

# Law Responsible In The Development of Local Rules on The Tourism Health In Magelang City

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## Abstract

*The right to health in tourism places is very necessary to guarantee the right to health for tourists. Health insurance at tourist attractions aims to prevent and overcome unexpected events that will have a negative impact on tourists' health. Tourism management in Magelang City does not have regulations related to tourism health. So the Magelang City Government needs to prepare regional regulations regarding health tourism, which have a responsive legal character, namely according to community needs and there is community participation in every drafting process. This research aims to analyze the urgency of forming regional regulations on tourism health in Magelang City and the role of responsive law in forming regional regulations on tourism health in Magelang City. The type of research is empirical juridical research, the data sources are primary data and secondary data, the data analysis technique is the interaction analysis model. Research results The urgency of forming regional regulations regarding tourism health in Magelang City is in line with the right to health at tourist attractions based on philosophical, sociological and juridical aspects to guarantee the right to health for tourists, the community around tourist attractions, and tourist attraction managers. The role of responsive law in the formation of regional regulations on tourism health in Magelang City refers to the importance of the community participating in the formation of regional regulations on tourism health, in which case the regional regulations formed have a responsive character.*

**Keywords:** Responsive Law, Tourism Health, Local regulation.

## Abstrak

Hak kesehatan di tempat pariwisata sangat diperlukan untuk menjamin hak kesehatan bagi wisatawan. Jaminan kesehatan pada tempat pariwisata bertujuan untuk mencegah dan menanggulangi adanya peristiwa yang tidak terduga yang



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akan berdampak buruk bagi kesehatan wisatawan. Pengelolaan pariwisata di Kota Magelang belum adanya regulasi terkait dengan kesehatan pariwisata. Sehingga Pemerintah Kota Magelang perlu menyusun peraturan daerah tentang kesehatan pariwisata, yang memiliki karakter hukum yang responsif yakni sesuai kebutuhan masyarakat dan adanya partisipasi masyarakat disetiap proses penyusunan. Penelitian ini bertujuan untuk menganalisis urgensi pembentukan peraturan daerah tentang kesehatan pariwisata di Kota Magelang dan peran hukum responsif pembentukan peraturan daerah tentang kesehatan pariwisata di Kota Magelang. Jenis penelitian yakni penelitian yuridis empiris, sumber data yakni data primer dan data sekunder, teknik analisis data yakni model analisis interaksi. Hasil penelitian Urgensi pembentukan peraturan daerah tentang kesehatan pariwisata di Kota Magelang selaras dengan hak kesehatan di tempat wisata berlandaskan pada aspek filosofis, sosiologis, dan yuridis untuk menjamin hak kesehatan bagi wisatawan, masyarakat sekitar tempat wisata, dan pengelola tempat wisata. Peran hukum responsif pembentukan peraturan daerah tentang kesehatan pariwisata di Kota Magelang merujuk pada pentingnya masyarakat berpartisipasi dalam pembentukan peraturan daerah tentang kesehatan pariwisata, yang dalam hal ini peraturan daerah yang dibentuk memiliki karakter yang responsif.

**Kata Kunci:** *Hukum Responsif, Kesehatan Pariwisata, Peraturan Daerah*

## A. Introduction

The right of everyone's health is enshrined in Article 28H of the 1945 of Constitution of the Republic of Indonesia, which states that everyone has the right to a healthy and healthy environment and to health care. Then the right of health at the tourist venue is a right of the traveler. As in article 20 letter d Law No. 10 of 2009 on Tourism which states that every tourist has the right to health care.

