

ABSTRAK

DUALISME KEWENANGAN PENGAWASAN KODE ETIK PROFESI DOKTER GIGI PASCA BERLAKUNYA UNDANG UNDANG NOMOR 17 TAHUN 2023 TENTANG KESEHATAN

**UNIVERSITAS MUHAMMADIYAH JEMBER
PROGRAM ILMU HUKUM
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Latar Belakang: Berlakunya Undang-Undang Nomor 17 Tahun 2023 tentang Kesehatan mengubah sistem pengawasan profesi dokter gigi melalui penguatan kewenangan negara, sehingga memunculkan potensi dualisme kewenangan antara Persatuan Dokter Gigi Indonesia dan Majelis Disiplin Profesi dalam penegakan kode etik dan disiplin. Penelitian terdahulu masih berfokus pada pengaturan sebelum berlakunya undang-undang tersebut sehingga belum mengkaji secara mendalam batas kewenangan kedua lembaga setelah perubahan regulasi. Penelitian ini bertujuan menganalisis akibat hukum hasil pengawasan kode etik profesi dokter gigi oleh Persatuan Dokter Gigi Indonesia dan Majelis Disiplin Profesi serta menilai kepastian hukum pasca berlakunya Undang-Undang Nomor 17 Tahun 2023 tentang Kesehatan. Penelitian menggunakan metode penelitian hukum normatif dengan pendekatan perundang-undangan dan pendekatan konseptual melalui analisis bahan hukum primer, sekunder, dan tersier. Hasil penelitian menunjukkan bahwa belum adanya pengaturan yang tegas mengenai pembagian kewenangan menyebabkan potensi tumpang tindih pemeriksaan, perbedaan putusan, dan ketidakpastian hukum. Kebaruan penelitian ini terletak pada analisis harmonisasi kewenangan antara organisasi profesi dan lembaga negara dalam pengawasan kode etik profesi dokter gigi pasca reformasi regulasi kesehatan. Disimpulkan bahwa diperlukan pengaturan yang lebih jelas mengenai batas kewenangan, mekanisme koordinasi, dan finalitas putusan guna menjamin kepastian hukum serta perlindungan bagi tenaga medis dan masyarakat.

Kata Kunci: Dualisme Kewenangan, Kode Etik Profesi, Dokter Gigi, Kepastian Hukum, Undang-Undang Nomor 17 Tahun 2023 Tentang Kesehatan

ABSTRACT

THE DUALISM OF AUTHORITY IN THE SUPERVISION OF THE DENTAL PROFESSIONAL CODE OF ETHICS FOLLOWING THE ENACTMENT OF LAW NUMBER 17 OF 2023 ON HEALTH

**MUHAMMADIYAH UNIVERSITY JEMBER LAW STUDY
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Background: The enactment of Law Number 17 of 2023 on Health has restructured the supervision system of the dental profession by strengthening the state's authority, creating the potential for overlapping authority between the Indonesian Dental Association and the Professional Discipline Council in enforcing professional ethics and discipline. Previous studies mainly examined the regulatory framework before the implementation of the new law and have not comprehensively addressed the division of authority under the current legal regime. This study aims to analyze the legal consequences of professional ethical supervision conducted by the Indonesian Dental Association and the Professional Discipline Council and to assess legal certainty following the enactment of Law Number 17 of 2023 on Health. This research employs a normative legal research method using statutory and conceptual approaches through the analysis of primary, secondary, and tertiary legal materials. The findings indicate that the absence of clear regulations regarding the division of authority has resulted in the potential for overlapping examinations, inconsistent decisions, and legal uncertainty. The novelty of this study lies in its analysis of the harmonization of authority between professional organizations and state institutions in supervising the professional code of ethics for dentists after the health law reform. The study concludes that clearer regulations on the division of authority, coordination mechanisms, and the finality of decisions are necessary to ensure legal certainty and legal protection for medical professionals and the public.

Keywords: Dualism Of Authority, Professional Code Of Ethics, Dentists, Legal Certainty, Law Number 17 Of 2023 On Health.