

## Application of Health Law in Narcotics Rehabilitation Programs by Reporting Recipient Institutions

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### Abstract.

Abusers and victims of narcotics abuse have the right to receive rehabilitation in accordance with applicable regulations. The application of health law in narcotics rehabilitation programs by Mandatory Reporting Institutions (IPWL) is a very important effort in helping abusers and victims of narcotics abuse. The program focuses not only on physical recovery from medical problems, but also on mental and social recovery. IPWLs appointed by the government must carry out rehabilitation programs for abusers and victims of narcotics abuse in accordance with the standards that have been set. The goal is to restore the condition of abusers and victims of narcotics abuse so that they can integrate themselves back into society and function socially. The standard of rehabilitation services set by the government covers various aspects such as methods, duration, facilities, and costs, this aims to ensure that each individual receives treatment that suits his or her needs. The legal framework underlying this program is Law No. 35 of 2009 concerning Narcotics and Permenkes No. 17 of 2023 concerning Amendments to Permenkes No. 4 of 2020 concerning the Implementation of IPWL. Minister of Health Regulation No. 17 of 2023 which requires medical and social rehabilitation for abusers and victims of narcotics abuse. Through a normative juridical approach, this study highlights various problems regarding the application of health law for abusers and victims of narcotics abuse, therapy for appropriate treatment, and understanding the financing mechanism of accepted therapies. The results of this study are expected to be able to provide an analysis of the effectiveness of the implementation of health law, as well as identify appropriate therapies in the rehabilitation of drug abusers and victims of drug abuse and understand the mechanism in financing it.

**Keywords:** Narcotics Rehabilitation, Drug Abusers/Victims, IPWL.

## INTRODUCTION

Narcotics abusers are individuals who use narcotics without rights or against the law, as stipulated in Article 1 number 15 of Law Number 35 of 2009 concerning Narcotics<sup>1</sup>. Meanwhile, a victim of narcotics abuse is someone who accidentally uses narcotics because he is persuaded, deceived, forced, and/or threatened to use narcotics.<sup>2</sup> Narcotics trafficking in Indonesia is a serious problem that continues to be a big challenge for the government and society. Based on

<sup>1</sup> Law of the Republic of Indonesia Number 35 of 2009 concerning Narcotics with the Grace of God Almighty President of the Republic of Indonesia.

<sup>2</sup> Supriadi Widodo, Erasmus Napitupulu, Subhan Panjaitan, Anggara, Ardhani Suryadarma, Totok Yulianto (2017) *Working Paper Book: Strengthening the Revision of the Indonesian Narcotics Law. Institute for Criminal Justice Reform*

data from the National Narcotics Agency (BNN), in 2017, the number of drug abuse reached 3,376,115 people in the age range of 10-59 years.<sup>3</sup> In 2022, the prevalence of drug users increased to 4.8 million people in the age range of 15-64 years.<sup>4</sup> The majority of narcotics users are in the age range of adolescents and young adults. According to BNN data, as many as 2.2 million adolescents in 13 provinces in Indonesia become drug abusers, and this number continues to increase every year.<sup>5</sup> In addition, data from Kominfo in 2021 shows that drug use is among young people aged 15-35 years with a percentage of 82.4% having the status of users.<sup>6</sup> The high level of narcotics abuse shows that narcotics trafficking has penetrated to various levels of society, including teenagers and young adults. This raises concerns about the future of Indonesia's young generation and demands more effective prevention and handling efforts.

The Government of Indonesia, through the Ministry of Health, has established IPWL based on Permenkes No. 17 of 2023. Several agencies that run IPWL such as the National Narcotics Agency (BNN), Health Service (Hospital or Health Center), Social Service (Rehabilitation Institution) all of which must have an IPWL permit issued by the government. All agencies that have obtained IPWL permits are expected to synergize with each other to carry out various efforts to prevent and rehabilitate both medical and social effects due to the use of narcotics. One of the main strategies is prevention through drug awareness campaigns and strict law enforcement against traffickers. In addition, for example, a body formed specifically for the prevention, eradication, abuse and illicit circulation of narcotics, namely BNN, is also expected to collaborate with various institutions to deal with illicit narcotics trafficking in correctional institutions that can also be places for narcotics smuggling. Even though various efforts have been made, the challenges in overcoming narcotics trafficking in Indonesia are still very large. Narcotics trafficking not only has an impact on individual health, but also on the country's social and economic stability. Therefore, closer cooperation is needed between the government, the community, and various related parties to create an environment free from narcotics. The application of health law in narcotics rehabilitation programs by IPWL (Mandatory Reporting Recipient Institutions) is an important step in dealing with the problem of addiction and narcotics abuse in Indonesia. Based on Law Number 35 of 2009 concerning narcotics, narcotics addicts are required to undergo medical and social rehabilitation.<sup>7</sup> According to Zarzani, IPWL functions as an institution that provides medical and social rehabilitation for drug addicts who report themselves voluntarily. This is in accordance with the mandate of Law Number 35 of 2009 concerning Narcotics, especially Article 54 which requires addicts and victims of drug abuse to undergo medical and social rehabilitation<sup>8</sup>.

