

Analysis of Raharja Services Compensation Claims Related to Traffic Accident Victims (Case Study of the Office of PT. Jasa Raharja Persero Rantau Prapat Branch)

Jodi Afrianto¹, Toni²

^{1,2}Faculty of Teacher Training and Education, Universitas Labuhanbatu, Indonesia

Afriantojodhi55@gmail.com, toni300586@gmail.com

Abstract

PT. Jasa Raharja (Persero) only provides compensation costs to victims of traffic accidents in the category of accidents between drivers except for single accidents that do not receive compensation costs. As for the type of qualitative research with a qualitative descriptive approach, the data in the field is adjusted to the laws and regulations. The results of the research conclusions after being obtained from the research object of PT. Jasa Raharja (Persero) Rantau Prapat Branch have run the Insurance Program according to the rule of law and can provide good service to the community. Meanwhile, the regulations for claiming compensation for traffic accident insurance are regulated in the Regulation of the Minister of Finance of the Republic of Indonesia Number. 16/Pmk.010/2017 Regarding Compulsory Compensation and Mandatory Contribution of Road Traffic Accident Funds, more detail is regulated in Article 4 Paragraph (1), (2), Article 4 and Article 5. Insurance against traffic accidents is very much considered by the Government.

Keywords

employee readiness to change;
change leadership; affective
commitment to change



I. Introduction

Raharja Service is a State-Owned Enterprise (BUMN) which is responsible for managing traffic accident insurance for passengers, both public transportation, private vehicles, and pedestrians. PT. Jasa Raharja (Persero) not only accepts mandatory contributions and contributions, but PT. Jasa Raharja also has a role and responsibility to provide and distribute it back to the community through insurance compensation, whose provisions and implementation have been regulated in legislation, one of which is to provide and distribute insurance compensation to victims of road traffic accidents, which is regulated in Law Number 34 of 1964 concerning Road Traffic Accident Compulsory Insured Fund which is given to the victim or the victim's heirs if he dies.

With the existence of a social insurance program in accordance with Law Number 33 of 1964 and Law Number 34 of 1964, the main duties and functions of PT. Jasa Raharja is to collect funds from the public by means of obligatory contributions collected from public passengers based on Law Number 33 of 1964 concerning the Passenger Accident Compulsory Insurance Fund, where contributions are taken from every legal passenger from public motorized vehicles in accordance with Article 3 sub 1a and mandatory contributions from the parties of motorized vehicle owners based on Law Number 34 of 1964 concerning the Road Traffic Accident Compulsory Insured Fund.

Insurance is an agreement in which the insurer by accepting a premium binds himself to provide compensation to the insured who may be suffered, due to the occurrence of an event that contains uncertainty and results in loss, loss or a gain. (Dyah Wuryaningsih 2020).

However Public transport accident insurance is a form of insurance that is given to every legitimate passenger who becomes a victim as a result of a public motorized vehicle or public passenger transportation equipment that he or she is traveling in has an accident while traveling and general accident insurance. This insurance aims to provide guarantees to every passenger and victim due to traffic accidents caused by public transportation for the dangers that will befall them, whose purpose is to relieve or reduce the burden on the victims or their heirs. Transportation is an efficient means of community mobility, especially the transportation of passengers. Transportation at this time has become a basic need for community activities, especially the activities of the people of North Sumatra. These activities make transportation an important choice with an increasing number of populations using transportation modes, especially public transportation. (Agussani, 2020)

The impact of the incident is that accidents often occur repeatedly so it is necessary to increase protection for the community to protect themselves through PT. Jasa Raharja, from the humanitarian point of view, the passengers or victims of the accident need to be helped with medical expenses (injury, a claim is a claim for compensation by the company under the terms or patterns of a claim from a person to the insured party because of the loss caused by the dangers covered by the insurance policy). a policy owned by the insured. A claim is an application or demand by a policy owner against an insurance company for the payment of compensation in accordance with the articles contained in the policy.

(Darmawan 2013) In the implementation of the insurance, the government gave trust to PT. Jasa Raharja (Persero) manages the mandatory traffic accident insurance fund as well as as the organizer of the implementation of accident insurance, basically every driver who experiences a traffic accident in the form of death, injury, permanent disability, is entitled to an accident compensation fund or compensation. Therefore, the State through PT. Jasa Raharja (Persero) provides a guarantee of protection in the form of insurance compensation PT. Jasa Raharja (Persero) is regulated in:

- a. Law of the Republic of Indonesia Number 34 of 1964 concerning the Compulsory Fund for Road Traffic Accidents.
- b. Regulation of the Minister of Finance Number 36/PMK.010/2008 concerning Compensation and Compulsory Contribution to Road Traffic Accident Funds.
- c. Regulation of the Minister of Finance of the Republic of Indonesia Number 15/Pmk.010/2017 concerning Transportation of Compulsory Compensation and Mandatory Contribution for Passenger Accident Funds, Public Passenger Transportation Equipment On Land, River/Lake, Ferry/Friday, Sea, and others.
- d. Meanwhile, the amount of compensation for traffic accidents is specifically regulated in the Regulation of the Minister of Finance of the Republic of Indonesia Number 16/Pmk.010/2017 concerning the Amount of Compensation and Compulsory Contribution to Road Traffic Accident Funds.

