

JURNAL

MEDIA HUKUM

TERAKREDITASI No. 81/DIKTI/Kep/2011

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PERMIT PROCEDURE OF ESTHABLISMENT AND SUPERVISION OF NURSING CLINIC IN BANTUL REGENCY

ABSTRACT

As one of the health professions, nurse normally does not have independent authority to conduct medical practice. However, according to several regulations, nurse has a chance to establish and run his/her own nursing clinic. So far, there are six individual nursing clinics have been operated in Bantul Regency. By utilizing empirical research method with legislation approach, this research aims at finding out the importance and the permit procedure to establish nursing clinic as well as to know the supervision means used by the government upon the operated nursing clinic in Bantul Regency. This research proved that nursing clinics have given beneficial advantages on the society as whole. Meanwhile, to operate a nursing clinic a nurse has to be granted a Nursing Practice Permit Letter (Surat Izin Praktik Perawat/SIPP) from the government. Finally, the nursing clinic is supervised by the Health Bureau by means of supervision and control program.

Keywords: nursing practice, nursing clinic, Nursing Practice Permit Letter, supervision and control program

ABSTRAK

Sebagai salah satu profesi di bidang kesehatan, perawat sebenarnya tidaklah memiliki kewenangan yang mandiri untuk melakukan pelayanan kesehatan. Meskipun demikian, berdasarkan beberapa peraturan perundang-undangan, perawat memiliki peluang untuk mendirikan dan menjalankan klinik keperawatan sendiri. Sejauh ini, telah ada 6 klinik keperawatan yang beroperasi di Kabupaten Bantul. Dengan menggunakan metode penelitian empirik melalui pendekatan legislasi, penelitian ini ditujukan untuk mengetahui arti penting dan prosedur perizinan pendirian klinik keperawatan juga untuk mengetahui instrumen pengawasan yang digunakan pemerintah daerah terhadap klinik keperawatan yang beroperasi di Kabupaten Bantul. Hasil penelitian ini telah membuktikan adanya kepentingan dan manfaat keberadaan klinik keperawatan bagi masyarakat. Sementara itu, untuk dapat mendirikan dan menjalankan klinik keperawatan seorang perawat harus terlebih dahulu mendapatkan Surat Izin Praktik Perawat (SIPP) dari pemerintah. Sedangkan pengawasan terhadap klinik keperawatan dilakukan oleh Dinas Kesehatan menggunakan instrumen pengawasan yang tersedia.

Kata Kunci: praktik keperawatan, klinik keperawatan, Surat Izin Praktik Keperawatan, supervisi dan kegiatan pengawasan

I. BACKGROUND

Health is an important aspect of human life. Similarly, health is needed by human as the basic need of life. The 1945 Indonesian Constitution Article 28H paragraph (1) rules "every person shall have the right to live in welfare both physically and spiritually, have a place to reside, and receive a proper and healthy environment, as well as receive medical care."

Based on the Article 28H of the Constitution, health becomes one of the citizens' rights. Indonesian citizens have right to get healthy environment and receive medical care in order to fulfill their rights. In other words, human rights consist of health. Furthermore, Article 34 paragraph (3) of The 1945 Indonesian Constitution states "the state shall have the obligation to provide sufficient medical and public service facilities." In order to facilitate health service, the government as the implementer of laws and regulation has to take a role to manage and control the implementation of the provisions above.

