

Legal Protection Against Patients who Experience Overdose

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ABSTRACT

Overdose is a serious condition that occurs due to consuming excessive amounts of a drug or substance, which can be life-threatening. Legal protection for patients who experience an overdose is very important, especially related to patient rights, responsibilities of medical personnel, and health policies. According to WHO (World Health Organization), overdose is the use of psychoactive substances in dangerous amounts, which results in adverse effects, including death. Legal protection of patients who have overdosed is essential to ensure that they receive necessary treatment without fear of legal consequences. By upholding patient rights, medical personnel responsibilities, and supportive health policies, we can reduce the impact of overdoses and improve health outcomes for at-risk individuals. Collaboration between the government, health service providers, and the community is needed to create a safe environment for patients and their families.

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INTRODUCTION

Overdose can be defined as a medical condition that occurs when a person consumes a drug or substance in amounts that exceed the safe dose, thereby causing dangerous effects on the body. David J. Nutt, a psychiatrist and mental health expert, defines overdose as "a condition that occurs when the dose of medication consumed exceeds the body's metabolic capacity, resulting in serious toxic effects." (Nutt, D. J. 2019).

According to the WHO (World Health Organization), overdose is "the use of psychoactive substances in dangerous quantities, resulting in adverse effects, including death". This highlights the serious consequences of excessive substance use. (World Health Organization. 2020). Meanwhile, according to NIDA (National Institute on Drug Abuse) defines overdose as "a condition that occurs when a person takes more than the recommended dose or uses a large amount of a prohibited substance, which can result in death or serious damage." NIDA also notes that overdoses can occur with many types of substances, including opioids, alcohol, and prescription drugs. (National Institute on Drug Abuse. 2021).

Despite this definition, according to the Merriam-Webster Dictionary, an overdose is defined as "an excessive or dangerous amount of a drug taken, often accidentally." This definition reflects the unpredictable nature of frequent overdoses. (Merriam-Webster Dictionary. 2021). And according to ASAM (American

Society of Addiction Medicine) states that overdose is "a medical situation that occurs when a person uses a substance in amounts that interfere with the body's normal functions, often resulting in respiratory distress, coma, or death." (American Society of Addiction Medicine. 2020).

Overdose is a serious condition that occurs when a person consumes an amount of a drug or substance in excess of the recommended dose, which can be life-threatening. In a legal context, protection of patients who experience an overdose is an important issue, especially related to patient rights, responsibilities of medical personnel, and health policy.

Legal protection for patients who experience an overdose is an important aspect of the health and legal system. This involves patient rights, medical personnel responsibilities, as well as health policies designed to handle overdose cases. So this research will discuss legal protection for patients who experience overdoses.

METHOD

Methodology essentially provides guidelines on how to study, analyze and understand the object being researched. Methodology is an absolute element in research (Soekanto, 2014). The research method used by this journal article to discuss the problems that have been determined is using normative research methods. Normative Legal Research is legal research carried out by examining library materials or secondary data (Soekanto & Mamudji, 2003). According to Peter Mahmud Marzuki, normative legal research is a process of finding legal rules, legal principles and doctrines in law in order to answer the legal issues faced (Marzuki, 2010). In this type of legal research, law is often conceptualized as what is written in statutory regulations or law is conceptualized as rules or norms which are benchmarks for human behavior that is considered appropriate (Amiruddin & Asikin, 2006).

In this research, the author uses a normative juridical legal research approach, namely research that focuses on examining the application of rules or norms in positive law, namely statutory regulations, legal theories related to the problems to be discussed. According to Johnny Ibrahim, there are 7 (seven) approaches in normative legal research, namely: "Statutory approach), conceptual approach, analytical approach, comparative approach, historical approach. approach), philosophical approach, and case approach".

The research specification in this research is analytical descriptive research. Descriptive means that in this research the author intends to describe and explain in detail, systematically and comprehensively everything related to legal aspects that need to be considered in relation to the problems to be studied.

RESULTS AND DISCUSSION

Legal Protection for Patients Who Experience Overdose

According to NIDA (National Institute on Drug Abuse) defines overdose as "a condition that occurs when a person takes more than the recommended dose or uses a large amount of an illicit substance, which can result in death or serious harm." NIDA also notes that overdoses can occur with many types of substances, including opioids, alcohol, and prescription drugs. (National Institute on Drug Abuse. 2021).

Overdose is a serious condition that occurs due to consuming excessive amounts of a drug or substance, which can be life-threatening. Legal protection for patients who experience an overdose is very important, especially related to patient rights, responsibilities of medical personnel, and health policies. According to the WHO (World Health Organization), overdose is "the use of psychoactive substances in dangerous quantities, resulting in adverse effects, including death". This highlights the serious consequences of excessive substance use. (World Health Organization. 2020).

According to ASAM (American Society of Addiction Medicine) states that overdose is "a medical situation that occurs when a person uses a substance in amounts that interfere with the body's normal functions, often resulting in respiratory distress, coma, or death." (American Society of Addiction Medicine. 2020).

Patient Rights

Patients who experience an overdose have rights that need to be protected, including:

Right to Health Care, Every patient has the right to receive prompt and adequate medical care. Medical personnel must immediately provide necessary assistance and treatment. (Ministry of Health of the Republic of Indonesia. (2021).

Right to Information, Patients and their families have the right to receive clear information about their medical condition, including the risk of overdose and the treatment procedures that must be carried out. (WHO. (2020).

Right to Privacy, Patient health data, including information about overdoses, must be kept confidential in accordance with applicable law. (Law No. 29 of 2004 concerning Medical Practice. (2021).

Responsibilities of Medical Personnel

Medical personnel have a legal responsibility to treat overdose patients in an appropriate manner:

Obligation to Act, Medical personnel are expected to carry out interventions quickly and according to standards, including assessment of the patient's condition, treatment and monitoring. (Regulation of the

Minister of Health of the Republic of Indonesia No. 41 of 2013 concerning Guidelines for Handling Overdose Cases. (2022).

Professional Responsibility, If medical personnel fail to provide adequate care, they may be subject to legal liability for negligence, including providing necessary information about the potential risk of overdose to patients and their families. (Indonesian Medical Association. (2022).

Health Policy

Health policy plays an important role in legal protection for patients who experience overdoses:

Prevention Program, Governments and health institutions must develop programs aimed at preventing overdoses, including education about safe drug use and addiction treatment. (National Narcotics Agency. (2022).

Access to Treatment, Ensure adequate access to health services, including rehabilitation services for individuals at risk of overdose. (Ministry of Health of the Republic of Indonesia. (2023).

Support for Families, Provide support to families of patients who have experienced an overdose, including counseling and information about available resources. (National Institute on Drug Abuse. (2021).

Special Legal Protection

Some countries have special legal protections for overdose patients, such as:

Good Samaritan Act, This law protects individuals who provide aid to someone experiencing an overdose from legal action, as long as the action taken is in good faith. (Good Samaritan Act. (2021).

Naloxone Program, Some counties have adopted programs that allow providing the drug naloxone (which can reverse the effects of an opioid overdose) to individuals and families for use in emergencies. (Centers for Disease Control and Prevention (CDC). (2021).

CONCLUSION

So it can be concluded that legal protection for patients who experience an overdose is very important to ensure that they receive the necessary treatment without fear of legal consequences. By upholding patient rights, medical personnel responsibilities, and supportive health policies, we can reduce the impact of overdoses and improve health outcomes for at-risk individuals. Collaboration between the government, health service providers, and the community is needed to create a safe environment for patients and their families.

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