

**TANGGUNG JAWAB HUKUM BADAN PENYELENGGARA JAMINAN
SOSIAL KESEHATAN TERHADAP PESERTA PENERIMA BANTUAN
IURAN JAMINAN KESEHATAN NASIONAL**

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ABSTRAK

Penelitian ini bertujuan untuk mengetahui sinkronisasi pengaturan serta bentuk tanggung jawab hukum Badan Penyelenggara Jaminan Sosial (BPJS) Kesehatan terhadap peserta Penerima Bantuan Iuran (PBI) jaminan kesehatan nasional. Metode penelitian yang digunakan adalah yuridis normatif dengan metode pendekatan perundang-undangan (*statute approach*), pendekatan analitis (*Analytical Approach*) dan pendekatan konseptual (*Conceptual Approach*). Spesifikasi penelitian yang digunakan adalah inventarisasi peraturan perundang-undangan (hukum positif), penelitian taraf sinkronisasi hukum dan penemuan hukum *in concreto*. Jenis data yang digunakan dalam penelitian ini adalah data sekunder dengan metode pengumpulan data studi kepustakaan serta metode analisis data dengan *content analysis* dan *comparative analysis*. Berdasarkan hasil penelitian dapat disimpulkan bahwa pengaturan tanggung jawab hukum Badan Penyelenggara Jaminan Sosial (BPJS) Kesehatan terhadap peserta Penerima Bantuan Iuran (PBI) jaminan kesehatan nasional pada struktur peraturan perundang-undangan Indonesia telah menunjukkan adanya taraf sinkronisasi yang artinya bahwa antara peraturan yang derajatnya lebih rendah tidak bertentangan dengan peraturan yang derajatnya lebih tinggi dan peraturan yang lebih tinggi menjadi dasar dibentuknya peraturan yang lebih rendah serta adanya keserasian antara peraturan yang sederajat. Bentuk pertanggungjawaban hukum Badan Penyelenggara Jaminan Sosial (BPJS) terkait penyelenggaraan program jaminan kesehatan menurut peraturan perundang-undangan dapat dibagi menjadi 3 (tiga), yaitu tanggung jawab hukum perdata, pidana, dan administratif.

Kata Kunci: *Tanggung Jawab Hukum, BPJS Kesehatan, Penerima Bantuan Iuran (PBI) Jaminan Kesehatan Nasional*

**LEGAL RESPONSIBILITIES OF THE HEALTHCARE AND SOCIAL
SECURITY ADMINISTRATIVE BODY (BPJS) TOWARD
PARTICIPANTS HEALTH SECURITY PREMIUM SUPPORT
BENEFICIARY (PBI) OF THE NATIONAL HEALTH INSURANCE**

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ABSTRACT

This research aims to comprehend the synchronization of the regulation and the forms of legal responsibilities of the Healthcare and Social Security Administrative Body (BPJS) toward participants health security premium support beneficiary (PBI) of the national health insurance. The method used in this research are the normative-juridical method with the statue approach method and the analytical approach method. The specifications which are used in the research are the inventory of the Law and Regulations (positive law), research on the level of legal synchronization and legal findings in in-concreto cases. The type of data used in this research is the secondary data by collecting the data out of the literatures' study. Based on the results of the research, it can be concluded that the regulation of the legal responsibilities of the Healthcare and Social Security Administrative Body (BPJS) towards participants of the health security premium support beneficiary (PBI) of the national health insurance in the structure of Indonesian legislation has shown a degree of synchronization, which means that there is no contradiction between the regulations of the lower level with the regulations of the higher level, and the regulations of the higher level become the basis for the formation of the regulations for the lower level and also there is suitability between the regulations of the same level. The form of legal responsibilities of Healthcare and Social Security Administrative Body (BPJS) related to the administration of the health insurance programs according to the Law and Regulations can be divided into 3 (three), namely civil, criminal and administrative responsibilities.

Keywords : Legal Responsibility, the Healthcare and Social Security Administrative Body (*BPJS Kesehatan*), the Health Security Premium Support Beneficiary (PBI) of the national health insurance.