

THE MEDICAL COMMITTEE'S IMPLEMENTATION OF HOSPITAL INTERNAL REGULATIONS TO IMPROVE HOSPITAL'S CLINICAL GOVERNANCE

Pasrah Kitta¹, Indar², Sabir Alwi³

Faculty of Law, Hasanuddin University, Makassar, Indonesia^{1,3}

Faculty of Public Health, Hasanuddin University, Makassar, Indonesia²

Email: pasrahkitta21@gmail.com, indar.unhas@gmail.com, sabiralwy@yahoo.co.id

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ABSTRACT

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The hospital is a complex organization that regulates many things and has a high risk. Thus it requires rules that become the basis and guidelines for running medical services. The regulation is Hospital by Laws, an internal hospital regulation that includes internal corporate regulations and internal regulations for medical staff, which are compiled based on the conditions and needs of the hospital. Hospital by Law is an important legal instrument to improve good clinical governance carried out by the medical committee. However, there are obstacles to its implementation, especially in applying Hospital by Laws in several hospitals. This study aims to determine the application of Hospital Laws and the role of the medical committee in improving good clinical governance. This research was conducted using an empirical approach by discussing legal symptoms' social aspects. The analytical method is a qualitative analysis by analyzing data collected from interviews with several respondents and secondary data in legal literature. The results showed that Hospital by Laws in the three (3) hospitals studied had not been implemented optimally. It is indicated by the low level of understanding of the hospital stakeholders about Hospital Laws. In addition, it was found that to improve good clinical governance, the medical committee has not been able to carry out its role optimally.

Introduction

The hospital is a public service organization responsible for every health service provided to the community. Hospitals are responsible for providing quality and affordable health services based on Law Number 44 of 2009. Hospitals as organizations in the health sector have an important role in realizing optimal public health. Therefore, hospitals are required to manage their activities by prioritizing the responsibilities of professionals in the health sector. Article 4 of Law Number 36 of 2009

concerning Health stipulates that everyone has the right to health. Health is very important for humans. Human health is the objective of innovation in the health industry, whose objective is a healthy population (Çınar & Eren, 2015). Without health, human life will not be perfect in carrying out their daily duties.

Discussing health will be related to several aspects such as the following, namely health services, health facilities, and health workers. For instance, in hospitals, interpersonal trust between patients and

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providers has been associated with improved health outcomes (Topp et al., 2022). In improving the quality of health services based on Law Number 44 of 2009 concerning Hospitals, that everyone has the right to get health services and is guaranteed in the 1945 Constitution of the Republic of Indonesia, which must be realized by efforts to increase the degree of public health as high as possible. . In the 1945 Constitution of the Republic of Indonesia, Article 28 H paragraph (1) which states that "every citizen has the right to health services. Every Indonesian citizen is guaranteed by law that they have the right to health services regardless of social status".

The health services provided must meet the standards regulated in Law Number 44 of 2009 concerning Hospitals. Article 13, paragraph (3) states that: "every health worker who works in a hospital must comply with professional standards, hospital service standards, applicable standard operating procedures, professional ethics, respecting patient rights and prioritizing patient safety." This states that hospital service standards are a guideline consisting of standard operating procedures, medical service standards, and nursing care standards. Health development is part of national development to achieve an optimal level of public health. In achieving this goal, the government must take concrete actions to improve the health status of the underprivileged. Law No. 44 of 2009 Article 13 states that health service standards are not only seen from the final result but are related to the process of providing health services to patients who must meet standard operating procedures. The standard operating procedure is a set of instructions carried out to complete certain routine workers.

Hospital is a public service business unit that provides services in the health sector, as regulated in Law Number 25 of 2009 related to Public Services. The management of the Hospital business unit has its uniqueness because apart from being a business unit, the Hospital also should carry out social functions. Social function implies that a hospital must serve patients based on medical needs, not based on the patient's ability to pay. So in hospital management, there is a risk of conflict between the hospital manager and the patient. This kind of conflict stems from the classification of the hospital

organization. Hospital organization classification can be divided into profit organizations and non-profit organizations. This problem is a matter that is often the subject of debate regarding the nature of the Hospital as a profit organization or as a non-profit institution.

The debate regarding the classification of hospitals and the management of hospital business units is unique. Apart from being a business unit, it also has social function obligations, so hospitals are very complex and high-risk institutions. The pillar of medical services is the medical committee, which is dominated by medical staff. The performance of medical staff in hospitals is a determinant of the quality of hospital services. In addition, another important thing is the performance of the medical staff because this will greatly affect patient safety in the hospital. Therefore, hospitals are required to implement good clinical governance to protect patients. It is not uncommon for people to complain that the hospital does not serve the community well. According to Wila Chandrawila Supriadi, a patient is a sick person who needs the help of a doctor to cure his illness. Some hospitals are currently being sued for services that do not meet expectations (Supriadi, 2001).

One of the events in the community was the Prita Mulyasari case, where the case was in the media spotlight. In this case, it can be seen that errors in hospital governance can lead to services that can make patients suffer due to negligence in handling health care for patients. Therefore, there is a need for accountability from the hospital for negligence or intentional negligence, which ultimately causes harm to the patient. In hospitals' implementation of health services, many people think that hospitals do not provide good services. Sometimes unexpected things can happen in the form of losses suffered by the patient, such as physical disability and even death, which usually assumes that the hospital has an act of medical malpractice. In this condition, the medical staff facilitated by the hospital's medical committee is the group most closely related to the patient, so the hospital is obliged to regulate all parties' medical responsibility and legal liability.

This aims to ensure the implementation of good health services, hospital

responsibilities, and accountability through internal regulations, the medical profession on duty, especially in hospitals, with the hope of carrying out self-governing (self-management), self-controlling (independent supervision), and self-administration, discipline (self-discipline). The purpose of the regulation is to maintain the quality of medical staff in providing services. Therefore, it is necessary to make different regulations (medical staff bylaws) that can regulate medical staff internally. The development of hospitals in South Sulawesi is very rapid, whether it is a government hospitals or a private hospitals. Law Number 44 Year 2009 Article 29 paragraph (1) letter r states that every hospital is required to prepare and implement hospital internal regulations (Hospital by Laws). Based on preliminary observations made by the author, it was found that the hospital's internal regulations in several hospitals in South Sulawesi Province were made only as a condition for hospital accreditation so that the knowledge and understanding of hospital organizations, especially medical staff, was very lacking.

Hospital by Laws (HBL) can be in the form of Standard Operating Procedures (SOP), Hospital Regulations, Decrees, Announcements, Letters of Assignment, Notifications and Agreements (MOU). Each Hospital has a Hospital by Laws that is different from one another, it depends on its history, establishment, ownership, and the situation and condition of the Hospital. Hospital by laws must not conflict with the regulations above. Therefore, in implementing hospital management, among others, it is regulated based on Article 29 paragraph (1) letter r of Law Number 44 of 2009 concerning Hospitals. Then in Article 36 of Law Number 44 of 2009 concerning Hospitals it is stated that every hospital must carry out hospital governance and good clinical governance. Hospital governance and clinical governance are also regulated in Permenkes Number 755/Menkes/PER/IV/2011 concerning Hospital Medical Committees. With this regulation, it is hoped that the hospital's professionalism will be maintained through the credential mechanism, maintaining the quality of the medical profession, and maintaining the ethics and discipline of the medical profession, as stated in Article 1 of PMK Number

755/Menkes/PER/IV/2011 concerning Hospital Medical Committees.

