

Application of Law Toward Disclaimer of Diphtheria Immunization

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ABSTRACT

Diphtheria is a disease that is very contagious and provides low immunity. Very effective prevention is by immunizing Diphtheria, to increase immunity to this disease. If prevention is not carried out properly, it can lead to Extraordinary Events, as happened in 2017 in Indonesia. Handling Extraordinary Events that are not successful can result in Outbreaks. The impact of an outbreak can harm individuals, communities, nations nationally and internationally. Refusal of immunization and anti-vaccine movements can risk thwarting the prevention of Diphtheria. As a result, the disease of Diphtheria that is not there, reappeared. Some countries have implemented strict sanctions against denial of immunization: Prison (Pakistan), Prohibited schools (Italy), Fines (Germany), and Cut allowances (Australia). Rejection of immunization in Indonesia has not yet been given strict sanctions, even though Extraordinary Events have occurred. The legal immunization is mandatory as mandated in Law 36 of 2009 concerning Health Article 130: The government is obliged to provide complete immunization to every baby and child. And is the basic right of every child as stated in article 132 paragraph 3: Every child has the right to receive basic immunization in accordance with the applicable provisions to prevent the occurrence of diseases that can be avoided through immunization. In chapter XA of the 1945 Constitution concerning Human Rights, Article 28B paragraph 2: Every child has the right to survival, to grow and develop and has the right to protection from violence and discrimination. To be able to grow optimally, a child needs immunization. If a child does not get immunized, it can be interpreted that the child cannot grow optimally (neglect of children), this is contrary to Law No. 23 of 2002 concerning Child Protection article 77 and can be punished according to the article. In addition to the above article, it can be threatened with revocation of custody according to Law No. 4 of 1979 concerning Child Welfare. And can be threatened according to Law No. 4 of 1984 concerning Outbreaks of Infectious Diseases, because one of the outbreak prevention efforts is prevention and immunization

Keywords: *immunization, Human Rights, neglect of children, Diphtheria*

1. INTRODUCTION

Immunization is an attempt to actively induce or increase a person's immunity against a disease, so that if one day exposed to the disease it will not hurt or only experience mild illness. Immunization is a program organized by the government to eradicate or suppress diseases that can be prevented by immunization (PD3I). Children who have been immunized can be protected from various dangerous diseases that are included in PD3I, namely tuberculosis, diphtheria, tetanus, hepatitis B, pertussis, measles, polio, inflammation of the lining of the brain, and inflammation of the lungs. With immunization, it is expected that children will avoid the disease above[1]. One of the effects of not immunizing is that it can cause an Extraordinary Event and cause an Outbreak if an Extraordinary Event is not successfully treated.

The extraordinary event of Diphtheria in 2017, as mentioned by the Indonesian Pediatrician Association (IDAI), occurred in 28 provinces and 142 districts / cities, so that the highest incidence in the world could be concluded. As a precaution, IDI and IDAI appealed to the public to following immunization through ORI (Outbreak Response Immunization), this is the

only way to cut the number of casualties continues to grow. The fatalities of diphtheria outbreaks in Indonesia reached 38 children who died and 600 children were hospitalized[2]. The Extraordinary Diphtheria incident was a very detrimental event for the people, nation and state of Indonesia. This outbreak cannot be separated from the low number of immunization coverage. The low number of immunization coverage is due to one of them being the refusal of diphtheria immunization. As happened in Jakarta, the refusal of Diphtheria immunization by several schools during the ORI program took place [3].

Refusal of immunization was largely due to fear of side effects in the form of heat obtained after immunization. The controversy over the rejection and acceptance of vaccines is one of the causes of the Diphtheria Extraordinary Event. The widespread anti-HIV movement in the world makes diseases that no longer exist, re-emerge. Therefore some countries try to fight it by applying strict rules on anyone who prevents children from getting vaccinated. For example in the country of Uganda, if parents who have children under five do not have a complete vaccination are threatened with prison sentences for six months[4]. What about in Indonesia? Until now there has been

no strict application of the law, as in some countries an outbreak has occurred.

The application of legal sanctions for violators is an important part of achieving a government program. The immunization program is included in public policy. As the definition of public policy is a decision made by the government or governmental institutions to overcome certain problems, to carry out certain activities or to achieve certain objectives relating to the interests and benefits of the people[5]. In Permenkes number 12 of 2017 concerning the implementation of immunization, the Immunization Program is an immunization that is required to someone as part of the community in order to protect the person concerned and the surrounding community from diseases that can be prevented by immunization. With this immunization program, it is hoped that the community will be free from communicable diseases that can be prevented by immunization (have immunity) [6].