Based on this, it is a government effort to guarantee the health rights of publics on the tourism aspect. I Made Ady Wirawan stated that the scope of health tourism is the policy towards integrated tourism health, efforts towards public health, the existence of standardization of tourist health services, there are efforts to analyze health risk control in the areas that are tourist objects.<sup>1</sup>

Health tourism in this case should be given priority to guarantee the health rights of tourists. Implementation of health insurance at

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<sup>1</sup> I Made Ady Wirawan, *Kesehatan Pariwisata: Pendekatan Integratif untuk Memperkuat Keamanan Kesehatan Global* (Denpasar: Panuduh Atma Waras, 2022), 8.

tourist sites is aimed at preventing and counteracting incidents of adverse health-related impact in tourist places of unexpected nature. So, at the tourist venue, there should be a health facility for visitors like a health post. Health posts can be a support facility to serve tourists who experience health disorders at the time of tourist activities that are supported by the health forces in them. This research, focused on tourism management in the city of Magelang. Tourist attractions that are the focus of research are Kyai Langgeng Park and Mount Tidar Grand Garden.

Article 17 (1) of the Law No. 23 of 2014 on Regional Government states that the district has the right to establish the regional policy to organize the affairs of government that become the authority of the region. Moh. Mahfud MD stated that the legal products that are drawn up have a responsive legal character, that is, the participatory of drawing up process, involving the participation of the community.<sup>2</sup> The Government of Magelang needs to formulate regulations that are intended in the local regulations on health tourism in accordance with the needs that exist in the community and involve the participation of the publics.

Based on the description above, the researchers are interested in conducting research related to “Law Responsible in the Development of Local Rules on the Health Tourism in Magelang City”.

Based on the background of the research, then the formulation of the problem is as follows:

1. Why is it necessary to establish regional regulations on health tourism in Magelang?
2. How the responsive legal role of the regional regulations' formation on health tourism in Magelang?

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<sup>2</sup> Darmini, “Pembentukan Peraturan Daerah Yang Responsif Melalui Inisiatif DPRD Kota Mataram,” *Jurnal IUS Kajian Hukum Dan Keadilan* 6, no. 2 (2018): 341–42, <https://doi.org/https://doi.org/10.29303/ius.v6i2.549>.

## B. Method

The type of this research is empirical jurisprudence. That is the study of law that analyzes the implementation of law or the application of law in society.<sup>3</sup> This type of research is an empirical jurisprudence that focuses more on the implementation of the law, which is a responsive law in the formation of regional regulations on tourism health in the city of Magelang.

The data sources used in this study are as follows:

### 1. Primary Data.

Primary data is data obtained directly from its source, either through interviews, observations or reports in the form of unofficial documents that are subsequently processed by researchers.<sup>4</sup> In this study, the researchers conducted interviews with the parties related to the law responsive in the formation of regional regulations on health tourism in Magelang, namely the Department of Youth, Sports, and Tourism of Magelang, Health Department of Magelang, tourism managers, as well as tourists. Next, the researchers conducted the observation, the object of the observation is the location/ physical, and social conditions in general by way of direct access to the location of the research, i.e. the tourist spot in the city of Magelang.

### 2. Secondary Data

Secondary data is data obtained from official documents, books relating to research objects, research results in the form of reports, theses, dissertations, and legislative regulations.<sup>5</sup>

Secondary data in this study, as follows:

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<sup>3</sup> Muhaimin, *Metode Penelitian Hukum* (Mataram: Mataram University Press, 2020), 83.

<sup>4</sup> Zainuddin Ali, *Metode Penelitian Hukum* (Jakarta: Sinar Grafika, 2009), 106.

<sup>5</sup> Ali, 106.

- a. Primary legal materials are binding legal materials consisting of legislative regulations related to responsive law in the formation of regional regulations on tourism health in the City of Magelang, i.e.:
- 1) The 1945 Constitution of The Republic of Indonesia.
  - 2) Law No. 10 of 2009 on Tourism.
  - 3) Law No. 23 of 2014 on Local Government.
  - 4) Law No. 12 of 2011 on Establishment of Legislative Regulations.
  - 5) Law No. 15 of 2019 on Amendments to Law No. 12 of 2011 on the Establishment of Legislative Regulations.
  - 6) Law No. 13 of 2022 concerning the Second Amendment to the Law No. 12 of 2011 on the Establishment of Legislative Regulations.
  - 7) Law No. 17 of 2023 on Health.
  - 8) Minister Regulation of Tourism and the Creative Economy/Head of the Tourism & Creative Economies Agency No. 9 of 2021 on the Guidelines for Sustainable Tourism Destinations.
  - 9) Magelang Regional Regulation No. 2 of 2015 on Tourism.
- b. Secondary legal materials are books and scientific legal writings related to responsive law in the formation of regional regulations on health tourism in Magelang, i.e.:
- 1) Law books related to responsive law and legislative design.
  - 2) Legal journal articles.

