

Midwife's Legal Compliance For Improving Health Services

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Abstract:

The development carried out by the Government in the health sector is based on the values of creating a healthy and productive society guided by the awareness of rights and obligations as citizens. The study concerns how to develop aspects of legal compliance to improve health services, in terms of the license to practice midwives, this research is able to explain the legal compliance of midwives. The research approach is juridical - normative. Finding study midwife's legal compliance with practice license positively influenced by work discipline factors, work facilities factors and work motivation factors of midwives. This means that the higher the work discipline, work facilities and work motivation factors of midwives, the higher the legal compliance with applicable minimum service standards, this is intended to improve health services to the community by paying attention to applicable legal norms. Legal awareness and legal compliance of midwives in the end have many components that can determine this, even though on the other hand it has been normatively regulated through statutory products or other legal provisions.

Keywords: Midwife Legal Compliance; Practice License; Health services.

A. INTRODUCTION

Commitment to building the concept of the rule of law must prioritize legal norms for community justice is a priority element. The legal principles in the form of legal certainty and justice are intended as basic values regarding what we want from the existence of law. The law with its values wants to realize that its presence is intended to protect and advance the values that are upheld by the community. The existence of these values is the basis for validating the presence and operation of the law [1]. Sectors of life governed by the rule of law must be able to reach the point of order

and a sense of justice, including economic management, human resources and natural resources in order to achieve happiness together [2].

The law as a set of rules that have sanctions if the rules are violated, the basic provisions are regulated in the 1945 Constitution of the Republic of Indonesia. This becomes a guideline for making regulations under it, which means the laws and regulations under the 1945 Constitution of the Republic of Indonesia. 1945 must not conflict with the Constitution. It is the obligation of the Government to always ensure that every element of health development can function properly through various legal

products that provide the basis for the implementation of these functions. Health is a basic right of every person, and all citizens are entitled to health services. The 1945 Constitution of the Republic of Indonesia mandates that health insurance for the community, especially the poor and underprivileged, is the responsibility of the Central and Regional Governments. In the 1945 Amendment to the 1945 Constitution of the Republic of Indonesia, Article 34 paragraph 2 states that the State shall develop a Social Security System for all Indonesian people.

Humans are one of God's creatures who always need various needs to live their lives in the world. These needs will be met, if the physical and psychological conditions are healthy. It is very important to have a healthy physical and psychological condition, so many people try to maintain their health. The regulations made can be said to be perfect if the following conditions are met [3]: the regulations provide justice for those concerned; the regulation provides legal certainty and the regulation provides clear benefits. Development in the health sector in principle is to build a healthy and productive society based on awareness of all forms of rights and obligations as citizens and members of society. Each element in health development will have an important role in every process of providing health services.

Regarding the legal issue of responsibility for midwifery services in Indonesia, a midwife has a very important task in counseling and health education, not only for women, but also for families and communities. These activities should include antenatal education and preparation for parenthood and may extend to women's health, sexual or reproductive health and child care. Midwives must also provide continuous and comprehensive midwifery services, focusing on aspects

of prevention, promotion based on partnerships and community empowerment together with other health workers to always be ready to serve anyone who needs it, whenever and wherever he is [4]. Midwives can practice in various service settings, including at home, in the community, in hospitals, clinics, health center or other health unit. In principle, in the dimension of the implementation of midwifery practice, midwifery services are the overall task that is the responsibility of the midwife profession in the health service system that aims to improve maternal and child health in order to realize community and family health.

Health workers are health service providers who have a major role in achieving health development goals. Health workers are also providers of health services to patients in accordance with their professional authority to make optimal health efforts. Midwife is one of the non-medical health workers in accordance with their competence and authority to provide midwifery services which are an integral part of health services. This research emphasizes the legal compliance of midwives to practice licenses for health services. The question is how is the legal compliance of the midwife in an effort to improve health services.

B. METHOD

The research approach used is doctrinal, conceptualizing law as a written legal norm in the form of a statutory product that focuses on the substance of the midwife's license to practice, in the context of building legal compliance with applicable regulations. Research in the analysis of legal materials is carried out in a descriptive-analytical manner, conducting jokes regarding the phenomenon of midwifery practice license norms in an effort to develop health services to the community optimally.

C. RESULTS AND DISCUSSION

The process of working law is influenced by various components that exist in society, because law is one of the sub-systems in the social system. The purpose of the law must be able to accommodate all the interests that exist in society. Policies that are built must be based on human values in favor of the interests of the people without exception who they are. This condition is very reasonable; the State must be present and stand for all classes of society. This point of contact, then the issue of Human Rights becomes very fundamental to be respected, protected and fulfilled. Guarantee against this matter is contained in the products of legislation that regulate the issue of Human Rights which normatively has recognized the existence of Human Rights [5].

