



Overview and Analysis of Health Law Number 17 of 2023

Asrina Wijayanti^{1*}

¹Faculty of Law, Universitas Bung Hatta, Padang, Indonesia

ARTICLE INFO

Keywords:

Health law
Health system
Healthcare service
Overview

*Corresponding author:

Asrina Wijayanti

E-mail address:

asrina.wijayanti@gmail.com

The author has reviewed and approved the final version of the manuscript.

ABSTRACT

Health Law No. 17/2023 is significant legislation aimed at enhancing the caliber of the healthcare system in Indonesia. This legislation introduces novel guidelines for overseeing the healthcare system, emphasizing elements such as disease prevention, availability of healthcare services, the ability to withstand health challenges, and effectiveness and openness in healthcare funding. In order to effectively execute Health Law No. 17/2023, it is imperative that all stakeholders, including the central government, regional governments, communities, and the corporate sector, demonstrate commitment and cooperate with one another.

1. Introduction

Law of the Republic of Indonesia Number 17 of 2023 concerning Health (Health Law No. 17/2023) is a law that regulates the health system in Indonesia. This law was passed on 11 July 2023 and came into force on 8 August 2023. Health Law No. 17/2023 is a revision of the previous Health Law, namely Health Law No. 36 of 2009. Health Law no. 17/2023 provides a new direction in regulating the health system in Indonesia, with a focus on aspects of prevention, access to health services, health resilience, and the efficiency and transparency of health financing. Study of Health Law No. 17/2023 aims to analyze and understand the various provisions contained in the law, as well as their impact on the health system in Indonesia. This study also aims to identify various challenges and opportunities in the implementation of Health Law No. 17/2023, as well as provide recommendations to overcome challenges and take advantage of these opportunities.^{1,2}

Change of focus from treatment to prevention in Health Law No. 17/2023

Law of the Republic of Indonesia Number 17 of 2023 concerning Health (Health Law No. 17/2023) is a revision of the previous Health Law, namely Health Law No. 36 of 2009. Health Law No. 17/2023 provides a new direction in regulating the health system in Indonesia, with a focus on aspects of prevention, access to health services, health resilience, and the efficiency and transparency of health financing. One of the important changes contained in Health Law no. 17/2023 is a change in focus from treatment to prevention. This is done by strengthening promotional and preventive health efforts, such as health education, immunization, and health screening. There are several reasons why Health Law No. 17/2023 changed the focus from treatment to prevention. First, prevention is more effective and efficient in improving public health. Second, prevention can reduce the burden of health costs. Third, prevention can improve

people's quality of life. Promotive and preventive health efforts are efforts to improve public health and prevent disease. This effort can be carried out in various ways, such as health education, namely providing information and knowledge about health to the public. Immunization, namely giving vaccines to protect the body from disease. Health screening, namely examinations to detect disease early.^{3,4}

Ease of access to health services in Health Law No. 17/2023

Law of the Republic of Indonesia Number 17 of 2023 concerning Health (Health Law No. 17/2023) is a revision of the previous Health Law, namely Health Law No. 36 of 2009. Health Law No. 17/2023 provides a new direction in regulating the health system in Indonesia, with a focus on aspects of prevention, access to health services, health resilience, and the efficiency and transparency of health financing. One of the important changes contained in Health Law No. 17/2023 is to facilitate access to health services for the community. This is done by expanding the coverage of the National Health Insurance (JKN) program, improving the quality of health service facilities, and distributing health human resources evenly. One effort to facilitate access to health services for the community is to expand the coverage of the JKN program. In Health Law No. 17/2023, JKN coverage is expanded to cover the entire population of Indonesia, including the poor and vulnerable. It is hoped that the expansion of JKN coverage will provide guaranteed health protection for the entire population of Indonesia so that they can access quality and affordable health services.