Based on the explanation above, the formulation of the problem in this writing is as follows:

1. How is the implementation of the Hospital Internal Regulations by the medical committee in the hospital?
2. What is the role of the Medical Committee in improving good clinical governance in hospitals?

Method

This research was conducted using an empirical approach, namely, discussing the legal phenomena' social aspects. The analytical method used is qualitative analysis, namely by analyzing data collected from interviews with several respondents and secondary data in legal literature. There are two types of data used in this study, namely primary data and secondary data sourced from Field Research, namely field data sources as one of the considerations in supporting the truth of the data to be discussed by the author, and Library Research. Namely the source of data obtained from a review of several kinds of literature and other reading sources that can support this writing.

Results And Discussion

A. Implementation of Hospital by Laws by the Medical Committee in Hospitals

1. Implementation of Hospital by Laws by the Medical Committee at Labuang Baji Hospital

a) General Provisions Hospital by laws Labuang Baji Hospital

Hospital Internal Regulations (Hospital by Laws) Labuang Baji Regional General Hospital are the basic hospital rules that regulate hospital management mechanisms, including internal regulations concerning corporate rules and internal regulations concerning medical staff. This regulation was drafted and ratified by the Regional Government of South Sulawesi Province as the owner and Director of the Labuang Baji Regional General Hospital as the manager in the context of implementing good hospital governance and good clinical

governance. In general, the Hospital by laws (HBL) at Labuang Baji Hospital consists of Corporate Internal Regulations and Internal Regulations for Medical Staff (Internal Regulations for Labuang Baji Hospital (*Pergub No. 58, 2015*). The Corporate Internal Regulations consist of the vision, mission, goals, functions and duties of the hospital, the identity of the hospital which includes the name and position, philosophy, motto, logo, and work culture of the hospital. In addition, it also regulates the organizational structure and owner. These provisions are regulated in Article 2 to Article 93 of the Internal Regulations of the Labuang Baji Hospital (Governor Regulation No. 58 of 2015 concerning Internal Regulations for the Labuang Baji Regional General Hospital, South Sulawesi Province).

Labuang Baji Hospital is a hospital owned by a local government in the form of a Regional Public Service Agency (BLUD), so that the organizational structure of the Labuang Baji regional public hospital refers to the South Sulawesi Provincial Regulation Number 6 of 2011 concerning the Second Amendment to the Regulations and Governance of the Inspectorate, Regional Development Planning Agency, Regional Technical Institute and other Institutions of South Sulawesi Province. In Hospital by laws the Labuang Baji Regional General Hospital also explains that the owner of the hospital is represented by the Governor of South Sulawesi and regulates various provisions related to the supervisory board, directors, remuneration, honorarium and services and regulations related to hospital committees, each of which has a different function according to the function of authority determined by the director. The Internal Regulations for Medical Staff discuss various matters related to implementing good clinical governance through good cooperative relationships between owners, managers, and medical committees in hospitals. In detail, the internal regulations of medical staff regulate

related to general provisions, objectives, scope of internal regulations of medical staff, categories of medical staff, needs of hospital medical staff, requirements for medical staff acceptance, administrative and professional requirements of medical staff, clinical authority, requirements clinical authority, the authority to take medical action, as well as regulations related to efforts to create clinical governance by the medical committee of the Labuang Baji Regional General Hospital. The rules related to internal regulations for medical staff are explained in Article 94 to Article 131 of the Gubernatorial Regulation No. 58 of 2015 concerning Internal Regulations for the Labuang Baji Hospital, South Sulawesi Province.

The Medical Committee plays a very important role in the formulation and implementation of Hospital by laws at the Labuang Baji Regional General Hospital, where the medical committee is the one who drafts the Medical Staff by Laws Internal Regulations and is then ratified by the hospital director. The medical committee membership is determined by the hospital director by considering professional attitudes, reputation and behavior. Based on the results of interviews conducted with the Chairman of the Medical Committee at Labuang Baji Hospital, it is known that the medical committee at the hospital was formed in 2006. Hospital by laws Labuang Baji Regional General Hospital explained that the medical committee is a hospital instrument to implement clinical governance (clinical management). governance) so that medical staff in hospitals maintain professionalism through credentialing mechanisms, maintaining the quality of the medical profession, and maintaining ethics and discipline in the medical profession. This is as regulated in Article 1 number (10) Hospital by Laws of the hospital. The medical committee structure includes the chair and members of the medical committee. Director is a person who has the authority to appoint and dismiss the chairman and members of

the medical committee after completing a term of office of 3 (three) years. In carrying out its duties and functions, the medical committee is responsible to the director and has the right to coordinate with the deputy director of medical and nursing services. The medical committee of the Labuang Baji hospital consists of a chairman, vice chairman, secretaries 1 and 2, and sub committees.

The hospital director establishes a medical committee based on suggestions or input from the hospital's medical staff. As for the deputy chairman, vice chairman of the medical committee, the secretary, and the medical sub-committee, the hospital director also considers the input of the medical committee and medical staff working in the hospital. In addition to containing internal corporate regulations and internal regulations for medical staff, Hospital by laws Labuang Baji Regional General Hospital also regulates natural resource management, financial management and asset management and cooperation with other parties based on applicable laws and regulations. The financial management includes the hospital's ability to manage the hospital business. Meanwhile, related to the arrangement and development of assets derived from revenue, it is managed by the procurement service unit. In addition, cooperation with third parties is carried out based on sound business practices with efficiency, effectiveness, and mutual benefit.

b) Synchronization between the Internal Regulations of the Labuang Baji Regional General Hospital with the prevailing laws and regulations in Indonesia

Even though Hospital by Laws is a tailor made rule which means that each hospital has different Hospital by laws, in its preparation it still requires references regarding the content or content that must be regulated in the Hospital by laws. The preparation of Hospital by laws must not conflict with the applicable laws and regulations.

Hospital by laws at Labuang Baji Hospital has referred to several laws and regulations in force in Indonesia. In Chapter III (Third) the Decree of the Minister of Health of the Republic of Indonesia Number 772/Menkes/SK/VI/2002 concerning Guidelines for Hospital Internal Regulations stipulates that there are references to basic matters that must be regulated in Hospital by laws related to the owner or representative, hospital directors and medical staff. These three elements are referred to as the "triad" or "three furnaces parallel". Referring to these three elements, two main things must be included in Hospital by Laws, namely:

- 1) Internal regulations governing the relationship of the owner or representative with the Director of the Hospital (Hospital Management) which is called the Corporate by Laws Regulations; and
- 2) Internal regulations that regulate medical staff are called internal regulations of medical staff (Medical Staff by Laws).

