

Type: PRESIDENTIAL REGULATION (PERPRES)
By: THE PRESIDENT OF REPUBLIC OF INDONESIA
Number: 64 YEAR 2020 (64/2020)
Date: MAY 5, 2020 (JAKARTA)
Source: LN 2020/130
Title: SECOND AMENDMENT TO PRESIDENTIAL REGULATION NUMBER 82 YEAR 2018 REGARDING HEALTH INSURANCE

BY THE GRACE OF ALMIGHTY GOD

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering:

- a. whereas to maintain quality and continuity of Health Insurance program, policies on Health Insurance funding including policies on Premium need to be synergized with state finance policies on a proportional and equitable basis and with due regard to considerations and injunctions of Decision of the Supreme Court Number 7 P/HUM/2020;
- b. whereas based on the consideration as referred to in item a, several provisions of Presidential Regulation Number 82 Year 2018 regarding Health Insurance as amended by Presidential Regulation Number 75 Year 2019 regarding the Amendment to Presidential Regulation Number 82 Year 2018 regarding Health Insurance need to be adjusted;
- c. whereas based on the considerations as referred to in item a and item b, it is necessary to stipulate a Presidential Regulation regarding the Second Amendment to Presidential Regulation Number 82 Year 2018 regarding Health Insurance;

In view of:

1. Article 4 paragraph (1) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 40 Year 2004 regarding National Social Security System (State Gazette of the Republic of Indonesia Year 2004 Number 150, Supplement to the State Gazette of the Republic of Indonesia Number 4456);
3. Law Number 24 Year 2011 regarding Social Security Management Agency (State Gazette of the Republic of Indonesia Year 2011 Number 116, Supplement to the State Gazette of the Republic of Indonesia Number 5256);
4. Presidential Regulation Number 82 Year 2018 regarding Health Insurance (State Gazette of the Republic of Indonesia Year 2018 Number 165) as amended by Presidential Regulation Number 75 Year 2019 regarding the Amendment to Presidential Regulation Number 82 Year 2018 regarding Health Insurance (State Gazette of the Republic of Indonesia Year 2019 Number 210);

HAS DECIDED:

To stipulate: PRESIDENTIAL REGULATION REGARDING SECOND AMENDMENT TO PRESIDENTIAL REGULATION NUMBER 82 YEAR 2018 REGARDING HEALTH INSURANCE.

Article I

Several provisions of Presidential Regulation Number 82 Year 2018 regarding Health Insurance (State Gazette of the Republic of Indonesia Year 2018 Number 165) as amended by Presidential Regulation Number 75 Year 2019 regarding the Amendment to Presidential Regulation Number 82 Year 2018 regarding Health Insurance (State Gazette of the Republic of Indonesia Year 2019 Number 210) shall be amended as follows:

1. Article 28 shall be deleted.
2. The provisions of Article 29 shall be amended so as to read as follows:

Article 29

- (1) Premium for Health Insurance PBI Participant shall be Rp 42,000.00 (forty-two thousand rupiah) per person per month.
 - (2) The amount of Premium as referred to in paragraph (1) shall come into effect on August 1, 2019.
 - (3) The Premium for Health Insurance PBI Participant as referred to in paragraph (1) and paragraph (2) shall be paid by the Central Government.
 - (4) To guarantee continuity and financial soundness of Health Insurance, the Regional Government shall contribute in paying Premium for Health Insurance PBI Participant as referred to in paragraph (3) in accordance with regional fiscal capacity.
 - (5) Further provisions on contribution in the payment of Premium for Health Insurance PBI Participant paid by the Regional Government as referred to in paragraph (4) shall be provided for in a Regulation of the Minister in charge of government affairs in the field of finance.
3. The provisions of Article 30 shall be amended so as to read as follows:

Article 30

- (1) Premium for PPU Participant shall be 5% (five percent) of Salary or Wage per month with the provisions as follows:
 - a. 4% (four percent) shall be paid by Employer; and
 - b. 1% (one percent) shall be paid by Participant.

