



Drafting a Cooperation Agreement According to Contract Law Standards in Indonesia at Ar-Royyan Hospital, Ogan Ilir Regency

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Abstract: Health is an essential part of societal well-being that must be pursued in line with Indonesia's aspirations as stated in the 1945 Constitution. This effort is carried out based on the principles of non-discrimination, participation, protection, and sustainability to develop human resources, enhance national competitiveness, and support national development. Written agreements in healthcare services are crucial to ensure optimal service delivery. This requires adequate healthcare facilities as the venue for implementing health efforts. In Indonesia, the agreement system follows an open principle that allows for the formation of agreements in accordance with existing laws or practices. The purpose of such agreements is to establish balanced cooperation and serve as a basis for resolving future issues. Through agreements, the involved parties are expected to uphold their promises, create clear legal relationships, and ensure protection and fairness for all.

Keywords: Agreement; Standard of Contract Law; Hospital

Introduction

Health is an element of public welfare that must be realized in accordance with the aspirations of the Indonesian nation as stated in the preamble to the 1945 Constitution (Santoso & Wibawa, 2024). Therefore, every effort to improve the health standards of the community must be carried out based on the principles of non-discrimination, participation, protection, and sustainability. This is crucial for building Indonesia's human resources, enhancing the nation's resilience and competitiveness, and supporting national development. Initially, efforts to improve health standards focused primarily on curing diseases. However, over time, this approach has evolved into the integration of health efforts involving the entire community with a comprehensive, integrated, and sustainable approach that includes promotive, preventive, curative, and rehabilitative measures (Amir, 1997).

Written cooperation agreements in the field of healthcare services are crucial for the effective delivery of healthcare. To provide optimal healthcare services to the community, the support of healthcare facilities is essential. Healthcare facilities refer to any place used to carry out health efforts.

The legal framework for contracts adopts an open system, meaning that everyone is free to enter into agreements, whether they are regulated or not yet regulated by law (Bassan & Rabitti, 2024). The content or purpose of an agreement can be expanded to achieve the desired outcomes of the parties involved. The consensus or agreement of the parties can be determined from their intentions. In the Indonesian Civil Code (KUHPerdara), contracts are regulated in Book III (Articles 1233-1864) on Obligations, where Article 1313 defines a contract as an act by which one or more persons bind themselves to one or more other persons (Chuasanga, 2023). The elements of a contract include competent parties, the

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agreed subject matter, lawful consideration, reciprocal agreements, as well as mutual rights and obligations (Rohaya et al., 2023). Article 1320 of the Civil Code specifies four conditions for the validity of a contract: the mutual consent of both parties, the legal capacity to engage in legal actions, the existence of an object of the agreement, and a lawful cause. In addition to the validity requirements, contracts must also adhere to general principles of contract law, such as the principles of balance, fairness, and utility.

A contract is expected to ensure that each individual fulfills and upholds their promises, thereby creating a legal relationship and giving rise to legal consequences or responsibilities. Through a contract, it is hoped that the parties involved can establish business cooperation in accordance with the agreed terms, operate based on the principle of balance, and use the contract as a foundation for resolving potential issues that may arise in the future.

A contract serves as a bridge that helps the parties achieve the objectives of the agreement, namely the realization of protection and justice for all parties involved. Through a contract, it is expected that each individual will fulfill their promises and carry them out. The concept and meaning of justice as the purpose of contract creation in this study emphasize the role of principles in contract law. These principles include freedom of contract, consensualism, legal certainty (*pacta sunt servanda*), good faith, personality, trust, legal equality, balance, and utility, as well as legal certainty. All these principles are applied proportionally and fairly, serving as a framework that binds the content of the agreement (Gustian., et al, 2023). In general, agreements made by the parties can take the form of either oral or written contracts. However, over time, the forms of agreements used in society have undergone changes and developments. These changes have been influenced by advancements in science and technology, as well as evolving socio-economic and industrial conditions.

Today, individuals have greater freedom in determining the position, content, and form of agreements. Along with rapid economic growth, agreements with more practical formats have emerged, commonly known as standard contracts. Although practical, these contracts often benefit the party drafting them. The demand to enhance transaction time efficiency requires contracts to be increasingly effective. The principles of contract law, which are part of civil law concepts, become particularly interesting because such agreements operate within the domains of both private and public law. By drafting cooperation agreements in accordance with Indonesia's contract law standards, Ar-Royyan Hospital can ensure that all parties involved understand their rights and obligations and have a clear

framework for effectively and efficiently implementing the cooperation. This will support the provision of optimal healthcare services and improve the accountability of public services.