In preparing internal corporate regulations, several materials need to be regulated or included, namely ([Lampiran Keputusan Menteri Kesehatan, 2002](#)):

- a. The name, purpose and philosophy of the hospital;
- b. Arrangements on the Governing Body, which includes composition or membership, authority and responsibility, roles for medical staff, and meeting arrangements;
- c. Organizing the owner or representative contains the number of participants, requirements to become members, procedures for selecting, appointing and dismissing, and working period.
- d. Supervision mechanisms;
- e. hospital director; and
- f. Mechanism of review and revision.

Suppose you refer to the Hospital by Labuang Baji Regional General Hospital laws. In that case, it is known that the Labuang Baji Regional General Hospital has published the first content, which includes the name, purpose and philosophy of the hospital, even in the

Hospital by laws it includes several things in detail. such as the vision and mission, duties, functions and goals of the hospital, logo, motto and work culture of the Labuang Baji hospital. In addition, regulations related to the supervisory mechanism have also been comprehensively regulated.

Furthermore, the Hospital by laws Labuang Baji Regional General Hospital has also regulated the governing body and organization. Because the Labuang Baji Regional General Hospital is a hospital owned by the local government in the form of a BLUD, the composition of its membership is adjusted according to the type of hospital. In Article 14 Hospital by Laws of the Labuang Baji Regional General Hospital, it is stated that the regional government of South Sulawesi Province, represented by the Governor of South Sulawesi Province, is the owner of the hospital. As regulated in Article 13 paragraph (2), the organizational structure consists of directors, deputy directors, divisions, sections, sections, sub-sections, and functional positions. Furthermore, the deputy director is divided into three sections: the deputy director of medical and nursing services, the deputy director of general affairs, human resources and education, and the deputy director of finance, each of which has different responsibilities and authorities. Articles 24 to 33 of the Hospital by Laws also regulate the appointment and dismissal, and the tenure of hospital directors.

In addition, the Hospital by laws of the Labuang Baji Regional General Hospital also regulates hospital committees tailored to the hospital's needs. The committees owned by the Labuang Baji Regional General Hospital are the medical committee, the pharmacy and therapy committee, the nursing committee, the hospital ethics committee, the hospital quality improvement and patient safety committee, and the infection prevention and control and the home occupational health and safety committee. The rules related to these committees are regulated in Articles 37 to 47 of the Governor Regulation. However, the Hospital by laws Labuang Baji Regional General Hospital do not contain a

mechanism for reviewing and revising the internal regulations that have been made. Arrangements regarding the mechanism for reviewing and revising regulations are very important to ensure that the contents of the Hospital by laws are still in line with the needs of hospitals and the times. The lack of clarity on changes to internal regulations and who is authorized to make changes to those regulations can also create legal uncertainty.

Meanwhile, in Articles 61 to 92 there are Hospital by laws Regional General Hospital Labuang Baji also regulates other matters related to finance in its Corporate Internal Regulations and other technical or administrative matters such as arrangements for evaluation and job appraisal. The additional material is an action to respond to developments in law, politics and economics. As for the Internal Regulations of the Medical Staff (Medical Staff by Laws) it refers to the Regulation of the Minister of Health of the Republic of Indonesia Number 755/MENKES/IV/2011 concerning the Organization of Medical Committees in Hospitals. Basically, Medical Staff by Laws contains rules on how hospitals carry out the medical profession and the work functions of medical committees in hospitals which are designed by the medical committee and then determined by the head or director of the hospital. Medical Staff by Laws regulates the mechanism for the formation of a medical committee, the duties and functions, the working mechanism of the medical committee and its subcommittees, peer-group partners, and the decision-making process in the medical committee. Therefore, as a valid legal basis, every decision regarding medical staff must be based on Medical Staff by Laws. In addition, regarding hospital directors, Medical Staff by Laws also regulates how the medical committee is accountable for its performance to the hospital director.

The things that should not be included in the Medical Staff by Laws are everything related to the hospital management mechanism, even though these things are related to the duties of medical staff in daily activities such as needs related to the purchase of medical equipment, medical services. , setting the

daily task schedule and so on. In addition, Medical Staff by Laws does not regulate medical staff's rights and obligations, such as provisions related to medical records, approval of medical services, welfare of medical staff, and medical confidentiality. Suppose you refer to the Medical Staff by Laws contained in the Hospital by Labuang Baji Regional General Hospital laws. In that case, it is known that the regulation has regulated several things to create good clinical governance as regulated in the Minister of Health Regulation Number 755/MENKES/IV/2011 concerning the Implementation Medical Committee in Hospital. Hospital by laws Labuang Baji Hospital in Article 102 has regulated the clinical authority, stipulating that medical staff can only provide medical services if authorized through the credential process. The Medical Staff By Laws has also regulated various matters relating to medical committees ranging from organizational structure, medical committee duties, medical committee powers, credentialing mechanisms, various rules related to sub-committees, medical committee meeting mechanisms, and clinical governance implementation regulations. The various rules related to the medical committee are regulated in Article 106 to Article 129 Hospital by hospital laws.

In addition, the Medical Staff by Laws of Labuang Baji Hospital contained in the Hospital by laws also contains several things that are not contained in the Minister of Health Regulation Number 755/MENKES/IV/2011 concerning the Implementation of Medical Committees in Hospitals, such as rules regarding violations committed based on discipline profession, discipline and ethics of medical staff in carrying out the profession as well as the procedures taken when there is a violation of the professional discipline of professional order and ethics. The things that are not included in the Medical Staff by Laws that should be included are the rules regarding the mechanism for evaluating and improving the internal regulations of the hospital staff as described in the attachment to the Minister of Health concerning the

Implementation of Medical Committees in Hospitals.

c) Factors Affecting the Implementation of Hospital by laws Labuang Baji Hospital by the Medic Committee

In Article 29 paragraph (1) letter r of Law Number 44 of 2009 concerning Hospitals, it is stated that hospitals have the responsibility to formulate and implement internal hospital regulations. A hospital by laws regulates the rights, duties, obligations, and authorities of the parties relating to hospitals. Therefore, it is an obligation for every manager, owner, medical committee and hospital staff to implement the Hospital by laws. However, as with other regulations, the implementation of Hospital by laws is also influenced by factors that both help and hinder their implementation. The factors that encourage the application of hospitals by laws at RSUD Labuang Baji are juridical, these rules have legal certainty and refer to the relevant laws and regulations that apply in Indonesia. Meanwhile, the obstacle in implementing Hospital by laws in the hospital is technical obstacles where the level of knowledge and understanding is related to the Hospital by laws. As stated by the Chairman of the Medical Committee at Labuang Baji Hospital, he did not clearly understand the contents of the Hospital by laws at the hospital (Hospital, 2021). In addition, the assumption that Hospital by Laws only aims to obtain hospital accreditation, not as a basic hospital rule that serves as a guide in creating good hospital clinical governance, becomes an obstacle to the implementation of Hospital by Laws in the hospital.