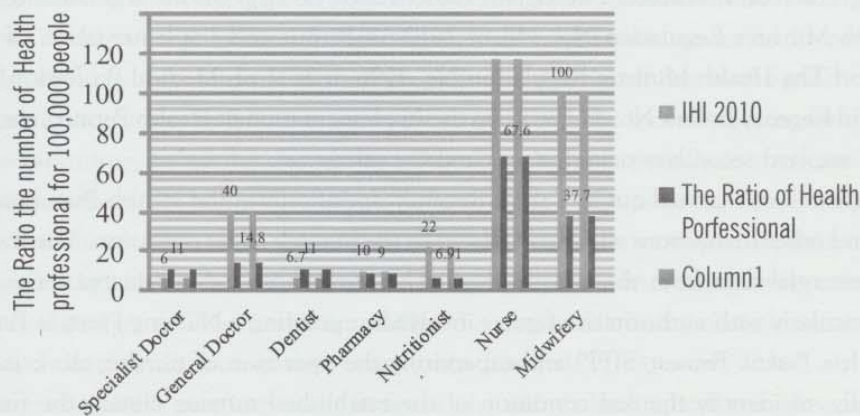
Beside the government, private party could also provide the health facility to the society. Based on several existing regulations, health professions such as doctor, nurse, midwifery, apothecary and paramedic could practice in the hospital or medical clinic. Nurse, as one of the health professionals has a role in taking care of patient. In general, the role of nurse could be seen in hospitals or in medical clinics. Nurse helps patient to recover his/her health. In running medical action, the nurse is still under command of doctor because the nurse does not have competence in order to conduct medical action.

In fact, the competence of nursing practice is extremely different and separated from doctor, apothecary or other practices of health profession. The distribution of competence of health profession is very important to protect the nurse and patient from medical malpractice which will make a bad impact to both parties. Unfortunately, there are some barriers which make nurse doing the action more than his/her competence as mentioned in the regulation. Since there is a problem of lack of medical human resources, the nurse often conducts the competence of doctor

and apothecary. The nurse who conducts other's medical competence could involve in an illegal nursing practice (medical malpractice) such as in Misran's case. As a nurse in a remote area and in the state of emergency, Misran had given a high-doses medicine (*obat label G (gevaarlijk)*) to the patient which caused the death of the patient. Misran had been charged of medical malpractice due to violation of the Article 108 paragraph (1) of the 2009 Health Act concerning to the authority of the medical person in giving medicine to patient and he was sentenced to 3 months in jail and fined 2 million rupiahs by the Tenggarong District Court for medical malpractice. However, the Constitutional Court after examining the proposal of judicial review upon the Article 108 paragraph (1) of the 2009 Health Act proposed by Misran had decided in favor of Misran that as long as the location of nursing practice is isolated and inaccessible area or the facility is not complete, nurse may conduct the action as like as doctor or apothecary. The case above is one example of nursing practice problem in Indonesia.

Bantul Regency as one of the five regencies in Yogyakarta Special Region, with 506,85 kilometers square areas has only 679 nurses until 2010 for serving 911.053 people of its residents (bantulkab.go.id). The numbers of nurses are very small compared to the number of patients in 17 sub-districts, 75 villages and 933 sub-villages of Bantul and compared to the Indonesian Health Indicator 2010 (*Indikator Indonesia Sehat 2010*). It means that the number of nurses cannot fulfill the minimum necessities, since the ratio of the nurse in Bantul Regency in 2010 supposed to reach 1170 of nurses to cover 100,000 people (see the table below).

TABLE 1 - HEALTH PROFESSIONAL RATIO OF BANTUL IN 2010



Source: Dinas Kesehatan Bantul, Profil Kesehatan Kabupaten Bantul Tahun 2011

According to Article 23 paragraph (1) of Health Act 2009, "professional medical officer has an authority to conduct health services." This article implies that nurse may establish nursing clinic in order to offer health service. In the process of establishment of the nursing clinic, nurse should propose a permit to the government. The nursing clinic permit procedure has been regu-

lated specifically in the Health Ministry Decree No. 1239 of 2001 on Registration and Nursing Practice, the Health Ministry Regulation No. 148 of 2010 on Permit and Implementation of Nursing Practice as well as the Health Ministry Regulation No. 1796 of 2011 about Medical Profession Registration. Those regulations provide legal basis and legal protection for nursing clinic.