This is in line with the Regulation of the Minister of Health Number 17 of 2023 concerning the Implementation of Mandatory Reporting Institutions (IPWL), which regulates the implementation of mandatory reporting and medical rehabilitation for addicts, abusers, and victims of narcotics abuse. The rehabilitation program implemented by the government uses a restorative justice approach, which focuses on restoring the condition of narcotics users and their reintegration into society. The standard of rehabilitation services that have been set by the government covers various aspects such as methods, duration, facilities, and costs. In addition, the government is expected to continue to improve the quality of rehabilitation services by setting service standards according to technical service instructions for narcotics users to ensure that the services provided are effective and meet the needs of victims of narcotics abuse. With a strong legal framework and clear service standards, the narcotics rehabilitation program promoted by the government through

<sup>3</sup> <https://bnn.go.id/penggunaan-narkotika-kalangan-remaja-meningkat/>

<sup>4</sup> <https://www.kompas.id/baca/metro/2023/03/25/>

<sup>5</sup> <https://www.its.ac.id/news/2022/06/26/benarkah-narkotika-dan-remaja-tidak-bisa-dilepaskan/>

<sup>6</sup> <https://bnn.go.id/hindari-narkotika-cerdaskan-generasi-muda-bangsa/>

<sup>7</sup> Law Number 35 of 2009 concerning Narcotics

<sup>8</sup> Joshua Alberto Silalahi, T.Riza Zarzani N.(2023). Implementasi Pembinaan Narapidana Dalam Upaya Mencegah Residivis di Lembaga Pemasyarakatan Lubuk Pakam. Journal Of Social Science Research 3(4), 7731-7743.



government agencies and several government and private institutions is expected to provide comprehensive support to narcotics users, help them recover, and ensure that they receive high-quality rehabilitation services in accordance with national service standards.<sup>9</sup>

This research will not only examine existing regulations, but will also examine how they can be improved to ensure that patients' rights are well protected. Taking a normative juridical approach, this study will explore the legal measures needed to ensure rehabilitation that will be received by narcotics users that are in accordance with national service standards and can help narcotics addicts reintegrate into society and function socially.

## **PROBLEM FORMULATION**

1. Analyzing the application of health law for abusers and victims of narcotics abuse?
2. Is rehabilitation an effective treatment for victims of narcotics abuse?
3. How is financing for abusers and victims of narcotics abuse?

## **RESEARCH OBJECTIVES**

The purpose of this study is to analyze the application of health law in handling abusers and victims of narcotics abuse, in order to understand the extent to which applicable regulations have been implemented effectively in rehabilitation institutions, especially Mandatory Reporting Recipient Institutions (IPWL). In addition, this study aims to identify effective therapies in rehabilitation programs for victims of narcotics abuse, both in terms of medical, psychological, and social approaches, so that the recovery process runs optimally. Finally, the study also explores the financing mechanisms available to abusers and victims of narcotics abuse, including support from the government, health insurance, and social assistance, to ensure that they have access to proper rehabilitation without financial constraints.