The lack of knowledge and understanding regarding the importance of Hospital by laws is caused by the absence of socialization. As explained by the head of the medical committee of RSUD Labuang Baji, the absence of socialization is the main problem that causes hospital parties to be unaware of the existence of Hospital by Laws. In addition to the low understanding of Hospital by Laws, the absence of an evaluation of the implementation of Hospital by Laws is also an obstacle to the implementation of Hospital by Laws.

Based on the results of an interview with the head of the medical committee of the Labuang Baji Hospital, it was stated that he had never seen an evaluation of the implementation of Hospital by Laws. This has a consequence that the parties in the hospital including the owner, manager, hospital medical staff cannot analyze the relevance of the rules in Hospital by laws to the needs or conditions of the hospital which are certainly not the same every time.

d) Elements of Hospital by laws Labuang Baji Hospital that has been implemented

In addition to being the rule of the game, Hospital by Laws is a legal product that contains the values of legal certainty, justice and benefit. Therefore, as a public service provider based on good governance principles, hospitals must be able to implement the elements contained in Hospital by Laws in each hospital. The head of the medical committee at Labuang Baji Hospital stated that his hospital had applied all the elements regulated in the Hospital by laws of the hospital. He further explained that the medical committee has held regular monthly meetings as stated in Hospital by Laws. In addition, he also explained that his party also carries out credentials, namely by evaluating medical staff so that they can identify eligibility in carrying out clinical authority, and actively conducting medical audits if there are cases in patient care. However, if you look at the content or content of the Hospital by laws at the hospital, of course there are still many rules that must be implemented and not only limited to conducting routine meetings or presidential activities. The hospital by laws must be the legal basis for hospitals in carrying out various hospital activities.

e) Elements of Hospital by laws Labuang Baji Hospital that have not been implemented

Based on the results of interviews with the medical committee of the Labuang Baji Hospital, it was stated that there were no elements of Hospital by laws that were not implemented. However, suppose you look back at the statement by the head of the medical committee at the Labuang Baji Hospital

who stated that he did not know and had never seen the hospital draft by laws. In that case, it seems that the opinion that all the elements of the Hospital by laws in the hospital have been implemented needs to be questioned.

In addition, the absence of an evaluation process is another factor that adds to the doubts about the implementation of Hospital by laws in the hospital. Without an evaluation process, it is certainly difficult to prove the truth of the statement that the elements of Hospital by laws in the hospital have actually been implemented. The view that Hospital by Laws is only for accreditation purposes is also evidence that Hospital by Laws is only used as a formality, not a basic rule that becomes a guideline in carrying out hospital governance and a reference for other regulations in the hospital.

2. Implementation of Hospital by Laws by the Medical Committee at Haji Hospital

a) General Terms Hospital by laws Haji Hospital

The existence of hospital by laws is to have a high urgency in realizing the protection of all forms of hospital service delivery, especially the protection of patients and health workers. Internal hospital regulations (hospital by laws) basically regulate justice and benefits in the provision of hospital services, hospital administration and hospital management (Mertokusumo & Hukum, 1999). The legal basis for making hospital internal regulations began with the issuance of the Decree of the Minister of Health Number 772/Menkes/SK/VII/2002 concerning Guidelines for Hospital Internal Regulations (Hospital by Laws). In the MENKES decision, there are two main parts, namely the internal regulations of the medical staff and the internal regulations of the corporation. It was only in 2009, that 2 new laws and regulations were issued which provide additional explanations for the decision of the Minister of Health, namely Law Number 36 of 2009 concerning Health and Law Number 44 of 2009 concerning Hospitals. In 2011, a new regulation was issued which replaced the regulation on medical

staff in the 2002 Minister of Health Decree, namely the Minister of Health Regulation Number 755/Menkes/Per/IV/2011 concerning the Organization of Medical Committees in Hospitals (Lalu Riyana Dody Setiawan et al., 1999).

Hospital by laws in terms of regulation itself is a legal benchmark for hospitals in providing services, consisting of internal corporate regulations and internal regulations for medical staff. In practice in South Sulawesi, these types of regulations will be determined by the head of the regional government and compiled by the South Sulawesi regional government as manager. The preparation of this regulation is to implement good hospital governance. The internal regulations of the Makassar Haji Regional General Hospital are contained in the South Sulawesi governor's regulation: 116 of 2017 concerning the Internal Regulations of the Makassar Haji Makassar Regional General Hospital, South Sulawesi Province. This internal regulation is divided into four chapters of rules and has 133 articles in total. The first chapter, which regulates general provisions, contains definitions of technical terms in hospital by laws. Internal hospital regulations, corporate internal regulations, internal regulations for medical staff, owners, supervisory boards, directors, deputy directors, Regional Public Service Agency (BLUD) and others. In total there are 37 points in this general provision section with only one article.

The second chapter in Hospital by Laws is divided into 28 sections consisting of discussions about the vision, mission, goals, functions, identity, organizational structure, etc. Article 4 Governor Regulation No. 116 of 2017 concerning Internal Regulations for the Haji Makassar Regional General Hospital, South Sulawesi Province, it is explained that the Haji Makassar Hospital in South Sulawesi Province has functions that include formulating hospital technical policies, coaching and administering in the field of medical services, administering hospital service affairs and organizing other affairs. . The organizational structure of the

Regional Hajj General Hospital of South Sulawesi Province is regulated in Article 13 paragraph (2) of the South Sulawesi Governor's Regulation No. 116 of 2017 concerning Internal Regulations of the Makassar Haji Regional General Hospital, South Sulawesi Province, it is stated that the composition consists of Directors, Deputy Directors, Divisions, Sections, sections, sub-sections and functional positions.

In the third chapter, namely Article 94 paragraph (1) Hospital by laws RSUD Haji Makassar regulates internal regulations for medical staff. This chapter explains that the medical committee at the Haji Regional General Hospital is a hospital apparatus that aims to carry out clinical governance at the hospital. This arrangement is to ensure the professionalism of the medical staff is maintained. Additional explanation regarding the medical committee is in the third part of article 106 of this Hospital by laws. The fourth chapter of the hospital's internal regulations at RSUD Haji Makassar is the concluding chapter which consists of two articles, article 132 and article 133.

b) Hospital Synchronization by laws Labuang Haji Hospital with Relevant Legislation

Every hospital in Indonesia must make internal hospital regulations or hospital by laws. This obligation is stated in Article 29 paragraph (1) letter r of Law Number 44 of 2009 concerning Hospitals that hospitals have obligations to draft and implement internal hospital regulations (hospital by laws). This law is the main source of law regarding making internal regulations for each hospital in Indonesia. Indeed, the Makassar Haji Makassar general hospital had internal hospital regulations before Governor Regulation No. 116 of 2017 concerning internal regulations for the Makassar Haji Makassar general hospital, South Sulawesi province. The internal regulations are stated in the South Sulawesi Governor's Regulation Number 40 of 2016 concerning Internal Regulations for the Makassar Haji Regional General Hospital. However, the 2016 gubernatorial regulation, after careful examination of its contents, found that this regulation was not under the

governance and demands of hospital health services and the laws and regulations requiring it, so it needed to be replaced. In terms of content, Governor's Regulation Number: 116 of 2017 concerning internal regulations for the Haji Makassar general hospital, South Sulawesi province is very complete and the content does not have any conflict with the laws and regulations on it. Especially because the new Hospital by laws are actually an improvement over the previous regulations that were considered flawed.