Furthermore, the opportunity for the nurse to open his/her own clinic in Bantul has been supported by Byelaw No. 4 of 2010 on the Implementation of Permit for Medical Practice (*Penyelenggaraan Perizinan di Bidang Kesehatan*). The Byelaw implies about process and mechanism of nursing clinic permit specifically in Bantul. It also confirms that the Government of Bantul Regency has supported the nursing practice permit and protected the competence of nurse as a kind of medical professions which is needed by society. To this day, there are 6 nursing clinics being operated in Bantul Regency (Bantul Health Bureau, *Register Book of SIPP*, 2011). Based on this background, the researchers keen in to explore the importance and the permit procedure of establishment of nursing clinic as well as to discover the supervision means used by the government upon the operated nursing clinic in Bantul Regency.

II. METHODOLOGY

This research is based on both library and empirical research, and a broadly socio-legal (legislation) approach is adopted. In terms of library research, the researchers have collected data from books, reports, legislation (consist of The 1945 Indonesian Constitution, The Law No. 9 of 2009 on Health, The Health Minister Decree No. 1239 of 2001 on Registration and Nursing Practice, The Health Minister Regulation No. 148 of 2010 on Permit and Implementation of Nursing Practice and The Health Minister Regulation No. 1796 of 2011 on Medical Profession Registration, Bantul Regency Byelaw No. 4 of 2010 on the Implementation of Health Permit), the internet and other assorted secondary materials, as cited the references.

Field research was carried out in Bantul Regency, specifically at the Health Bureau of Bantul Regency and other institutions which are related to the nursing clinic operation. The researchers collected essential data from these institutions. The researchers also conducted series of interviews, particularly with authoritative figures involved in granting a Nursing Practice Permit Letter (*Surat Izin Praktik Perawat/SIPP*) and supervising the operation of nursing clinic in Bantul. Additionally, to identify the real condition of the established nursing clinics, the researchers completed observations at some nursing clinics being operated in Bantul Regency.

The collected data have been analyzed by utilizing descriptive- qualitative method. The adherence of nurse to procedure and conditions to establish and operate nursing clinic have been analyzed with legislation approach. Finally, deductive analyze method have been used for formulating the conclusion.

III. RESULTS AND DISCUSSION

A. The Importance of Establishment of Nursing Clinic

It has been discussed initially that receiving proper and healthy environment as well as getting sufficient medical care are among the constitutional rights of all Indonesian citizens. Accordingly, it is the constitutional obligation of the state to provide appropriate medical service facilities, such as hospitals and clinics. However, it is a matter of fact that the government faces certain constraint to fulfill all those urgent services adequately.

Moreover, Indonesia also has a problem of lack of medical human resources. The figure in the table 1 above shows the number of health professionals in Bantul Regency for instance, are inadequate for the needs to cover the number of residents and the size of areas. Hence, private sectors are cordially invited to satisfy the shortcoming in the side of the government to provide hospitals and medical clinics in the society. In order to ease the citizens in the whole of territory to access health facilities and medical care, in the shortage of doctors and medical clinics, nurses must be allowed to establish nursing clinics.

In the development of nursing field based on several regulations in the prior discussion—nurses have a chance to establish their own nursing clinics (*Klinik Perawat*). Nurses can carry out the practice of nursing at the health care facility, individual practice and/or groups practice practice (Article 8 paragraph (1) of the the Health Minister Decree No. 1239 of 2001).

Through interview and observations at the operated nursing clinics in Srandakan district, Imogiri district, Bangunjiwo sub-district and Pajangan district, the research has proved that establishment of nursing clinics have given beneficial advantages on nurses and surrounding residents. The nurses could utilize the clinics for specific and intensive health service to the patients. The nurses also could easily record the medical progress and give the advices to the patients. Furthermore, the nursing clinics so far, have plaid role as an alternative income sources for the nurses.

