

PERSONAL DATA PROTECTION IN TELEMEDICINE SERVICES

Undergraduate Thesis



UMY

**UNIVERSITAS
MUHAMMADIYAH
YOGYAKARTA**

Unggul & Islami

Submitted By:

Ghina Farhah

NIM. 20180610271

Faculty of Law

International Program for Law and Sharia

Criminal Law

Universitas Muhammadiyah Yogyakarta

2023

APPROVAL PAGE

PERSONAL DATA PROTECTION IN TELEMEDICINE SERVICES

Undergraduate Thesis

It is submitted to fulfill the requirements for obtaining a bachelor's degree at the
Faculty of Law, Universitas Muhammadiyah Yogyakarta.

Submitted by:

Ghina Farhah

NIM. 20180610271



This undergraduate thesis has been approved by the Supervisor

on 10 July 2023



Supervisor

M. Endriyo Susila, S.H., MCL., Ph.D.

NIK. 19720904200004 153 042

ENDORSEMENT PAGE

PERSONAL DATA PROTECTION IN TELEMEDICINE SERVICES

This undergraduate thesis has been defended in front of the board of examiners.

on 25 July 2023.

Board of Examiners:

Signature

1. Chairman : Nasrullah, S.H., S.Ag., MCL.
NIK.19700617200004153045



2. Examiner : Iwan Satriawan, S.H., MCL., PhD
NIK. 19700706199904153039



3. Examiner : M. Endriyo Susila, S.H., MCL., PhD.
NIK. 19720904200004153042



Endorsed by,
Dean of Faculty of Law

Universitas Muhammadiyah Yogyakarta



Iwan Satriawan, S.H., MCL., Ph.D.
NIK. 19700706199904153039

DECLARATION PAGE

I am, the undersigned:

Name : Ghina Farhah

Student Number : 20180610271

Title of Thesis : **PERSONAL DATA PROTECTION IN
TELEMEDICINE SERVICES**

I hereby declare that this undergraduate thesis is entirely my work. I did not engage in plagiarism or quoting in ways that violated the scientific community's prevalent ethics. On this statement, I declare that I am willing to accept the risk/any consequence imposed by the applicable regulations. If another infraction of scientific ethics is detected in the future, I will accept the consequence.

UNIVERSITAS
MUHAMMADIYAH
YOGYAKARTA

Yogyakarta, 10 July 2023



Ghina Farhah
NIM. 20180610271

MOTTO PAGE

“People who like to tell the truth will get three benefits, namely trust, love, and respect.”

(Ali Bin Abi Thalib)

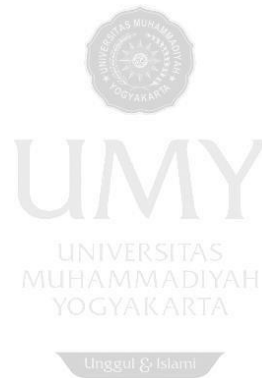


DEDICATION PAGE

Alhamdulillahirabbal'alamin

By expressing the greatest gratitude to Allah SWT, thank you for all the blessings in the form of convenience and smoothness in completing this thesis writing, I dedicate it to those whom I really love:

1. Allah SWT
2. The love of my life, Hinhin Muiz Hilmi and Lina Marlina.
3. My beloved siblings, Aga Haditaqi and Irfan Fauzan



FOREWORDS

Assalamualaikum Wr. Wb.

Alhamdulillahirobbil'alamin, thank you Allah SWT, the most Gracious, the most Merciful, who has given me His blessing, guidance and an opportunity to complete my Undergraduate Thesis entitled **“PERSONAL DATA IN PROTECTION TELEMEDICINE SERVICES”** at International Program for Law and Sharia, Faculty of law, Universitas Muhammadiyah Yogyakarta. Shalawat and greeting, I addressed our Prophet Muhammad, who has been my inspiration in practicing and doing all good for the world and the hereafter. This Undergraduate Thesis is motivated by his struggle to spread Islamic teachings to all mankind.