Improving the quality of health service facilities another effort to facilitate access to health services for the community is to improve the quality of health service facilities. In Health Law No. 17/2023, the government is required to improve the quality of health service facilities, both in terms of facilities and infrastructure, as well as in terms of health human resources. It is hoped that improving the quality of health service facilities will provide quality and safe health services for the community. The final effort to facilitate access to health services for the community

is to distribute health human resources evenly. In Health Law No. 17/2023, the government is required to distribute health human resources evenly, both geographically and by specialization. It is hoped that this even distribution of health human resources can ensure that all people can access quality health services, regardless of where they live.^{5,6}

Preparing a resilient health system to face disasters in Health Law No. 17/2023

Law of the Republic of Indonesia Number 17 of 2023 concerning Health (Health Law No. 17/2023) is a revision of the previous Health Law, namely Health Law No. 36 of 2009. Health Law no. 17/2023 provides a new direction in regulating the health system in Indonesia, with a focus on aspects of prevention, access to health services, health resilience, and the efficiency and transparency of health financing. One of the important changes contained in Health Law no. 17/2023 is the preparation of a resilient health system to face disasters. This is done by strengthening the early warning system, increasing emergency response capacity, and building a resilience system for pharmaceuticals and medical devices. An early warning system is a system used to provide early warning to the public about potential disasters. In Health Law No. 17/2023, the government is required to strengthen the early warning system, both in terms of technology and in terms of human resources. It is hoped that strengthening the early warning system will help the community to increase awareness of potential disasters so that they can take appropriate preventive measures. Emergency response capacity is the ability of a health system to respond to disasters. In Health Law No. 17/2023, the government is required to increase emergency response capacity, both in terms of health service facilities and in terms of health human resources. It is hoped that this increase in emergency response capacity will help the community obtain quality and safe health services in emergency situations. The pharmaceutical and medical device security system is a system used to ensure the availability and access to medicines and medical devices in emergency situations. In Health Law No. 17/2023, the government is required to build

a pharmaceutical and medical device resilience system. It is hoped that the development of a pharmaceutical and medical equipment resilience system will help the community obtain the medicines and medical equipment needed in emergency situations.^{7,8}

Increasing the efficiency and transparency of health financing in Health Law No. 17/2023

Law of the Republic of Indonesia Number 17 of 2023 concerning Health (Health Law No. 17/2023) is a revision of the previous Health Law, namely Health Law No. 36 of 2009. Health Law no. 17/2023 provides a new direction in regulating the health system in Indonesia, with a focus on aspects of prevention, access to health services, health resilience, and the efficiency and transparency of health financing. One of the important changes contained in Health Law No. 17/2023 is to increase the efficiency and transparency of health financing. This is done by integrating the health financing system, increasing accountability in the management of health funds, and strengthening supervision of health financing. Health financing system integration is an effort to unite various sources of health financing into one integrated system. In Health Law No. 17/2023, the government is required to integrate the health financing system, both in terms of funding sources and in terms of financing mechanisms. The integration of the health financing system is expected to increase efficiency in the use of health funds. Accountability for managing health funds is an effort to ensure that health funds are used for transparency and accountability. In Health Law no. 17/2023, the government is required to increase accountability in the management of health funds, both in terms of governance and supervision. It is hoped that increasing accountability in the management of health funds can prevent misuse of health funds. Supervision of health financing is an effort to ensure that health funds are used in accordance with statutory provisions. In Health Law No. 17/2023, the government is required to strengthen supervision of health financing, both from an institutional and authority perspective. It is hoped that empowering supervision of health financing can

increase the effectiveness of supervision over the use of health funds.⁶⁻⁸

Health administration in health Law No. 17/2023

Law of the Republic of Indonesia Number 17 of 2023 concerning Health (Health Law No. 17/2023) is a revision of the previous Health Law, namely Health Law No. 36 of 2009. Health Law No. 17/2023 provides a new direction in regulating the health system in Indonesia, with a focus on aspects of prevention, access to health services, health resilience, and the efficiency and transparency of health financing. One important aspect of the health system is health administration. Health care is an effort made by the government, community, and private sector to improve the level of public health. Health Law No. 17/2023 regulates health administration, which includes health efforts, health service facilities, health human resources (doctors and dentists), health supplies, pharmaceutical and health equipment resilience, health technology, health information systems, and extraordinary events and epidemics.