In the meantime, by having the service of nursing clinics (especially in rural areas), the patients could decrease the budget of health care comparing to the price that has to be paid to the hospital. Patients could come to the nursing clinics as an alternative way rather than to hospital. The patients may consult about their health condition, receive advice and nursing care related to their medical problems. This mechanism makes the service of nursing clinic becoming simpler, cheaper and easier to the patient than come to the hospital.

The role of nurse is very important in terms of patient's healing and convalescence process which conducted in the health care service (Sumijatun, 2011: 1). As discussed above that nursing service in nursing clinic is proven more efficient than the same service given in hospital. However, due to the lack number of nursing clinics, it made the patients mostly came to hospital to get service of nurses.

B. Permit Procedure of Establishment of Nursing Clinic

In terms of opening a clinic, all health professionals should propose a permit to the govern-

ment. Article 23 Sub-article 3 of The Health Act 2009 stated, "In organizing health service, all health professionals should have a permit from the government".

The Health Act does not rule specifically about the procedure of granting permit. The authorization of permit procedure is from the Health Ministry as mentioned in Article 23 Sub-article 5 of the Health Act: "The provisions on permit procedure have to refer to the Sub-article 3 which is formulated in Health Minister Regulation".

Before the issuance of the Health Act 2009, the Health Minister had issued the Decree of Health Minister No. 1239 of 2001 on Registration and Nursing Practice which mentioned the types of permit letter as well as the procedure of their issuance. Among those permits are: (1). Nursing License (*Surat Izin Perawat - SIP*); (2). Letter of Working Permit (*Surat Izin Kerja - SIK*); and (3). Nursing Practice Permit Letter (*Surat Izin Praktik Perawat - SIPP*).

Every permit has specific function. Nursing license is a legal document for nurse to conducting nursing practice. The function of nursing license is as a registration letter for fresh graduate of nursing school for having legalization of his/her profession as a nurse. This license is a primary letter for a nurse to conduct his/her competency either in public health service or in their own clinic.

The maximum duration of proposing this letter is one month after he/she graduated from nursing school. The fresh graduate should propose the application to Head of Health Bureau in Province for issuing this letter. The applicant has to fulfill the requirements of issuing the Nursing Letter/License as follows:

- a. Copy of bachelor certificate;
- b. Health certificate from medical doctor;
- c. Passport-type photograph (4x6): 2 exemplars.

According to Article 4 sub-article 2, the duration process of the application letter is one month and the validity period of Nursing License is five years and has to be prolong for continuing the license. The term of Nursing License has been revised to be Registration Letter by the Health Minister Regulation No. 1796 of 2011. The authorized body for issuing this letter is The Indonesian Health Profession Board (*Majelis Tenaga Kesehatan Indonesia (MTKI)*).

After having Nursing License/Registration Letter, the nurse may choose the place of working he/she wants, whether works in the public health service or open his/her own clinic. The permit letter of the nurse who works in the public health service is different than the permit letter for the personal clinic. Nurse who works in the public health service could propose to the application to the government for issuing Letter of Working Permit (see Article 9-10 of Health Minister Decree No. 1239 of 2001 for details of working permit procedure). If he/she would like to work for his/her own clinic, he/she should propose Nursing Practice Permit Letter (*Surat Izin Praktik Perawat/SIPP*).

The provision on the Nursing Practice Permit Letter is regulated in Article 1 Sub-article (4),

Article 8 Sub-article (3) and Article 12. In proposing the Nursing Practice Permit Letter, the applicant should propose it to the Head of Health Bureau. The other requirements for proposing Nursing Practice Permit Letter, i.e.:

- a. The applicant should be graduated from at least Bachelor of Nurse (*Diploma III*) of nursing academy;
- b. Copy of the bachelor certificate;
- c. The applicant who graduates from diploma III program, should attach working experience from head of public health service bureau. The letter should mention the period of working experience of the nurse in the public health service was at least 3 years;
- d. Copy of Nursing License;
- e. Passport-type photograph (4x6) 2 exemplars; and
- f. Letter of recommendation from Profession Organization.

