

**THE IMPLEMENTATION OF MEDICAL INFORMED CONSENT IN  
SLEMAN REGENCY (Case Study of Queen Latifah Hospital and  
Ananda Maternity Clinic)**

**UNDERGRADUATE THESIS**



**Written by:**

**Sadam Maulana**

**NIM. 2016060460**

**Faculty of Law  
Study Program International Program for Law and Sharia  
Health Law  
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## DECLARATION PAGE

I am the undersigned :

Name : Sadam Maulana

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Title of Thesis : **THE IMPLEMENTATION OF MEDICAL INFORMED CONSENT IN SLEMAN REGENCY (Case Study of Queen Latifah Hospital and Ananda Maternity Clinic)**

I hereby declare that this Undergraduate Thesis, is truly the work of my own and I did not do a plagiarism or quotation in ways that are inconsistent with the prevailing ethics in the scientific community. By this declaration, I am ready to bear the risk/any sanctions imposed to me in accordance with the applicable regulations. If a breach of scientific ethics is found in the future, I am willing to accept the sanctions.

Yogyakarta, 7 April 2022



Sadam Maulana  
NIM. 20160610460

## MOTTO PAGE

“A Winner is a Dreamer Who Never Gives Up” -Nelson Mandela



## DEDICATION PAGE

Alhamdulillahirabbal' alamin,

All praises be to Allah SWT, the Most Merciful and the Most Gracious, who has given me His blessing and opportunity to accomplish my Undergraduate Thesis, I dedicated this undergraduate thesis to:

My Beloved Family :



Papa Darmawan

Mama Sumini

Sister Dita Kristiana S.St., M.H.

Brother Faisal Novandaru A.Md

Haidar Afnan Aryasatya

Gendhis Kirania Azahra

## FOREWORD

Assalamualaikum Wr. Wb.

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I realizes that in writing this thesis there were many parties who have helped and guided me, thus on this occasion I would like to thank the people who have a big involvement during my journey to finish this thesis. My eternal grateful is specially expressed towards:

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Therefore, I do expect this thesis will benefit the future readers and researchers as it shall be used properly.

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## LIST OF LEGISLATION

The 1945 Constitution (*Undang Undang Dasar Republik Indonesia Tahun 1945* ).

The Indonesian Civil Code (*Kitab Undang-Undang Hukum Perdata*).

The Minister of Health Regulation Number 434/Men.Kes/X/1983 on the Enactment of Indonesian Medical Code of Ethics of Doctors (*Peraturan Menteri Kesehatan Nomor 434/Men.Kes/X/1983 tentang Pengesahan Kode Etik Medis dan Dokter*).

The Law Number 29 of 2004 on Medical Practice (*Undang-Undang Nomor 29 Tahun 2004 tentang Praktek Kedokteran*).

The Health Minister Regulation number 269/Menkes/Per/III/2008 on Medical Record (*Peraturan Menteri Kesehatan Nomor 269/Menkes/Per/III/2008 tentang Rekam Medis*)

The Minister of Health of the Republic of Indonesia Number 290/MENKES/PER/III/2008 on Medical Approval Actions (*Peraturan Menteri Kesehatan Nomor 290/MENKES/PER/III/2008 tentang Persetujuan Tindakan Medis*).

Undang-Undang Nomor 36 Tahun 2009 tentang Kesehatan (*The Law Number 36 of 2009 on Health*).

The Law Number 44 of 2009 on Hospitals (*Undang-Undnag Nomor 44 Tahun 2009 tentang Rumah Sakit*).

The Minister of Health Regulation Number HK.02.02/Menkes/148.I/2010 on Permissions and Nursing Practice (*Peraturan Menteri Kesehatan Nomor HK.02.02/Menkes/148.I/2010 tentang Praktek dan Izin Perawat*).

The Ministry Health Regulation Number HK.02.02/MENKES/149.1/2010 on Permissions and Midwifery Practice (*Peraturan Menteri Kesehatan Nomor HK.02.02/MENKES/149.1/2010 tentang Praktek dan Izin Bidan*).