Interaction model is the component of data reduction, data presentation and conclusion withdrawal performed with the process of data collection, after the data is collected then the three

components of analysis (data reductions, data proportions, and conclusions) interact with each other.<sup>6</sup>

Based on this, the data analysis technique used the interaction model that in data collection, data reduction, data presentation and conclusion drawing as something that exists before, during and after data collection.

## C. Result & Discussion

### 1) The Urgent Establishment of Regional Regulations on Tourism Health in Magelang

The urgent establishment of regional regulations on tourism health in Magelang examined from various aspects of philosophical, sociological, and jurisprudential aspects. These aspects are outlined, as follows:

#### 1. Philosophical Aspects

The urgent review of the establishment of regional regulations on health tourism in Magelang is based on the philosophy of life of the Indonesian people, Pancasila. The 4<sup>th</sup> Pancasila's principle that sounds a nation led by the wisdom of wisdom in the preaching/representation. So, the importance of the democratic foundations within the stage of planning, preparation, discussion, validation, to the legislative stage of the regional regulations on health tourism.

The 5<sup>th</sup> Pancasila's principle calls for social justice for the entire Indonesian people. Meaning of justice in the context of rules, policies, actions, and fair treatment of the people that in this case will have a benefit for the people to discuss and

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<sup>6</sup> Matthew B. Miles and A. Michael Huberman, *Analisis Data Kualitatif* (Jakarta: UI Pres, 2007), 16.

agree to find solutions to problems.<sup>7</sup> Referring to that, then we need a policy that regulates to guarantee justice over the right to health at the tourist sites.

Based on the philosophical aspects of meaning, citizens have a right to a good living environment including the right to health at the tourist venue. That health insurance at the tourist site has the purpose of protecting the safety and safety of every visitor at the tourism places. Based on the philosophical aspects, the right to health in tourism places is guaranteed in the philanthropy of the Indonesian nation, so there is urgency in the formation of regional regulations on health tourism in Magelang.

## 2. Sociological Aspects

The tourism aspect has an important role as the development and growth of a healthy and dynamic economy through increasing the tourism potential of the region to improve the well-being of Magelang City's public.<sup>8</sup> Data number of tourists on tourist attractions Kyai Langgeng Park and Mount Tidar Grand Garden in Magelang City, as follows:

**Table 1.** Number of tourists on Kyai Langgeng Park and Mount Tidar Grand Garden in Magelang City

| No. | Tourism Place | Number of Tourists |      |      |                 |      |      |
|-----|---------------|--------------------|------|------|-----------------|------|------|
|     |               | Domestic Tourist   |      |      | Foreign Tourist |      |      |
|     |               | 2020               | 2021 | 2022 | 2020            | 2021 | 2022 |
|     |               |                    |      |      |                 |      |      |

<sup>7</sup> Wendy Anugrah Octavian, "Urgensi Memahami dan Mengimplementasikan Nilai-nilai Pancasila dalam Kehidupan Sehari-hari sebagai Sebuah Bangsa," *Bhineka Tunggal Ika: Kajian Teori Dan Praktik Pendidikan PKn* 5, no. 2 (2018): 127, <https://doi.org/https://doi.org/10.36706/jbti.v5i2.7904>.

<sup>8</sup> Defiana Indah Safitri and Whinarko Juliprijanto, "Analisis Strategi Pengembangan Pariwisata dalam Meningkatkan Pendapatan Asli Daerah (PAD) Kota Magelang," *Jurnal Dimensi Poltek API* 2, no. 2 (2020): 20, <https://journal.poltekapi.ac.id/index.php/dimensi/issue/viewFile/5/24>.