The provisions on nursing clinic have been stated implicitly in Article 15 to 23. There are some important points may be taken from those 9 articles. Such as Article 15 which mentions the competence of nurse. The competence of nurse is limited pertaining to operate the clinic. Yet there is an exception concerning to the primary competence of the nurse, since the nurse may conduct the other health competence. This article states in the emergency situation, nurse could conduct other competence beside those have been mentioned in Article 15. The objective of this article is to save the lives of patient. However, Article 22 point (2) states nurse is prohibited to put notice board.

Since 2010, the Health Minister had revised the Health Minister Decree No. 1239 of 2001 with the Health Minister Regulation No. 148 of 2010 on Permit and Implementation of Nursing Practice. In this recent regulation some provisions of permit procedure of nursing practice were revised. The issuance of this regulation was aimed at to implement the Article 23 sub-article (5) of the Health Act No. 36 of 2009 which rules that provisions on permit procedure should be formulated in a Health Minister Regulation.

In the mentioned regulation above, permit procedure of nursing clinic is regulated in Article 5 as follows:

- a. The letter of nursing clinic permit may only be issued by Local Government.
- b. The requirements of application of nursing clinic permit are:
 - 1) Copy of Registration Letter;
 - 2) Certificate of Health from doctor;
 - 3) Statement letter of practice ownership;
 - 4) Passport-type photograph (4x6) 3 exemplars;
 - 5) Letter of recommendation from organization of profession.

There are some points in Article 22 sub-article (2) of the Health Minister Regulation which

different with the Health Minister Decree No. 1239 of 2001, i.e.:

- a. Vice versa with the previous, the nurse is obliged to put the board of notice as mentioned in article 6.
- b. Nurse has an authority to give over-the-counter medicine (*-obat bebas dan obat bebas terbatas*) as mentioned in Article 8 Sub-article 7.

The implementation of health permit in Bantul was managed by the prevailing of Byelaw of Bantul Regency No. 4 of 2010 concerning the Implementation of Health Permit. The permit procedure of nursing practice is stated in the Article 30 Sub-article 2. The requirements list are consists of:

- a. Copy of applicant ID card;
- b. Copy of Certificate of Bachelor Degree at least D III;
- c. Copy of Nursing License;
- d. Copy of General Emergency of Life Support (*Pelatihan Penanggulangan Gawat Darurat - PPGD*);
- e. Letter of recommendation from organization of profession. The requirement of recommendation letter from organization of profession, nurse should be attached:
 - Copy of nursing organization's member card;
 - Copy of General Emergency of Life Support;
 - Experience Working Letter;
 - Address and Sketch of the clinic location;
 - Copy of place of practice ownership, as shown by land certificate (for own property);
 - The list of medical equipment; and
 - Passport-type photograph (4x6)
- f. Certificate of health from doctor;
- g. Letter of recommendation from head of public health service. The letter should explain the working experience of nurse in the public health service for minimum 3 years;
- h. Passport-type photograph.

As mentioned in the Byelaw is closer to the requirement as stated in Health Minister Decree No. 1239 of 2001. In Bantul, Nursing Practice Permit Letter is issued by Permit Bureau.

The steps of implementation of permit procedure for nursing clinic in Bantul, as follows:

1. Nurse (the applicant) fulfill the application form of Nursing Practice Permit Letter;
2. Nurse should attach the requirement list;
3. Nurse return the document to the Permit Bureau Officer;
4. The Officer will only check the completeness of check list that have to be fulfilled by the applicant. The process would be in two days;
5. The document will be examined by Health Bureau of Bantul;
6. The checking of the administration document which would take around 7 work days;

7. Health Bureau of Bantul will return back the letter to Permit Bureau with or without recommendation for permit;
8. Nursing Practice Permit Letter is ready to be issued by Permit Bureau.