According to Satjipto Rahardjo [6], law is part and a social process that runs in society. Law is present in the midst of society as part of establishing order. Law as an institution in this regard with regard to social-community life is not only perceived in the normative realm of the embodiment of written regulations, but also must be able to be understood in the corridor of the existence of law in social life, which is intended to build prosperity, order, justice, peace, order, tranquility, and usefulness and certainty. This goal is a burden on the operation of the law in a society that continues to develop dynamically. Therefore,

The development dimension in the health sector requires an awareness component approach in an effort to lead to a healthy lifestyle, because everyone has been burdened with the right to a healthy environment. The imposition of these rights must be balanced with the community's obligation to protect the environment. On the other hand, the development must lead to the improvement of public health services that must be carried out by all

stakeholders. Important problems related to development in the health sector relate to the problem of inequality in the socio-economic conditions of the community, environmental conditions between rural and urban areas, health infrastructure problems in the regions. And the condition of health facilities in rural areas in eastern Indonesia is a separate obstacle that must be considered. This condition can directly and indirectly affect the level of health services to the community. The government has made regulations that are intended to overcome problems in the health sector, so this must be followed by legal awareness and legal compliance of stakeholders involved in health development, including midwives.

The issue of compliance can be understood in understanding as a component that can influence changes in a person's behavior which will base their activities in daily life. Obedience and obedience to applicable legal norms includes obeying orders that have been mutually agreed upon, obeying the mechanism of procedures and procedures as well as obeying and obeying work discipline ethics. The legal provisions for licensing health workers are regulated in Law Number 36 of 2009 concerning Health, the legal norms regulate for health workers in an effort to provide health services, are charged with the obligation to have permits, and are prohibited from prioritizing material problems. With regard to the ownership of the place of practice, based on ethical theory, all norms of order are built aimed at, among others, for order, order, justice and legal certainty. The substance of legal norms is based on an ethical belief in the purpose of the law in question, so that the purpose of the law focuses on facts in order to realize justice, order, order and legal certainty.

In essence, every society is expected to comply with all the regulations that have been made in order to create a better life. In this case,

according to Soejono Soekanto, there are several factors that influence people to obey the law, namely [8]: there is a fear if the legal order is violated, as an effort to maintain and maintain good social relations, and as part of efforts to maintain good relations with parties. which has influence, the element of interest will also influence the community to obey the law, and in the end the legal order must be in accordance with the value system adopted by the community.

As one of the health workers, the midwife in carrying out her practice must be in accordance with the authority based on her competence, namely based on the existing authority in terms of providing health services in an independent context based on the scope and competence, for midwives in terms of health services to mothers. and children, as well as regarding women's reproductive health services and family planning. And midwives can be subject to administrative sanctions in the event that they do not implement the legal norms of Article 62 paragraph (1) of the Health Personnel Law, furthermore, the provisions for sanctions are regulated in Article 82 paragraph (1).

Midwives carry out services in accordance with Standard Operating Procedures (SOP). This supervision is carried out by the direct supervisor of the Midwife who practices in Health Facilities, while the Midwife who Practices Independently is supervised by her Professional Organization, namely IBI. The Health Office conducts supervision by means of direct visits to the place of practice of midwives and monitoring of midwifery services in terms of program indicators. If delivery assistance is found that has an impact on the death of the mother and baby, a Maternal/Perinatal Audit (AMP) will be carried out. The AMP team conducts a case study of death, from the results of the study a recommendation will be

issued for the Midwife. Furthermore, the midwife will carry out these recommendations as an effort to prevent the occurrence of services that have an impact on the life of the mother or baby [9].

Construction of building legal compliance aspects: perspectives on improving health services regarding Midwife practice licenses are positively influenced by work discipline factors, work facilities factors and work motivation factors of midwives. This means that the higher the work discipline, work facilities and work motivation factors of midwives, the higher the legal compliance with applicable minimum service standards. The government must be able to give affirmation to the community, the law that is made leads to the interests of the community and oriented toward social justice [10].

D. CONCLUSION

Midwives' legal compliance with practice permits to improve health services is positively influenced by work discipline factors, work facilities and work motivation factors of midwives. This means that the higher the work discipline, work facilities and work motivation factors of midwives, the higher the legal compliance with applicable minimum service standards. Legal regulations that have been developed by the Government in an effort to improve health services to the community must be supported by components of legal awareness and legal compliance with the community, including midwives.

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