2. OVERVIEW OF IMMUNIZATION DIPHTHERIA

A. Diphtheria

Diphtheria is an acute disease caused by *Corynebacterium diphtheria*, a facultative anaerobic Gram-positive bacterium. This disease is characterized by a sore throat, fever, malaise and on examination found pseudomembranous in the tonsils, pharynx, and / or nasal cavity. Diphtheria is a disease that is transmitted through direct contact or droplets from patients. A typical examination shows that the pseudomembrane looks dirty and has a white-gray color which can cause a blockage due to inflammation of the tonsils and extends to adjacent structures that can cause a bull neck. Membranes bleed easily if they are removed.5 Rapid diagnosis must be made immediately based on clinical, laboratory symptoms (throat swab, culture, or PCR) for early treatment. Governance consists of using specific antitoxin and eliminating the causative organism. Complications from diphtheria can cause airway obstruction, myocarditis, palatal muscle paralysis, otitis media and can also spread to the lungs causing pneumonia. Prevention by immunization, career medicine, and the use of Personal Protective Equipment[6].

Transmission is spread through droplets, direct contact with patient airway secretions or from carrier patients. In endemic areas, 3% -5% of healthy people can be carriers of toxigenic diphtheria. *C. diphtheriae* bacteria can survive in dust or outside air for up to 6 months.

Difficulties in diphtheria can occur as a result of local inflammation or due to exotoxin activity. These complications are divided:

- 1) Airway obstruction, caused by airway blocking by the diphtheria membrane or by edema of the tonsils, pharynx, submandibular and cervical regions
- 2) Toxin impact can manifest in the heart in the form of myocarditis which can occur in both mild and severe diphtheria and usually occurs in patients who are late getting antitoxin treatment. In general, complications or slower in the 2nd week, but can be earlier in the first week or slower in the 6th week. Symptoms of myocarditis can be tachycardia, faint heart sounds, heart sounds, or arrhythmias. Can If there is paralysis in the soft palate at week 3, the voice becomes nasal, nasal regurgitation, difficulty swallowing. Paralysis of the eye muscles usually occurs in the 5th week, although it can occur between the 5th and 7th week. Paralysis of the extremities is bilateral and symmetrical

with loss of deep tendon reflexes, increased levels of protein in the cerebrospinal fluid. Diaphragm paralysis can occur at the 5th and 7th week as a result of phrenic nerve neuritis. This can cause death if it is not helped by a mechanical ventilator. If paralysis occurs in the vasomotor center and hypotension and heart failure occur.

- 3) broadly antibiotics, this complication is very rare.

Prognosis difteria setelah ditemukannya ADS dan The prognosis for diphtheria after the discovery of ADS and antibiotics is better than before. In Indonesia, in areas where pockets have not been immunized, severe diphtheria is still found with a poor prognosis. According to Krugman, sudden death in diphtheria can be caused by (1) sudden airway obstruction caused by the diphtheria membrane dislocation, (2) the presence of myocarditis and heart failure, and (3) diaphragmatic paralysis as a result of phrenic nerve neuritis[8].

B. Immunization of Diphtheria

Prevention in general by maintaining cleanliness and providing knowledge about the dangers of diphtheria for children. In general, after a child has diphtheria, immunity to the disease is very low so immunization is necessary. Prevention specifically consists of DPT immunization and career medicine. Passive immunity is obtained from transplacental mothers who are resistant to diphtheria for up to 6 months and injections of antitoxin which can last for 2-3 weeks. Active immunity is obtained after a real active suffering or inapparent infection and diphtheria toxoid immunization. DPT immunization is very important to maintain high antibody levels above the threshold of prevention and repeat immunization is needed so that five times the immunization before the age of 6 years If you have never received DPT, given primary DPT immunization three times at intervals of 4-6 weeks each. If the immunization is not complete immediately complete (continue with immunizations that have not been given, it does not need to be repeated), and those who have completed primary immunization (<1 year) need to do a repeat DPT immunization aged 18 months and 5 years. DPT-HB-Hib for children aged <5 years, DT for children aged 5- <7 years and Td for children aged > 7 years[8].

C. Immunization Rights

Provision of immunity (Immunization) is one of the health services that is basic health services in terms of preventive which aims to reduce infant mortality. The right to obtain immunization is protected by Law number 36 of 2009 concerning Health to prevent from disease. Immunization rights for children are contained in: Article 130 which contains the government obliged to provide complete immunization to every baby and child and Article 132 paragraph three states that every child has the right to obtain basic immunization in accordance with applicable regulations to prevent the occurrence of diseases that can be avoided through immunization[9].

