

## REVIEW OF RELEASE OF MEDICAL RECORD INFORMATION AS A GUARANTOR OF LEGAL ASPECTS OF PATIENT DATA CONFIDENTIALITY

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### A B S T R A C T

*Management of the release of medical record information is often overlooked and does not receive special attention in health care facilities. Inadequate protection of the confidentiality of patient medical information can trigger medical disputes between parties involved in the provision of health services that have an important role in this study. The purpose of this study is to identify the flow of implementation of the release of medical record information that functions as a guarantee in maintaining the legal aspects of patient data confidentiality. This study also aims to identify units related to the implementation of the provision of medical record information as a step to protect the confidentiality of patient data. In addition, this study will identify the types of information released during the disclosure of information that functions as a legal guarantee in maintaining the confidentiality of patient data at the Buton Regency Hospital. This study applies a qualitative descriptive method, with data collection carried out through direct observation and interviews. Where the results of the study show that the flow of the release of medical record information involves verification of patient identity and consent, and follows the principle of "need to know". The procedure for releasing information is regulated by SOP, although there are still discrepancies in its implementation. Units related to this process include hospital management, head of administration, service units, medical staff and nursing staff. The information released includes domestic violence reports, sexual assault reports, and accident reports, with certain conditions such as approval from the treating doctor.*

### INTRODUCTION

According to the Regulation of the Minister of Health of the Republic of Indonesia No. 15 of 2023, article 3, health service facilities are places or facilities used to carry out health activities, including promotive, preventive, curative, and rehabilitative efforts, which are managed by the central government, regional governments, and the community. One type of health service facility is a hospital, which has an important role in improving the health of the community. Hospitals function as comprehensive health service institutions for individuals, providing inpatient care, outpatient care, and emergency services. (Minister of Health Regulation NO. 15, 2023).

Based on (Minister of Health Regulation NO 24, 2022), every health care facility, including clinics, must support and implement electronic medical records. The implementation of medical records in a health care service is one indicator of the quality of service of a facility. The purpose of implementing medical records is to help hospitals and health centers achieve proper control to ensure the desired success. Thus, medical records must be created by every health care facility. Medical records as stated in the regulation of the Minister of Health of the Republic of Indonesia Number 24 of 2022 concerning medical records are documents that record information regarding patient identity, examination results, treatment actions, and other services received by the patient. One of the public services provided by patient medical records is providing complete information about the history of health services, including future services.

A hospital is a health service institution that provides comprehensive individual health services that provide inpatient, outpatient, and emergency services. In a hospital, health workers have an important role. Health workers are individuals who contribute to the health sector with knowledge and skills obtained through education in the field. (Regulation of the Minister of Health of the Republic of Indonesia No. 47, 2012).

Based on research (Mega Ermasari Muzuh & Niska Salsiani Sinta, 2023), the process of distributing

medical records begins when patients register until they go to the intended polyclinic, with the time required between 1 to 3 minutes to reach the expected speed. Release of medical information is defined as the process of disclosing data or medical information in a patient's medical record with the patient's consent. Medical information can be provided to third parties who need it, as long as the applicable procedures are followed. If the patient has given permission and signed a document allowing a third party to access their medical information, then the information can be submitted. The purpose of releasing medical information is to protect the hospital from potential future lawsuits. This process must comply with Standard Operating Procedures (SOP), including maintaining the confidentiality of the patient's medical history and not carelessly providing patient medical information. If the release of information does not comply with applicable laws and regulations, there will be sanctions imposed. (Hatta, 2017).

Disclosure of patient medical information that does not comply with applicable laws and regulations can result in legal consequences and responsibilities, and carries the risk of legal sanctions.

Based on initial observations that have been carried out at the Buton District Hospital, an incident was found in the release of patient medical record information related to the lack of protection of the confidentiality of medical information, namely where the medical records officer directly provided information to the patient or the patient's attorney without reconfirming the identity of the person requesting the information in order to find out whether the person requesting the information was really the patient or the person authorized by the patient, and the medical records officer must also reconfirm whether the person requesting the information had received approval from the patient or not.

From the explanation above, it can be concluded that confidentiality, privacy, and security of medical records have an important role in improving the quality of services and the process of disclosing information in hospitals. The author is interested in conducting a study entitled "Review of the release of medical record information as a guarantor of the legal aspects of patient data confidentiality at Buton District Hospital".

## **METHODOLOGY**

This research method uses a descriptive qualitative approach, which aims to provide an objective picture or description of a condition. This type of research was chosen to understand how to use and manage medical record information at Buton District Hospital. The subjects in this study consisted of the head of the medical record unit and one officer in the training section (Source Triangulation), the object of this study was the medical record file. The study was conducted in April-June at the Buton District Hospital.

## **RESULTS & DISCUSSION**

Identifying the flow and procedures for releasing medical record information as a guarantor of the legal aspects of data confidentiality. patients. Based on the results of observations and interviews conducted by researchers, the flow and procedures for releasing information at Buton District Hospital include: receiving a written request for release of information from the patient or the court, and if the patient is 18 years old, the request must come from a parent or guardian. Furthermore, ensuring that the request for release of information is considered legitimate and valid after verifying the identity. If confidential, permission from the patient is required, otherwise, the release can be done without permission. In the context of health insurance, companies, or employers, the information provided must be in accordance with the principle of "need to know", namely relevant, accurate, and the minimum required. For the benefit of patients, the release of information must follow applicable procedures.

