

FINANCING HEALTH INSURANCE FOR COMMUNITIES AFFECTED BY THE COVID-19 PANDEMIC

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ABSTRACT; *The implementation of Health Development which must be implemented in an integrated manner, aims to increase awareness, willingness and ability of Health for everyone. The implementation of Health Development has new challenges in the Health sector, one of which is the development of types of infectious diseases, new diseases that have emerged, namely the Covid-19 virus. WHO data reached 136,000,000 in April 2021. Meanwhile, Indonesia on March 2, 2020, the spread of Covid was extraordinarily fast. This step is an extraordinary event and requires rapid handling and sufficient funds. This study uses a normative legal method where researchers provide a systematic explanation of the rules, analyze the relationship between regulations, and explain the current phenomena that are predicted to have an impact on the future data, strong Health Financing Exemption of Certain Emerging Infection Patient Fees. The claim procedure starts from the hospital submitting a collective claim for reimbursement to the Director General of Health Services, copied to BPJS Kesehatan for verification and the District/City Health Office via email.*

Keywords: *Implementation of Financing for Communities Affected by Covid-19*

INTRODUCTION

The implementation of the Development of Crime includes Health Efforts and its resources, must be implemented in an integrated and sustainable manner in order to achieve optimal results. Health Efforts that initially focused on curing patients gradually developed towards the integration of comprehensive Health Efforts.¹ Health Development aims to increase awareness, willingness, and ability to live healthily for everyone in order to realize the highest level of Public Health as an investment for the Development of socially and economically productive human resources.²

The implementation of Health Development cannot be separated from various Health problems that continue to experience ups and downs from time to time. Today, human life is facing new challenges in the Health sector, one of which is the development of types of infectious diseases. Infectious diseases are hereinafter referred to as epidemics. While an epidemic is an outbreak of an infectious disease in society where the number of sufferers increases significantly beyond the usual conditions at a certain time and area and can cause disaster.

Currently, the new disease outbreak that is of concern at the Global Level is the development of the type of disease caused by the virus, namely Covid-19 (Corona Viruses Disease 2019). Based on data provided by the World Health Organization (WHO), sufferers of the Covid-19 disease outbreak globally have reached 136,000,000 cases in April 2021. In Indonesia, on March 2, 2020, it reported its first case which then increased and spread rapidly throughout Indonesia.

Judging from the situation of the spread of Covid-19 which has almost reached all provincial areas in Indonesia with the number of cases and/or deaths increasing, so that it has an impact on political, economic, social, cultural, defense and security aspects, and the welfare of the people in Indonesia. Government Regulation in Lieu of Law (Perppu) Number 1 of 2020 concerning State Financial Policy and Financial System Stability for handling the Covid-19 pandemic in order to face threats that endanger the national economy, and/or the stability of the financial system.

Perppu is an initial step that can be used as a legal basis so that the government and related authorities can take extraordinary steps quickly and remain accountable in handling Covid-19. In addition, the Coordinating Ministry for Economic Affairs (Kemenko Perenominian) stated that in order to prevent an economic and financial crisis, the government has set additional spending and financing to handle the impact of Covid-19 of IDR 75 trillion.³

¹ Zenai Asyhadie, *Aspek-aspek Hukum Kesehatan di Indonesia*, PT Raja Grafindo Persada, Depok, 2017, hlm 1.

² Sri Siswati, *Etika Dan Hukum Kesehatan Dalam Perspektif Undang-undang Kesehatan*, PT Raja Grafindo Persada, Depok, 2013, hlm 33.

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Health Financing for the Community as a form of fulfilling the rights to Public Health during the Covid-19 pandemic is very important to consider. In accessing health services at various health facilities, of course, it requires costs that are not cheap, because the Covid-19 pandemic outbreak has caused almost all economic activities in the Community to stop, the income received by the Community is also lacking every time.

For example, in the care and treatment of Covid-19 patients themselves, the costs required are quite large, estimated at up to IDR 150,000,000 per patient according to the level of medical treatment.⁴

PROBLEM

Based on this background, several problem formulations are formulated as follows:

1. How is the Implementation of Health Insurance Financing in the Health Recovery of Covid-19 Patients?
2. What are the Factors that Influence the Implementation of Health Insurance Financing in the Health Recovery of Covid-19 Patients.

RESEARCH METHODS

This study uses a normative legal method where researchers provide a systematic explanation of the rules, analyze the relationship between regulations, and explain the current phenomena that are predicted to have an impact on the future. A normative study allows researchers to utilize the results or findings of the law empirically which are then analyzed and explained by law without changing the character of legal science as a normative science. This study describes a phenomenon that occurs and examines the phenomenon in depth. This study also relates to the Implementation of Health Insurance Financing in the Recovery of Covid-19 Patient Health. The approach taken through the study or review of legal theory legislation that is jurisprudence related to the problematics studied and its relationship to implementation in practice.⁵

DISCUSSION

Health Insurance Financing in the Selection of Covid-19 Patient Health

Strong, stable and sustainable Health Financing plays a very important role in the implementation of Health services in order to achieve various important goals of Health Development in a country, including equal distribution of Health services and access (equitable access to health care) and quality services (assured quality).⁶ Minister of Health Number 59 of 2016 concerning Exemption of Fees for Certain Emerging Infection Patients, financing for patients treated with certain emerging infectious diseases, Covid-19 can be claimed to the Ministry of Health.