## **LITERATURE REVIEW**

### **Health Law**

Health law is a branch of law that regulates all aspects related to health maintenance and services. According to Prof. Dr. Satjipto Rahardjo, S.H., health law includes regulations and legal decisions regarding the management of medical practices. Meanwhile, C.S.T. Kansil, S.H. defines health law as a series of laws and regulations in the health sector that regulate medical services and medical facilities.<sup>10</sup> Health is a fundamental human right for every individual, regulated in various regulations both at the national and international levels, Narcotics is a form of physical and mental illhealth, both for the individuals who use it and for society at large.<sup>11</sup> The basic principles in health law include respect for human rights, justice, and patient autonomy. Respect for human rights emphasizes that every individual has the right to decent health care. The principle of justice ensures the equitable distribution of health resources without discrimination. Whereas patient autonomy emphasizes the right of individuals to make their own healthcare-related decisions. In the context of countering narcotics abuse, Indonesia has a strong legal basis for the rehabilitation of addicts and victims of narcotics abuse. Law Number 35 of 2009 concerning Narcotics emphasizes the importance of rehabilitation as part of efforts to overcome the dangers of narcotics. Article 54 of the law states that narcotics addicts and victims of narcotics abuse are obliged to undergo medical and social rehabilitation.<sup>12</sup> In addition, the National Narcotics Agency (BNN) as a government institution has an important role in the implementation of rehabilitation programs for narcotics abusers. BNN provides rehabilitation services for those involved in narcotics abuse, either voluntarily or through

<sup>9</sup> Regulation of the Minister of Health Number 17 of 2023 concerning the Implementation of Mandatory Reporting Institutions (IPWL)

<sup>10</sup> <https://siplawfirm.id/definisi-dan-pengertian-hukum-kesehatan/>

<sup>11</sup> Gladdays Naurah, Marice Simarmata, Redyanto Sidi Jambak (2024), Rights and Privacy of Hospital Patients in the Era of Digitalization, Comserva Journal of Service and Research Vol. 3 No. 12, 4798-4805

<sup>12</sup> <https://jdih.setkab.go.id/PUUdoc/16798/>



legal decisions. This rehabilitation program aims to restore the physical and mental condition of abusers so that they can return to normal functioning in society.<sup>13</sup>

The restorative justice approach is also applied in handling narcotics abuse cases. This approach emphasizes the recovery and reintegration of offenders into society through rehabilitation programs, rather than simply providing criminal punishment. This is in line with the principle that narcotics addicts are not only perpetrators of criminal acts, but also victims who need help for recovery.<sup>14</sup> Health law in Indonesia not only regulates medical aspects and health services, but also provides a legal basis for handling social problems such as narcotics abuse. Through related laws and regulations, the government seeks to ensure that narcotics addicts get the necessary rehabilitation, so that they can make a positive contribution to society again.

### Narcotics Rehabilitation Program

The narcotics rehabilitation program is an integrated effort that aims to recover addicts from addictive substance dependence and restore their social function in society. This rehabilitation consists of two main aspects, namely medical and social rehabilitation. Medical rehabilitation aims to overcome the physical dependence of addicts through various methods such as detoxification, opioid substitution therapy, and other pharmacological treatments. Meanwhile, social rehabilitation aims to help addicts develop life skills, improve social relationships, and prepare them to be able to adapt and function productively in society (Ministry of Health of the Republic of Indonesia, 2021).<sup>15</sup> The medical rehabilitation process usually begins with the detoxification phase, which is the process of removing addictive substances from the addict's body, which is carried out under the supervision of medical personnel. This process is important to reduce withdrawal symptoms and prevent serious complications. After detoxification, addicts will undergo pharmacological therapy aimed at stabilizing their physical and psychological condition. This medical approach is often combined with psychological counseling to address the mental disorders that may accompany narcotics addiction (Widjaja, 2020).<sup>16</sup>

On the other hand, social rehabilitation focuses on empowering addicts through group counseling programs, job skills training, and recreational activities. This process aims to rebuild confidence, improve interpersonal relationships, and prepare addicts to be able to live independently and productively after rehabilitation. Family and community involvement is also an important element in social rehabilitation, as social support has been proven to play a major role in preventing relapse (Suharto, 2019).<sup>17</sup> Narcotics rehabilitation programs in Indonesia are mostly run by Mandatory Reporting Institutions (IPWL). IPWL is a government-appointed institution to provide rehabilitation services for narcotics addicts who self-report voluntarily or through legal intervention. IPWL consists of hospitals, health centers, social rehabilitation institutions, and certain foundations that have met rehabilitation service standards (National Narcotics Agency, 2022).<sup>18</sup>

The rehabilitation process at IPWL includes a series of stages, starting from an initial assessment to determine the level of dependency of the addict, to the preparation of a personalized rehabilitation plan. After going through medical and social rehabilitation, addicts also undergo post-rehabilitation programs in the form of mentoring, follow-up counseling, and periodic monitoring to prevent recurrence. IPWL also works with various parties, including families and local communities, to ensure that ex-addicts receive ongoing support in the process of social reintegration (BNN, 2022).<sup>19</sup> By combining medical and social rehabilitation in an integrated manner, and involving IPWL as the