The preparation of the draft Hospital by laws at the Haji Makassar general hospital refers to and is based on the laws and regulations, among others, as follows:

- 1) Law Number 36 Year 2009 concerning Health
- 2) Law No. 29 of 2004 concerning Medical Practice
- 3) Law Number 12 of 2011 concerning the Establishment of Legislation.
- 4) Regulation of the Minister of Home Affairs Number 971 of 2009 concerning Competency Standards for Health Structural Officials
- 5) Regulation of the Minister of Health Number 755/Menkes/PER/IV/2011 concerning the Implementation of the Medical Committee
- 6) And other laws and regulations.

c) Factors Affecting Hospital Implementation by laws Haji Hospital

Hospital by laws at RSUD Haji Makassar as a legal product is prepared by referring to Indonesia's prevailing laws and regulations so that there are no legal obstacles in its implementation. This is as stated by the Chairman of the Medical Committee of RSUD Haji Makassar. In addition, technical matters such as human resources were also not mentioned as factors that hinder efforts to provide maximum service (Apriyanti, 2021). However, regarding the implementation of Hospital by laws in his hospital, the chairman of the medical committee of RSUD Haji Makassar stated that his party had an understanding that Hospital by laws was only prepared to complete the file to obtain hospital accreditation and was not a basic rule that was used as a

reference for the implementation of hospital activities. As a result, the hospital parties do not know the rights and obligations that must be carried out regarding the contents of Hospital by laws. Meanwhile, as the executor of medical services, all parties must know the rules that form the basis for every other technical regulation, decision-making, and medical action. Based on the provisions of the laws and regulations regarding hospitals, the hospital is responsible for all medical services and the impact thereof. The reason for understanding that Hospital by laws is only an accreditation requirement is because there is no socialization about Hospital by laws. Dissemination of Hospital by laws that are not implemented indicates that the communication between hospital parties, including hospital owners, directors, and medical staff, is not well established. Therefore, the ineffective communication between the parties is also a factor that affects the implementation of Hospital by laws in the hospital.

d) Elements of Hospital by laws Haji Hospital that has been Implemented

One of the parameters of whether the elements in an internal hospital regulation have been successfully implemented or not is the success of the committees or parts of the organizational structure in carrying out their duties and functions. Hospital by laws at the Haji Makassar general hospital regulates the duties and functions of several committees or sections within the hospital organizational structure. Of the several regulated functions and tasks, most have been implemented very well such as credentials, medical audits, regular meetings and others (Apriyanti, 2021). The medical support committee, for example, in Hospital by laws RSUD Haji Makassar has 12 duties and functions. Based on the twelve tasks and functions, most of them have been implemented in the administration of public hospital services in the Haji Makassar area. However, the medical committee of RSUD Haji Makassar was unable to provide a detailed explanation of how the duties and functions of the Hospital by laws were carried out. The medical committee also

does not have a standard frame of reference to identify what elements have been implemented properly. So it can be concluded that the above statement is unreasonable. Moreover, the regulations in Hospital by Laws do not only regulate the duties and functions of the medical committee, but also all elements of the organizational structure of the medical staff in the hospital. coupled with the fact that medical staff lacks understanding of Hospital by laws, it is impossible for the medical committee to ensure that all elements in Hospital by laws have been implemented properly.

e) Elements of Hospital by laws Haji Hospital that has not been implemented

Regional General Hospital Haji Makassar, through the head of the medical committee stated that RSUD Haji has fully implemented the elements of regulations in hospital by laws. So far, there have been no problems related to the administration of services at this hospital. Because the manufacture and implementation of hospital by law is an accreditation standard for a hospital, and the fact that RSUD Haji Makassar has passed hospital accreditation, it can be ascertained that the application of hospital by law has been running optimally and does not have elements in hospital by law that have not been implemented (Apriyanti, 2021). However, this statement is more likely to be a one-sided statement from the Medical Committee. Judging from the results of previous interviews, the medical committee chairman chose the term "mostly implemented" in the question of what elements of hospital by laws have been implemented in this hospital. This indicates that there are still several elements that have not been implemented. This changed statement confirms the assumption that the medical staff regarding hospital by laws at RSUD Haji is lacking.

3. Implementation of Hospital by laws by the Medical Committee at Dadi Hospital

a) General Terms Hospital by laws Dadi Hospital

Dadi Regional Special Hospital, South Sulawesi Province, is one of the

first special hospitals to treat mental illness in eastern Indonesia. The vision of the Dadi Regional Special Hospital as a referral center for Mental, Drug and Stroke health services that is service-oriented, innovative, competitive, inclusive and characterized in supporting the acceleration of prosperity in South Sulawesi in 2023". Hospital by laws is a form of written rule that is the result of an agreement and evaluation between the South Sulawesi Provincial Government as the owner of the Dadi Regional Special Hospital in South Sulawesi Province, with the Manager in this case the Hospital Director, structural officials and the entire staff group. Dadi Regional Special Hospital Medical, South Sulawesi Province. The hospital's internal regulations (Hospital by Laws) for the Dadi Regional Special Hospital, South Sulawesi Province are contained in the Decree of the Director of the Dadi Regional Special Hospital Number 445/14164/XII/2018 concerning the Enforcement of Internal Hospital Regulations (Hospital by Law) at the Hospital. Special for Dadi Region, South Sulawesi Province.

The hospital by laws apply to hospitals to protect all parties involved properly and correctly, based on a sense of justice and the laws and regulations that apply in Indonesia. Hospital management is determined by the three components, the parties who play a major role, namely the Owner, including the Supervisory Board, Director, structural officers and Functional Medical Staff, and the role of the Medical Committee and the Nursing Committee. Therefore, the Hospital by laws (Statute) will regulate the relationship, rights and obligations, responsibilities of the role of the Supervisory Board, Director and Medical Staff Group, and the Role of the Medical Committee and Nursing Committee in Hospitals.

The benefits of the Dadi Makassar Regional Special Hospital (RSKD) are:

- 1) To become a "written, clear legal basis that can regulate a balanced triangular

relationship between owners and directors as management managers and internal customers - external customers, both rights and obligations" to anticipate various impacts, both internal and external impacts that are not desired;

- 2) Can protect the rights and obligations of all hospital parties in a balanced and fair manner, such as owners with directors as management managers and external and internal customers in a balanced manner based on justice, to achieve good hospital services. (good corporate and clinical governance);
- 3) Become a reference that all parties can follow, can be a legal solution in the event of a dispute. In addition, these internal regulations can also be a means of improving the quality of medical services, as well as being a requirement for advanced hospital certification;
- 4) Regulate the rights and obligations of owners, rights and obligations and authorities of hospital directors, rights and obligations of hospital staff and patients, and hospital obligations to the government and law enforcement officers.

