

Tanggung jawab rumah sakit terhadap perbuatan melawan hukum atas kasus malpraktik yang dilakukan dokter bukan pegawai rumah sakit ditinjau dari teori central responsibility: analisis putusan No. 18/Pdt.G/2006/PN.PLG., 62/PDT/2006/PT.PLG., 1752/K/Pdt/2007 dan 352/PK/PDT/2010 = Hospital responsibility of the unlawful act the malpractice by doctors who are not be a part of hospital's employee in term of the central responsibility theory: analysis decision No. 18/Pdt.G/2006/PN.PLG, 62/PDT/2006/PT.PLG., 1752 K/Pdt/2007 and 352/PK/PDT/2010

Maghfirotn, author

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Abstrak

ABSTRAK

Dalam penelitian ini dianalisis tanggung jawab rumah sakit terhadap perbuatan melawan hukum yang dilakukan dokter bukan pegawai rumah sakit, penerapan teori central responsibility dan analisis putusan No. 18/Pdt.G/2006/PN.PLG, 62/PDT/2006/PT.PLG, 1752 K/Pdt/2007 dan 352/PK/PDT/2010. Penelitian ini menggunakan metode yuridis normatif dengan pendekatan kualitatif. Rumah sakit bertanggung jawab terhadap perbuatan melawan hukum yang terjadi di rumah sakit. Penerapan teori Central Responsibility memberikan kepastian hukum bagi pasien dan rumah sakit dimana rumah sakit bertanggung jawab secara terpusat terhadap semua kejadian di rumah sakit. Pada putusan No. 18/Pdt.G/2006/PN.PLG, 62/PDT/2006/PT.PLG, 1752 K/Pdt/2007 dan 352/PK/PDT/2010 rumah sakit bertanggung jawab secara central responsibility.

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ABSTRACT

In this research analyzed the relation between the hospital's responsibility with the unlawful act that done by the doctors who are not be part of hospital's employee and the application of the central responsibility theory, and analysis of the judicial decision number 18/Pdt.G/2006/PN.PLG, 62/PDT/2006/PT.PLG, 1752 K/Pdt/2007 and 352/PK/PDT/2010. This study uses normative juridical method with qualitative approach. The hospital is responsible for the unlawful act that occurred in the hospital. The application of the central responsibility theory makes the legal certainty of both patients and the hospital with the hospital responsible centrally to all cases that happen in the hospital. In the judicial decision number 18/Pdt.G/2006/PN.PLG, 62/PDT/2006/PT.PLG, 1752 K/Pdt/2007 and 352/PK/PDT/2010 hospital responsible centrally.