

Legal Counseling on National Health Insurance as the Fulfillment of the Right to Public Health in Singasari Village, Jonggol District, Bogor Regency, West Java, Indonesia

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ABSTRACT

Community service is carried out by the Faculty of Law at the Christian University of Indonesia by providing legal counseling on national health insurance as fulfillment of the right to public health. This activity was held by the Singasari Village Office which is located at Jl. Cihaur Raya No. 17 Jonggol, Bogor. The method used is to provide counseling/lectures. The results legal counseling are very effective considering that there are still many people who do not get information on the national health insurance provided by the Government. With this legal counseling, the community will become aware of this program and what benefits can be obtained, such as the existence of multiple benefits, medically and non-medically.

INTRODUCTION

Background

Community Service is one of the *Tri Dharma* (Three Pillars) of Higher Education as stipulated in the provisions of Article 1 number 9 of Law Number 12 of 2012, which states that: "The Tri Dharma of Higher Education, hereinafter referred to as the Tri Dharma, is the Obligation of Higher Education to carry out Education, Research and Community Service." Furthermore, in Article 1 point 11 it is stated that: "Community Service is an activity of the academic community that utilizes Science and Technology to promote community welfare and educate the nation's life". In this context, the Faculty of Law at the Christian University of Indonesia conducted Community Service in Singasari Village, Jonggol District, Bogor Regency, West Java Province, Indonesia. Community Service is held at the Singasari Village Office which is located at Jl. Cihaur Raya No. 17 Jonggol, Bogor. This Community Service is in the form of Legal Counseling activities by Lecturers of the Faculty of Law of the Christian University of Indonesia with the theme of the activity: "Faculty of Law of the Christian University of Collaborating with Singasari Village for Sustainable and Innovative Village Development." Especially for the lecturer group consisting of Dr. Rr. Ani Wijayati, S.H., M.Hum., Radisman Saragih, S.H., M.H., Edward M.L. Panjaitan, S.H., LL.M., and Haposan Sahala Raja Sinaga, S.H., M.H. presented the topic of counseling material entitled: "National Health Insurance as the Fulfillment of Public Health Rights." Participants from the community who will take part in the legal counseling are 100 (one hundred) people who are village officials and the people of Singasari Village, Jonggol District, Bogor.

Rationalization

This community service is carried out as an implementation of one of the *Tri Dharma* (Three Pillars) of Higher Education. In the framework of the Community Empowerment Program and supporting sustainable infrastructure development in the second phase of the rural development program (SAMISADE), this is also a development program that the new Head of Singasari Village, Ms. Euis Sujana, wants to continue. The SAMISADE program is a "central government program in which the allocation of funds is intended for infrastructure development to smooth the flow of the economy through good rural roads, as well as the construction of rural drainage to smooth the irrigation process for farming communities." However, this development must also be accompanied by an increase in the health of the rural community, which starts with an in-depth understanding of what constitutes the national health insurance policy as the fulfillment of the public's right to health.

Problem statement

The importance of health as a human right and as a necessary condition for the fulfillment of other rights has been recognized internationally. The right to health includes "the right to a healthy life and work, the right to health services, and special attention to the health of mothers and children." Article 25 of the Universal Declaration of Human Rights states: "Everyone has the right to a standard of living adequate for the health and well-being of himself and his

family, including the right to food, clothing, shelter and health services, necessary social services, as well as the right to security in the event of unemployment, illness, disability, abandonment by a partner, old age, or other circumstances resulting in a decline in the standard of living that occurs beyond his control." The Government's obligation to : "fulfill the right to health as a human right has an international juridical basis in Article 2 paragraph (1) of the Convention on Economic, Social and Cultural Rights." Article 28 I paragraph (4) of the 1945 Constitution states: "That the protection, promotion, enforcement and fulfillment of human rights is the responsibility of the state, especially the government." This government obligation is also "emphasized in Article 8 of the Human Rights Law." In the health sector, Article 7 of the Health Law states: "that the government is tasked with organizing health efforts that are equitable and affordable to the community." Article 9 of the Health Law states: "that the government is responsible for improving public health status."

Objective of the Activity

The results to be achieved in the Community Service are so that the community, especially the people in Singasari Village, Jonggol District, Bogor Regency, can understand the government's policy regarding National Health Insurance as Fulfillment of Public Health Rights.

Activity Benefits

This community service activity can provide benefits for the people of Singasari Village, Jonggol District, Bogor Regency to know what health rights are guaranteed by the government nationally and immediately take care of all the files and documents so that their rights can be fulfilled.

IMPLEMENTATION AND METHODS

The method for implementing community service activity activities in Singasari Village is: "by providing counseling/lectures and providing motivation, then followed by question and answer to obtain results and solutions as a form of solving problems and obstacles encountered. When giving counseling/lectures, special tables are also provided that receive personal legal consultations for the community directly."



Picture 1. Radisman Saragih, S.H., M.H. and colleagues gave legal counseling/lectures to the people of Singasari Village who were present

RESULTS AND DISCUSSION

Based on the results of this Community Service activity, the results achieved are as follows:

1) Achievement of Goals

As described in the previous problems, this objective has been well achieved, namely: participants understand the government's policy regarding national health insurance as the fulfillment of the right to public health.



Picture 2. Signing of the Collaborative Collaboration between the Faculty of Law UKI and Singasari Village for sustainable and innovative village development

2) Achievement of Targets

The target has been achieved, namely this legal counseling activity was carried out on Saturday, January 27, 2023 and was attended by around 100 (one hundred) participants which included residents/communities of Singasari Village, RT/RW ranks, Jonggol District, who had received new knowledge, especially regarding government regulations regarding the implementation of national health insurance. Based on the data collected through a question-and-answer session, it can be concluded that the National Health Insurance program, which began in early 2014, is mandatory for all Indonesian citizens, until now not all residents of Singasari Village know about it. Not only that, some said they did not know and had never heard of the BPJS Kesehatan program. Even though at this time it is hoped that all Indonesian citizens will be registered as BPJS participants.