Mini claims are carried out by referral hospitals that provide services and care for these infectious patients according to the list of referral hospitals appointed by the

⁴ Lihat di <https://www.suarantn.com/biaya-penangan-satu-pasien-positif-covid-19-rp150-juta/diakses-pada-tanggal1-oktober-2024>, pukul 20.30 WIB.

⁵ Nesya Lusiati, *Perlindungan Hukum Terhadap Iklan Menyesatkan*, Pdf (Surakarta, 2011, hlm. 32

⁶ Febri Endra Budi S, *Sistem Pembiayaan Kesehatan*, Fakultas Kedokteran, Universitas Muhammadiyah Malang vol, 2 No. 4 February 2018, hlm 59.

Minister. To facilitate the implementation of payments for patients treated with Emerging Infectious Diseases (PIE) including Covid-19, instructions and technical claims for treatment are needed so that they can be a reference for hospitals that provide Covid-19 services.

This is done in order to maintain the quality of service, efficiency of service costs, and continuity of health services for Covid-19 patients. Dated April 6, 2020, the Minister of Health, Dr. Terawang Agus Putranto, at that time issued the Decree of the Minister of Health Number HK.01.07/MENKES/238/2020 concerning Technical Instructions for Claiming Reimbursement of Treatment Costs for Certain Emerging Infectious Disease Patients for Hospitals that provide Covid-19 services.

The Decree of the Minister of Health of the Republic of Indonesia Number 238 of 2020 here reminds us of the tendency for high escalation of Covid-19 cases and requiring hospitalization, causing the capacity of the referral hospitals that have been designated to be unable to accommodate Covid-19 cases.

Therefore, it is necessary to encourage order in all health service facilities that are able to provide Covid-19 services so that health services for patients can be optimal. This is where the role of regulations regarding the technicalities of how to submit claims for PIE patient treatment costs for hospitals that provide health services for Covid-19 comes in.

The criteria for patients whose treatment costs can be claimed are:

1. People Under Monitoring (ODP) aged over 60 years with or without comorbidities and ODP aged under 60 years with comorbidities.
2. Patients Under Surveillance (PDP)
3. Confirmation of Covid-19. This criterion applies to Indonesian Citizens and Foreign Citizens who are being treated at Hospitals in the Territory of the Unitary State of the Republic of Indonesia.

Service locations in the form of Outpatient and Inpatient at referral hospitals for handling certain emerging infectious diseases and other hospitals that provide services for Covid-19 patients. Services that can be financed follow the service standards in the patient management guidelines according to the patient's medical needs.

Cost of outpatient and inpatient services includes, service administration, accommodation (rooms and services in the emergency room, inpatient room, intensive care room and isolation room) doctor's services, actions in the room, use of ventilators, disposable medical materials, supporting examinations, diagnostics (laboratory and radiology according to medical indications), medicines, medical devices including the use of PPE in the room, referrals, funeral home, and other health services according to medical indications.

The payment pattern used in the Covid-19 claim is the INA-CBG rate which is given a top up according to the length of treatment which is calculated as a cost per capita so that financing is effective and efficient. The claim procedure starts from the hospital submitting a collective cost reimbursement claim to the Director General of Health

Services, copied to BPJS Kesehatan for verification and the District/City Health Office via email.

Claim files for reimbursement of Covid-19 patient care costs that can be submitted by hospitals are patients who have been treated since January 28, 2020. Claim submissions can be submitted by hospitals every 14 working days. BPJS Kesehatan issues a Verification Report for Claim Payments. Service bills are due no later than 7 working days from the time of the sick claim within 3 working days after receiving the Verification Report for Claims from BPJS Kesehatan. With this technical claim payment, it is hoped that hospitals that provide Covid-19 patient health services can follow the flow so that health services can run smoothly.

Factors Affecting Health Insurance Financing in the Recovery of Covid-19 Patients

In community life, the application of the law is often not always effective as expected, because there are factors that affect the implementation of the application of the law, both in the form of legal factors and non-legal factors.

The legal factors are the legal factors themselves and the law enforcement factors, namely the parties who form or implement the law, while the non-legal factors are the facilities or facilities that support law enforcement, the Community factor, namely the environment in which the law applies or is applied, and the cultural factor, namely as a result of work, creativity and feeling based on human initiative in social life.⁷ The legal factor itself, Health Insurance Financing has been regulated in Presidential Regulation Number 82 of 2018 concerning Health Insurance which is part of JKN (National Health Insurance) organized by BPJS Kesehatan.

However, as stated in Article 52 paragraph (1) regarding Health services whose benefits are not guaranteed by BPJS Kesehatan as the organizer of the National Health Insurance program, in letter O, it is stated that BPJS Kesehatan does not guarantee Health services due to disasters during emergencies, extraordinary events/epidemics. So BPJS does not have the authority to organize Health insurance during the Covid-19 pandemic.