Comparing to the requirement of nursing clinic between Byelaw of Bantul Regency No. 4 of 2010 and the Health Minister Regulation No. 148 of 2010, there are different points of permit procedure implementation of nursing clinic in Bantul as follows:

- a. In the Health Minister Regulation No 148 of 2010, the term of Nursing License has been revised to be Registration Letter (Registration Letter has been ruled specifically in Health Minister Regulation No. 1796 of 2011). Yet in the byelaw, the term of Nursing License still used in the Byelaw;
- b. The point of attachment of ownership practice letter. In the Minister Regulation, the practice letter should be attached in the proposing of permit to the government. However, there is no article mentioned about ownership of place of practice letter in the Byelaw. Ownership practice letter is attached only in the proposing of recommendation from Organization of Nursing Profession.

There is no cost for conducting the process as mention in Article 110 of Law No. 28 of 2009 concerning to Local Tax and Retribution. Nursing clinic is including as retribution of general service. It is not as the object of retribution since the amount of retribution will give small income for the government.

C. The Implementation of Permit Procedure

1. The Condition of Nursing Clinic Permit

There are only 6 nurses who open the clinic in Bantul Regency until 2011. The data can be seen from the table as shown:

(See Table)

Based on the data of Health Bureau of Bantul in 2011, the applicants of Nursing Practice Permit Letter *i.e.*: (1). Marjana; (2). Mundakir; (3). Markus Wiyata; (4). Teguh Slameto; and (5). Eko Heri Prajoko.

From those applicants, only three applications were approved by the Permit Bureau, they were: (1). Markus Wiyata; (2). Teguh Slameto; and (3). Eko Heri Prajoko.

The other two were rejected since there is no recommendation from Health Bureau *i.e.*:

- a. Marjana; he had been rejected with Letter No. 503/1074, the reason of rejection was because he already worked in Jami'i Husada Health Clinic.
- b. Similar with Marjana, Mundakir was rejected with letter No. 503/2267, the reason of rejection because he already worked in Syiwak Husada Bhakti Clinic.

TABLE 2 - NURSING PRACTICE PERMIT LETTER REGISTER BOOK

| No | Name | Location | No SIP | No SIPP | Date of Issuance | Validity Period |
|----|--------------------|---------------------------------------------|--------------|-----------------------|------------------|-----------------|
| 1 | Slamet S.Kep.Ners | Buyutan Rt 05 Gadingsari Sanden Bantul | - | 446/DP/PP/03/III/2010 | 11-Mar-10 | 16-Jun-14 |
| 2 | Stevy Hitiahubessy | Lanteng II Rt 03 Selopamioro Imogiri Bantul | - | 446/DP/PP/04/V/2010 | 26-May-10 | 13-Jun-14 |
| 3 | Miskijan | Kadireso RT 04 Triwidadi Pajangan Bantul | - | 446/DP/PP/05/X/2010 | 15-Oct-10 | 11-Oct-13 |
| 4 | Markus Wiyata | Bangen Bangunjiwo Kasihan Bantul | 446/7016/V.2 | 1442/DP/074/IV/2011 | 4-Apr-11 | 15-Oct-14 |
| 5 | Teguh Slameto | Perumnas Trimulyo Jetis Bantul | 446/676/IV.2 | 1511/DP/074/IV/2011 | 6-Apr-11 | 8-Feb-13 |
| 6 | Eko Heri Prajoko | Dagen Pendowoharjo Sewon bantul | 446/6818/V.2 | 1194/DP/074/XII/2011 | 2-Dec-11 | 26-Jul-16 |

Source: Health Bureau of Bantul Regency 2011

From interview with Ms. Fatonah, an officer of Health Bureau of Bantul there were facts found as the considerations of Health Bureau for not giving a recommendation to both applicants as follows:

- a. Both of nurses did not need the Nursing Practice Permit Letter since they already work in the Medical Clinic. Yet they only need the Working Permit Letter (*Surat Izin Kerja*);
- b. To prevent the medical malpractice, Health Bureau has an opinion the nurse will conduct the other health competence if the nurse has Nursing Practice Permit Letter while working in the medical clinic.