Based on the Law of the Republic of Indonesia number 23 of 2002 concerning child protection, regarding: Article 8 children's rights and obligations which reads, "Every child has the right to receive health services and social security in accordance with physical, mental, spiritual, and social needs." [10]. Immunization is one of the efforts in basic health services in terms of preventive measures aimed at reducing infant mortality[11].

In Chapter XA on Human Rights, Article 28A: "Everyone has the right to live and has the right to defend his life and lives." Article 28B paragraph 2: "Every child has the right to survival, growth and development as well as the right to

protection from violence and discrimination." And Article 28J paragraph 1: "Everyone must respect the human rights of others in the orderly life of the community, nation and state"[12]. The rules above explain that the right to life is a basic human right. Thus, immunization is the right of children to be able to live well, avoid preventable diseases and enjoy health as their human rights. In our lives, in addition to the human rights we have, there are also other people's human rights. As we have the right to live well, other people are like that. The decision to give immunizations to children is not merely our human right to determine, but there are also other people's (children's) rights in it.

D. Application of Legal Sanctions of Diphtheria Immunization

In the case of applying the law to the refusal of diphtheria immunization, there are several articles of the Act that can be used, namely:

1) Law No. 4 of 1979 concerning Child Welfare"[13].article 9: "Parents are the first to be responsible for the realization of children's welfare both spiritually, physically and socially." Article 10 (1) "Parents who have been proven to neglect their responsibilities as referred to in Article 9, resulting in obstacles to the growth and development of a child, his fostering authority as a parent may be revoked for his child. In that case the person or body is appointed as guardian ". And article 11 (1): "Children's welfare efforts consist of efforts to foster, develop, prevent and rehabilitate." There is a significant relationship between the provision of basic immunization and the growth and development of infants[14].

2) Law No. 23 of 2002 concerning Child Protection[15] article 77: "Everyone who intentionally takes action: a. discrimination against children which results in the child experiencing losses, both material and moral, thereby hampering his social functioning; or b. neglect of children which results in the child experiencing pain or suffering, whether physical, mental, or social, c. convicted with a maximum imprisonment of 5 (five) years and / or a maximum fine of Rp 100,000,000.00 (one hundred million rupiah). "Which is stated in Law No. 35 of 2014 Amendment to Law Number 23 of 2002 concerning Child Protection 16: Article 76B "Everyone is prohibited from placing, allowing, involving, ordering to involve the child in situations of mistreatment and neglect[16]. And article 77B Any person who violates the provisions referred to in Article 76B, shall be sentenced to a maximum imprisonment of 5 (five) years and / or a maximum fine of Rp 100,000,000.00 (one hundred million rupiah). "According to health law expert Dr. M. Nasser SpKK, D.Law, the above article can be used for the application of the law against rejection of immunization[17].

3) Disease that can be prevented by immunization is a contagious disease and the immunity rate for this disease is low. Because of the high contagious nature of this diphtheria disease and when accompanied by low immunity immunity, due to refusing or not being immunized, the disease is easily potential to become an outbreak and even become an epidemic, if the outbreak is not successful. In Law No. 4 Infectious Disease Outbreaks stated in Article 5 (1) Efforts to prevent outbreaks include: c. prevention and thickening; (In the explanation of the article it is said prevention and immunization are actions taken to provide protection to people who have not been sick, but have a risk of contracting the disease (concluded that these actions are immunizations)), if there is a refusal / obstruction / neglect threatened by Article 14 (1) Anyone who intentionally obstructs the implementation of epidemics as regulated in this Law, is threatened with imprisonment for a maximum of 1 (one) year

and / or a maximum fine of Rp 1,000,000 (one million rupiah) . (2) Any person whose negligence results in obstruction of the implementation of epidemic control as regulated in this Law, is threatened with imprisonment for a maximum of 6 (six) months and / or a maximum fine of Rp. 500,000.- (five hundred thousand rupiah). (3) The criminal act referred to in paragraph (1) is a crime and the criminal act referred to in paragraph (2) is a violation. [18-9].

