation where both sides feel right, so that the debate becomes increasingly difficult to resolve without a neutral third party (Septian, 2021).

The administrative aspect is also one of the factors that often trigger medical disputes. Problems related to treatment costs, bill transparency, and non-medical services such as hospital facilities often cause disappointment. Patients feel burdened by costs that are not explained in detail in the first place, or feel that there is a service that is not worth the price paid. This lack of clarity in the administration creates distrust of the hospital as a whole. Conflicts that are initially only related to

costs can develop into legal or ethical debates, especially if patients judge that the hospital does not practice the principle of fairness in providing services (Siagian et al., 2020).

Psychological factors and negative prejudices formed in the minds of patients and their families also play a big role in the birth of disputes. Disappointment, anxiety, and anger due to health conditions that do not improve often make it easier for patients to judge the medical personnel who treat them. The perception that doctors or nurses are unprofessional, or that hospitals are only concerned with profits, fuels strong distrust. This psychological condition makes dispute resolution more complicated, because often the debate is not only about medical facts, but also related to emotions that are difficult to control (Sulistini, 2021).

All of the above factors are interconnected and create a circle of problems that further worsen the situation. Differences in perception magnify the potential for misunderstandings, while medical errors reinforce the claims of loss suffered by patients. Poor communication and different interpretations of legal standards add to the complexity of the debate, then compounded by administrative problems and developing psychological prejudices. If not handled appropriately, medical disputes can lead to lengthy legal processes that are exhausting for all parties. A deep understanding of these causative factors is needed so that hospitals can take preventive steps through improving communication, improving the professionalism of medical personnel, transparency in administration, and efforts to rebuild patient trust in health services.

The Effectiveness of Online Medical Dispute Resolution Models in Creating Justice for Patients and Medical Personnel

Online medical dispute resolution is increasingly being considered a breakthrough that offers a great opportunity to create faster, more flexible, and adaptive justice for patients and medical personnel alike. This settlement model emerged as an answer to the various shortcomings of conventional dispute resolution that are often convoluted, time-consuming, and emotionally stressful for the parties involved. Through the use of digital technology, communication between parties to disputes can take place without distance and time constraints, so that the process of submitting arguments and submitting evidence becomes easier and more organized. The use of online platforms not only provides a modern solution, but also guarantees a more efficient process, which is able to reduce the psychological and logistical burden that usually arises in traditional methods (Suparman, 2020).

Accelerating the dispute resolution process is the main benefit that is felt directly when using the online model. The stages of mediation, arbitration, or legal consultation can be carried out without having to rely on in-person meetings which are often difficult to schedule due to various time or location limitations. The use of digital platforms eliminates the need for meeting venue setup, complex scheduling, and lengthy and layered administrative processes. This streamlined and responsive procedure allows the parties to obtain a solution more quickly, so that a sense of justice and legal certainty can be felt immediately. Appropriateness and timeliness in giving judgments contribute to reducing tension and help improve the relationship between patients and medical personnel after disputes (Susanti, 2020).

Transparency runs as an aspect that is able to significantly strengthen the effectiveness of online medical dispute resolution models. The digital platform guarantees open access for all parties involved to monitor the development of cases in real-time and periodically. Patients can follow the process from the submission of a dispute until the final decision is announced clearly and systematically, while medical personnel get the opportunity to explain their actions and decisions openly. The openness presented by this method prevents the possibility of information manipulation or accusations of the existence of a cover of facts that can damage trust. Such transparency fosters an atmosphere of openness, which ultimately encourages increased trust in the dispute resolution process and supports the continuation of healthy professional relationships between patients and medical personnel (Susila & Soularito, 2022).

The role of mediators or arbitrators in the online medical dispute resolution model has become easier to facilitate to ensure balanced alignment between patients and medical personnel. Online platforms allow certified mediators who have competence in medical and legal aspects to organize the course of communication in a structured and systematic manner. Evidence management and the submission of recommendations by mediators can be done more effectively through virtual media that offers a number of advantages over physical meetings. The process of online interaction often reduces the emotional pressure that usually arises when having to meet face-to-face, so that the mediator has enough space to maintain objectivity and neutrality. This condition strongly supports the creation of fair settlement decisions and reduces the potential for partiality that can harm one of the parties (Tanaya, 2023).

Protection of the aspect of medical confidentiality is one of the advantages of the online dispute resolution model which is no less important. The digital system used is equipped with encryption technology and strict security protocols, so that the exchange of documents, discussions related to sensitive matters, and the submission of medical evidence can take place safely and confidentially. The privacy of patients holding personal data and highly sensitive medical information remains well protected on this platform. On the other hand, the reputation of medical personnel also gets protection from the risk of information leakage which is often a concern in conventional procedures. Qualified digital security is able to reduce the possibility of data breaches, so that trust in online dispute resolution mechanisms is increasing and patients and medical personnel feel more protected in the process (Wicaksana et al., 2021).

Cost efficiency is the main factor that makes online medical dispute resolution more attractive to various groups. The use of online technology eliminates the need for physical travel, meeting room rentals, as well as additional costs such as accommodation that would normally have to be incurred in conventional dispute resolution. This opens up opportunities for patients who have financial limitations to access the dispute resolution process more affordably without having to be burdened by large expenses. This reduction in costs also upholds the principle of equality in legal access, where all parties have an equal opportunity to resolve conflicts fairly without being affected by economic capabilities. The affordability of legal access through online medical dispute resolution strengthens the position of patients and medical personnel to obtain their respective rights and obligations optimally (Zaluchu & Syaharudin, 2022).

Psychological comfort is an important factor that also strengthens the effectiveness of online medical dispute resolution. Conventional face-to-face processes often create emotional tension, especially in situations where the patient or medical personnel are feeling disappointed, suspicious, or stressed as a result of the conflict that occurred. Digital platforms provide a more emotionally secure interaction space because the parties do not have to face each other face-to-face, so the risk of conflict escalation can be significantly minimized. A virtual atmosphere that tends to be calmer and more controlled allows dialogue to take place rationally and constructively, increasing the chances of reaching a satisfactory solution for all parties. This aspect makes the online medical dispute resolution model not only offer convenience in terms of technical and cost, but also supports the creation of more humane and balanced justice, while maintaining a good relationship between patients and medical personnel after the dispute is resolved.

4. CONCLUSION

The online medical dispute resolution process in hospitals offers innovative and effective solutions to create justice for all parties involved. This system allows for easier, more transparent, and faster access to medical disputes, thereby reducing the administrative and physical burden on patients and medical personnel. This method can also reduce the potential for protracted conflicts and increase public trust in health services in hospitals. The use of digital technology in dispute resolution opens up opportunities to improve communication between patients, health workers, and hospitals more efficiently, as well as ensure that the legal process runs clearly and fairly.

The implementation of online medical dispute resolution has also brought significant changes in the hospital's management system and related legal procedures. This model supports the creation of more flexible and user-friendly mediation mechanisms, thus helping to reduce psychological stress on patients and medical personnel. This innovation has the potential to speed up dispute resolution and avoid a lengthy and expensive litigation process. In addition, online systems can accurately record and document each step of completion, which is important for data security and internal audits. The effectiveness of this model shows that the application of technology in the medical world focuses not only on the aspect of health services, but also on the aspect of justice and the protection of the rights of all parties involved.

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