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|--------|--------------------------|---------|---------|---------|---|---|---|
| 1.     | Kyai Langgeng Park       | 170.455 | 14.931  | 355.072 | 0 | 0 | 0 |
| 2.     | Mount Tidar Grand Garden | 89.644  | 148.620 | 286.415 | 0 | 0 | 0 |
| Amount |                          | 260.099 | 163.551 | 641.487 | 0 | 0 | 0 |

**Sumber:** the Department of Youth, Sports, and Tourism of Magelang<sup>9</sup>

Based on the data above, it shows that the number of tourists at two tourism places in Magelang has increased. By 2021, there is a decline in the number of tourists due to the Covid-19. After the pandemic, by 2022, the number of tourists increased to 477,936 tourists. Data of visitors to tourism places in Magelang shows that tourism places in Magelang have potential to increase local income.

Based on an interview with Umi Indri Wulansari, S.S., the Adyatama of Tourism and Creative Economy, Youth, Sports and Tourism Service of Magelang stated that there has been no policy specifically regulating tourism health. Related to health services, the Ministry of Youth, Sports, and Tourism of the City of Magelang provides health aid to a number of tourist attractions. The Department of Youth, Sports and Tourism of Magelang in synergy with the Department of Health of the Town of Magelang gives recommendations on every tourist destination to optimize health in the tourist location. Health services provided by the Ministry of Youth, Sports, and Tourism of Magelang are increased capacity of Human Resources (HR) in providing health services in tourism

<sup>9</sup><https://magelangkota.bps.go.id/indicator/16/105/1/jumlah-wisatawan-menurut-obyek-wisata-di-kota-magelang.html> diakses 1 Agustus 2023, pukul 15.00 WIB.



places. Obstacles to health promotion in tourist areas include sanitation and hygiene of non-optimal tourist sites.<sup>10</sup>

Based on the results of an interview with Agus Tri Ratmoko., SKM., MPH., as Head of Public Health Department of the Health Service of the City of Magelang stated that there is no regulation of tourism health. Every year, a culinary and/or culinarian tourism assessment is conducted in the tourism places with reference to the standard quality of safe food. Health promotion is done at tourist events. If an emergency occurs at the tourist site, the Magelang City Health Service has been working with the hospital. The obstacle is the lack of sanitation that does not match the number of visitors.<sup>11</sup>

Based on the results of an interview with Yhan Noercaho Wibowo, S.P., the head of the UPT of Mount Tidar's Great Garden stated that there is no regulation governing tourism health.<sup>12</sup> In line with the interview with Zaenal Arifin, S.E., as operational manager of Engineering and Planning Kyai Langgeng Park stated that there has not been a policy specifically regulating about tourism health for the implementation in the tourism places.<sup>13</sup>

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<sup>10</sup>Summarized from interview with Umi Indri Wulansari, S.S., Director of Youth, Sports and Tourism Administration of the Municipality of Magelang on August 1, 2023 at 9:45 PM.

<sup>11</sup> Summarized from Interview with Agus Tri Ratmoko., SKM., MPH., Head of Public Health Department of the Health Service of Magelang on August 4, 2023 at 13.00 PM.

<sup>12</sup> Summarized from an interview with Yhan Noercaho Wibowo, S.P., as Head of UPT of Mount Tidar Grand Garden on August 31, 2023 at 10.30 a.m.

<sup>13</sup> Summarized from an interview with Zaenal Arifin, S.E., as Operational Manager of Engineering and Planning of Kyai Langgeng Park on September 1, 2023 at 10 a.m.

### 3. Juridical Aspects

The urgent jurisprudential aspect of the establishment of local regulations of the Municipality of Magelang on tourism health, i.e.:

a. The 1945 Constitution of the Republic of Indonesia.

Article 28H paragraph (1) of The 1945 Constitution of the Republic of Indonesia states that everyone has the right to a healthy and healthy living environment and to health care. Based on this, having the meaning of fulfilling the right to public health is aimed at improving the well-being of a just society. The right to public health is guaranteed in all respects, including publicity. The establishment of municipal regulations on health tourism is aimed at guaranteeing the health rights of everyone in the tourist area.

b. Law No. 10 of 2009 on Tourism.

