



## RESEARCH ARTICLE

## Government Supervision in the Duties of Independent Licensed Practical Nurses: A Normative Analysis of Competency Standards and Public Rights Protection

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ARTICLE INFO	ABSTRACT
Received: May 22, 2024 Accepted: Jul 15, 2024	<p>Nursing practice is a series of health service activities nurses provide to patients. Nurses carrying out their practice and professional work must be competent, as proven by a competency or professional certificate. There are social facts in the form of irregularities in nursing services, such as the provision of nursing services that are not by the Nurse Code of Ethics, professional standards, and the law, even though nurse practitioners in the field have tried to carry out services according to existing standards. This shows a lack of monitoring, coaching, and supervision. This research aims to analyze the nature of supervision over implementing nurses' duties with independent practice permits. The type of research used by researchers is normative legal research, namely legal research that attempts to find legal rules, principles, and doctrines to answer the legal issues being faced. The data sources used in this research are secondary data obtained through primary legal materials and secondary legal materials. The data obtained in this research will be analyzed using qualitative descriptive analysis methods. This research concludes that the essence of supervision by the central government and regional government in implementing the duties of licensed independent practice nurses is to realize the implementation of independent practice that is right on target, safe, quality, efficient, equitable, and affordable. 2) The essence of supervision over the implementation of the duties of independent practice nurses who have a license is to protect the rights of the community and, secondly, to fulfill competency standards for independent practice nurses, as well as to provide benefits for supervision of the implementation of the duties of nurses who have an independent practice permit.</p>
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### INTRODUCTION

Health is part of the results of human resource development and is the basic capital for human resource development, as it is a basic right of every citizen. Health is mandated in article 28 of the 1945 Constitution, which states that health is a human right and one of the elements of welfare that the ideals of the Indonesian nation must realize, as intended in Pancasila and the 1945 Constitution. The right to health has a broad scope, from economic and social factors to nutrition, food, drinking water, optimal housing, and health services. Every Indonesian citizen is guaranteed by law the right to health services regardless of social status (Tadda et al., 2022).

The impact of the COVID-19 pandemic in the last three years has made it difficult to achieve health development targets, which has also impacted human resource development achievements that could be more optimal. The government plays an important role in health development by creating the highest level of public health through equitable and quality health services. The existence of health facilities can support quality health services (Alim et al., 2023). The Ministry of Health is trying to rebuild the Indonesian Health system from the impact of the COVID-19 pandemic through 6 priority program pillars; these six pillars lead to improving health services for the community. The first pillar is transforming primary services by strengthening promotive and preventive efforts while bringing access to quality health services closer. The second pillar is transforming referral services to meet and equalize health service facilities. The third pillar is transforming the national resilience system by encouraging domestic production of medicines and medical devices. The fourth pillar is the transformation of the health financing system. The fifth pillar of Human Resources (HR) transformation focuses on increasing the number of health workers such as doctors, specialist-sub-specialist doctors, dentists, and nurses.

Specifically, nurses are one part of the health workforce whose job is to provide nursing services to the community according to their expertise or skills, which can be provided to patients directly or indirectly.

Nursing staff have great potential for health human resources. However, they need to be supported by comprehensive legislation and a good monitoring system to ensure order in the health sector, especially nursing staff. In Indonesia, the issue of supervision will become even more important, considering that on the one hand, the Indonesian state, in its system of government, adheres to the ideology of the Rule of Law ( *rechtstaat* ) and the Welfare State ( *welfare state* ) which aspires to an orderly, just and prosperous society.

The role of supervision in an organization appears as a very important thing, meaning that if there is an atmosphere of disorder in organizational life, which is caused by various factors, both coming from within the organization's environment, namely, weak discipline from the organization's supporters and the lack of functioning of the management control system in the organization, as well as those that come from outside the organizational environment, the formulation of statutory provisions that have a double meaning which can open up opportunities for disorderly conditions and so on (Situmorang, 1998). In line with Article 2 of Law Number 17 of 2023, this law is implemented based on the principles of legal order and certainty, ethics and professionalism, and the principles of protection and safety of the people.

