

ABSTRACT

The purposes of this study are: 1) To identify and analyze the forms of traditional health service acts that can be criminally accounted for based on Law Number 36 of 2009 concerning Health. 2) To identify and analyze the application of criminal sanctions against traditional health service actors that result in losses for the patient. The problems in the research are: 1) What is the form of traditional health service actions that can be criminally accounted for based on Law Number 36 Year 2009 concerning Health. 2) How to apply criminal sanctions against traditional health service actors that result in losses for patients. The research method used: the research method used is normative juridical law research. The results of the study are: 1) The forms of acts of traditional health service actors that can be criminally accounted for under the Health Act are acts of intentionally not providing first aid to patients who are in an emergency situation and the act of using tools and technology that are not licensed, but reviewed based on the fact that the regulation of criminal acts against traditional health service business actors in the law is still incomplete. 2) Criminal sanctions that can be applied to traditional health service actors that result in harm to patients only if the treatment carried out fully meets the elements in the criminal provisions that regulate it which is seen based on objective elements, namely acts that violate criminal laws (*actus reus*) and subjective elements, namely the mental attitude of the perpetrator when committing a crime (*mens rea*) in the form of an error due to intentional or negligence. Suggestions from the results of the study: 1) Expect a criminal law reform to be able to make rules regarding the actions of traditional health service business actors because existing regulations cannot fully cover actions that cause harm to patients by traditional health service business actors. 2) Expect law enforcement, especially the police, to act professionally and responsively to public reports regarding the actions of traditional health business actors that result in losses for patients.

Keywords: *Criminal Liability, Traditional Health Services*