

ABSTRAK

Sejak tahun 2020 sampai 2022, dunia dihebohkan dengan merebaknya penyakit jenis baru yaitu Corona Virus Disease (Covid-19) yang mengganggu kesehatan masyarakat dunia. Hal ini tentunya perlu diperhatikan bahwa tenaga kesehatan, baik dokter, perawat maupun tenaga administrasi rumah sakit perlu mendapat jaminan perlindungan hukum karena mereka rela mengabdikan dirinya untuk menjaga kesehatan masyarakat meskipun harus mengorbankan nyawanya. Dengan metode penelitian normatif, penulis mengkaji tentang perlindungan hukum serta jaminan kesehatan dan keselamatan kerja bagi tenaga kesehatan selama bertugas di masa pandemi Covid-19. Namun, faktanya belum ada peraturan yang mengatur secara spesifik tentang perlindungan hukum bagi tenaga kesehatan di masa pandemi Covid-19. Pemerintah hanya memberikan insentif dan santunan kematian kepada tenaga kesehatan yang termuat di dalam Kepmenkes Nomor HK.01.07/Menkes/278/2020 tentang Pemberian Insentif dan Santunan Kematian bagi Tenaga Kesehatan yang Menangani Covid-19. Padahal, dalam prakteknya pemberian insentif ini mengalami banyak kendala. Hal ini membuktikan bahwa pemerintah belum maksimal dalam memberikan perlindungan hukum bagi tenaga kesehatan di masa pandemi Covid-19. Sedangkan jaminan kesehatan dan keselamatan kerja bagi tenaga kesehatan telah diatur pada Peraturan Menteri Kesehatan Republik Indonesia Nomor 66 Tahun 2016 tentang Keselamatan dan Kesehatan Kerja Rumah Sakit. Adapun protokol tersebut telah diatur dalam Peraturan Menteri Kesehatan Nomor 27 Tahun 2017 tentang Pedoman Pencegahan dan Pengendalian Infeksi di Fasilitas Kesehatan.

Kata Kunci: perlindungan hukum, jaminan kesehatan, tenaga kesehatan, covid-19.

ABSTRACT

From 2020 to 2022, the world has been shocked by new type of disease, namely Corona Virus Disease (Covid-19), which is disrupting public health. This is important to note that health workers, both doctors, nurses and hospital administration staff, need to be guaranteed legal protection because they are willing to dedicate themselves to maintaining public health even if it means sacrificing their lives. Using normative research methods, the author examines legal protection as well as health and work safety guarantees for health workers while on duty during the Covid-19 pandemic. However, the fact is that there are no regulations that specifically regulate legal protection for health workers during the Covid-19 pandemic. The government only provides incentives and death benefits to health workers as contained in Minister of Health Regulation Number HK.01.07/Menkes/278/2020 about Providing Incentives and Death Benefits for Health Workers Who Handle Covid-19. In fact, in practice providing incentives has experienced many obstacles. This proves that the government has not been optimal in providing legal protection for health workers during the Covid-19 pandemic. Meanwhile, occupational health and safety guarantees for health workers are regulated in the Regulation of the Minister of Health of the Republic of Indonesia Number 66 of 2016 about Occupational Safety and Health in Hospitals. This protocol has been regulated in Minister of Health Regulation Number 27 of 2017 about Guidelines for Infection Prevention and Control in Health Facilities.

Keywords: legal protection, health insurance, health workers, covid-19.