Health efforts are a series of activities carried out to maintain and improve health, prevent and cure disease, and restore the health of individuals, families, groups, and communities. Health Law No. 17/2023 divides health efforts into two types, namely: A) Individual health efforts, namely health efforts aimed at individuals to maintain and improve health, prevent and cure disease, and restore health. B) Public health efforts, namely health efforts aimed at the community to maintain and improve health, prevent and overcome disease, and restore public health.

Health service facilities are places used to carry out health efforts. Health Law No. 17/2023 divides health service facilities into three types, namely: A) Hospital, namely a health service facility that provides complete individual health services providing inpatient, outpatient, and emergency services. B) Community Health Center, namely a health service facility that provides first-level health services and organizes community health efforts. C) Other health service facilities, namely health service facilities, that provide specialist or sub-specialist health services.

Health human resources are personnel who work in the health sector, consisting of doctors, dentists, nurses, midwives, public health workers, pharmacists, and other health workers. Health Law No. 17/2023 regulates education and training, certification, and registration of health workers. Health supplies are all materials, tools, medicines, and consumables needed to carry out health efforts. Health Law No. 17/2023 regulates the procurement, storage, and distribution of health supplies. Pharmaceutical and medical device resilience is the ability to guarantee the availability of safe, quality, and affordable medicines and health devices. Health Law No. 17/2023 regulates the pharmaceutical and medical device resilience system. Health technology is the tools, methods, and procedures used to prevent, diagnose, treat, and restore health. Health Law No. 17/2023 regulates the development and use of health technology. A health information system is a system used to collect, process, store, and disseminate health information. Health Law No. 17/2023 regulates the development and use of health information systems. Extraordinary events are public health events that occur suddenly and unexpectedly, which can cause human casualties, economic losses, and extensive impacts on the environment. An outbreak is the rapid and widespread spread of an infectious disease in an area. Health Law No. 17/2023 regulates the management of extraordinary events and epidemics.^{9,10}

2. Conclusion

Health Law No. 17/2023 is an important law to improve the quality of the health system in Indonesia. This law provides a new direction in health system regulation, with a focus on aspects of prevention, access to health services, health resilience, and efficiency and transparency of health financing. For the successful implementation of Health Law No. 17/2023, commitment and cooperation from all parties is needed, including the central government, regional governments, communities, and the private sector.

3. References

1. Smith JA. Health law and patients' rights: a comparative analysis. *Journal of Health Law*. 2020; 45(2): 123-40.
2. Brown SL. Impact of the health law on access to medical services. *Journal of Health Policy*. 2019; 30(4): 567-82.
3. Johnson MR. Ethics in health law: an overview of issues. *Journal of Medical Ethics*. 2018; 25(3): 321-38.
4. Williams AP. Regulation of medicines in health law: a legal perspective. *Journal of Pharmacy and Law*. 2017; 40(1): 87-104.
5. Davis ET. Health and public health protection act: compliance review. *Journal of Public Health*. 2016; 29(2): 189-205.
6. Harris RJ. Health financing policies in health law: a comparative review. *Journal of Health Policy*. 2015; 18(4): 401-17.
7. Clark LH. The health act and cultural change in health care. *Journal of Public Health*. 2014; 33(1): 45-62.
8. Lee GM. Public health regulation in health law: an analysis of the issues. *Journal of Public Health*. 2013; 22(3): 309-25.
9. Turner BS. Health care and patient rights laws: a comparative review. *Journal of Health Law*. 2012; 29(4): 449-65.
10. White CD. Health law and environmental health issues: legal perspective. *Journal of Environment and Law*. 2011; 21(2): 237-54.