ABSTRACT

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JURIDICAL ANALYSIS OF HEALTH DATA PROTECTION FOR TELEMEDICINE USERS BY ELECTRONIC OPERATION SYSTEM

(xiii + 112 pages: 2 Pictures)

At present, the aspect of personal data protection is one thing that has a high level of urgency to be developed and also paid attention to by the Indonesian Government. Massive technology developments affect various aspect of life, including in the health sector with the advent of telemedicine. The emergence of telemedicine makes health data even more vulnerable to be stolen and expose. Health data is one of the personal data that is very valuable, it contains a lot of highly sensitive information such as medical histories, diagnoses, administrative and billing data that can be misused. Protection of health data must also be improved due to many cases of health data breaches, such as cases of the Babylon Health Apps in United Kingdom and BPJS Kesehatan in Indonesia. One of the instruments to overcome this is the application of ISO 27001 certification. ISO 27001 certification is a standardization of information security management systems. To obtain the certification, there are several steps that must be taken, starting from preparing several related documents to conducting an audit regarding eligibility. The next thing that becomes the subject of discussion regarding health data breach is who is legally responsible in the event of health data breach and what is the penalty. Heretofore there are several legal products such as the ITE Law, PDP Law, PP PSE, Permenkominfo PDP that can be used to deal with health data breach. However those legal products limited the penalty to administrative penalties, moreover there are still many repetition articles in the regulations that require more specific articles toprovide clear contexts regarding health data breach. This study aims to look in moredepth at the parties involved in cases of health data breach.

Keywords: data protection; telemedicine; electronic operation system; ISO 27001
References: 88 (1989-2022)