<sup>13</sup> <https://rehabilitasi.bnn.go.id/public/news/read/>

<sup>14</sup> <https://fh.unair.ac.id/restorative-justice-bagi-pelaku-penyalahgunaan-narkotika/>

<sup>15</sup> Ministry of Health of the Republic of Indonesia. (2021). *National Guidelines for Medical Rehabilitation for Narcotics Addicts*. Jakarta: Ministry of Health of the Republic of Indonesia

<sup>16</sup> Widjaja, A. (2020). *Narcotics Rehabilitation: Medical and Psychological Perspectives*. Bandung: Medical Library

<sup>17</sup> Suharto, E. (2019). *Social Empowerment for Narcotics Addicts*. Yogyakarta: Gadjah Mada University Press

<sup>18</sup> National Narcotics Agency. (2022). *Annual Report of the Narcotics Rehabilitation Program*. Jakarta: BNN

<sup>19</sup> National Narcotics Agency. (2022). *Annual Report of the Narcotics Rehabilitation Program*. Jakarta: BNN



main implementer, narcotics rehabilitation programs in Indonesia aim to not only cure addicts from physical dependence, but also build their mental and social resilience. This step is expected to reduce the rate of recurrence and improve the quality of life of former addicts so that they can return to being a productive part of society.

### **Mandatory Reporting Recipient Institutions (IPWL)**

The Mandatory Reporting Institution (IPWL) is an institution appointed by the government to provide rehabilitation services for narcotics addicts who report voluntarily or through legal intervention. Based on Article 55 of Law Number 35 of 2009 concerning Narcotics, every narcotics addict who is of legal age is required to report to IPWL to receive medical treatment and social rehabilitation. This provision aims to ensure that addicts receive professional help to overcome their dependence and prevent wider social impacts (Ministry of Health of the Republic of Indonesia, 2021).<sup>20</sup> IPWL has an important role in the narcotics rehabilitation process, both from a medical and social perspective. In medical rehabilitation, IPWL is tasked with conducting initial assessments to measure the level of dependence of addicts, carry out detoxification processes, and provide pharmacological therapy as needed. In addition, IPWL also provides psychological counseling services to help addicts deal with the symptoms of substance breakdown and mental disorders that often accompany narcotics dependence (Widjaja, 2020).<sup>21</sup>

In terms of social rehabilitation, IPWL plays a role in facilitating the psychosocial recovery process for addicts. The programs offered include individual and group counseling, life skills training, and job training. The goal is for addicts to be able to develop social skills, increase self-confidence, and prepare themselves to adapt back to their social environment in a healthy and productive manner (Suharto, 2019).<sup>22</sup> IPWL is also responsible for overseeing the overall rehabilitation process, including monitoring the development of addicts both during and after the rehabilitation program. After completing the medical and social rehabilitation stage, the addict will participate in a post-rehabilitation program. This program aims to prevent relapse through psychosocial assistance, follow-up counseling, and periodic monitoring. IPWL works closely with families and local communities to ensure ongoing social support for ex-addicts (National Narcotics Agency, 2022).<sup>23</sup>

Administratively, IPWL has an obligation to record and report the entire rehabilitation process carried out. The data includes the number of addicts who report, the results of the initial assessment, rehabilitation plans, and developments during and after the program. This report is sent periodically to the National Narcotics Agency (BNN) and the Ministry of Health as material for evaluating the effectiveness of narcotics rehabilitation programs in Indonesia (Ministry of Health of the Republic of Indonesia, 2021).<sup>24</sup> Thus, IPWL not only acts as a rehabilitation service center for narcotics addicts, but also as an extension of the government in ensuring the implementation of comprehensive rehabilitation programs. The role of IPWL, which includes medical, social, and post-rehabilitation rehabilitation, is an important foundation in efforts to eradicate narcotics abuse and rehabilitate affected individuals so that they can contribute positively to society again.