Article 20 letter d of Law No. 10 of 2009 on Tourism states that every tourist has the right to health care. In accordance with the obligations of tourism entrepreneurs under article 26 letter k of the Tourism Law No. 10 of 2009 that every entrepreneur has an obligation to maintain a healthy, clean, and natural environment. Based on the rights of tourists and the obligations of tourism entrepreneurs, there is a need for arrangements to guarantee health rights for tourists, health rights to the environment of tourist areas, the health rights of officials or tour operators.

c. Law No. 17 of 2023 on Health

Article 4 (1) letter g of Law No. 17 of 2023 on Health states that everyone has the right to a healthy environment for

the achievement of a degree of health. A healthy environment is an environment that has no potential for serious risks to human health. Based on this, the tourist environment must pay attention to the health standards to guarantee the health rights of every person who is at the destination.

- d. Regulations of the Minister of Tourism and the Creative Economy/Head of the Tourism & Creative Economies Agency No. 9 of 2021 on the Guidelines for Sustainable Tourism Destinations

Article 2 paragraph (1) letter a of the Regulations of the Minister of Tourism and Creative Economy/Head of the Agency for Tourist and Creative Economy No. 9 Year 2021 on the Sustainable Tourism Destination Guidelines states that the guidelines for sustainable tourist destinations include sustainable management. The guidelines of tourist destinations regulate tourism issues including hygiene, health, and safety. The guidelines for sustainable tourism destinations are regulated by the Head of the Tourism and Creative Economy Agency based on the the spread of the Covid-19. With these guidelines, tourism management must be carried out in a sustainable manner to realize the management of protection, utilization, and development of the destination area. Based on this, then tourism health is an important issue to be further regulated so as to management, protection, and sustainable development of tourism.

- e. Regional Regulations of Magelang of Trade No. 2 of 2015 on Tourism

Article 25 letter d of the Regional Regulations of Magelang No. 2 of 2015 on Tourism states that every tourist is entitled to health care. In accordance with Article 28 paragraph (1) letter a of the Local Regulations No. 2, 2015 on tourism, that the local government is obliged to provide tourist information, as well as security and safety to tourists. Based on this, the establishment of regional regulations on health tourism is a means to guarantee the health, safety, and safety of tourists in the tourism places of Magelang. The establishment of regional regulations on health tourism is also the basis in the maintenance of tourism health in the tourist sites that exist in Magelang.

## **2) The Role of Responsive Law Formation of Regional Regulations on Tourism Health in Magelang**

Responsive law in the formation of regional regulations on health tourism is a real form of aspirational in the creation of legislative regulations of society. Article 96 (1) of Law No. 13 of 2022 on the Second Amendment of the Law No. 12 of 2011 on the Creation of Legislative Regulations stating that the public has the right to give oral and/ or written input at any stage of the creation of legislative regulations. Therefore, the role of the community becomes important in the formulation of regional regulations on health tourism.

According to Moh. Mahfud MD, the creation of participatory legislation has two meanings:

1. The process is a mechanism in the creation of legislative regulations that must be done in a transparent manner so that the public can participate in providing input in regulating a matter.

2. Substance is a matter to be regulated must be aimed at the interests of the general public so as to produce a democratic and responsive legislative regulation.<sup>14</sup>

Based on the above, responsive laws in the formation of regional regulations on health tourism should contain two meanings, namely:

1. The public can participate in providing input in the arrangement of problems

The concept of public participation is participation as a means of government communication as a service to the people to know the wishes of the public.<sup>15</sup> The aspirations of the community in the formation of regional regulations on health tourism are implemented in the tourism places of Kyai Langgeng Park and Mount Tidar Grand Garden, as follows:

- a. Kyai Langgeng Park.