As legal subjects, health workers, including doctors, midwives, and nurses, have become the targets of lawsuits over health services deemed detrimental to patients. Patients come to the hospital expecting nursing services by their rights, so they are not satisfied when their expectations for the services they receive are not met (Nursalam, 2011). On the other hand, nurses must also demonstrate performance and quality nursing care per established standard operational procedures (Delaune, 2015).

In order to fulfill patient-focused services, the implementation of health efforts must be carried out by responsible health workers who have high morals and ethics, authority, and expertise, also as medical personnel who have a big role in nursing services need to carry out certification, licensing, registration, and requires guidance and supervision, so that it fulfills a sense of justice and humanity and is by developments in health science and technology.

Nursing work, originally vocational, was shifted to become a professional job. Nurses function as an extension of doctors, now trying to become equal partners to doctors like nurses in developed countries. The demands for this paradigm shift will certainly change most of the relationships between nurses and the management of workplace organizations. If nursing practice is seen as a

professional practice, then there must be authority or authority, clarity of boundaries, and who does what. Because they are given authority, nurses can be sued; nurses must be responsible for their decisions and actions.

Facts about medical actions that nurses often carry out include 92.6% determining a disease diagnosis, 93.1% making drug prescriptions, 97.1% carrying out medical procedures inside and outside the Community Health Center Building, 70.1% carrying out pregnancy checks, and 57.7% providing assisted delivery. These data show that the unavailability of doctors in remote areas is the origin of the delegation of medical procedures from doctors to nurses every year, as a result of which it can no longer be separated which areas (*grey areas*) are appropriate for nurses to work and which areas are prohibited from doing so. Carried out by nurses.

Several cases that have resulted in patient losses in nursing services (nursing malpractice), both those that have been litigated in court and those that have not yet been litigated in court, are as follows:

1. The case of nurse Immanuel (the suspect) has been arrested and proven to be practicing without having a valid practice permit since 2010. It has now been detained at the Lumajang Police Headquarters and charged under Law Number 36 of 2009 concerning Health with the threat of a sentence of 15 years in prison (Datik News, 2011).
2. The case of nurse Jumraini as the defendant has been legally and convincingly proven guilty of practicing without having a permit as intended in Article 46 Paragraph (1) of Law of the Republic of Indonesia Number 36 of 2014 concerning Health Workers and sentenced the defendant to a fine of twenty million. Rupiah.

The description of the first case indicates that health workers opened independent nursing practices and carried out medical procedures without supervision from the local Health Service, causing harm to patients. In contrast, the second case indicated that nurses carried out medical procedures due to the lack of health facilities that were evenly distributed and accessible to patients in emergencies. Need help. This makes nurses in remote areas a dilemma in determining their attitude as health workers.

Treatment provided by nurses can take the form of implementing nursing practices provided to patients, the patient's family, and the community to improve and maintain health until the patient is cured. In practice, a nurse does not have the authority to carry out medical procedures on patients, but nurses are only competent to provide nursing care services.

Nurses can only carry out medical procedures if a doctor delegates authority either verbally or in writing or because conditions are not supportive due to the lack of professional doctors in an area. However, suppose the area has evenly distributed medical personnel. In that case, the actions of nurses taking over the authority of doctors can be categorized as a violation, and sanctions can be applied for this violation. Nursing involves direct contact with medical personnel and patients to carry out their daily duties. So, nurses will always be required to be able to provide services that meet standards (Rahman, 2019).

A preliminary survey in the form of direct observations and interviews with nurses who were carrying out Independent Practice in one of the patients' homes, in September 2022 in Palopo City, it was discovered that there were still many Independent Practices that provided health services to the community but did not have valid permits and who do not meet the requirements for health facilities. In terms of competency, many nurses still have Diploma 3 (D3) education.