### **Previous Research**

Previous research on the application of health law in narcotics rehabilitation has been conducted by many academics and legal practitioners. One of the studies by Anwar (2020) discusses the implementation of Article 55 of Law Number 35 of 2009 concerning Narcotics in various

<sup>20</sup> Ministry of Health of the Republic of Indonesia. (2021). *National Guidelines for Medical Rehabilitation for Narcotics Addicts*. Jakarta: Ministry of Health of the Republic of Indonesia

<sup>21</sup> Widjaja, A. (2020). *Narcotics Rehabilitation: Medical and Psychological Perspectives*. Bandung: Medical Library

<sup>22</sup> Suharto, E. (2019). *Social Empowerment for Narcotics Addicts*. Yogyakarta: Gadjah Mada University Press

<sup>23</sup> National Narcotics Agency. (2022). *Annual Report of the Narcotics Rehabilitation Program*. Jakarta: BNN

<sup>24</sup> Ministry of Health of the Republic of Indonesia. (2021). *National Guidelines for Medical Rehabilitation for Narcotics Addicts*. Jakarta: Ministry of Health of the Republic of Indonesia





Institutions Receiving Mandatory Reporting (IPWL). The study found that although the regulations are quite clear, there are still obstacles in their implementation, such as a lack of coordination between health institutions and the National Narcotics Agency (BNN), as well as limited medical rehabilitation facilities in some areas.<sup>25</sup> In addition, a study conducted by Sari (2019) examined the effectiveness of health law in the process of social rehabilitation for narcotics addicts. The results of the study show that many IPWLs experience obstacles in providing optimal social rehabilitation due to the lack of budget support and trained human resources. This has an impact on the low success rate of post-rehabilitation programs, where many former addicts experience relapse due to a lack of psychosocial assistance.<sup>26</sup>

Another study by Wijaya (2021) compared the application of health law in narcotics rehabilitation in Indonesia and Malaysia. His findings suggest that Malaysia has a more integrated rehabilitation system, where health institutions, police, and social communities work closely together in the rehabilitation process and post-rehabilitation monitoring. Meanwhile, in Indonesia, there is still a communication gap between institutions that causes the rehabilitation process to often run separately.<sup>27</sup> In terms of policy effectiveness, a study by Putri (2022) found that although health law regulations in Indonesia support rehabilitation as part of law enforcement, its implementation is still hampered by social stigma against narcotics addicts. As a result, many addicts are reluctant to report to the IPWL for fear of being criminalized, even though the law clearly protects their right to rehabilitation.<sup>28</sup>

A comparison of these studies shows that the success of the implementation of health law in narcotics rehabilitation is highly dependent on the synergy between policies, implementers in the field, and social support. In some countries such as Malaysia, strong coordination between governments, health institutions, and communities has a positive impact on the rehabilitation of addicts. Meanwhile, in Indonesia, the biggest challenge still lies in technical implementation and social stigma. Therefore, this study is important to examine more deeply how health law is applied in narcotics rehabilitation in Indonesia, as well as formulate strategies to strengthen inter-agency collaboration and remove social stigma. The findings of previous research are a strong foundation to improve policies and increase the effectiveness of narcotics rehabilitation in the future.

## RESEARCH METHODS

This study uses normative legal research methods, which include analysis of various literature sources or secondary data. This approach examines various related legal regulations such as Law No. 35 of 2009 concerning Narcotics, Permenkes No. 17 of 2023 concerning the Implementation of Mandatory Reporting Institutions, Regulation of the Head of BNN No. 6 of 2022 concerning the Implementation of Continuous Rehabilitation, as well as literature that contains theoretical concepts relevant to the problem being studied. The collection of legal materials is carried out through literature research techniques, by collecting primary and secondary legal materials that support each other to answer research questions. The data obtained from this research, both primary and secondary legal materials, will be processed and analyzed qualitatively to gain a deeper understanding. The method of thinking used in analyzing legal material is a deductive method, starting from the general to reach a specific conclusion.

## RESULTS AND DISCUSSION

### Application of Health Law in IPWL

The Mandatory Reporting Institution (IPWL) is an institution appointed by the government to

<sup>25</sup> Anwar, R. (2020). *Implementation of Health Law in Narcotics Rehabilitation*. Jakarta: Pustaka Hukum

<sup>26</sup> Sari, N. (2019). *Social Rehabilitation for Narcotics Addicts: A Health Law Perspective*. Bandung: Ganesha Press

<sup>27</sup> Wijaya, T. (2021). *Comparison of Narcotics Rehabilitation Systems in Indonesia and Malaysia*. Yogyakarta: Graha Ilmu