3. DISCUSSION

E. Health Services

Law of the Republic of Indonesia no.36 of 2009, concerning health, article 1 number 1: health is a healthy condition, both physically, mentally, spiritually, and socially that shows people to live productively socially and economically. From this limitation, it is clear that the health aspect or healthy dimension is not only physical, mental, and social, but also one more aspect, namely economic (economically productive). To realize the degree of health that has these four aspects required health resources. Resources in the field of health according to this law are all forms of funds, personnel, medical supplies, pharmaceutical preparations and medical devices as well as health service facilities and technology that are used to carry out health efforts undertaken by the government, regional government and or the community [20].

Healthy according, WTO (1997) is a perfect condition both physically, mentally and socially and not only free from disease or weakness.6. mental (mental health) is defined as " a condition that allows optimal physical, intellectual, and emotional development of a person and that development is in harmony with the conditions of others. socially healthy is a life in society, this period of life must be such so that every citizen has enough ability to maintain and his own life and his family in the community that allows him to work, rest and enjoy entertainment on time[21].

Law of the Republic of Indonesia, article 1 number 7: health service facility is a tool and or place used to provide health services, both promotive, preventive, curative and rehabilitative carried out by the government, regional government and / or the community. Article 1 number 11: health effort is any activity and / or series of activities carried out in an integrated, integrated and balanced manner to maintain and improve the degree of public health in the form of disease prevention, health promotion, treatment of diseases, and health recovery by the government and / or community. Article 1 number 12: promotive health service is an activity and / or series of health service activities that prioritizes health promotion activities. Article 1 number 13: preventive health services are activities to prevent a health problem / disease. Article 1 number 14: curative health service is an activity and / or series of treatment activities aimed at healing diseases, reducing sufferers due to illness, controlling disease, or controlling disabilities so that the quality of the patient can be maintained as optimal as possible[22].

The right to health, as stipulated in law no.36 of 2009 concerning health. Article 4: Everyone has the right to health. Article 5 states in paragraph: a. Everyone has the same right to gain access to resources in the health sector. b. Everyone has the right to obtain safe, quality and affordable health services c. Every person has the right to independently and is responsible for determining their own health services needed for themselves. Article 6 states: everyone has the right to a healthy environment for attaining a degree of health[23].

F. Child Protection

Children are actually a priceless treasure both from a social, cultural, economic, political, legal perspective, as well as the perspective of the sustainability of a generation of families, ethnicities and nations. Seen from the social as respectful dignity of the family depends on the attitudes and behavior of children to excel, and the culture of children is a treasure and wealth that must be preserved as well as a symbol of fertility of a family, from politics the child is the successor to the tribe, nation, and economy in terms of law, children have a position and strategic position before the law, not only as a successor and heir to the family but as part of legal subjects with all the fulfillment of the needs for children who get legal guarantees[24].

John Lock argues that children are individuals who are still clean and sensitive to the stimuli originating from their environment. Children are also not the same as adults, children have a tendency to deviate from law and order caused by limited knowledge and understanding of the reality of life, children are easier to learn by the examples they receive from compulsive rules[25].

Therefore, every child's right must be upheld for the achievement of the goal of the birth of a healthy young generation for the survival of the nation's life. Children are human beings who are bearers of rights, that is, everything that has rights and obligations is called a legal subject. The definition of a child is regulated in Article 1 number 1 of Law 35 of 2014 concerning Protection of Children which reads as follows: "A child is someone who is not yet 18 (eighteen) years old, including children who are still in the womb" Each of the laws and regulations regulate separately regarding the child's criteria. Children's criteria affect the legal position of children as legal subjects. In Indonesian law there is pluralism regarding age restrictions, this is why each of the laws and regulations regulates separately the criteria for children[26].

Child protection is any effort aimed at preventing, rehabilitating, and deceiving children who experience acts of mistreatment, exploitation, and neglect in order to ensure the survival and development of children naturally, physically, mentally, and socially[27].

In relation to the issue of legal protection, the 1945 Constitution clearly states that the State provides protection to the poor and displaced children. The problem of poverty is increasingly becoming a disease that continues to emerge in this country. The crime that happened to children in this country is the main factor caused by poverty, where this poverty factor has a major contribution in the act of neglect of children committed by biological parents. In principle, child protection is based on Law No. 35 of 2014 which was carried out based on the Pancasila and the 1945 Constitution. The principle of protection is regulated based on the best interest of the child, where this principle stipulates that in all actions involving children carried out by the government, the community, the legislative body and the judiciary, the interests of the child must be considered first[28].

