

## ABSTRAK

Pemberian insentif Covid-19 dari pemerintah melalui Keputusan Menteri Kesehatan Republik Indonesia Nomor HK.01.07/MENKES/392/2020 tentang Pemberian Insentif dan Santunan Kematian bagi Tenaga Kesehatan yang menangani Covid-19 merupakan bentuk apresiasi dari pemerintah kepada tenaga kesehatan yang telah berani menangani pasien Covid-19. Namun pada keputusan menteri tersebut tidak mencantumkan tenaga *non*-kesehatan sebagai penerima sasaran insentif Covid-19. Padahal pada praktiknya tenaga *non*-kesehatan terlibat dalam penanganan pasien Covid-19 dan memiliki resiko terinfeksi Covid-19. Perumusan masalah dari penelitian ini yaitu bagaimana implementasi dan efektifitas pemberian insentif Covid-19 pada tenaga kesehatan yang menangani Covid-19? Metode penelitian ini disusun menggunakan pendekatan yuridis empiris. Teori yang digunakan untuk menganalisis implementasi permasalahan ini menggunakan teori tujuan hukum dari Gustav Radburch dan teori perilaku hukum dari Donald Black. Untuk menganalisis efektifitas hukum dalam permasalahan ini menggunakan teori sistem hukum dari Lawrence M. Friedman dan teori efektivitas hukum dari Donald Black. Hasil penelitian menunjukkan bahwa implementasi pemberian insentif bagi tenaga kesehatan yang menangani Covid-19 di RSUD St. Elisabeth Purwokerto sudah sesuai dengan ketentuan Keputusan Menteri Kesehatan Republik Indonesia Nomor HK.01.07/MENKES/770/2022. Namun atas dasar kesepakatan bersama antara tenaga kesehatan dengan tenaga *non*-kesehatan, tenaga kesehatan menyisihkan insentif Covid-19 kepada tenaga *non*-kesehatan yang telah terlibat dalam penanganan Covid-19 secara sukarela. Hal tersebut dilakukan karena tenaga *non*-kesehatan tidak tercantum dalam Keputusan Menteri Kesehatan Republik Indonesia Nomor HK.01.07/MENKES/770/2022. Pemberian insentif bagi tenaga kesehatan yang menangani Covid-19 di RSUD St. Elisabeth Purwokerto sudah efektif bagi tenaga kesehatan tetapi belum efektif bagi tenaga *non*-kesehatan. Pemberian insentif Covid-19 bagi tenaga kesehatan dikatakan sudah efektif karena pemberian insentif Covid-19 sudah dilaksanakan sesuai Keputusan Menteri Kesehatan Republik Indonesia Nomor HK.01.07/MENKES/770/2022. Namun, pemberian insentif Covid-19 belum efektif bagi tenaga *non*-kesehatan karena belum ada peraturan mengenai pemberian insentif Covid-19 bagi tenaga *non*-kesehatan yang terlibat dalam penanganan Covid-19. Saran dari hasil penelitian ini yaitu perlu dilakukan perbaikan pada instrumen hukum yang mengatur mengenai sasaran penerima insentif Covid-19 agar tenaga *non*-kesehatan ditetapkan sebagai penerima insentif Covid-19.

Kata kunci: Efektivitas, Insentif, Tenaga Kesehatan, Tenaga *Non*-Kesehatan.

## ABSTRACT

*Providing Covid-19 incentives from the government through Decree of the Minister of Health of the Republic of Indonesia Number HK.01.07/MENKES/392/2020 concerning Provision of Incentives and Death Benefits for Health Workers handling Covid-19 is a form of appreciation from the government to health workers who have dared to treat patients Covid-19. However, the ministerial decree does not include non-health workers as target recipients of the Covid-19 incentives. Even though in practice non-health workers are involved in handling Covid-19 patients and have a risk of being infected with Covid-19. The formulation of the problem from this research is how is the implementation and effectiveness of providing Covid-19 incentives to health workers who handle Covid-19? This research method was compiled using an empirical juridical approach. The theory used to analyze the implementation of this problem uses the theory of legal objectives from Gustav Radburch and the theory of legal behavior from Donald Black. To analyze the effectiveness of the law in this matter using legal system theory from Lawrence M. Friedman and legal effectiveness theory from Donald Black. The results of the study show that the implementation of providing incentives for health workers who handle Covid-19 at St. Elisabeth Purwokerto complies with the provisions of the Decree of the Minister of Health of the Republic of Indonesia Number HK.01.07/MENKES/770/2022. However, on the basis of a joint agreement between health workers and non-medical workers, health workers set aside Covid-19 incentives for non-health workers who have been involved in handling Covid-19 voluntarily. This was done because non-health workers were not listed in the Decree of the Minister of Health of the Republic of Indonesia Number HK.01.07/MENKES/770/2022. Provision of incentives for health workers who handle Covid-19 at St. Elisabeth Purwokerto has been effective for health workers but not yet effective for non-health workers. The provision of Covid-19 incentives for health workers is said to have been effective because the provision of Covid-19 incentives has been implemented according to the Decree of the Minister of Health of the Republic of Indonesia Number HK.01.07/MENKES/770/2022. However, the provision of Covid-19 incentives has not been effective for non-health workers because there are no regulations regarding the provision of Covid-19 incentives for non-health workers who are involved in handling Covid-19. Suggestions from the results of this study are that it is necessary to make improvements to legal instruments that regulate the target recipients of Covid-19 incentives so that non-health workers are designated as recipients of Covid-19 incentives.*

*Keywords: Effectiveness, Incentives, Health Workers, Non-Health Workers.*