By the provisions of the Minister of Health Regulation Number 26 of 2019 concerning Implementing Regulations on Nursing, nurses who are permitted to provide Independent Practice services must have a minimum professional education of "Ners" (Bachelor of Nursing who

continues their qualifying studies as a nursing profession/S.Kep. Ns. Independent Practice Nursing is a form of health services in the primary health sector (Qolbiatun et al., 2020).

Nursing practice is a series of health service activities nurses provide to patients (individuals, families, and communities) by their authority and abilities. Nurses carrying out their practice and professional work must be competent, as proven by a competency or professional certificate. A practice permit is given as a Nursing Practice Permit, abbreviated as SIPP, as written evidence given by the government to nurses who will carry out nursing practice after fulfilling the requirements (Asmara, 2005).

Social facts include irregularities in nursing services, such as the provision of nursing services not by the Nurse Code of Ethics, professional standards, and the law, even though nurse practitioners in the field have tried to carry out services according to existing standards. So, it can be said to be an alleged unlawful act.

The act is against the law because the nurse's services fulfill two elements, namely the element of conflict with the subjective rights of other people and conflict with their legal obligations, not providing complete information and providing services that exceed their authority, namely carrying out actions without the approval of the doctor because they assume the patient has surrendered to the staff. Health which results in harm to the patient (Budhiartie, 2014).

Health services provided by nurses are an integral part of integrated health services between doctors, nurses, patients, and families. In order to meet demands and bring quality health services closer to the community, continuous development efforts are needed for nursing expertise. This is by Minister of Health Regulation Number 83 of 2019 concerning the Registration of Health Workers, which states that extending the Registration Certificate requires a Professional Credit Unit (SKP) of 25 SKP per 5 (five) years. Article 9 of this Minister of Health Regulation, it is stated that the number of SKPs can be obtained through participation in activities such as training and seminars by professional organizations now the latest regulations state that medical personnel or health workers have fulfilled the sufficient Professional Credit Units (SKP) obtained during 5 (five) years can apply for a lifetime STR renewal and a letter of proof of SKP adequacy.

However, sometimes the training provided in a fairly short time does not provide adequate knowledge and skills until they come into direct contact with patients, for example, "home care" patients who need wound care from nurses who have carried out training but are not prepared in terms of skills and materials. or the medicines used, as well as medical equipment that is less than sterile (Sinaga et al., 2018), regulations are also needed regarding setting the highest price for *home care services* because one nurse is different from another.

There are realities or facts about independent nursing practice, such as that there are still many nurses who open independent practices but do not yet have a SIPP (Nursing Practice License), existing independent nursing practices still provide medicines that must be purchased with a doctor's prescription, even though the nurse should be entitled to give them. over-the-counter medicines and limited over-the-counter medicines, there is still minimal socialization about independent nursing practice, especially in regional areas, so there are still people or other professions who do not know that there are legal regulations that allow nurses to open independent practice; there are misunderstandings in the implementation of nursing practice (Ayu, 2017). Not only *caring* but also *curing*, which results in losses for the nurses themselves because they become weak in the eyes of the law (Ayu, 2017)

There are independent practices that are inappropriate and need to receive clear handling, resulting in independent practices appearing again that are not by the rules. There is no collaboration or referral system between independent nursing practice and independent practice of other professions (doctors, midwives, etc.), and ideally, independent nursing practice differs

from doctors. Independent nursing practice should not be a solo career (like a doctor) but in *home health care* (Ayu, 2017).

The data and facts above show a lack of monitoring, guidance and supervision from the Regional Government, in this case, the Health Service and the nursing professional organization, known as PPNI. Therefore, a government organization needs to have an element of supervision because with this supervision, it can be seen to what extent there are irregularities, abuse of authority, and negligence. It is not impossible for nurses to make intentional or unintentional mistakes.