Hospital by laws RSKD Dadi Makassar contains two books, namely the first book on Corporate Internal Regulations (Corporate by Laws) and the second book on Medical Staff Regulations (Medical Staff by Laws).

The Corporate Internal Regulations aim to create regulations for good corporate governance by regulating the relationship between the parties involved in the Hospital. In the internal regulations of the Dadi RSKD corporation, namely in Articles 2 to 4, it is regulated on the identity of the hospital which includes the name and position of the hospital, the vision, mission, goals and objectives of the hospital and the hospital logo. In addition, it also regulates the owner of the hospital, in which the owner of the Dadi RSKD belongs to the Regional Government of South Sulawesi Province. Furthermore, it was also explained that there is a supervisory board with various duties and authorities, meetings that the hospital must hold. These various provisions are

regulated in Article 5 to Article 10 Hospital by Law Hospital. Special Dadi South Sulawesi Province. As for hospital directors, Article 11 point (3) stipulates that hospital directors are appointed based on the requirements and procedures specified in the Corporate by Laws at the hospital. It also regulates the internal hospital committees and supervisory units at Corporate by Laws at Dadi Hospital.

The Medical Staff by Laws regulates the organization of medical staff groups, clinical authority (Clinical Privilege), doctors in charge of services (DPJP), clinical assignments (Clinical Appointments), medical committees, credentials sub-committees, professional-quality sub-committees, ethics and discipline sub-committees. Profession, nursing committee, professional and ethical development, and the quality of professional care to patients. In addition, it also regulates the process of amendment and ratification of the Dadi Hospital by laws.

b) Hospital Synchronization by laws Dadi Hospital with Relevant Legislation

The internal regulations of the Dadi Regional Special Hospital are contained in the Decree of the Director of the Dadi Regional Special Hospital Number: 445/14164/XII/2018 concerning the implementation of hospital internal regulations at the Dadi Regional Special Hospital of South Sulawesi Province. Regarding the number of charges, Hospital by laws at Dadi RSKD has a higher number than Hospital by laws in the other two RSUD. The internal regulations of this hospital have a section of rules up to chapter XXIII and the number of Articles 65. As in the case of Hospital by laws in the Labuang Baji Regional General Hospital and the Makassar Haji Regional General Hospital, the internal regulations of the Dadi Regional Hospital are also very concerned the prevailing laws and regulations in Indonesia regarding the preparation of the Hospital by laws draft in this hospital. The drafting process is based on the Decree of the Minister of Health of the Republic of Indonesia Number 631/Menkes/SK/IV/2005 concerning

Guidelines for Internal Regulations of Medical Staff in Hospitals. From the explanation above, it can be concluded that in relation to the prevailing laws and regulations in Indonesia, the internal regulations of the Dadi RSKD do not have conflicting rules and it is certain that the above laws and regulations also guide their contents.

c) Factors Affecting the Implementation of Hospital by laws RSKD Dadi by the Medical Committee

Implementing Hospital by laws is an obligation for every hospital in Indonesia. Each hospital will make real efforts to provide hospital services in accordance with those regulated by internal regulations. In the implementation process, several things are considered to be able to help or hinder the implementation of Hospital by Laws at RSKD Dadi. It can be said that all elements of the hospital consisting of management, doctors, nurses, and other technical personnel, are factors that have a significant influence in the effort to implement Hospital by laws RSKD Dadi (Alamsyah, 2021). So an understanding of Hospital by laws is felt to be very necessary to be given to these elements. However, this is not easy considering that many medical personnel do not know anything about the regulations contained in the internal regulations of the Dadi Regional Special Hospital. This fact greatly affects the implementation of Hospital by laws in this hospital. The biggest problem in implementing internal regulations at RSKD Dadi is the lack of socialization and understanding of hospital elements regarding their own internal regulations.

Technical factors are often the most influential factor in implementing a regulation. Not infrequently technical problems create their own obstacles in realizing the implementation of internal hospital regulations. Problems such as the number of human resources and medical staff communication with patients are a small part of these technical obstacles. Until now, RSKD Dadi itself has never experienced any technical problems. even during the covid pandemic, this hospital was designated as a covid referral/treatment center. This hospital

provides the best service and adapts to the latest rules/policies from the center. In terms of human resources, this hospital is quite complete with special hospital service standards, and during the pandemic it was given a policy to recruit medical personnel to help treat Covid patients (Alamsyah, 2021).

d) Elements of Hospital by laws Dadi Hospital that has been implemented

All elements in the form of functions and tasks that have been regulated in the internal regulations of the Dadi RSKD have been carried out or carried out to the maximum. RSKD dadi's strong commitment in implementing all elements of hospital by laws is to increase the professionalism of doctors who work in this hospital (Alamsyah, 2021). The head of the medical committee of the RSKD Dadi gave an overview of the successful implementation of hospital by laws in the RSKD such as credentialing for medical personnel who will join the RSKD, which we then submit the results of the recommendations to the leadership. A medical audit is carried out every time a case is considered not under the SOP. Regular meetings are also held every month to evaluate services and provide input to the management (Alamsyah, 2021). Based on the statement above, it is very clear that the head of the medical committee of RSKD Dadi failed to understand the very broad elements of hospital by laws. The regulation in hospital by laws at the Dadi Hospital is very broad, while the reason the head of the medical committee stated that all hospital by laws have been implemented to the maximum is the duties and functions of the medical committee, where the rules are only a small part of the overall rules in hospital by laws.

e) Elements of Hospital by laws Dadi Hospital that have not been implemented

According to the head of the medical committee, the internal regulations of RSKD Dadi regarding medical staff have been implemented properly. So far, the implementation of these elements has not encountered any obstacles (Alamsyah, 2021). This statement is full of errors. First, the

implemented elements described are purely the functions and duties of the medical committee. Even these tasks and functions are not complete. So it is very difficult to say that there are no elements that have not been implemented. Second, the existence of obstacles or not is not a parameter of whether or not a regulation is implemented. It is possible that a policy can be said to be implemented even though the implementation process encounters many obstacles. However, there can also be a statement on the implementation of a policy without problems because from the start the policy was never implemented, due to the inability and even ignorance of the policy.

