

## ABSTRACT

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### **CIVIL REVIEW OF DOCTOR AND HOSPITAL PROCEDURAL ERRORS RESULTING IN PATIENT'S DEATH**

(xi+116 pages)

Tort is regulated in the third book of civil law. Every actions that against the law is an act of tort. The action of malpractice is a schuld of tort in the form of negligence. Both doctors and patients have rights and obligations to ensure that the patients to have a healthy body in the future. If the doctor has been negligent in carrying out its obligations, then it could be the action of malpractice. Because of that action, the doctor, hospital, and the legal entity who owns the hospital, must held accountable to pay the restitution. This study will analyze the civil review in the eye of tort related to the procedural errors that done by doctor and hospital and what if its resulting in patient's death in the eye of civil law. This study is done by normative-empiric, with statute approach based on the results of the interview with an obstetrician and analyzed with qualitative method. The case of this study has fulfill the elements of the tort, the defendants have evidently against the law. They should pay the material restitution above the material and immaterial loss that received by the litigant.

References : 148 (1979-2019)

Keywords : Malpractice, schuld, negligence, caesar, death.