Referring to Law Number 24 of 2011 concerning the Social Security Administering Body, it explains the function of the BPJS Kesehatan: "organizing a national health insurance program based on the principles of social insurance and the principle of equity with the aim of ensuring that participants receive health care benefits and protection in meeting basic health needs." There are 2 (two) Health Insurance benefits, namely "medical benefits in the form of health services and non-medical benefits including accommodation and ambulance. Ambulances are only provided for referral patients from health facilities with certain conditions set by BPJS Kesehatan." If the people of Singasari Village are registered as participants in the National Health Insurance organized by BPJS Kesehatan, then the people of Singasari Village will receive comprehensive benefits according to their medical needs. Thus the services provided later for the people of Singasari Village are plenary (preventive, promotive, curative and

rehabilitative) not affected by the large premium costs for the people of Singasari Village who are registered as participants. Promotive and preventive given in the context of individual health efforts (personal care).

The government's policy on national health insurance as the fulfillment of the right to public health has implications for compulsory membership. Compulsory in nature means that all people who live in Indonesia (including the people of Singasari Village) must become participants in the National Health Insurance or be registered with the BPJS. All participants must pay contributions with a certain percentage or nominal, except for the people of Singasari Village who are classified as poor and can't afford it, later the contribution will be assisted or paid by the government. For the people of Singasari Village who have not yet been registered, the extension team suggests that they immediately become National Health Insurance participants by registering through their employer where they work for the BPJS or to become participants whose contributions are assisted through the Singasari Village Hall as a government representative.



Picture 3. Group Photo of the PKM Team, Faculty of Law UKI with officials from Singasari Village, Jonggol District, Bogor Regency

CONCLUSIONS

Legal counseling on national health insurance for the people of Singasari Village is very effective considering that there are still many people who do not receive information on national health insurance provided by the Government through Law No. 40 of 2004 concerning the National Social Security System, Presidential Regulation No. 82 of 2018 concerning Health Insurance, and Presidential Regulation No. 64 of 2020 concerning the Second Amendment to Presidential Regulation No. 82 of 2018 concerning Health Insurance, as well as other related laws and regulations. With this legal counseling, the community will become aware of this program and what benefits can be obtained, such as the existence of multiple benefits, medically and non-medically.

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REFERENCES

- Friedman, L. M. (1975). *The Legal System: A Social Science Prespective*. New York: Russel Foundation.
- Gardener, J. A. (1961). The Sociological Jurisprudence Of Roscoe Pound (Part I). *Villanova Law Review*, 1(6).
- Mangkey, R. A. (2022). Kajian Yuridis Implementasi Kebijakan Negara Terhadap Jaminan Kesehatan Bagi Warga Negara Dalam Perspektif Hak Asasi Manusia. *Lex Administratum*, 10(1).
- Friedman, L. M. (1975). *The Legal System: A Social Science Prespective*. New York: Russel Foundation.
- Gardener, J. A. (1961). The Sociological Jurisprudence Of Roscoe Pound (Part I). *Villanova Law Review*, 1(6).
- Mangkey, R. A. (2022). Kajian Yuridis Implementasi Kebijakan Negara Terhadap Jaminan Kesehatan Bagi Warga Negara Dalam Perspektif Hak Asasi Manusia. *Lex Administratum*, 10(1).
- Republik Indonesia. (2004). *Undang-Undang Nomor 40 Tahun 2002 Tentang Sistem Jaminan Sosial Nasional*. Jakarta: Sekretariat Negara.
- Republik Indonesia. (2011). *Undang-Undang Nomor 24 Tahun 2011 Tentang Badan Penyelenggara Jaminan Sosial*. Jakarta: Sekretariat Negara.
- Republik Indonesia. (2012). *Undang-Undang Nomor 12 Tahun 2012 Tentang Pendidikan Tinggi*. Jakarta: Sekretariat Negara.
- Republik Indonesia. (2018). *Peraturan Presiden Republik Indonesia Nomor 82 Tahun 2018 Tentang Jaminan Kesehatan*. Jakarta: Pemerintah Republik Indonesia.
- Republik Indonesia. (2020). *Peraturan Presiden Republik Indonesia Nomor 64 Tahun 2020 Tentang Perubahan Atas Peraturan Presiden Republik Indonesia Nomor 82 Tahun 2018 Tentang Jaminan Kesehatan*. Jakarta: Pemerintah Republik Indonesia.
- Siregar, R. A., Wijayati, A., Widyani, I. D. A., & Sinaga, H. S. R. (2022). Penyuluhan Hukum Jaminan Kehilangan Pekerjaan Kepada Masyarakat Pancoran, Jakarta Selatan. *Jurnal Pengabdian Pada Masyarakat Methabdi*, 2(1), 1-5.
- Sormin, E., Tampubolon, S. P., & Sinaga, H. S. R. (2023). Strengthening Communities Of Earthquake Victims Through A Sanitation Program (Installation/Clean Water Supply And Portable Mck In Kampung Tugu Rw 3 Cibeureum Village, Cugenang, Cianjur). *Asian Journal Of Community Services*, 2(1), 55-64.
- Suprianto, A., & Mutiarin, D. (2017). Evaluasi Pelaksanaan Jaminan Kesehatan Nasional. *Journal Of Governance And Public Policy*, 4(1), 71-107.