## RESEARCH METHODS

### Research type

This type of research is normative legal research, namely legal research that attempts to find legal rules, principles, and doctrines to answer the legal issues faced (Irwansyah, 2020). This type of research is intended to provide an overview and explain everything related to the supervision of the implementation of the duties of nurses who have independent practice permits. The approach used in this research is the Legislative Approach, namely an approach that intends to examine all statutory regulations related to the problem that is the object of this research, as well as a conceptual approach, namely an approach that intends to test and analyze the concepts related to the object study.

### Data source

The data source that will be used in this research is secondary data. Secondary data is data obtained through:

1. Primary Legal Materials  
Binding legal materials such as the 1945 Constitution, laws, literature, legal journals, official documents, etc.
2. Secondary Legal Materials  
Secondary legal materials consist of textbooks written by influential legal experts, legal journals, opinions of scholars, legal cases, jurisprudence, and the results of recent symposiums related to the research topic.

### Technique data analysis

The data obtained in this research will be analyzed using the *qualitative descriptive analysis method*, namely a method for examining the status of a group of people, an object, a condition, a system of thought, or a class of events in the present to create a description, picture or painting. Systematically, factually, and accurately regarding the facts, properties, and relationships between the investigated phenomena (Nazir, 2014). It can be concluded that the qualitative descriptive research method is research conducted to examine an object, a condition, a group of people, or other phenomena with natural or real conditions (without experimental situations) to create a systematic general picture or a detailed description that is factual and accurate (Thabroni, 2022)

## DISCUSSION

Essence is the basic essence of real and actual situation; based on this meaning, supervision of the implementation of the duties of nurses who have independent practice permits is essentially a reality or fact and is the most important thing due to the existence of a state administration system which is mandated in the 1945 Constitution namely, the state guarantees the right of every citizen to realize a good, healthy and prosperous life physically and mentally in order to achieve the national goal of protecting the entire Indonesian nation and to advance general welfare. Therefore, in order to realize protection for the entire Indonesian nation, Health development is

based on Article 28 H paragraph 1 of the 1945 Constitution of the Republic of Indonesia, giving legitimacy to the government to organize and regulate Health efforts, Health resources, and Health management to improve the level of public health. as high as possible.

Based on the above, the essence of supervision over the implementation of the duties of independent nurses who have independent practice permits is none other than to create prosperity, equity, non-discrimination, participatory and sustainable in the context of developing quality and productive human resources, strengthening health services, quality and improve health resilience. Through supervision by the local government on the implementation of the duties of independent nurses who have practice permits, the value will be produced in the form of accuracy in the implementation of independent nurse practice so that the public can access health service facilities, health information and education. In short, supervision carried out by local governments will create legal protection for patients and health human resources, especially independent practice nurses. One of the legal protections in health services is preventive legal protection, which aims to prevent disputes (Mas'ud et al., 2019).

The supervisory authority possessed by regional governments is delegated by the central government to regions to administer regional government affairs. In various literature studies, it is stated that the supervisory authority of regional governments is the attribution authority given by the central government to regional governments about the Health Law Number 17 of 2023, namely that the central government and regional governments are responsible for planning, organizing, administering, fostering and supervising the implementation of health efforts that are quality, safe, efficient, equitable and affordable for the community. Furthermore, on a regional government scale, the central government, through the Minister of Health's regulations regarding guidelines for the nomenclature of regional apparatus and work units in regional apparatus that carry out government affairs in the Health sector, in this case, the Health Service, both Provincial and City/Regency, to carry out data monitoring in the field of public health efforts based on integrated life cycle in community health centers and other primary health service networks, functions to supervise public health service facilities in special areas including remote, very remote, border and island areas, and functions to manage the administration of clinical services, supporting services, emergencies, management of health service permits and Health service facilities, as well as other special Health services also function to improve the quality and competence of medical personnel and Health workers. It appears that regional governments theoretically and juridically have the authority to supervise the implementation of health service facilities, including the supervision of independent practices.