The government in an effort to improve traffic accident insurance services has enacted Law no. 33 and 34 of 1964 concerning Accountability for the Risk of Road Traffic Accidents and Passengers and appointed PT. Jasa Raharja (Persero) as the implementing agency for social insurance in an effort to improve traffic accident insurance services. PT. Jasa Raharja (Persero) is a state-owned company authorized to provide protection against the risk of traffic accidents. In practice PT. Jasa Raharja (Persero) is tasked with raising funds through mandatory contributions (IW) given by public transport passengers and mandatory donation funds (SW) provided by vehicle owners. (Trisna et al. 2021)

The principle as referred to in Laws No. 33 and 34 of 1964 is only the people who own motorized vehicles. (President of the Republic of Indonesia 1964) Therefore, in its development the Government through the State-Owned Enterprises (BUMN) PT. Jasa

Raharja (Persero) as a tool to carry out duties and social responsibilities to cultivate, collect and distribute compensation funds PT.jasa raharja (Persero) as insurance coverage to victims/heirs, victims of traffic accidents on the highway, the number of which is increasing.

Based on the research reasons that have been formulated, the formulation of the problem in this study is about:

1. How is the claim submitted by the victim of a traffic accident on the highway to PT. Jasa Raharja (Persero)?
2. What is the legal responsibility of PT. Jasa Raharja (Persero) in distributing insurance compensation to PT. Jasa Raharja (Persero) for victims of traffic accidents on the highway?

The objectives to be achieved from this research are to find out how to claim insurance submitted by victims of traffic accidents on the highway to PT. Jasa Raharja (Persero). And know the legal responsibilities of PT. Jasa Raharja (Persero) in distributing compensation to PT. raharja service insurance for victims of traffic accidents on the highway.

II. Research Method

Method of collecting data using the approach used by the author, namely the Sociological Juridical approach. The sociological juridical approach emphasizes that research that aims to obtain legal knowledge empirically is by going directly to the object and using a descriptive qualitative approach. (Sugiyono 2008).

(Amiruddin 2012), as the approach method used in this research is a statutory approach. With the technique of collecting primary legal materials using the primary legal material collection method, namely by collecting all laws and regulations relevant to the problem under study. As well as secondary legal collection techniques by conducting interview tests to the person in charge, administrative implementers and officers at the PT. Jasa Raharja (Persero) Rantau Prapat office to obtain the data needed in this study, adapted to the approach method and the type of data used.

III. Results and Discussion

Compensation Claim Analysis PT. Jasa Raharja (Persero) Regarding Traffic Accident Victims (Case Study Office of PT. Jasa Raharja (Persero) Rantau Prapat Branch)?

The data obtained during the research was conducted regarding the insurance claims of PT. Jasa Raharja (Persero) for victims of traffic accidents through the collection of various laws and regulations regarding Jasa Raharja insurance claims and also through interviews with the person in charge, as administrative executor at the Office of PT. Jasa Raharja (Persero) (Rantau Prapat. There are several resource persons who provide information related to the title of the researcher, namely:

The information obtained from Mr. Khairul Ramadhan Nasution SH as the person in charge, explained that the process of claiming insurance for raharja services must begin with the performance of the employees of PT. Jasa Raharja (Persero) which is quite good in public services, the resource person explained to get how to claim insurance for Jasa Raharja, it must meet several requirements and processes including the victim or the victim's family directly reporting the accident to the traffic police in the area of the incident, then the police inspecting the accident scene traffic and the existence of an

accident report that is sufficient to be used as evidence, whether the victim is only injured, dies or a single accident. From this basis, the accident report was confirmed to PT. Jasa Raharja (Persero) to be followed up to be given compensation in accordance with regulations. The amount of compensation for victims. If injured get compensation of Rp. 20,000,000,- in the form of medical assistance, not in the form of money. Meanwhile, if he dies, the compensation given by PT. Jasa Raharja (Persero) is Rp. 50,000,000,-. Meanwhile, the compensation process can be accelerated if the administration is completed as soon as possible.