I realize that in writing this thesis, many people have helped, guided and inspired me, thus on this occasion, I would like to say thanks to:

1. Chancellor of Universitas Muhammadiyah Yogyakarta, Dr. Ir. Gunawan Budiyo, M.P., IPM.
2. Dean of the Faculty of Law, Iwan Satriawan, S.H., MCL., Ph.D.
3. Head of the Department of Law, Sunarno, S.H., M.Hum., Ph.D.
4. M. Endriyo Susila, S.H., MCL., Ph.D. as my supervisor for guiding me well in writing this thesis.
5. My beloved father and mother, the source of my strength.
6. My dear brothers, a Aga and a Irfan.
7. Teh Rifa, my best friend, my sister who always listens to me and supports me.
8. Jeje, Nadya, Zalsa, the other close friends who spent time with me and continually encouraged me to accomplish this undergraduate thesis as soon as possible.
9. All IPOLians' Batch 2018, who had spent time together from the beginning of college life.

Finally, I hope this Undergraduate Thesis will give benefit to all human beings.

Wassalamu'alaikum Wr. Wb.

Yogyakarta, 10 July 2023



Ghina Farhah

NIM. 20180610271



TABLE OF CONTENTS

TITLE PAGE	i
APPROVAL PAGE	ii
ENDORSEMENT PAGE	iii
DECLARATION PAGE	iv
MOTTO PAGE	v
DEDICATION PAGE	vi
FOREWORD	vii
TABLE OF CONTENTS	ix
LIST OF LEGISLATION	xi
LIST OF ABBREVIATION	xii
ABSTRACT	xiii
CHAPTER I INTRODUCTION	1
A. Background of Research	1
B. Research Problem.....	4
C. Objective of Research	5
D. Benefits of Research	5
E. Research Method.....	5
CHAPTER II PERSONAL DATA PROTECTION	8
A. Definition of Personal Data.....	8
B. Personal Data Protection	9
CHAPTER III TELEMEDICINE SERVICES	15
A. Definition of Telemedicine	15
B. The Development of Telemedicine in Indonesia	18
CHAPTER IV PERSONAL DATA PROTECTION IN TELEMEDICINE SERVICES IN INDONESIA	23
A. Telemedicine Service Governed in Indonesia.....	23
1. Legal Basis of Telemedicine Services.....	23
2. The Role of Telemedicine in The Healthcare Sector.....	30
3. Problems in the Use of Telemedicine Services	33
B. The Legal Consequences of Data Abuse	39
1. Administrative Sanctions and Criminal Provisions.....	39
CHAPTER V CONCLUSION AND RECOMMENDATION	44
A. Conclusion	44
B. Recommendation.....	46
BIBLIOGRAPHY	46
ATTACHMENT	51

LIST OF LEGISLATION

The Law Number 14 of 1969 concerning Basic Provisions Regarding
Labor

The Law Number 29 of 2004 concerning Medical Practice is based on Article 20
and Article 21 paragraph (1) of the 1945 Constitution of the Republic of
Indonesia.

The Law Number 29 of 2004 concerning Medical Practice based on Article 20 and
Article 21 paragraph (1) of the 1945 Constitution of the Republic of
Indonesia.

The Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008
concerning Electronic Information and Transactions listed in the State
Gazette of the Republic of Indonesia of 2016 Number 251, Supplement to
the State Gazette of the Republic of Indonesia Number 5952.

The Law No. 27 of 2022 on Personal Data Protection.

The Government Regulation Number 46 of 2014 concerning Health Information
Systems was issued by the Government of the Republic of Indonesia.

The Regulation of the Minister of Health Number 36 of 2012 on Medical
Confidentiality determined based on Article 48 paragraph (1) of Law
Number 29 of 2004 concerning Medical Practice and Article 38
paragraph (3) of Law Number 44 of 2009 concerning Hospitals.

LIST OF ABBREVIATION

ECG	: Electrocardiography
EDI	: Electronic Data Interchange
HER	: Electronic Health Record
EIT	: Electronic Information and Transactions
EMR	: Electronic Medical Record
ICT	: Information and Communication Technology
PHR	: Personal Health Record
PKI	: Public Key Infrastructure
WHO	: World Health Organization