Apart from the above, the essence of supervision in nurses' independent practice also contains fundamental values in reality that help nurses realized development ideals. This is also stated in Article 34 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which states that the state is responsible for providing adequate health service facilities and public service facilities. The phrase "decent" can mean that the state is not only responsible for providing basic health facilities but health facilities with certain standards that must be adequate, as regulated in Article 22 paragraph (1) of Law Number 40 of 2004 concerning Guarantees. National Social Affairs (UU SJSN) emphasizes that health insurance is an individual service in the form of health services, including promotive, preventive, curative, and rehabilitative services, including medicines and necessary consumable medical materials. This regulation also confirms the guarantee of accessibility to health services.

In this position, regional apparatus organizations, in this case, the Regional Health Service, are an extension of the central government which must be in harmony with central government organizations, by the state administration system carried out according to the principles as regulated based on Minister of Health Regulation Number 5 of 2022 concerning Organization and

Governance The work of the Ministry of Health, taking into account the dynamics of Presidential policies to the National Medium Term Development Plan (RPJMN). This does not escape the essence of Health development, namely efforts carried out by all components of the Indonesian nation to increase awareness, willingness and ability to live healthily for everyone in order to achieve the highest level of public health, and as an investment for the development of productive human resources. socially and economically.

In this regard, Law Number 23 of 2014 concerning Regional Government also regulates that the health sector matters for the Central Government, Provincial and Regency/City Governments. In Law Number 32 of 2004, it is explained that the Regional Government (Provincial/City Regency) must improve the quality of people's lives, realize justice and equality, provide health service facilities, issue practice permits and work permits for health workers, issue pharmacy and shop permits. traditional medicine, *post-market supervision* of household industrial food and beverage products, and community empowerment in the health sector through district/city leaders, community groups, and the business world at district/city level.

Government Regulation Number 38 of 2007, concerning the Division of Government Affairs between the Government, Provincial Regional Governments, and Regency/City Regional Governments, provides a comprehensive explanation of how state authority and responsibility are divided between each level of government. Citizens' rights to adequate health must be respected and protected. According to PP Number 38 of 2007, the health sector is a government affair which the government jointly carries out, provincial regional governments and district/city regional governments. This is also known as concurrent government affairs.

The essence of supervision in the implementation of independent practice nurses as regulated in Health Law Number 17 of 2023 concerns the protection and fulfillment of community rights, protection of patients and health workers, as well as maintaining a balance between the rights and obligations of patients and health workers, especially practical nurses. independent. Supervision is an action taken to ensure the implementation of a provision so that it is by the objectives set and to evaluate its implementation.

Supervision in the government administration system is carried out in two ways, namely through the implementation of supervision itself as a preventive action to achieve compliance and obedience to the rules that have been established. And the application of sanctions is a repressive action to force compliance with applicable regulations. The essence of supervision in health services should be more focused on the guidance given to nurses, especially independent practice nurses, this is because there is a dilemma in the implementation of health services provided by independent practice nurses in a particular situation, if they have to refuse to act as their authority and If you do not comply with the code of ethics for health workers, you will receive sanctions and if you exceed your authority or expertise, this could result in errors or negligence ( *culpa* ) and you will also get into trouble.

Supervision of the implementation of independent nurse practice also has the essence of controlling the activities of independent practice nurses, especially in making contributions and benefits to society in general. This is relevant to the licensing instruments provided by the government for activities carried out by nurses who practice independently. The essence of supervision over permits is also an act of control and control over an activity carried out and evaluating it to ensure that it is by the permit granted. A permit is an instrument the government uses to control health service facilities so that they comply with their authority based on norms, procedures, standards and criteria set by the Central Government. Therefore, the essence of supervision is a reality or fact that is applied to prevent irregularities and arbitrary attitudes towards the permits given which have a negative impact on society, especially patients of independent practice nurses.