B. The Role of the Medical Committee in Improving Good Clinical Governance.

1. Duties and Authorities of the Medical Committee in Hospital by Laws at Labuang Baji Regional General Hospital, Haji and Dadi Regional Special Hospital

The medical committee is a hospital committee formed by the hospital director and reports to the hospital director. The medical committee is a hospital instrument that was established to implement clinical governance so that the medical staff in the hospital can maintain their professionalism through credentialing mechanisms, quality assurance, the medical profession, and the maintenance of ethics and discipline of the medical profession. Hospital by laws in these three (3) hospitals state the similarity of duties and authorities of the medical committee. The duties of the medical committee are in accordance with those stipulated in Hospital by Laws in the 3 hospitals, namely ([Article 114 of South Sulawesi Governor Regulation, 2019](#)):

The Medical Committee has the duty and responsibility to improve the professionalism of the medical staff in the hospital in several ways, namely: All medical staff who will carry out their duties to provide medical services must go through a credential process. In addition, the

medical committee must be able to maintain the professional quality of medical staff, and maintain discipline, ethics, and professional behavior among medical professionals. In carrying out the credential function, the medical committee as well as the medical committee must also compile a list of clinical authorities based on suggestions from medical staff groups in accordance with applicable professional norms. The medical committee also has a function to examine and review competence, physical and mental health, professional behavior and ethics. In addition, the medical committee also evaluates data on continuing medical/dentistry professional education, conducts interviews with applicants for clinical authority and assesses and terminates adequate clinical authority. The medical committee must also prepare a report on the results of the credential assessment to issue recommendations for clinical authority to the chair of the medical committee. The medical committee also issues recommendations and issues clinical assignments. If the validity period of the clinical assignment letter has expired, the medical committee must carry out the recredential process. In an effort to maintain the professional quality of medical staff, the medical committee has the function of conducting medical audits, conducting regular scientific meetings in the context of continuing education for medical staff. The medical staff also recommends that medical staff be actively involved in external activities in continuing education for hospital medical staff and recommends a proctoring process for medical staff in need.

Concerning efforts to maintain discipline, ethics and professional behavior of medical staff, the medical committee has the function of fostering ethics and discipline of the medical profession, examining medical staff suspected of

violating discipline, recommending discipline if there are violations in the profession in hospitals and playing a role in providing consideration in every ethical decision making in patient medical nursing care. The chairman of the medical committee at Labuang Baji Hospital explained that the medical committee plays a very important role because the spearhead of hospital services are doctors so that the medical committee must work and arrange so that medical services can run well and professionally (Apriyanti, 2021). Meanwhile, in carrying out its duties and functions, the medical committee of the Labuang Baji Hospital has the authority to (Article 115 of South Sulawesi Governor Regulation, 2019):

- 1) Provide recommendations on details of clinical authority (delineation of clinical privileges);
- 2) Provide a recommendation for a clinical assignment letter (clinical appointment);
- 3) Provide recommendations for refusal of certain clinical privileges;
- 4) Provide recommendations for changes/modifications of details of clinical authority (delineation of clinical privileges);
- 5) Provide recommendations for medical audit follow-up;
- 6) recommend continuing medical education, mentoring (proctoring); and administering disciplinary action.

2. Factors Influencing the Medical Committee in Improving Good Clinical Governance.

The hospital is a very complex institution and has a high risk so that one of the pillars of medical services in hospitals is realizing good clinical governance. Good clinical governance aims to guarantee and protect medical services and patient safety in hospitals (Article 2 of the Minister of Health of the Republic of Indonesia, 2011). Therefore, a home medical committee was appointed by the hospital director. Some factors influence the medical committee to improve good clinical governance in

hospitals. One of the factors is the availability of human resources (HR) in the hospital. If the number of medical personnel is adequate with good competence, it will help provide maximum medical services to patients. However, on the other hand, this is certainly a big problem for hospitals because one of the key factors in efforts to improve good clinical governance is the professionalism of the medical staff. The chairman of the RSUD Haji committee stated that the hospital has human resources, especially medical staff, which are quite complete so that it is one of the supporting factors in creating good clinical governance (Apriyanti, 2021).

In addition to human resource factors, the lack of good communication between owners, directors and medical staff is also one of the factors that hinders the implementation of good hospital governance in hospitals. This is further exacerbated by the non-optimal supervision from both internal hospitals and external supervision (Murniati & Santoso, 2016). In addition to the factors mentioned above, other factors that also affect the improvement of good clinical governance in hospitals are hospital facilities and infrastructure. Hospital facilities include treatment rooms, operating rooms, emergency rooms, clinical laboratories, radiology installations, pharmacy installations, nurse rooms, administration rooms, and other hospital facilities. The hospital infrastructure includes water installations, mechanical and electrical installations, medical gas and medical vacuum installations, steam installations, waste management installations, fire prevention and control, instructions, technical requirements and means of evacuation in the event of an emergency, air conditioning installations, information systems and communication, and ambulance (Article 18 of the Minister of Health of the Republic of Indonesia, 2016). This factor of limited facilities and infrastructure was found in the three hospitals so that improving good clinical governance faced several obstacles. This is as stated by the three resource persons who are the heads of the medical committees at their respective hospitals,

namely the chairman of the medical committee of the Labuang Baji Hospital, the head of the medical committee of the Haji Hospital and the head of the medical committee of the Dadi Hospital. The three explained that the main factor that hinders the implementation of good clinical governance in their respective hospitals is the incompleteness of facilities, including hospital facilities and infrastructure.

3. Efforts Taken by the Medical Committee in improving Good Clinical Governance in Hospitals

The medical committee is a hospital apparatus to implement clinical governance so that the medical staff in the hospital maintains professionalism through the credential mechanism, maintains the quality of the medical profession, and maintains the ethics and discipline of the medical profession. The medical committee has a major role in upholding the level of professionalism of the medical staff working in the hospital. In carrying out this role, the medical committee at Labuang Baji Hospital has made various real efforts to realize good clinical governance. These efforts include (Ummuh, 2021):

a. Credential execution

Credentialing is a process to meet standards to prioritize patient safety and have good competence and accountability so that they can provide professional and quality services. Labuang Baji Hospital does this when recruiting new medical personnel who will join this hospital to provide services.

b. Medical audit

One of the medical service standards (quality and patient safety) in this context is Medical Audit. Which is divided into two parts, namely Internal Medical Audit and External Medical Audit, Medical Audit itself is a series of audits as an effort to professionally evaluate the quality of medical services provided to patients using medical records, the medical profession carries out the implementation of Medical Audits. Although Medical is not explicitly regulated in the Medical Practice Law, doctors on the other hand must also

understand Medical Audit, because in carrying out medical practice, doctors are also obliged to carry out quality control and cost control, which in the implementation of quality control and cost control can be audited. Medical as stated in Article 49 paragraph (1) and paragraph (2) of the Medical Practice Law (Abubakar, 2018).

c. Scientific Meeting within the scope of the hospital

This activity is carried out every month and at the same time becomes a gathering place for fellow medical staff at Labuang Baji Hospital. The output that has been achieved through these efforts is an increase in the professionalism of medical staff (Ummuh, 2021). Meanwhile, the steps that have been taken by the medical committee of the Haji Makassar Hospital are trying to maintain the professionalism of the medical staff/medical personnel by credentialing the doctors who will join this hospital. With this credential, the medical committee can determine the doctor's competence. In addition, the committee also forms a medical audit team in charge of conducting an audit if there are cases deemed necessary to be audited. The committee also always holds meetings with management to provide input on how to improve further hospital services (Apriyanti, 2021). The medical committee of RSUD Haji Makassar conducts credentialing, medical audits, and conducts scientific meetings to improve or refresh the medical knowledge of the medical staff of RSUD Haji Makassar. The committee also seeks to assist and provide recommendations to doctors who wish to continue their education (Apriyanti, 2021).