Based on the results of interviews with tourists Park Kyai Langgeng showed that the health services for tourists at the destination are well informed. Tourist information is information that is easily accessible, such as the Standard Operating Procedure (SOP) at the entrance or inside the tourist site. In the SOP, the health care provided by tourists includes health posts by officers to provide health care at the place. Health rights are also guaranteed through insurance coverage that is included in every tourist entrance ticket. Tourists in Kyai Langgeng Park are not aware of the

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<sup>14</sup> Saifudin, "Partisipasi Masyarakat dalam Pembentukan Undang-undang di Era Reformasi," *Jurnal Hukum Ius Quia Iustum* 13, no. 1 (2006): 2, <https://journal.uui.ac.id/IUSTUM/article/view/4721>.

<sup>15</sup> Hamzah Halim and Kemal Ridindo Syahrul Putera, *Cara Praktis Menyusun dan Merancang Peraturan Daerah (Suatu Kajian Teoritis dan Praktis Disertai Manual): Konsepsi Teoritis Menuju Artikulai Empiris* (Jakarta: Kencana Prenada Media Group, 2010), 108.

local regulations on health tourism, this is because there is no information about the health regulations of tourism. According to the tourists, when there are no regional regulations on health tourism then it is necessary to regulate about health of tourism in tourist places like the minimum standard of health services in tourism places. The local regulations regarding the health of the tourist, according to the tourists guarantees a sense of safety and comfort at the time of tourist.<sup>16</sup>

In line with the results of an interview with Zaenal Arifin, S.E., as Operational Manager of Engineering and Planning of Kyai Langgeng Park, who stated that Kyai Park has its own SOPs related to health at the tourist venue. Kyai Langgeng Park also has a health-related passion. Basically, the health care in Kyai Langgeng Park has been implemented. However, based on the management's statement, there is no policy related to the local government's policy on tourism health. The advice given by the managers of Kyai Langgeng Park is to regulate the health of tourism as a basis in the development of health rules and the implementation of health tourism.<sup>17</sup>

Based on the above, the input provided by tourists and managers of Kyai Langgeng Park shows that there is a need for regulations on health tourism to guarantee a sense of safety and comfort in the tourist spot. The input provided by the tourists and the manager is based on the conditions of the tourist venue and the policy of the venue made by the

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<sup>16</sup>Summarized from a tourist interview at Kyai Langgeng Park on September 2, 2023 at 11 a.m.

<sup>17</sup>Summarized from an interview with Zaenal Arifin, S.E. as Operational Manager of Kyai Langgeng Park Engineering and Planning on September 1, 2023 at 10:00 PM.

manager. The form of aspirations of tourists and managers of this tourist site, is the desire of the community that can be the basis in the formation of regional regulations on health tourism.

b. Mount Tidar Grand Garden.

The results of interviews with tourists at Mount Tidar Grand Garden showed that the healthcare services there are already very informative. Information about health care is obtained by tourists before entering Mount Tidar Grand Garden. Tourists know about insurance if they have an accident while climbing the Tidar Mountain Garden. Tourists also learned that there were health stations in Mount Tidar's Great Garden to ask for first aid. They are are not aware of the rules and policies regarding tourism health regulated in the local regulations. The input given by the tourists is necessary to regulate the local regulations on health tourism primarily in places such as the tour of Mount Tidar Grand Garden. Because of the high geographical location of Mount Tidar Grand Garden, so to guarantee a sense of safety and comfort it is necessary to be clearly regulated by local regulations.<sup>18</sup>

Based on the results of interviews with Mount Tidar Grand Garden's management stated that it has a health-related SOP. Mount Tidar Grand Garden has five health posts, with details of the lower, middle and upper posts. Each surveillance post has adequate medical equipment. The management team stated that they also have an internal health team to keep every tourist safe. Mount Tidar Grand

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<sup>18</sup>Summarized from an interview with a tourist at Mount Tidar Grand Garden on August 31, 2023 at 11.30 a.m.