In fact, many independent practicing nurses do not have the awareness to provide adequate health services, especially for ordinary people who do not understand the standards, quality and procedures for the actions of independent practicing nurses, thus causing detrimental impacts. Independent practice nurses should comply with applicable regulations, complying with applicable regulations can reduce negative impacts that will arise and minimize losses to the community and also the nurses themselves. However, in this case, it is impossible for independent practice nurses to have compliance and awareness without the form and mechanism of supervision carried out by the regional government and the central government. It is impossible to create good compliance and awareness for independent practice nurses if it is balanced with strict rules and proper supervision. Strict regulations alone cannot ensure that independent practice nurses will be obedient, obedient and safe without being accompanied by appropriate supervision from the regional government and central government.

So that the implementation of the duties of licensed independent practical nurses can be optimally accepted by the community, supervision from the local government is very necessary. On the other hand, in order to achieve development and the country's aspirations towards a country with the highest level of public health, it is not only the responsibility of the central government, but also the responsibility of regional governments to strive for prosperity for the people in their regions through synergy with various health service facilities. in the regions, and assisted by the Council and/or Collegium. The collegium is a collection of experts from each health science discipline who oversees the branch of that discipline and carries out duties and functions independently and is an integral part of the council.

Based on the long description above, it can be seen that the essence of supervision by the central government and regional government in the implementation of the duties of licensed independent practice nurses is to realize the implementation of independent practice that is right on target, safe, high quality, efficient, equitable and affordable, so that it can make a real contribution to improve the level of public health in particular and society in general, and to protect health workers, especially independent practicing nurses, so that the goals of the state as stated in the preamble to the 1945 Constitution of the Republic of Indonesia are achieved and the implementation of the constitutional mandate and existing laws and regulations is achieved . Concretely, next we will explain explicitly the nature of supervision over the implementation of the duties of licensed independent practice nurses in the sub-discussion, namely the nature of supervision over the implementation of the duties of nurses who have independent practice permits to protect the rights of the community, and secondly to fulfill competency standards for independent practice nurses. , as well as to provide the benefit of monitoring the implementation of the duties of nurses who have independent practice permits.

A right is something that is right, belonging, authority, belonging, the power to do something, the right power over something or to claim a certain dignity or degree. A right is also an action to receive, which is part of the legal provisions to be implemented by the legal subject; in other words, the person who is required to carry it out has an obligation to fulfill it. The party who receives it has the right to receive it from the party who has the obligation to carry it out. In relation to this study, the conception of society is a number of people or groups of people who are in a community which is based on interaction relationships and has rights and obligations in carrying out activities to fulfill their interests. Society experiences formation through selection or a process of social relations, which occurs continuously between individuals and individuals, individuals and groups and between groups and groups.

Because the social interactions that exist also produce life processes that have values that are mutually recognized as social institutions. Fulfilling the basic needs of society and regulating the ways of interaction between individuals and groups in society are the functions of social



institutions. Two main examples of social institutions are law and health. The function of the legal system is to regulate individual and group behavior through rules established and enforced by the state, while health plays a role in improving and maintaining public health, preventing and treating disease, as well as providing medical services and health care, such as hospitals, clinics and other Health organizations that individuals ensure have access to needed Health services. Thus, social interactions and values that grow in life together become instruments for creating a more orderly life together. The life that is formed certainly has the aim of achieving a level of welfare for society.

The state must protect the rights of its citizens. Based on various existing provisions, as part of the aim of establishing the Unitary State of the Republic of Indonesia, the government is responsible for improving social welfare. In accordance with the mandate contained in the Fourth Paragraph of the Preamble to the 1945 Constitution of the Republic of Indonesia, it states that:

Then, from that, to form an Indonesian state government that protects the entire Indonesian nation and all of Indonesia's blood and to promote general welfare, educate the life of the nation and participate in implementing world order based on independence, eternal peace and social justice.