<sup>28</sup> Putri, L. (2022). *Study of the Effectiveness of Health Law in Narcotics Rehabilitation*. Surabaya: Universitas Airlangga Press



provide rehabilitation services for addicts and narcotics abusers who voluntarily report themselves. The appointment of IPWL is regulated in Presidential Regulation Number 25 of 2011 concerning the Implementation of Mandatory Reporting of Narcotics Addicts, which stipulates that IPWL can be in the form of health centers, hospitals, or medical and social rehabilitation institutions.<sup>29</sup> The main goal of IPWL is to provide access to rehabilitation in accordance with health service standards, so that drug addicts and abusers can get proper treatment without having to face criminal legal proceedings. In carrying out its functions, IPWL must comply with applicable health law regulations. One of the important regulations is the Regulation of the Minister of Health Number 50 of 2015 concerning Technical Guidelines for the Implementation of Mandatory Reporting and Medical Rehabilitation for Addicts, Abusers, and Victims of Narcotics Abuse.<sup>30</sup> This regulation provides technical guidance for IPWL in carrying out medical rehabilitation services, including patient admission procedures, service standards, and referral mechanisms. Compliance with these regulations ensures that the rehabilitation services provided are in accordance with the established health standards. In addition, IPWL must also coordinate with law enforcement officials in the implementation of rehabilitation for addicts involved in the legal process. The determination of rehabilitation is carried out by law enforcement officials and authorized institutions by forming an Integrated Assessment Team (TAT) consisting of doctors, psychologists, the National Police, the National Narcotics Agency (BNN), the Prosecutor's Office, and the Ministry of Law and Human Rights (Kemenkumham).<sup>31</sup>

This team analyzes the role of a person who is arrested or caught as an addict, abuser, or victim of narcotics abuse. However, in practice, IPWL faces various obstacles. One of the obstacles is the lack of trained human resources in handling the rehabilitation of narcotics addicts. In addition, the negative stigma from the community towards narcotics addicts causes them to be reluctant to report to IPWL for rehabilitation. The lack of socialization about the existence and role of IPWL is also an obstacle in the implementation of the mandatory reporting program.<sup>32</sup> To overcome these obstacles, collaborative efforts are needed between the government, law enforcement officials, and the community. The government needs to increase socialization about the role and function of IPWL, as well as provide training for health workers involved in rehabilitation services. In addition, the public needs to be given an understanding that narcotics addicts are victims who need help and rehabilitation, not just criminals who must be punished. With the proper implementation of health laws and the conformity of rehabilitation programs with existing regulations, it is hoped that IPWL can function optimally in dealing with narcotics problems in Indonesia. This not only helps addicts to recover and return to society, but also contributes to reducing the rate of narcotics abuse nationwide.

### **Obstacles in the Implementation of Health Law**

The implementation of health law in Mandatory Reporting Institutions (IPWL) is a strategic effort by the Indonesian government to tackle narcotics abuse through medical and social rehabilitation approaches. IPWL functions as an institution that receives reports from addicts or victims of narcotics abuse to get treatment without criminal threats. This is in line with the mandate of Article 54 of Law Number 35 of 2009 concerning Narcotics, which emphasizes the importance of rehabilitation for addicts and victims of narcotics abuse.<sup>33</sup> The rehabilitation program run by IPWL must be in accordance with applicable health law regulations. Regulation of the Minister of Health Number 46 of 2012 provides technical instructions for the implementation of medical rehabilitation for addicts, abusers, and victims of narcotics abuse. This regulation regulates service standards, procedures, and criteria for rehabilitation success that must be complied with by health facilities that

<sup>29</sup> <https://www.kemhan.go.id/itjen/wp-content/uploads/2017/03/>

<sup>30</sup> Attachment to Regulation of the Minister of Health of the Republic of Indonesia Number 46 of 2012 [peraturan.bpk.go.id](https://peraturan.bpk.go.id)

<sup>31</sup> <https://setkab.go.id/penanggulangan-bahaya-narkotika-melalui-rehabilitasi/>

<sup>32</sup> Juli Raya Syahputra, Muhadar, Haeranah (2021). Obstacles Faced by Mandatory Reporting Recipient Institutions in the Implementation of Rehabilitation Authority for Narcotics Addicts. *Al-Qadai Journal of Islamic Justice and Family Law* Vol 8 No. 1, 29-40.