G. Child Abandonment

Neglected children are children who because of their parents neglecting their obligations so that the needs of children are not naturally fulfilled either spiritually, physically, or socially. The understanding of neglected children is stated in Law No. 35 of 2014 Article 1 paragraph 6 that: "Neglected children are children who do not meet their natural needs, whether physical, mental, spiritual, or social"

Even though there is a set of laws and regulations that protect children's rights, the quality of the problem and year after year experience the development of complexities of danger to children's physical, mental, moral, social and intellectual growth and development. The types of neglect that are increasingly prevalent are found as parents not providing adequate food, clothing, shelter or affection for a child, as well as children abandoned by their parents[29].

The case of neglect carried out by biological parents against their children when viewed from the legal side is an act that belongs to a crime, because obviously the victim's parents abandoned the child, and this is an act that is categorized as a criminal act. Law no. 23 of 2002 concerning Child Protection article 77: "Everyone who intentionally acts: a. discrimination against children which results in the child experiencing losses, both material and moral, thereby hampering his social functioning; or b. neglect of children which results in the child experiencing pain or suffering, whether physical, mental, or social, c. be sentenced to a maximum imprisonment of 5 (five) years and / or a maximum fine of Rp 100,000,000.00 (one hundred million rupiah)[30].

The laws governing child protection, namely Law No. 35 of 2014 and also the Criminal Code, are explained about the threat of imprisonment and fines. In Law No.35 of 2014 concerning child protection in articles 76 letters a and b and Article 77 letter b concerning criminal provisions which states that: a. treat children in a discriminatory manner which results in the child experiencing losses, both material and moral, which hinders his social functioning. b. Everyone is prohibited from placing, allowing, involving, ordering to involve the child in situations of mistreatment and neglect. Article 77 letter b; c. Any person who violates the provisions referred to in Article 76B, shall be criminally convicted. Prison for a maximum of 5 (five) years and / or a maximum fine of Rp 100,000,000.00 (one hundred million rupiah)[31].

H. Immunization and Child Development

The benefits of immunization are not only felt by the government by decreasing morbidity and mortality from diseases that can be prevented by immunization, but also by:

1) For children

Prevent suffering caused by illness, and possible disability or death.

2) For family

Eliminating anxiety and treatment psychology if the child is sick. Encourage the formation of a family if parents are sure they will have a comfortable childhood. This encourages the preparation of a planned family, to be healthy and quality

3) For Country

Improving the level of health creates a strong and resourceful nation to continue the country's development[32].

Vaccine values are divided into three categories namely individual, social and benefits in supporting the national health system. Individually, if the child has been vaccinated, 80% - 95% will be protected from malignant infectious diseases. The more infants / children who get vaccinated (judged by immunization coverage), the more visible the decrease in morbidity and mortality. In terms of supporting the national health system, the immunization program is very effective and efficient when given in a nationally wide coverage. Increasing the economic growth of a country would be better if the community is healthier so that the budget for curative / treatment can be diverted to other programs that need it.

Investment in health for the welfare and improvement of children's quality in the future)[33].

In addition to healthy nutrition and clean sanitation, immunization can also be a supporting factor for children's growth and development. Therefore, parents should not miss to take their children to a health facility. "One of the factors that influence child growth and development is immunization. Coupled with exclusive breastfeeding, balanced nutrition, clean water supply, healthy sanitation and optimal care," said Chairman of the IDAI PP Immunization Task Force Prof. Dr. Cissy B Kartasmita SpA (K) MSc, when met at IDAI Building, Salemba, Central Jakarta, Wednesday April 26 2017 [34].

I. Penalties for Denial of Immunization in Some Countries

Some countries in the world apply strict sanctions to their citizens who refuse compulsory immunization according to the country's rules and regulations. Given the importance of immunization in eradicating and suppressing diseases that can be prevented by immunization (P3DI). The government of the country concerned applies strict regulations to combat anti-vaccine are:

1) *Prison*. Pakistan is one of the three countries in the world, where polio is endemic. For years, the Pakistani government has been trying to eradicate polio but continues to face many obstacles, ranging from parental rejection, resistance from local militants and attacks on the polio vaccination team. For this reason, local authorities act decisively by arresting parents who deliberately keep their children away from vaccines. "There is no forgiveness, we have decided to face the rejection case with an iron fist. Anyone who refuses (vaccination) will be thrown into prison," said Deputy Commissioner of the Peshawar City Government, Riaz Khan Mehsud.

2) *School prohibition*. In Italy in 2015 there were around 250 recorded measles cases. In 2016 the number increased to 840 cases and now throughout 2017 there has been an epidemic with 2,395 cases. Responding to Italian Prime Minister Paolo Gentiloni recently took a firm decision by implementing new rules for children to be vaccinated. Vaccination is a requirement for children who want to participate in Early Childhood Education. When the child will go to primary school and still not be vaccinated then his parents can be given a fine.