Although the Preamble to the 1945 Constitution does not mention "health" explicitly, several phrases in it can be linked to the aims and principles of public health, namely to advance general welfare, this includes efforts to improve the quality of life of the community, one of which is through the provision of good health services. Making the nation's life intelligent in the form of achieving education and optimal development of human resources depends on good health, and social justice for all Indonesian people is an important part of social justice, namely fair access to health services.

Article 28 H paragraph (1) of the 1945 Constitution of the Republic of Indonesia becomes the norm of the values contained in the Fourth Paragraph of the Preamble to the Constitution of the Republic of Indonesia of 1945, which regulates that every person has the right to a prosperous life, including obtaining health services, which shows that the state must provide basic rights. this to all its citizens without discrimination. One important element of social justice is equal access to health services. Equitable national development ensures that all levels of society, especially those who are most vulnerable and marginalized, must have equal access to high-quality health services. The main indicator of community welfare is health. The level of public health reflects the success of public policies and health services provided by the government. This is a right of the community that should be received from health service activities carried out through health care, such as hospitals, clinics, and also licensed independent nursing practices.

The community demands the fulfillment of their health rights. This is often characterized by several cases of nurses practicing without permits (Faisol, 2021) , making the public not fully trust and often disappointed with the government's performance. Therefore, the enthusiasm of the Indonesian government to revise and strengthen the regulations for the implementation of licensed independent practice nurses in the form of statutory regulations and local regulations could be an option for the government to minimize the occurrence of cases of unlicensed nurse practice that are detrimental to society. Like medical personnel and health workers, in this case, nurses or midwives can provide services outside their authority in certain circumstances, which include the absence of medical personnel and/or health workers in an area where medical personnel or health workers work. Medical personnel and personnel, as intended in Article 286 paragraph (2), are determined by the local Regional Government and have undergone training taking into account the competency of Medical Personnel and Health Personnel.

The right to health has a broader scope, it does not only concern the rights of individuals, but includes all factors that contribute to a healthy life (*healthy self*) for individuals and groups of society. While the right to health and the right to medical and nursing services are patient rights, they are a more specific part of the right to health. It has become a consensus in the Indonesian constitution that the right to health is a fundamental human right. The basic philosophy of guaranteeing the right to health as a human right is *the raison d'etre* of human dignity (Muhtaj, 2008). Health is a fundamental right of every human being, therefore every individual, family and community has the right to obtain protection for their health, and the government is responsible for regulating and protecting people so that their right to a healthy life is fulfilled, including the poor and underprivileged.

Another regulation regarding the community's rights to independent practicing nurses is found in Article 274 of the Health Law, namely that health workers in carrying out practice are obliged to provide health services in accordance with professional standards prepared by the Council and Collegium, professional service standards regulated by Ministerial Regulations, and standard procedures. operations determined by the head of the health service facility, and ethics, patient health needs, and must obtain approval from the patient or his family for the actions to be given, maintain patient health secrets, and make and keep records and/or documents regarding examinations, care, and actions taken and referring patients to medical personnel or other health personnel who have the appropriate competence and authority.

Moving on from the description above, through supervision by the regional government, in this case the Health Service, in the implementation of licensed independent practice nurses, the fulfillment of the above community rights can be realized. The supervision aspect is very necessary to create accuracy in the implementation of licensed independent practice nurses, so that the fulfillment of community rights in health service activities is realized. Community rights in this case include the right to equality, the right to protection and the right to order and legal certainty which can be implemented if the local government implements proper supervision over the implementation of independent practice nurses who have this permit.

Furthermore, based on the results of research conducted by the author, community groups are divided into two community groups based on receiving benefits from the implementation of independent nursing practice, including communities receiving independent nursing practice services and the general public or local communities, especially those in rural areas or lacking accessibility and availability of Health services.