The outputs that have been obtained from these efforts are as follows (Apriyanti, 2021):

- a. The professionalism of medical personnel is maintained;
- b. Increased types of services after our medical staff is educated;
- c. Assisted management in improving hospital services;

- d. Of course, the hospital's income is increasing.

Meanwhile, the real efforts made by the medical committee of RSKD Dadi in realizing good clinical governance can be divided into five main activities, namely (Alamsyah, 2021):

- a. Providing input related to how to improve health services in hospitals.
- b. Credential execution
- c. Implementation of clinical audit
- d. Increasing the professionalism of medical staff by engaging in scientific activities
- e. Regular meetings as service evaluation

The outputs that have been after these efforts have been carried out are as follows (Alamsyah, 2021):

- a. Improved services by improving facilities and infrastructure
- b. Maintained professionalism of medical staff

If you look at the findings above, it can be concluded that the three hospitals have some similarities and differences regarding the efforts made by their medical committees to realize clinical governance in their respective hospitals. The difference indicates that these efforts are less than optimal. The implementation of the duties and functions of hospital medical committees throughout Indonesia must be guided by Permenkes no. 755 concerning the organization of medical committees in hospitals. In Article 11, the duties and functions of the medical committee are fully regulated in carrying out clinical governance. The arrangement of the functions and duties above is the main work guideline for all medical committees as hospital apparatus which aims to implement good clinical governance. The regulation has also been adopted into hospital by laws owned by three hospitals belonging to the province of South Sulawesi, namely, RSUD Labuang Baji, RSUD Haji and RSKD Dadi. Referring to this rule, it can be said that the efforts that the three hospitals have carried out have not been maximized.

The medical committee at Labuang Baji Hospital only carried out three activities in order to realize clinical governance at this hospital. The first is

credentialing, which is one of three efforts by the medical committee to improve the professionalism of medical staff. The remaining two attempts were not carried out. Second and third, carry out medical audits and scientific meetings. The implementation of medical audits and scientific meetings themselves in Permenkes 755 of 2011 is 2 of 4 tasks to maintain medical staff quality in the medical committee. The rest was never attempted. From this fact, it can be said that only about 15-20% of the efforts of the medical committee at Labuang Baji Hospital to realize clinical governance.

This is similar to the efforts made by the medical committee of RSUD Labuang Baji, the Medical Committee of RSUD Haji Makassar also only carries out three tasks regulated by the Minister of Health and hospital by laws, namely credentialing, medical audits and meetings. So the analysis of the shortcomings can be categorized as not optimal. Meanwhile, at Dadi Hospital, the medical committee carried out five activities: credentialing, medical audits, regular meetings, providing recommendations for hospital services, and involving medical staff in various scientific activities. So far, it can be seen that the efforts in RSKD Dadi are more than the other two hospitals. There are two additional real efforts: providing service recommendations and involving medical staff in scientific activities. In terms of efforts to realize clinical governance, the Dadi RSKD medical committee is comparatively better. However, it still cannot be said to be optimal because there are still many duties and functions of the medical committee based on Permenkes 755 of 2011 and hospital laws that have not been implemented.

4. Obstacles Faced by the Medical Committee in Improving Clinical Governance in Hospitals

Hospital owners and managers have various problems that must be faced, while guaranteeing the protection and safety of patients remains the main thing in managing a hospital. In order to maintain the quality of health services and protect patient safety, the professionalism of medical staff is absolute and must be

improved. With this professionalism, it is hoped that patients can be served properly and can be accounted for. Controlling the competence and behavior of medical staff is an important and strategic role for the medical committee to support this professionalism (Murniati & Santoso, 2016). Obstacles faced by the medical committee of RSUD Haji Makassar in realizing clinical governance are facilities and infrastructure, especially regarding medical equipment that supports hospital services (Apriyanti, 2021). The same problem is also faced by Labuang Baji Hospital where facilities and infrastructure are the main obstacles in the implementation of hospital services under hospital by laws. Although it has been designated as a BLUD, budgeting is not fully focused on the facilities and infrastructure in this hospital (Ummuh, 2021). The main obstacle to the medical committee at RSKD Dadi is the same thing (Deliarnoor & SH, 2016). Often this lack of facilities makes services less than optimal in three hospitals belonging to the provincial government of West Sulawesi.

The obstacle is because the government owns this hospital, so all budget planning must go through a tender process so that facilities and infrastructure cannot be immediately available. It takes a long process so that facilities and infrastructure can be available (Apriyanti, 2021). This obstacle is understandable considering that this hospital belongs to the provincial government, of course, it must go through a budgeting process. RSKD Dadi understands this and is trying through management to fix it (Alamsyah, 2021). Even so, RSUD Haji Makassar is still trying to provide the best and professional service, according to the availability of facilities and infrastructure. Suppose it cannot be resolved at this hospital. In that case, it will be referred to a hospital with more complete facilities (Apriyanti, 2021). Efforts to solve this problem are to provide professional services, under the available facilities and infrastructure (Ummuh, 2021). Even with the Dadi RSKD in solving this problem, the RSKD made adjustments. If hospital services can be performed in this hospital, then the service will be performed. However, if this cannot

be done at this location, then the option is to refer the patient to a more complete place/service (Alamsyah, 2021).

Conclusion

Based on the analysis of the results of the research and discussion, it can be concluded that the implementation of hospital by laws by the medical committee in improving clinical governance of the regional public hospitals of the South Sulawesi provincial government, that the South Sulawesi Provincial Government Hospital has not implemented Hospital by laws properly. Hospital by laws is only used for administrative purposes in the hospital accreditation process. This shows that Hospital by Laws, which should be the basic reference in the implementation of hospital services, are only seen as completeness of the file which is only a formality. The lack of understanding and awareness about the importance of Hospital by laws is caused by the absence of socialization of Hospital by laws among all medical officers in hospitals.

The role of the medical committee to improve good clinical governance at the South Sulawesi provincial government hospital has not been maximized because of the information provided by the medical committee that has not fully carried out the duties and functions of the medical committee as stated in the Hospital by Laws hospital. This is evidenced by the statement of the head of the medical committee who explained what duties and functions had been carried out. From this information, the medical committee has not carried out its duties and functions optimally as stated in the Minister of Health Regulation 755/MENKES/Per/IV/2011 concerning the hospital's medical committee and internal relations. The South Sulawesi Provincial Government Hospital does not include a review and evaluation mechanism for the hospital's internal regulations. Based on the regulations for the preparation of Hospital by laws, hospitals need to review and evaluate Hospital by laws owned by hospitals so that they are always relevant and follow developments and hospital needs.

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