Garden's team are aware of the local regulations regarding tourism, but there are no specific governing health tourism at the tourism places. The suggestion from the management is to form health regulations as the basic rules in the tourism places. Rules are expected, containing the actions that must be taken by the tourism management when there is a health risk at the tourism places.<sup>19</sup>

The suggestions from the tourism places' managers and tourists show that it is necessary to regulate tourism health in higher regulations. These suggestions are a supportive aspect for the establishment of regulations on health tourism in the city of Magelang. Through the results of the interviews that have been conducted, it is a form of participation as government communication as a service to the public to know their wishes.

- c. The material to be regulated must be aimed at the interests of the general public so it can produce a democratic and responsive rule of law.

The problem that has arisen in Kyai Langgeng Park and Mount Tidar Grand Garden is the establishment of the Standard Operating Procedure (SOP) that there is no standard of health care regulated by higher rules. SOPs are formed in each tourism places based on the geographical conditions and the level of risk of it. The establishment of SOPs in these tourism places is aimed at guaranteeing health and safety services there. Kyai Langgeng Park and Mount Tidar Grand Garden have strategies in health promotion in tourist

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<sup>19</sup>Summarized from an interview with Yhan Noercaho Wibowo, S.P. as Chief of the UPT of Mount Tidar Grand Garden on August 31, 2023 at 10.30 p.m.



attractions such as through information boards and inserting insurance guarantees on reimbursement of entrance tickets.

Based on interviews with tourists and tourism places' management, there were obtained which showsd that there is a tourist interest that must be guaranteed, the right to health. Health rights guarantees that can be regulated in the regional regulations on health tourism are about the standard of services that must be held by tourism management based on the category of tourism places such as natural tourism, artificial tourism or agritourism. Health care standards become important to regulate because at each tourist place have different conditions in the setting of standards of services, so it is necessary to have similarities related to the standards of health services.

Responsive law, as a form of response to social conditions and public aspirations, plays an important role in ensuring the interests of the general publics. On the aspects of tourism, based on the results of the interviews that have been outlined show that in the formation of regional regulations on health tourism should be based on aspirations expressed by tourists and tourist sites managers. The aspirations of the public must be part of the material that will be regulated in the laws to accommodate the interests of tourists and tourist sites managers. Aligned with the characteristics of a responsive legal product, i.e.:<sup>20</sup>

1. Participatory.
2. Aspirative.
3. The details are limitative.

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<sup>20</sup> Moh. Mahfud MD, *Perkembangan Politik Hukum: Studi tentang Pengaruh Konfigurasi Politik Terhadap Produk Hukum di Indonesia* (Jakarta: Rajagrafindo Persada, 2010), 363.

Participatory is in the formation of regional regulations on health tourism involving the public through observations and interviews as has been done in Kyai Langgeng Park and Mount Tidar Grand Garden. Aspirative means the regional regulations on health are related to the needs and interests of tourists and tourist sites managers. The details of the content are limited, the establishment of the area on health is reviewed from the jurisdictional aspects that correspond to the hierarchy of regulations of legislation to keep the norms regulated. Based on this, responsive law plays a major role in the establishment of regional regulations on health tourism to accommodate health assurance and interests of tourists as well as tourism places' management in Magelang.

#### **D. Conclusion**

Based on the results of the study, it can be concluded as follows:

1. The Emergency of regional regulations on health tourism establishment in Magelang in line with the right of health in the tourism place. The basis of it is the philosophical, sociological, and jurisprudential aspects of the tourism conditions that exist in Magelang. The establishment of regional regulations on health aims to guarantee the health rights of tourists, publics around the tourism places, and tourist management.
2. The responsive legal role of the health tourism regional regulations's establishment in Magelang is that the community can participate in the formation of the regional regulation on tourism health. Forms of public participation can be done by giving advice in regulating issues about health tourism. In this case, the regulation formation that

contain the aspirations of society produces regulations in responsive characters.

Based on the conclusions above, the suggestions put forward are as follows:

1. It suggests to the regional government of Magelang to formulate policies about regional regulations on health tourism.
2. It suggests to the tourism places' managers to always take care of the tourists health in a sustainable manner.

## E. References

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