

**PELINDUNGAN HUKUM BAGI DOKTER
DALAM TELEKONSULTASI HASIL PEMERIKSAAN DERMOSKOPI
DI RSUD X PROVINSI Z**

TESIS

Untuk memenuhi sebagian persyaratan

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ABSTRAK

Perkembangan telemedisin mendorong transformasi pelayanan kesehatan, termasuk bidang dermatologi melalui telekonsultasi hasil pemeriksaan dermoskopi. Pemanfaatan teknologi ini meningkatkan akses dan mutu pelayanan kesehatan, tetapi juga menimbulkan persoalan hukum terkait kewenangan dokter, tanggung jawab profesional, keamanan data, dan kepastian hukum dalam pelayanan kesehatan berbasis elektronik. Karakteristik telekonsultasi yang bergantung pada data klinis digital dan interpretasi profesional dokter menuntut adanya perlindungan hukum yang memadai bagi dokter dalam pelaksanaannya.

Penelitian ini bertujuan menganalisis pengaturan hukum, pelaksanaan perlindungan hukum, dan faktor-faktor yang memengaruhi perlindungan hukum bagi dokter dalam telekonsultasi hasil pemeriksaan dermoskopi di RSUD X Provinsi Z. Penelitian menggunakan metode yuridis sosiologis dengan spesifikasi deskriptif analitis. Data diperoleh melalui studi kepustakaan dan wawancara dengan dokter spesialis dermatologi, venereologi, dan estetika serta para pihak terkait. Analisis data dilakukan secara kualitatif menggunakan teori perlindungan hukum Philipus M. Hadjon, teori keadilan John Rawls, dan teori efektivitas hukum Soerjono Soekanto.

Hasil penelitian menunjukkan bahwa telekonsultasi hasil pemeriksaan dermoskopi di RSUD X telah memiliki dasar hukum yang bersumber dari Undang-Undang Nomor 17 Tahun 2023 tentang Kesehatan beserta peraturan terkait telemedisin, informasi dan transaksi elektronik, serta perlindungan data pribadi. Pelindungan hukum bagi dokter diwujudkan melalui perlindungan preventif berupa pengaturan kewenangan praktik, standar profesi, standar prosedur operasional, *informed consent*, keamanan data pasien, dan dokumentasi rekam medis elektronik, serta perlindungan represif melalui mekanisme penyelesaian sengketa medis, penegakan disiplin profesi, mediasi, dan proses peradilan sesuai ketentuan peraturan perundang-undangan. Faktor-faktor yang memengaruhi pelaksanaannya meliputi faktor teknis yang mencakup kualitas perangkat dermoskopi, stabilitas jaringan internet, integrasi rekam medis elektronik, keamanan data pasien, kesiapan tenaga medis dalam penggunaan teknologi digital, faktor sosial yang berkaitan dengan tingkat penerimaan masyarakat terhadap telekonsultasi, kepercayaan pasien terhadap diagnosis berbasis digital, dan faktor budaya tenaga medis yang masih cenderung mengutamakan pemeriksaan secara langsung. Maka, diperlukan penguatan regulasi dan penyusunan standar operasional yang lebih spesifik guna meningkatkan perlindungan bagi dokter dalam penyelenggaraan telekonsultasi hasil pemeriksaan dermoskopi.

Kata Kunci: dermoskopi, dokter, perlindungan hukum, teledermatologi, telekonsultasi.

ABSTRACT

The development of telemedicine has driven the transformation of healthcare services, including in the field of dermatology through teleconsultation based on dermoscopic examination results. The utilization of this technology has improved access to and quality of healthcare services; however, it has also raised legal issues concerning doctors' authority, professional liability, data security, and legal certainty in electronic healthcare services. The nature of teleconsultation, which relies on digital clinical data and doctors' professional interpretation, requires adequate legal protection for doctors in its implementation.

This study aims to analyze the legal regulations, the implementation of legal protection, and the factors influencing legal protection for doctors in teleconsultation based on dermoscopic examination results at RSUD X, West Java. The study employed a socio-legal research method with a descriptive-analytical approach. Data were collected through literature review and interviews with specialists in dermatology, venereology, and aesthetics, as well as other relevant parties. The data were analyzed qualitatively using Philipus M. Hadjon's theory of legal protection, John Rawls' theory of justice, and Soerjono Soekanto's theory of legal effectiveness.

The results indicate that teleconsultation based on dermoscopic examination results at RSUD X has a legal basis derived from Law Number 17 of 2023 concerning Health, along with regulations related to telemedicine, electronic information and transactions, and personal data protection. Legal protection for doctors is realized through preventive measures, including regulations on professional authority, professional standards, standard operating procedures, informed consent, patient data security, and electronic medical record documentation, as well as repressive measures through medical dispute resolution mechanisms, professional disciplinary enforcement, mediation, and judicial proceedings in accordance with applicable laws and regulations. Factors influencing its implementation include technical factors, such as the quality of dermoscopy devices, internet network stability, integration of electronic medical records, patient data security, and healthcare professionals' readiness to use digital technology; and social factors, including public acceptance of teleconsultation, patient trust in digital-based diagnoses, and the prevailing culture among healthcare professionals that still tends to prioritize direct physical examinations. Therefore, stronger regulations and more specific standard operating procedures are required to enhance legal protection for doctors in the implementation of teleconsultation based on dermoscopic examination results.

Keywords: dermoscopy, doctor. legal protection, teledermatology, teleconsultation.