Information obtained from Mr. Rahmad Hidayat S.Pd as the executor of the administration of PT. Jasa Raharja (Persero) Rantau Prapat. Explaining the basis of insurance claims can be seen in the Insurance Claims Act No. 33 of 1964 concerning Passenger Accident Compulsory Coverage Fund, while the amount of compensation for traffic accidents is specifically regulated in the Regulation of the Minister of Finance of the Republic of Indonesia Number 16/Pmk.010/2017 concerning Compensation Amount And the Mandatory Contribution of Road Traffic Accident Funds.

Meanwhile, the administrative documents that must be completed are the STNK of the accident victim, a certificate from the Traffic Police in the area of the accident (Complete Identity of the Victim).

Information obtained from Mrs. Tabita Intan Lia Simatupang. Amd, and Mr. Arya Fathana Siregar S.Psi as an administrative executive who works at the office of PT. Jasa Raharja (Persero) Rantau Prapat regarding compensation for victims who died, then those who are entitled to receive compensation for their direct legal heirs can be children, parents, widow widower. As evidenced by the documentation of the heirs. The researcher also asked about the socialization from PT. Jasa Raharja (Persero). Explaining that PT. Jasa Raharja (Persero) always provides socialization to the community and also to the academic environment such as students, with the aim of accelerating knowledge in the field of raharja services related to insurance for accident victims. While the inhibiting factors for compensation for Jasa Raharja Insurance claims are the identities of the accident victims whose origins are unknown and the families of the victims' heirs. Even the knowledge of people who do not understand about insurance where according to him a single accident gets insurance. Whereas in the rules of insurance compensation is not obtained if a single accident.

From the research results obtained from several sources from the Office of PT. Jasa Raharja (Persero) Rantau Prapat can be concluded that in carrying out their duties and for insurance claims for traffic accident victims, it is in accordance with the regulations desired by PT. Grace Services. In this case, it can be seen in the rules of Law Number 33 of 1964 concerning the Mandatory Passenger Accident Insurance Fund, Government Regulation Number 17 of 1965 concerning Provisions for the Implementation of the Mandatory Passenger Accident Insurance Fund.

Meanwhile, in the latest regulation issued by the Ministerial Regulation, the amount of compensation for traffic accidents is specifically regulated in the Regulation of the Minister of Finance of the Republic of Indonesia Number 16/Pmk.010/2017 concerning the Amount of Compensation and Compulsory Contribution to Road Traffic Accident Funds. As for the compensation, it is regulated:

It can be seen in Article 3 Paragraphs (1) and (2), Articles 4 and 5.(Ministry of Finance of the Republic of Indonesia 2017)

Article 3 Explains:

Accident victims of road traffic transportation equipment or their heirs are entitled to compensation. The amount of the Compensation as referred to in paragraph (1) is determined as follows:

- a. The heirs of the deceased victim are entitled to compensation in the amount of Rp. 50,000,000.00 (fifty million rupiah).
- b. Victims who experience permanent disability are entitled to Compensation whose amount is calculated based on the percentage figure as stipulated in Article 10 paragraph (3) Government Regulation Namar 18 of 1965 from the amount of Compensation for death as referred to in letter a.
- c. Victims who need care and treatment are entitled to Compensation in the form of:
 1. reimbursement of doctor's treatment and medical expenses at the maximum of Rp. 20,000,000.00 (twenty million rupiah);
 2. the cost of an ambulance or vehicle that takes the Victim to a health facility is a maximum of Rp. 500,000.00 (five hundred thousand rupiah); and/or
 3. the cost of the first aid in an Accident is a maximum of Rp. 1,000,000.00 (one million rupiah).

Article 4 Explains:

In the event that the victim dies due to an accident on road traffic transportation equipment does not have heirs, the party who organizes the burial will be given compensation for burial costs in the amount of Rp. 4,000,000.00 (four million rupiah).

To get compensation for victims of traffic accidents, it is quite clearly regulated in the Regulation of the Minister of Finance.

Service Quality PT. Jasa Raharja (Persero) that is given to the community is an activity that is invisible (cannot be touched) that occurs as a result of interactions between consumers and employees or other things provided by service providers that are intended to solve consumer problems. /customer. (Resza 2019) according to (Asri, Saptono, and Njatrijani 2017) is said to be compulsory insurance because:

- a) The application of this Road Traffic Accident insurance is required by law, not based on an agreement.
- b) The organizer of this insurance is the government which is delegated to State-Owned Enterprises (Article 5 of Law Number 34 of 1964).
- c) Road Traffic Accident Insurance has a social security pattern, whose funds are collected from the community and used for the benefit of people who are threatened with road traffic accidents.
- d) Funds that have been collected from the community but have not been used as road traffic accident funds are used for public welfare through investment programs.(Oktaviana 2020)

Insurance claim documentation(Kaunang, Sabijono, and Wangkar 2017)The SOP set by PT. Jasa Raharja (Persero) which must be fulfilled by the victims/heirs of the victims of road traffic accidents are as follows:

- 1) Accident victim dies
- 2) Contact the office of PT. The nearest Jasa Raharja (Persero)
- 3) Fill out the application form by attaching:
 - a) Police reports on traffic accidents from the local Polres Satlantas Laka Unit and/or from other authorized agencies.
 - b) Health certificate from the treating doctor/hospital.