**a. Local community**

This study discusses local communities, defined as residents who live in rural areas or lack accessibility to health services. It is these local communities who directly feel the impact of the activities of licensed independent practice nurses, both negative impacts in the form of medical errors and malpractice due to lack of supervision. Even though independent practice nurses have a permit, the lack of direct supervision from doctors or health institutions can increase the risk of errors. medical or malpractice, as well as the limited competence of nurses, this means that nurses may not always have the same competence as doctors in handling complex cases which can lead to less than optimal treatment.

Service limitations, such as nurses not having access to advanced equipment or therapies that are usually available in large hospitals or clinics, create limitations in providing comprehensive diagnosis or treatment. As well as unequal access to independent practice nurses, the fact is that they are more likely to be in urban or more affluent areas, leaving rural or poor communities with less access.

The existence and fulfillment of the rights of local communities is a concern for the government to obtain fair and balanced treatment for health service activities, especially independent practice nursing services. Recognition and fulfillment of the rights of life of local communities is the basis for legitimation of the regulation of independent practice nurses who have permits in statutory regulations or regional regulations, but researchers did not find any regional regulations regarding permits for independent practice nurses or anything similar.

Regarding the practice of independent nurses who have permits, the local government should provide support through policies to fulfill and guarantee the rights of local communities to obtain sources of life, so that this does not become a problem in the future. The form of protection is through the authority of the regional government to supervise the activities of independent practical nurses by the local Health Service, and as a responsibility of the regional government towards the local community.

To strengthen the protection of the rights of local communities through local government supervision of the implementation of licensed independent practice nurses, the theory of *Total Quality Management* (TQM) can be initiated. *Total Quality Management* theory is intended to ensure quality compliance with standards and patient safety. In the context of supervision, *Total Quality Management* can be used to ensure that all aspects of health services continue to be improved and meet quality standards. Edwards Deming provides the view that to become the basis for the sustainability of a health service, health services need to pay attention to 3 (three) aspects, namely (1) *quality*, (2) compliance with standards, and (3) patient safety (Sallis, 2006).

#### b. **Community recipients of health services**

The ideals of the Indonesian nation as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia are to protect the entire Indonesian nation and all of Indonesia's blood and to promote general welfare, educate the life of the nation, and participate in implementing world order based on freedom and eternal peace. and social justice. Health can be realized by various comprehensive and integrated health efforts in a series of developments supported by a national health system, as stated in article 34 paragraph (3) of the 1945 Constitution which states "The state is responsible for providing adequate health service facilities and public service facilities."

That indeed the state guarantees the right of every citizen to realize a good, healthy and prosperous life physically and mentally in order to achieve the national goal of protecting people who have the right to receive health care in accordance with quality health service standards, such as carrying out various nursing tasks appropriately and effectively, nurses must have strong clinical knowledge and skills, including the ability to perform comprehensive health evaluations, create care plans based on accurate evaluations; implement appropriate and effective nursing interventions; and tracking and evaluating how patients respond to treatment. Effective communication between nurses and patients is very important for the quality of services provided, listening carefully and empathetically, showing treatment plans and procedures clearly and simply, and encouraging patients to ask questions and discuss patient problems.

## CONCLUSION

Based on the results of the research and discussions that have been discussed, the essence of supervision by the central government and regional governments regarding the implementation of the duties of licensed independent practice nurses is to realize independent practice that is right on target, safe, quality, efficient, equitable and affordable. This supervision aims to make a real contribution to improving the level of public health, both specifically and generally, as well as providing protection for health workers, especially independent practice nurses. It is hoped that this can achieve the goals of the state as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia, as well as implementing the constitutional mandate and applicable laws and regulations. Supervision of the implementation of the duties of licensed independent practice nurses aims to protect the rights of the community and ensure compliance with competency standards for independent practice nurses. This supervision also provides benefits in ensuring that nurses with independent practice permits carry out their duties in accordance with established standards, thereby improving the quality of health services to the community.

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