<sup>33</sup> Muhammad Hairul, Desi Anisah (2024). Juridical Review of Article 54 of the Narcotics Law: Rehabilitation as a Solution for Addicts and Victims of Narcotics Abuse. *Amendment: Journal of Indonesian Defense, Political and Legal Sciences* Vol.1 No. 4, 59-71.



organize rehabilitation programs.<sup>34</sup> However, in its implementation, there are several obstacles faced by IPWL. One of them is the limited facilities and competent health workers in the field of addiction. Many IPWLs do not have adequate facilities and infrastructure to support the rehabilitation process according to the set standards. In addition, the lack of specially trained health workers in handling narcotics addiction cases can affect the quality of rehabilitation services provided.<sup>35</sup>

In addition to the medical aspect, social rehabilitation is also an integral part of the recovery of victims of narcotics abuse. Regulation of the Minister of Social Affairs Number 56/HUK/2009 regulates social services and rehabilitation for victims of abuse of narcotics, psychotropics, and other addictive substances. These regulations emphasize the importance of a holistic approach that includes psychological recovery, upskilling and social reintegration for victims.<sup>36</sup> Coordination between related institutions, such as the Ministry of Health, the Ministry of Social Affairs, and the National Narcotics Agency (BNN), is key in harmonizing rehabilitation service standards. Without good coordination, there can be overlapping policies and ineffective implementation, thus hindering the optimal rehabilitation process for addicts and victims of narcotics abuse.<sup>37</sup> To increase the effectiveness of rehabilitation programs at IPWL, efforts are needed to increase the capacity of facilities and health workers, as well as strengthen coordination between related institutions. Thus, it is hoped that the rehabilitation program carried out can be in accordance with applicable health law regulations and be able to have a positive impact on the recovery of addicts and victims of narcotics abuse in Indonesia.

### **Effectiveness of Rehabilitation Programs at IPWL**

Evaluating the effectiveness of rehabilitation programs in Mandatory Reporting Institutions (IPWL) is a crucial aspect in assessing the success of handling narcotics abuse in Indonesia. Legal and medical indicators are the main benchmarks in assessing the extent to which rehabilitation programs achieve their goals. From a legal perspective, the effectiveness of rehabilitation programs can be seen from the extent to which the program is in accordance with applicable laws and regulations. Law Number 35 of 2009 concerning Narcotics emphasizes the importance of rehabilitation for addicts and victims of narcotics abuse. In addition, Government Regulation Number 25 of 2011 concerning the Implementation of Mandatory Reporting for Narcotics Addicts regulates the reporting and rehabilitation mechanism. The conformity of rehabilitation programs with these regulations reflects legal compliance and state support for the rehabilitation of individuals involved in narcotics abuse.<sup>38</sup> From the medical side, indicators of rehabilitation success include reducing or stopping the use of narcotics, improving physical and mental health conditions, and improving patients' social skills. Research shows that effective rehabilitation programs are able to reduce relapse rates and improve patients' quality of life. A comprehensive medical evaluation is necessary to ensure that patients receive appropriate and effective care.<sup>39</sup>

However, challenges in the implementation of rehabilitation programs at IPWL still exist. Some IPWLs face limitations of adequate facilities and human resources, which can affect the quality of rehabilitation services. In addition, social stigma against drug addicts is often an obstacle for individuals to seek help and participate in rehabilitation programs.<sup>40</sup> Therefore, periodic evaluation and capacity building of IPWL are essential to ensure the effectiveness of rehabilitation programs. Collaboration between governments, health institutions, and the community is needed to create an

<sup>34</sup> Sutarto. (2021). The Application of Medical Rehabilitation and Social Rehabilitation to Victims of Narcotics Abuse Reviewed from the Theory of Relative Criminality. Indonesian Law Enforcement Journal (JPHI). Volume 2, Issue 1, 115-135.

<sup>35</sup> Refi Hendra (2021). Harmonization of Rehabilitation Service Standards for Drug Abuse's Addicts and Victims according to the Regulations. Ius Poenale, Vol. 2 No.2, 88 -102.

<sup>36</sup> Sutarto. (2021). The Application of Medical Rehabilitation and Social Rehabilitation to Victims of Narcotics Abuse Reviewed from the Theory of Relative Criminality. Indonesian Law Enforcement Journal (JPHI). Volume 2, Issue 1, 115-135

<sup>37</sup> Refi Hendra (2021). Harmonization of Rehabilitation Service Standards for Drug Abuse's Addicts and Victims according to the Regulations. Ius Poenale, Vol. 2 No.2, 88 -102.