2. The Implementation of Nursing Practice In Bantul

The research upon the mentioned nursing clinics which have been established and operated in Bantul found some issues as follows:

a. Misuse of Nursing Practice Permit Letter

For example Markus Wiyata, he is the owner of medical clinic and he has Nursing Practice Permit Letter to practice in medical clinic. The function of Nursing Practice Permit Letter is not for practice in medical clinic but in nursing clinic. Meanwhile for practice in medical clinic, Markus should has Working Permit Letter. Based on the explanation above, Markus has infringed the Article 36 of Byelaw No. 4 of 2010 related to the Working Permit Letter.

The problem of misuse of Nursing Practice Permit Letter is not only becomes a responsibil-

ity of Markus itself. But also becomes the obligation of Health Bureau to handle it. Yet Fatonah said the misuse is actually started from the negligence of the officer of Health Bureau of Bantul.

b. The Infringement of Notice Board

Another of issue was concerning to the infringement of Article 6 of Health Minister Regulation No. 148 of 2010 concerning to the obligation to put the notice board. This condition was happen in the Clinic of Stevy. The owner of the clinic only understands about the previous regulation which mentions the prohibition to put notice board. However, he did not know about the recent regulation which mentions that nurse is obliged to put the notice board for the clinic.

Stevy, the owner of clinic, said in the interview that there is no socialization from the government of nursing clinic related to the regulation and competency. This condition made Stevy does not understand deeply about his rights and obligations, especially the obligation to putting the notice board.

c. Unoperated Clinic

Teguh Slameto is the owner of unoperated clinic. It is located in Imogiri, Bantul. There are some reasons why the clinic does not operated, as follows:

- There is no patient come to the clinic;
- His clinic is located in the residential. The resident prefer to go to the general doctor if there is a medical problem rather than to the nursing clinic.

Because of that, Teguh Slameto did not put the notice board in front of his clinic.

d. The Ideal of Nursing Clinic

There is one clinic located in Sanden, Bantul which is owned by Slamet S.Kep, Ners. The clinic is the ideal model of nursing clinic. The clinic is operated from 5.00 to 6.45 am in the morning and 4.00 to 8.00 pm in the afternoon. The clinic fulfills the standard of the regulation of Nursing Practice Permit Letter, such as: conducting the nursing competence, putting the notice board, giving the over-the-counter medicine etc.

In the clinic there is notice board, which mentioned the clinic operating's time and the type of service. The patient usually come to the clinic in evening during 4.00 - 7.00 pm. In the clinic, he also put the health information as like as the effect of smoking, the baby's growth and others.

In giving the treatment, Slamet conduct his competence as a nurse. He does not overlap the other health professional competence. He just gives over-the-counter medicine to the patient. He does not have high doses medicine. If there is a patient has severe disease he will refer him/her to a doctor or to the health public service.

D. The Supervision of Nursing Clinic in Bantul

The supervision has an important role in the permit procedure. Basically, permit has a purpose to allow someone for conducting the act which is forbidden. Supervision has a function to determine the act. Supervision limits people to do beyond the basic rule.

The nursing clinic in Bantul also should be supervised by the government. Supervision becomes an important thing since it will be the mechanism to preventing medical malpractice of nursing clinic in Bantul. The Health Bureau of Bantul does not has any regular agenda to inspect the clinic. Yet the Health Bureau has a Supervision and Control Program (*Program Pengawasan dan Pengendalian [Wasdal]*). Through *Wasdal*, the Health Bureau of Bantul Regency invites the owner of clinic for having a briefing regarding nursing clinic in Bantul.