Maintaining the confidentiality of medical record files. The flow of implementation of the release of medical record information as a guarantor of the legal aspects of patient data confidentiality. Based on the results of research in ensuring the confidentiality aspect of patient data as a guarantor of patient data confidentiality at Buton District Hospital in the flow of releasing patient data information.

To ensure that the information released comes from the patient himself/herself, the patient's identity card is verified and the signature is matched with that listed on the identity card. If the request for release of information is submitted by another party or a third party, it is necessary to determine whether the information is confidential. If it is confidential, then permission must be obtained from the patient, while if it is not confidential, then permission must be obtained from the patient, while if it is not confidential, the information can be released without the patient's permission. For interests such as Company health insurance, the release of information is carried out with the principle of "need to know", namely only providing the minimum but still relevant, sufficient, and accurate.

The procedure for releasing medical record information as a guarantor of the legal aspect of patient data confidentiality, based on interview results, has an SOP, but its implementation is not yet fully in accordance with the applicable SOP.

Based on the results of the study at the Buton District Hospital, there is already an SOP that regulates the release of medical record information. However, in practice there are still several cases that do not comply with the established procedures. The inconsistency in the implementation of the SOP for the release of this information raises concerns regarding the potential for violations of the confidentiality of patient data information. According to Rusdiyanto (2014), in conveying and explaining the contents of patient medical record documents to other parties, medical record officers need to understand the correct flow and procedures for doing so.

In the implementation of the release of medical record information as a guarantor of the legal aspects of patient data confidentiality at Buton District Hospital. Based on the interview results, the medical record information at Buton Regional Hospital that was released was in the form of a Domestic Violence Visum, a Sexual Abuse Visum, and an Accident Visum, with the condition that the release of information must be the family who comes directly to request and register directly to request the patient's medical record information, then from the police who come to request the patient's medical record information by bringing a letter of assignment and if the patient is indeed needed as a witness, then the hospital allows it, with the condition that the patient has been allowed to go home and is not hospitalized, then has been examined by a doctor. Based on the interview results, the medical record information released at Buton Regency Hospital includes a Domestic Violence Visum, a Sexual Abuse Visum, and an Accident Visum. The process of releasing this information is carried out with several procedures that ensure that the information is released to the parties who are truly entitled and interested.

Buton District Hospital has implemented strict measures to maintain the privacy and security of medical record information. By ensuring that only family members can request information directly, Buton District Hospital seeks to minimize the risk of information leakage. This demonstrates the hospital's commitment to protecting patient data, which is critical to maintaining patient trust in healthcare services.

Hospitals and the health workers who work in them can be subject to sanctions in the form of criminal, civil or administrative penalties if the release of medical information is determined to cause harm to the patient as the owner of the medical data. (Narendra et al., 2020).

To ensure the confidentiality of patient data, the identity of the units involved in the release of medical record information is very important. Based on interviews at Buton District Hospital, the units involved include the Emergency Department, Training, Medical Records, and inpatient and outpatient services. The researcher also found that there were five units involved in the information release process, namely the hospital leadership, head of administration, service units, medical staff, and nursing staff. Although in accordance with the applicable SOP, the informant only mentioned three main units, namely Medical Records, Emergency Department, and Training. The following is an explanation of these units.

Service units in hospitals include inpatient units, outpatient units, and emergency units, service units have an important role in the process of releasing patient medical record information. As a party that interacts directly with patients and manages daily medical records, service units must ensure that medical information is released in accordance with applicable procedures and regulations.

Training has an important role to ensure that the release of information related to patient data confidentiality is carried out in accordance with SOP. If the hospital leadership, head of administration, service units, medical staff and nursing staff are not involved in the implementation of the release of information, it can have a wide impact. Here are some possible consequences, namely:

Loss of public trust if medical record information is released without proper procedures, this can damage patient and public trust in the hospital. Patients may be hesitant to provide medical information needed by the hospital because they are worried about the confidentiality and security of their data. Security and privacy risks. Medical records contain personal information about patients, releasing information without the involvement of related units can cause data leakage that can be used for unauthorized purposes, such as identity theft or misuse of medical information.

## **CONCLUSION**

Based on the conclusion above, the flow of releasing medical record information at Buton District Hospital involves checking the patient's identity through an identity card and signature. If information is requested by a third party, it must be ensured that the information has the patient's permission. The release of information is carried out according to the principle of "need to know",

namely that the information provided must be minimal but relevant and accurate. The procedure for releasing information as a guarantor of the legal aspect of patient data confidentiality is regulated by the Standard Operating Procedure (SOP). However, the SOP still faces several cases of inconsistency that can interfere with the confidentiality of patient information. For example, there is a case where a doctor incorrectly issues a medical report that requires correction before the trial.

Information released at Buton District Hospital includes domestic violence visas, sexual assault visas, and accident visas. The release of this information requires the next of kin or the police with certain conditions such as showing official identification and a letter of assignment. The treating doctor must also approve the release of this information, especially if it concerns the patient's condition.

The units involved in the implementation of the release of medical record information to maintain the legal aspects of patient data confidentiality consist of hospital leaders, heads of administration, and all service units such as inpatient, outpatient, and ER, together with medical staff and nursing staff. These units play an important role in ensuring that the release of information follows established procedures and maintains the confidentiality of patient data.

However, researchers experienced limitations in this study because some of the required data could not be fully accessed due to privacy policies.

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