- c) ID card / identity of the victim / heirs of the victim.
- d) Accident victims with permanent disability / hospitalization.
- e) Contact the office of PT. Jasa Raharja (Persero) nearest you.
- a. Fill out the application form by attaching a Police Report on Traffic Accidents from the Laka Unit of the Polres Satlantas.

IV. Conclusion

Based on the results of the research conducted, it was concluded that PT. Jasa Raharja (Persero) only provides compensation costs to victims of traffic accidents in the category of accidents between drivers except for single accidents that do not receive compensation costs. The amount of compensation provided by PT. Jasa Raharja (Persero) for accident victims with permanent injuries is a maximum of Rp. 20,000,000, - while the cost of compensation given to accident victims with the condition of the victim dies is Rp. 50,000,000, -, while the burial money is Rp. 4,000,000,-. Regarding the rules for traffic accidents, it can be seen in Law No. 33 of 1964 concerning the Mandatory Passenger Accident Coverage Fund. Meanwhile, special compensation for road traffic accident funds is regulated in the Regulation of the Minister of Finance of the Republic of Indonesia Number 16/Pmk.

References

- Agussani. (2020). Implementation Analysis of Trans Mebidang Program in Transportation Mode Services, North Sumatera (Comperative Study of Medan City). Budapest International Research and Critics Institute-Journal (BIRCI-Journal). P. 1167-1174.
- Amiruddin. 2012. *Pengantar Metode Penelitian Hukum*. Jakarta: PT. Raja Grafindo Persada.
- Asri, Kiki Nur, Hendro Saptono, And Rinitami Njatrijani. 2017. "Pelaksanaan Asuransi Sosial Pada Pt. Jasa Raharja (Persero) Terhadap Korban Kecelakaan Lalu Lintas Di Kota Semarang." *Diponegoro Law Journal* 6(2): 1–17.
- Darmawan, Nicky. 2013. *Angewandte Chemie International Edition*, 6(11), 951–952. "Klaim Asuransi Kendaraan Umum Pada Kecelakaan Lalu Lintas Yang Menimbulkan Kerugian Terhadap Penumpang Dan Korban Kecelakaan Di Luar Kendaraan Umum." Universitas Brawijaya.
- Dyah Wuryaningsih. 2020. 5 *Ejurnal.Stikesmhk.Ac.Id* "Tinjauan Pelepasan Informasi Medis Untuk Klaim Asuransi Jasa Raharja Di Rsud Dr. Soediran Mangun Sumarsotahun 2011." Mitra Husada Karanganyar.
- Kaunang, Jessica Ch, Harijanto Sabijono, And Anneke Wangkar. 2017. "Analisis Sistem Pemberian Kredit Program Kemitraan Bina Lingkungan Di Pt Jasa Raharja Persero Sulut." *Going Concern : Jurnal Riset Akuntansi* 12(2): 605–13.
- Kementerian Keuangan Republik Indonesia. 2017. "Peraturan Menteri Keuangan Republik Indonesia Nomor 16/PMK.010/2017 Tentang Besar Santunan Dan Sumbangan Wajib Dana Kecelakaan Lalu Lintas Jalan."
- Oktaviana, Hesti. 2020. 18 "Hesti Oktaviana Fakultas Hukum Universitas Surabaya, Indonesia." Surabaya.
- Presiden Republik Indonesia. 1964. *Undang-Undang Republik Indonesia Nomor 34 Tahun 1964 Tentang Dana Pertanggungan Wajib Kecelakaan Lalu Lintas Jalan*.

- Resza, Marsudi Iftibar. 2019. 8 Jurnal Ilmu Dan Riset Manajemen “Jurnal Ilmu Dan Riset Manajemen E-ISSN: 2461-0593.” Sekolah Tinggi Ilmu Ekonomi Indonesia (Surabaya).
- Sugiyono. 2008. *Metode Penelitian Pendidikan (Pendekatan Kuantitatif, Kualitatif, Dan R&D)*. CV. ALFABETA.
- Trisna, Nila Et Al. 2021. 3 “Sosialisasi Implementasi Undang-Undang No . 33 Dan 34 Tahun 1964 Tentang Pertanggungjawaban Risiko Kecelakaan Lalu Lintas PT . Jasa Raharja Meulaboh Kegiatan Manusia Selalu Sering Menyebabkan Kecelakaan Dan Kematian . Oleh Karena Itu , Telah Menetapkan Pe.”