- (2) The Premium for PPU Participant as referred to in paragraph (1) shall be paid directly by the Employer to the BPJS for Health.
 - (3) In the event that Employer is a state administrator, the Premium for PPU Participant as referred to in paragraph (1) shall be paid directly by the Employer to the BPJS for Health through state treasury, except for village heads and village apparatus.
4. Article 31 shall be deleted.
 5. The provisions of paragraph (1), paragraph (2), and paragraph (4) of Article 32 shall be amended so as to read as follows:

Article 32

- (1) The maximum limit of Salary or Wage per month used as the basis for the calculation of the amount of Premium for PPU Participant as referred to in Article 30 paragraph (1) shall be Rp 12,000,000.00 (twelve million rupiah).
 - (2) The minimum limit of Salary or Wage per month used as the basis for the calculation of the amount of Premium for PPU Participant as referred to in Article 30 paragraph (1) shall be equal to the regency / city minimum wage.
 - (3) In the event that the Regional Government has not stipulated regency / city minimum wage, the basis for the calculation of the amount of Premium as referred to in paragraph (2) shall be the provincial minimum wage.
 - (4) The provisions on minimum limit as referred to in paragraph (2) and paragraph (3) shall not apply to Employer other than state administrator which has obtained deferment of the obligation to pay Salary or Wage in accordance with the provincial / regency / city minimum wage stipulated by the local Regional Government.
6. The provisions of Article 34 shall be amended so as to read as follows:

Article 34

- (1) The amount of Premium for PBPU Participant and BP Participant with the Benefit of services in ward Class III shall be equal to the amount of Premium for Health Insurance PBI Participant as referred to in Article 29 paragraph (1) with the provisions as follows:
 - a. for 2020:
 1. Rp 25,500,00 (twenty-five thousand five hundred rupiah) per person per month shall be paid by PBPU Participant and BP Participant or other party on behalf of Participant;
 2. Rp 16,500.00 (sixteen thousand five hundred rupiah) per person per month shall be paid by the Central Government as Premium assistance to PBPU Participant and BP Participant; and

3. The portion of Premium paid by PBPU Participant and BP Participant or other party on behalf of the Participant in the amount of Rp 25,500.00 (twenty-five thousand five hundred rupiah) per person per month as referred to in sub-sub-paragraph 1, previously paid by the Regional Government as part of residents registered by the Regional Government, shall be paid by the Regional Government under this Presidential Regulation;
- b. for 2021 and onward:
1. Rp 35,000.00 (thirty-five thousand rupiah) per person per month shall be paid by PBPU Participant and BP Participant or other party on behalf of the Participant;
 2. Rp 7,000.00 (seven thousand rupiah) per person per month shall be paid by the Central Government and Regional Government as Premium assistance for PBPU Participant and BP Participant; and
 3. The portion of Premium paid by PBPU Participant and BP Participant or other party on behalf of the Participant in the amount of Rp 35,000.00 (thirty-five thousand rupiah) per person per month as referred to in sub-sub-paragraph 1 may be paid, partially or fully, by the Regional Government.
- (2) Premium for PBPU Participant and BP Participant with Benefit of services in ward Class II shall be in the amount of Rp 100,000.00 (one hundred thousand rupiah) per person per month and paid by PBPU Participant and BP Participant or other party on behalf of the Participant.
 - (3) Premium for PBPU Participant and BP Participant with Benefit of services in ward Class I shall be in the amount of Rp 150,000.00 (one hundred fifty thousand rupiah) per person per month and paid by PBPU Participant and BP Participant or other party on behalf of the Participant.
 - (4) Premium assistance to PBPU Participant and BP Participant with Benefit of services in ward Class III as referred to in paragraph (1) shall be provided to PBPU Participant and BP Participant with active participation status.
 - (5) Further provisions on Premium assistance to PBPU Participant and BP Participant with Benefit of services in ward Class III as referred to in paragraph (1) shall be provided for in a Regulation of the Minister in charge of government affairs in the field of finance.
 - (6) The provisions on the amount of Premium as referred to in paragraph (1), paragraph (2), paragraph (3), paragraph (4), and paragraph (5) shall come into effect on July 1, 2020.
 - (7) For the months of January, February, and March 2020, Premium for PBPU Participant and BP Participant shall be in the amount as follows:

- a. Rp 42,000.00 (forty-two thousand rupiah) per person per month with Benefit of services in ward Class III;
 - b. Rp 110,000.00 (one hundred ten thousand rupiah) per person per month with Benefit of services in ward Class II; or
 - c. Rp 160,000.00 (one hundred sixty thousand rupiah) per person per month with Benefit of services in ward Class I.
- (8) For the months of April, May, and June 2020, Premium for PBPU Participant and BP Participant shall be in the amount as follows:
- a. Rp 25,500.00 (twenty-five thousand five hundred rupiah) per person per month with Benefit of services in ward Class III;
 - b. Rp 51,000.00 (fifty-one thousand rupiah) per person per month with Benefit of services in ward Class II; or
 - c. Rp 80,000.00 (eighty thousand rupiah) per person per month with Benefit of services in ward Class I.
- (9) In the event that the Premium which has been paid by PBPU Participant or BP Participant exceeds the provisions as referred to in paragraph (7) and paragraph (8), the BPJS for Health shall take into account the excess payment of Premium in the payment of Premium for the subsequent month.
7. Between Article 34 and Article 35, 1 (one) article shall be inserted, namely Article 34A so as to read as follows:

Article 34A

The provisions as referred to in Article 34 shall not apply to the following:

- a. pension recipients as referred to in Article 4 paragraph (5) sub-paragraph a, sub-paragraph b, sub-paragraph c, and sub-paragraph d; and
 - b. Veterans and Pioneers of Independence, including the widows, widowers, or fatherless and/or motherless children of Veterans or Pioneers of Independence.
8. Between Article 35 and Article 36, 1 (one) article shall be inserted, namely Article 35A so as to read as follows:

Article 35A

- (1) For 2020, Premium for residents registered by the Regional Government shall follow the provision as referred to in Article 34 paragraph (1) sub-paragraph a.
- (2) For 2021 and onward, Premium for residents registered by the Regional Government shall be provided for with the provisions as follows:
 - a. for residents initially registered by the Regional Government and meeting the criteria of poor and/or economically disadvantaged

people in accordance with the provisions of laws and regulations, their participation shall be added as part of Health Insurance PBI Participant and their Premium shall be equal to the Premium stipulated for Health Insurance PBI Participant as referred to in Article 29; or

- b. for residents initially registered by the Regional Government but not meeting the criteria of poor and/or economically disadvantaged people in accordance with the provisions of laws and regulations, their participation shall be switched to become PBU Participant and BP Participant with Benefit of services in ward Class III and their Premium shall be equal to the Premium stipulated for PBU Participant and BP Participant with Benefit of services in ward Class III as referred to in Article 34 paragraph (1) sub-paragraph b.

9. Between Article 36 and Article 37, 1 (one) article shall be inserted, namely Article 36A so as to read as follows:

Article 36A

Premium for a newborn baby shall be paid by Participant or other party on behalf of the Participant at the time of registration within 28 (twenty-eight) days after birth.

10. The provision of paragraph (1) of Article 37 shall be amended so as to read as follows:

Article 37

- (1) Indonesian national Participants living abroad for at least 6 (six) consecutive months may temporarily terminate their participation.
- (2) In the event of Participants temporarily terminating their participation as referred to in paragraph (1), the relevant Participants shall not receive Benefit.
- (3) The provision as referred to in paragraph (1) shall be exempted for PPU Participants who still receive Salary or Wage in Indonesia.
- (4) The Participants as referred to in paragraph (1) who return to Indonesia shall be obligated to report to the BPJS for Health and pay Premium within 1 (one) month upon returning and shall be entitled to receive Benefit.

11. The provisions Article 38 shall be amended so as to read as follows:

Article 38

- (1) The amount of Premium shall be reviewed at least once every 2 (two) years, by using the common and generally accepted actuarial standard of practice in social security and by taking into account at least inflation, cost of demand for Health Insurance, and capacity to pay Premium.

- (2) The amount of Premium as referred to in paragraph (1) shall be proposed by the Chairperson of the National Social Security Council to the President with copy sent to the minister in charge of government affairs in the field of finance.
 - (3) The provisions on the amount of Premium as referred to in paragraph (1) and paragraph (2) shall be provided for in a Presidential Regulation.
12. The provisions of paragraph (5), paragraph (6), paragraph (7), paragraph (8), and paragraph (9) of Article 42 shall be amended and between paragraph (3) and paragraph (4) of Article 42, 2 (two) paragraphs shall be inserted, namely paragraph (3a) and paragraph (3b) and between paragraph (6) and paragraph (7) of Article 42, 1 (one) paragraph shall be inserted, namely paragraph (6a) so that Article 42 shall read as follows:

