

LIABILITY OF INSURER ON HEALTH INSURANCE IN INDONESIA

(Arief Suryono)

ABSTRACT

Health insurance (HI) is part of life insurance. Beside life insurance we also acquaint with the insurance for damages. Based on its purposes, there are commercial insurance that searching for profit, voluntary and individual in characters; having relationship with the requirements and principles of agreement law in generale, and generally are managed by private institution.; While social insurance aim to give social guaranty to the society, or part of it, have a must character according to legislation, manage by the government, so there is a direct role from the government.

The aim of HI is to transfer the sick risk from the insured to the insurer. Because the sick risk which is transferred, there must be a medical treatment provider (MTP). So in the HI we have some partys, e.g : The insured, the insurer, and the MTP. For the relationship happened between: (1) The insured and the insurer in relation to the transfer of health risk; (2) Between the insurer and the MTP in relation to the use of medical service; (3) Between MTP and the insured is the relationship between MTP and the patients.

The consequences of that above relation will born the responsibility of the Insurer to the insurer and the MTP. The responsibility of the insurer are providing a medical treatment for preventing, improving, curing and rehabilitating (social insurance); and curing (commercial insurance) at the insurer expense, but if they use another MTP, reimbursement system is applied.

The Insurer responsibility to the MTP is giving compensation to all cost expense by MTP to serve the health of the insured.

Key words : Health Insurance. The responsibility of the insurer in the health insurance in Indonesia