Method

The method used in this grant writing is field research, which examines the Draft Cooperation Agreement in accordance with Indonesia's Contract Law Standards. This community service activity is conducted to gather data and information related to the issues at hand. The data collection methods utilized in this community service activity include: Document Study and Interviews. The data obtained and collected, both primary and secondary, are processed qualitatively, which involves a research approach aimed at uncovering qualitative truths. Qualitative analysis is carried out by assessing the quality of legislation in relation to legal events that occur. The data is then presented descriptively in the form of narrative explanations, describing, elaborating, and illustrating the issues and their resolutions in connection with this community service writing.

Results and Discussion



Figure 1. The submission of the draft agreement to Ar-Royyan Hospital.

Ar-Royyan Hospital in Ogan Ilir Regency plays a crucial role in providing healthcare services to the local community. As an advanced healthcare facility, Ar-Royyan Hospital is required to maintain high operational standards and governance to enhance the efficiency and quality of its services. Furthermore, Ar-Royyan Hospital cannot operate independently; collaboration with various partners is a critical factor in managing a hospital effectively. To support this objective, drafting hospital cooperation agreements becomes highly essential. A cooperation agreement serves as a framework and guideline regulating all aspects of hospital operations, including relationships between medical personnel, administrative procedures, and the professional code of ethics applicable within the

hospital. The preparation of cooperation agreements at Ar-Royyan Hospital aims to achieve several objectives, including:

1. **Service Standardization:** Developing standard guidelines to ensure consistent, safe, and professional services in compliance with applicable regulations;
2. **Administrative Management:** Facilitating transparent and effective management to minimize administrative errors;
3. **Strengthening Governance:** Ensuring that all hospital departments adhere to the same standards in carrying out their operational functions; dan
4. **Improving the Quality of Healthcare Services:** With clear regulations, it is expected that Ar-Royyan Hospital can enhance the quality of its services, resulting in a positive impact on patient satisfaction.

The process of drafting the cooperation agreement at Ar-Royyan Hospital is carried out through several key stages:

1. **Needs Identification.** The drafting team identifies the specific needs for the cooperation agreement at Ar-Royyan Hospital in terms of governance and hospital operations. This stage involves an in-depth analysis of the hospital's structure, potential challenges, and risks that may arise in daily operations.
2. **Initial Draft Formulation.** After identifying the needs, the team prepares an initial draft of the regulations that will govern operational procedures, service standards, codes of ethics, and provisions for internal oversight. This draft serves as the foundation for further review and refinement in the next stages.
3. **Discussion and Public Consultation.** The initial draft of the cooperation agreement is then discussed with various stakeholders, including medical personnel, hospital staff, community representatives, and other relevant parties. The aim of this discussion is to gather input and suggestions for improvement so that the regulations reflect the actual needs of Ar-Royyan Hospital and can be implemented effectively.
4. **Draft Refinement and Finalization.** Based on the discussions, the drafting team refines the initial draft of the cooperation agreement. During this stage, all feedback is integrated to ensure that the final draft reflects realistic, practical, and hospital-specific regulations.
5. **Socialization and Implementation.** Once the final draft is approved, the drafting team conducts a socialization session with all Ar-Royyan Hospital staff to ensure a shared understanding of the newly developed regulations. This is followed by the gradual implementation of the rules, with strict

supervision to ensure compliance and the effectiveness of the newly adopted regulations.



Figure 2. Socialization to all employees at Ar-Royyan Hospital

The implementation of the cooperation agreement at Ar-Royyan Hospital is expected to bring significant benefits, including:

1. **Legal Certainty and Governance:** With clear regulations, all staff can understand their rights and responsibilities, reducing the potential for internal conflicts;
2. **Improved Service Quality:** Standardizing services will enhance the quality of healthcare, ensuring that the community receives better care.
3. **Operational Efficiency:** Clearly defined duties and authority can reduce overlapping functions, making operations more efficient.

Currently, the process of drafting the cooperation agreement at Ar-Royyan Hospital is still at the stage of identifying/reviewing the previous cooperation agreement, moving toward the formulation of a new draft.

Conclusion

Health, as an element of public well-being, is a top priority aligned with the vision of the Indonesian nation as outlined in the Preamble of the 1945 Constitution. Efforts to improve health are carried out based on the principles of non-discrimination, participation, protection, and sustainability. The goal is to strengthen human resources, enhance national resilience, and support the country's development. The use of effective and fair standard agreements in healthcare services is a response to the developments in technology and socio-economic conditions, which also support Ar-Royyan Hospital in executing efficient collaborations, improving healthcare services, and strengthening public service accountability in accordance with contract law standards in Indonesia.

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