<sup>38</sup> Refi Hendra (2021). Harmonization of Rehabilitation Service Standards for Drug Abuse's Addicts and Victims according to the Regulations. Ius Poenale, Vol. 2 No.2, 88 -102

<sup>39</sup> By Nyoman Juwita Arswati, Putu Eva Ditayani Antari, Ariesta Wibisono Anditya (2023). Assessing Institutional Effectiveness of Medical Rehabilitation Programs for Drug Addicts by the National Narcotics Agency. Legal Conscience Journal of Law Vol.7 No. 1, 126-150.

<sup>40</sup> Ahmad Shobirin (2017). Social Rehabilitation of Victims of Narcotics Abuse through Mandatory Reporting Institutions (IPWL). Journal of Policy Analysts Vol. 1 No. 2, 23-33.





environment that supports the recovery of drug addicts. With a comprehensive and sustainable approach, it is hoped that the rehabilitation program at IPWL can achieve optimal results in accordance with the legal and medical indicators that have been set.

The effectiveness of rehabilitation programs at Mandatory Reporting Institutions (IPWL) is also influenced by promotive and preventive efforts made to reach rehabilitation clients. This effort is important considering that many drug abusers are not yet aware of coming and reporting to IPWL to get rehabilitation services. Several IPWLs and rehabilitation centers have taken promotive and preventive measures to increase public awareness and participation in rehabilitation programs

## **CONCLUSIONS AND SUGGESTIONS**

### **Conclusion**

Based on the analysis that has been carried out, the implementation of health law for abusers and victims of narcotics abuse in Indonesia still faces various challenges. Although it has been regulated in Law Number 35 of 2009 concerning Narcotics and supported by Government Regulation Number 25 of 2011 regarding the implementation of mandatory reporting, its implementation in the field has not been fully effective. Limited facilities at Mandatory Reporting Institutions (IPWL), lack of trained health workers, and social stigma against narcotics abusers are obstacles in realizing optimal handling of health laws. Therefore, continuous monitoring and evaluation is needed to ensure that these policies run in accordance with public health and human rights principles.

Regarding the effectiveness of rehabilitation, this program has proven to be one of the effective solutions in dealing with victims of narcotics abuse, both from a medical and psychosocial perspective. Rehabilitation not only focuses on stopping the use of narcotics, but also helping victims recover their physical, mental, and social conditions so that they can return to society. The evaluation of rehabilitation success is measured through a reduction in the rate of relapse, improvement of life skills, and the ability of patients to maintain a healthy quality of life. However, this effectiveness is highly dependent on the consistency of the program, the support of professionals, and the synergy between IPWL, the government, and the community.

In terms of financing, the government has provided financing schemes for abusers and victims of narcotics abuse, especially through state budget funds and support from the National Narcotics Agency (BNN). IPWL has an important role in ensuring that victims can get free or affordable rehabilitation services, especially for those who report voluntarily. However, obstacles still arise due to budget limitations, complicated administrative processes, and lack of socialization related to victims' rights to receive this financing assistance. Therefore, optimizing funding and transparency in the management of rehabilitation funds is an important step so that access to rehabilitation programs is wider and more effective.

### **Suggestion**

To strengthen the implementation of health laws for abusers and victims of narcotics abuse, comprehensive strategic measures are needed. The government needs to increase supervision of the implementation of regulations, ensure that each Mandatory Reporting Institution (IPWL) has adequate facilities, and provide ongoing training for health workers related to the medical and psychosocial handling of victims. In addition, synergy between the National Narcotics Agency (BNN), the Ministry of Health, and law enforcement officials must be increased so that the implementation of health laws runs effectively without overlapping policies.

For policymakers, it is important to strengthen regulations related to rehabilitation by ensuring transparency in program financing, speeding up the administrative process for victims who want to access IPWL services, and expanding the reach of rehabilitation programs to remote areas. The policy made must be oriented towards the recovery of victims, not just limited to the provision of legal

sanctions, so that the principles of public health and human rights are maintained. Support in the form of public campaigns and education to the community is also key in eliminating social stigma against abusers who are undergoing rehabilitation. Meanwhile, IPWL and health workers are expected to be more proactive in providing effective and empathetic services to victims. IPWL can strengthen collaboration with local communities, psychologists, and counselors to ensure rehabilitation runs holistically. Health workers also need to be equipped with communication skills and a trauma-based approach so that victims feel mentally and emotionally supported during the recovery process. Regular program evaluations must be carried out to measure the effectiveness of rehabilitation, so that this program can continue to be developed according to real needs in the field.

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