3) *Fines*. Shortly after Italy announced that it would immediately act decisively to enforce mandatory vaccination regulations, its neighbor Germany also took similar steps. German Health Minister Hermann Grohe said that with new regulations parents who fail to include their children in the vaccination program will be given a fine of up to Rp 37 million. In addition, the child can also be expelled from his school specifically at the *level of Early Childhood Education (PAUD)*.

4) *Cut allowances*. In 2015 in Australia, it was estimated that more than 39,000 children under the age of 7 did not get the vaccine because their parents were anti-vaccine. Responding to the local government to cut allowances to around Rp 1.5 billion. In Australia there is indeed a government allowance for every child born. Now if parents do not vaccinate children then the benefits will be revoked[35].

Indonesia should be able to apply strict legal sanctions, such as the example of the country mentioned above, given the importance of immunization against child development in fulfilling legal subjects that need to be protected, in order to be able to grow according to their genetic potential.

4. CONCLUSION

Children are priceless assets both from a social, cultural, economic, political, legal perspective, as well as the sustainability perspective of a generation of families, ethnicities and nations. Children are individuals who are still clean and sensitive to the stimuli originating from their environment. Children are human beings who are bearers of rights, that is, everything that has rights and obligations is called a legal subject. Thus, children need to be protected against things that interfere with growth and development. Child protection is any effort aimed at preventing, rehabilitating, and deceiving children who experience acts of mistreatment, exploitation, and neglect in order to ensure the survival and development of children naturally, physically, mentally, and socially.

One of the factors that influence children's growth and development is immunization. Neglected children are children who are not properly met, whether physically, mentally, spiritually, or socially. The benefits of immunization are decreasing morbidity and mortality due to diseases that can be prevented by immunization. If not immunized, child neglect can be categorized. This is due to children not meeting their physical and mental needs because they can get sick due to diseases that can be prevented by immunization. Abandonment of children (one of which refuses immunization) may be subject to sanctions in accordance with Law. Several countries in the world apply strict sanctions to their citizens who refuse compulsory immunization according to the country's rules and regulations, including Prison (Pakistan), Prohibited schooling (Italy), Fines (Germany), and Deduction of allowances (Australia).

J. The Legal Status of Immunization in Indonesia, from a Legal Perspective, Has been Mandated in Health Law No. 36 of 2009:

1) In article 130: the government is obliged to provide complete immunizations to every baby and child.

2). In article 132 (3): every child has the right to obtain basic immunization in accordance with the provisions that have passed to prevent the occurrence of diseases that can be avoided through immunization.

3). Article 153: The government guarantees the availability of safe, quality, effective, affordable and equitable immunization materials for the community to control infectious diseases through immunization.

The meaning of the 3 articles above, it can be concluded that immunization is compulsory for Indonesian children. Which is reinforced by:

1) Article 1 (13): Preventive health service is an activity to prevent a health problem / disease.

2) Article 4: Everyone has the right to health.

3) Article 19: The government is responsible for the availability of all forms of quality, safe, efficient and affordable health efforts.

K. In Applying the Law on the Act of Rejection of Immunization, It Can Be Divided Into 3 Major Parts, Namely:

1) Refusals made by authorized institutions / institutions may be subject to administrative legal actions, for example revocation of operational licenses

2) If carried out by citizens it can be threatened according to Law Number 4 of 1979 concerning Child Welfare, custody of their children and Law No. 23 of 2002 concerning Child Protection article 77: "Anyone who intentionally acts: a. discrimination against children which results in the child experiencing losses, both material and moral, thereby hampering his social functioning; or b. neglect of children which results in the child experiencing pain or suffering, whether physical, mental, or social, c. sentenced to a maximum imprisonment of 5 (five) years and / or a maximum fine of Rp 100,000,000.00 (one hundred million rupiah)."

3) If the rejection of immunization with malicious intent to cause transmission to the Indonesian people can be prosecuted by Criminal Undan Law No. 4 of 1984 namely (1): "Anyone who intentionally obstructs the implementation of epidemic prevention as regulated in this Law, is threatened with imprisonment for - a maximum of 1 (one) year and / or a maximum fine of Rp 1,000,000 (one million rupiah). with a maximum imprisonment of 6 (six) months and / or a maximum fine of IDR 500,000 (five hundred thousand rupiah).

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