Especially for Health services for Covid-19 patients and for hospitals that provide Covid-19 services, they can refer to the Regulation of the Minister of Health Number 59 of 2016 on Fee Exemption for Patients with Certain Emerging Infectious Diseases (PIE). In order to implement these regulations, the state must create and establish the best possible Health policy regulations. A public policy must be born and presented as a real form of the state's role in providing protection.

However, in the issuance of further derivative provisions in the Health sector in handling Covid-19, this has become an obstacle for Health facilities that provide Health services for Covid-19 patients. The Covid-19 outbreak has been going on for the past year, health facilities have carried out their duties in handling Covid-19,

⁷ Soerjono Soekanto, *Faktor-faktor yang Mempengaruhi Penegakan Hukum*, PT Raja Grafindo Persada, Depok 2019, hlm 8

especially health workers who are at the forefront of their medical services, of course there must be guidelines in handling it.

The delay in issuing regulations is an obstacle/inhibitor for health facilities in carrying out their obligations. In addition, administrative factors are factors that become obstacles when handling Covid-19. Due to the delay in the regulations issued in handling Covid-19, while health efforts in the care and treatment of Covid-19 patients have been implemented, so that administrative services are still constrained when the regulations have not been issued.

The law enforcement factors referred to are institutions that have roles and functions in the implementation of Covid-19 Health service financing claims. In the implementation of Covid-19 patient health recovery, there are institutions that have the authority to enforce the law on the implementation of its financing. The institutions referred to are:

1. The Ministry of Health which has a function in Covid-19 service claims as an institution that will reimburse Covid-19 patient service costs, health facilities that provide Covid-19 services.
2. The Social Security Administration (BPJS) Health which has a function in managing claim administration and verifying Health service bills from hospitals that provide Covid-19 services in a transparent and accountable manner;
3. The Health Office which has the task of providing guidance and supervision of the implementation of Covid-19 services in hospitals and conducting patient recapitulations with hospitals in the context of submitting Covid-19 claims and;
4. Hospitals have a role in providing health services for Covid-19 patients according to the medical indications specified in the guidelines and recapitulating files with Covid-19 patients who are served according to the services provided.

The success of implementing health financing for Covid-19 patients itself cannot be separated from how health financing is implemented in accordance with the provisions of laws and regulations and hospital SOPs. The factor of supporting facilities or facilities is an important factor in supporting whether or not other facilities and support also affect their financing because their availability is limited if not supported, for now fortunately the government has supported their procurement. In addition to this, the financial factor, namely the budget/funds owned by health facilities in providing health services to Covid-19 patients, certainly requires costs that are not cheap and with the provisions of the cost of handling Covid-19 which are charged to the government, this makes handling Covid-19 efficient.

Community legal awareness, the community is a factor that influences the implementation of health financing in handling Covid-19 because the community has received education about the mechanism/flow of handling Covid-19 by officers, so that the community knows and understands what rights are obtained in accessing health services and how the procedures for handling Covid-19 in hospitals. The cooperative attitude of the community in handling Covid-19 has a good influence,

because some of the community has understood and followed the rules that have been issued so that there are no obstacles in their treatment.

CONCLUSION

Based on the discussion that has been carried out on the implementation of Health Insurance Financing for Communities affected by the Covid-19 pandemic, it is concluded that the implementation of Health Insurance Financing for Communities known for Covid in hospitals has been effective in accordance with the provisions of applicable laws and regulations. This is proven related to the implementation of hospital financing using the budget allocated by the government which has been right on target for Covid-19 patients. Then Covid-19 patients themselves are exempted from Health financing during treatment and will be fully charged to the central government budget/funds, namely the Ministry of Health budget. The factors that influence the implementation of Health Insurance financing in the recovery of Covid-19 Patients' Health are in the form of legal factors, namely factors from the law itself and law enforcement, in addition there are non-legal factors, namely factors outside the law in the form of facilities or facilities, Community factors and time factors. It is expected that the government in implementing Health financing for the Community that is not guaranteed in the national Health Insurance organized by BPJS Kesehatan, is able to issue regulations related to Health financing as well as possible, so that in its implementation it does not cause more serious impacts in various sectors due to the delay in the rules issued. Then the government is expected to conduct an evaluation related to its handling, both in terms of regulations and its implementation in the field.

REFERENCES

Asyhadi Zaeni, *Aspek-aspek Hukum Kesehatan di Indonesia*, PT. Raja Grafindo Persada, Depok, 2017.

Analisa APBN, Pusat Kajian Anggaran, Badan Keahlian Dewan DPR RI, e-mail: marihot.nasution@gmail.com

Febri Endra Budi S, *Sistem Pembiayaan Kesehatan*, Fakultas Kedokteran, Universitas Muhammadiyah Malang vol. 2 No. 4 Februrari 2018. Hlm 59

Siswati Sri, *Etika dan Hukum Kesehatan Dalam Perpeketif Undang-undang Kesehatan*, PT Raja Grafindo Persada, Depok, 2013.

<https://www.suarantb.com/biaya-penanganan-satu-pasien-covid-19-rp150-juta>,

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