If the Health Bureau found the infringement or action which tends to be malpractice there will be a sanction for nursing clinic. The sanction will be implemented based on Article 69 - 72 of Bantul Byelaw No. 4 of 2010 as follows:

a. Permit Withdrawal

The permit could be withdrawn by the government with some reasons below:

- 1) Nurse may be given administrative sanction, if the nurse infringes the any point of Article 62 of Byelaw No. 4 of 2010, as follow:
 - a. Nurse should operate the clinic based on the standard;
 - b. Implementing the social function in order to implement the health care
 - c. creating a sense of comfortable, safe and harmonious relationship with the environment;
 - d. Install signage at a place that is easy to read and known by the public;
 - e. Reported regular health service activities to the Head Office, and
 - f. Apply for new licenses for such things as follow:
 - Period of validity of licenses, a letter of the list has ended;
 - Move the address of the service;
 - Ownership permission, registration letters and certificate change;
 - Change the type of service; and
 - License revoked for any reason.

According to Article 69 of the Byelaw, the license will be revoked for any of the reasons below:

- a. Commit a criminal offense during the service;
- b. The nurse does not operate 2/5 of the period of permit as mentioned in Nursing License;
- c. The head of clinic employ the nurse without Registration Letter or Working Letter.

The administrative sanction will be implemented no later than 30 days, if nurse infringes the stipulation of Article 69. There will be written notice from the Permit Bureau for three times. After three times written notice the sanction may be implemented.

b. Permit Cancellation

The permit may be cancelled for some reason such as:

- 1) Nurse does not want to continue the clinic establishment;
- 2) The permit holder is passed away; and
- 3) The permit is transferable without written permit from the Permit Bureau.

c. Permit Rejection.

Permit also may be rejected if:

- (1) The nurse infringes the permit regulation;
- (2) Nurse has a problem relating to the permit in front of the court;
- (3) The nurse does not fulfill the requirement.

E. The Problem of Supervisions

There are some models of supervision mechanisms in the health field, namely briefing and inspection. The Health Bureau is an authorized body to conduct the supervision. Article 67 of Byelaws No. 4 of 2010 stated about supervision, as follows:

- a. The Health Bureau is an authorized body to conduct the supervision, control and training;
- b. In order to conduct those mechanisms, the Health Bureau could make a collaboration with the Organization of Profession;

Relating to the issue of nursing clinic, the Health Bureau has a Supervision and Control Program (*Program Pengawasan dan Pengendalian [Wasdal]*). In this program the Health Bureau may invite nurse for a briefing. Actually it is a simple supervision mechanism for nurse related to nursing clinic.

The control mechanism in *Wasdal* may not cover the problem of nursing clinic. As the last explanation related to the implementation of nursing clinic, there were some problem from misuse of Nursing Practice Permit Letter, the clinic does not operated and the owner does not put the notice board.

If the government inspects the entire clinic, those cases may be solved. Because of there is no inspection, the government stated there is no sanction for nurse relating to the infringement of Nursing Practice Permit Letter. The normal sanction is only permit rejection because of the document is not completed. It proves that the role of government relating to control the nursing clinic still insufficient.

F. CONCLUSION AND SUGGESSTION

Nurse, as one of the health professions in Indonesia has important role in giving health service to the society, although nurse has no independent authority to conduct medical action. According to several regulations, nurse has a chance to establish and run his/her own nursing

clinic. So far, there are six nursing clinics have been operated in Bantul Regency. To operate a nursing clinic a nurse has to be granted a Nursing Practice Permit Letter (*Surat Izin Praktik Perawat/SIPP*) from the government.

The nursing clinic is supervised by Health Bureau through Supervision and Control Program (*Program Pengawasan dan Pengendalian [Wasdal]*). In the program, the government only conduct simple mechanism of supervision through inviting the nurses and giving the advice without inspecting the clinic directly. Accordingly, there were some infringements of rules on establishment of nursing clinic such as misuse the permit and infringements of provision on notice board without clear enforcement of sanction. Based on this situation, the government is suggested to improve the supervision to prevent the future infringements by the permit holders.

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