Article 42

- (1) In the event of Participant and/or Employer not paying Premium until the end of the current month, the Participant's insurance shall be temporarily terminated starting from the 1st day of the subsequent month.
- (2) In the event of employer having not fully paid the Premium in arrears as referred to in paragraph (1) to the BPJS for Health, the Employer shall be obligated to take the responsibility in the event of its Worker requiring healthcare service in accordance with the Benefit provided.
- (3) The temporary termination of Participant's insurance as referred to in paragraph (1) shall end and the participation status shall be reactivated in the event that the Participant:
 - a. has paid Premium for the months in arrears, for maximum 24 (twenty-four) months; and
 - b. has paid Premium for the month when the Participant wants to end the temporary termination of insurance.
- (3a) For 2020, the temporary termination of Participant's insurance as referred to in paragraph (3) shall end and the participation status shall be reactivated in the event that the Participant:
 - a. has paid Premium for the months in arrears, for maximum 6 (six) months;
 - b. has paid Premium for the month when the Participant wants to end the temporary termination of insurance; and
 - c. the remaining Premium for the months in arrears after the payment of Premium in arrears as referred to in sub-paragraph a, shall still become the obligation of the Participant.
- (3b) To maintain active participation status, the Participant shall be obligated to fully pay the remaining Premium for the months in arrears as referred to in paragraph (3a) sub-paragraph c by 2021.

- (4) The payment of Premium in arrears may be made by the Participant or other party on behalf of the Participant.
 - (5) Within 45 (forty-five) days upon reactivation of participation status as referred to in paragraph (3), paragraph (3a), and paragraph (3b), the Participant as referred to in paragraph (1) shall be obligated to pay penalty to the BPJS for Health for any advanced level inpatient care services they receive.
 - (6) The penalty as referred to in paragraph (5) shall be 5% (five percent) of estimated cost of package of Indonesian Case Based Groups based on initial diagnose and procedure for each month in arrears with the provisions as follows:
 - a. total months in arrears shall be maximum 12 (twelve) months; and
 - b. the amount of penalty shall be maximum Rp 30,000,000.00 (thirty million rupiah).
 - (6a) For 2020, the penalty as referred to in paragraph (5) shall be 2.5% (two point five percent) of estimated cost of package of Indonesian Case Based Groups based on initial diagnose and procedure for each month in arrears with the provisions as follows:
 - a. total months in arrears shall be maximum 12 (twelve) months; and
 - b. the amount of penalty shall be maximum Rp 30,000,000.00 (thirty million rupiah).
 - (7) For PPU Participant, the payment of Premium as referred to in paragraph (3), paragraph (3a), paragraph (3b), and paragraph (4), as well as penalty as referred to in paragraph (5), paragraph (6), and paragraph (6a) shall be borne by the Employer.
 - (8) The provisions on the payment of Premium as referred to in paragraph (3), paragraph (3a), paragraph (3b), and paragraph (4), as well as penalty as referred to in paragraph (5), paragraph (6), and paragraph (6a) shall be exempted for the following:
 - a. Health Insurance PBI Participant; and
 - b. PBP Participant and BP Participant whose Premium is, as referred to in Article 34 paragraph (1) sub-paragraph a sub-sub-paragraph 3 and sub-paragraph b sub-sub-paragraph 3, fully paid by the Regional Government.
 - (9) Further provisions on the payment of Premium as referred to in paragraph (3), paragraph (3a), paragraph (3b), paragraph (4), paragraph (7), and paragraph (8), as well as penalty as referred to in paragraph (5), paragraph (6), paragraph (6a), paragraph (7), and paragraph (8) shall be provided for in a Regulation of the BPJS for Health upon coordination with the relevant ministries / agencies.
13. Between Article 54 and Article 55, 2 (two) articles shall be inserted, namely Article 54A and Article 54B so as to read as follows:

Article 54A

For the continuity of Health Insurance funding, the Minister together with the relevant ministries / agencies, professional organizations, and health facility associations shall perform a review on Health Insurance Benefit in accordance with basic health requirements and standard class inpatient care by December 2020.

Article 54B

The Benefit as referred to in Article 54A shall be applied gradually at the latest until 2022 and the implementation thereof shall be performed on a continuous basis to improve Health Insurance governance.

Article II

This Presidential Regulation shall come into effect on the date of its promulgation.

For public cognizance, hereby ordering the promulgation of this Presidential Regulation by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta
On May 5, 2020
THE PRESIDENT OF THE REPUBLIC OF INDONESIA,
Signed
JOKO WIDODO

Promulgated in Jakarta
On May 6, 2020
THE MINISTER OF LAW AND HUMAN RIGHTS OF
THE REPUBLIC OF INDONESIA,
Signed
YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2020 NUMBER 130

Issued as a true copy
THE MINISTRY OF STATE SECRETARIAT OF
THE REPUBLIC OF INDONESIA
Deputy of Laws and
Legislations,
Signed and stamped
Lydia Silvana Djaman

NOTE

Source: LOOSE LEAF OF STATE SECRETARIAT YEAR 2020