



DESCRIPTION OF KNOWLEDGE LEGAL ASPECT OF INDEPENDENT PRACTICE

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ABSTRACT

Nursing as a medical professional has the right to carry out independent nursing practice. The legal aspects of independent nursing practice are regulated by Indonesian legislation. The knowledge of nurses, especially nurses who carry out independent nursing practices, is different. This knowledge is important to prevent violations of legal aspects. Based on this, the purpose of this study was to find out the description of the legal aspects of independent nursing practice owned by alumni of the DIII Nursing study program who carried out independent nursing practices. The respondents of this study were 5 alumni who had independent nursing practices. This research method is to use qualitative methods with data triangulation analysis methods. The results of the study obtained 6 themes regarding knowledge of the legal aspects of independent nursing practice including licensing, types of services, practice authority, rights and obligations, witnesses, regulatory developments.

Keywords: independent nursing practice; knowledge; legal aspect

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INTRODUCTION

Nursing is part of the health professional who has the right to carry out independent practice. (RI Law, 2014) explained that nurses can carry out nursing independent practices both in health service units and in places, nurses who carry out nursing services in places are required to have SIPP. (RI Law, 2009) explains that health workers are authorized to provide health services according to their expertise, and the service providers must have a license. In addition, these health workers must comply with the provisions of the code of ethics, professional standards, the rights of health service users, service standards and standard operating procedures. (Permenkes, 2013) explained that SIPP is intended for nurses who carry out independent nursing practices.

Marions (2021) explaining independent nursing practice is proof of the existence of nurse professionalism, with independent nursing practice nurses can directly manage, diagnose and take action on clients independently. Awaluddin (2016) explained that most of the nurses in Garut district who had obtained independent practice authority had registered and obtained licenses and legality or legal certainty with objective management according to their fields. One of the factors that influence nurses to carry out independent nursing practice is the knowledge of nurses regarding the legal aspects of nursing. (Fikri, 2015) explains that the knowledge of nurses affects the implementation of independent nursing practice.

(Notoatmodjo, 2007) explains that the level of one's knowledge does not only know but includes knowing, understanding, being able to apply, analyze, synthesize, and evaluate. Widya Husada University, Semarang has a D3 nursing study program where alumni have carried out independent nursing practice activities, from the preliminary study it was recorded that 5 alumni had carried out independent nursing practice activities. Based on this description, the researcher is interested in knowing the description of alumni's knowledge about the legal aspects of independent nursing practice and its management. The purpose of this study is to describe the knowledge of alumni about the legal aspects of independent nursing practice.

METHOD

This research is a qualitative research with a phenomenological study design. The sampling technique uses a proportional sampling technique, namely 5 alumni who carry out independent nursing practices. Data collection techniques are triangulation by way of in-depth interviews, observation, and documentary studies. Data collection tools during interviews were to use voice recorders, interview guides and field notes, as well as the researchers themselves. Observations were made to determine the participants' nonverbal responses and physical conditions. Data analysis used the Collaizi method.(Creswell, 2010)explained that the collaizi analysis technique includes four stages including data collection, reading repeated transcripts, determining categories and themes, the last stage is writing reports.

RESULTS

This study was attended by 5 Alumni Respondents who carried out independent nursing practices. The purpose of this study was to describe the knowledge of alumni about the legal aspects of independent nurse practice. The following will describe the characteristics of the respondents.

Table 1.
List of Research Respondents (n=5)

No	Initials	Age	Education	Sex	Length of Practice	Service Type
1	I	33	S1	Woman	8	Home care, wound care, beauty
2	D	27	S1	Man	2	Home care
3	R	34	D3	Man	6	Treat Wounds, Home Care, Circumcision
4	A	38	S1	Man	7	Treat Wounds, Home Care, Circumcision
5	D	37	S1	Man	8	Treat Wounds, Home Care, Circumcision

Table 1 shows an overview of the characteristics of the respondents, among others, the sexes are mostly male with a vulnerable age of adulthood. The highest level of education is Bachelor Degree, with a maximum length of practice of 8 years. The purpose of further research is to know the description of Knowledge About the Legal Aspects of Independent Nursing practice. The results of the analysis obtained several themes regarding the description of the respondents' knowledge regarding legal aspects including:

Licensing

The first knowledge related to the legal aspects of independent nursing practice is about licensing to establish an independent nursing practice, where to establish an independent nursing practice, nurses must submit a SIPP. The theme of knowledge about the legal aspects of licensing is shown in the results of several interviews conducted, including the following.

“Agar praktik kita aman pertama saya ngurus perijinan bu.” (P3)

"In order for our practice to be safe, first I will take care of the permit, ma'am." (P3)

".....untuk mendapat ijin pertama tama saya mengurus SIPP mulai dari mencari surat rekomendasi puskesmas, PPNI, melengkapi syarat 2 tempat praktik, sampai akhirnya bisa terbit SIPP." (P1)

"...to get permission, first of all, I took care of the SIPP, starting from looking for a recommendation letter for the puskesmas, PPNI, completing the requirements for 2 practicum places, until finally the SIPP was issued." (P1)

"Kalau praktik mandiri dirumah harus punya SIPP bu, kalau praktik di RS cukup STR dan SIP." (P2)

"If you practice independently at home, you must have a SIPP, ma'am, if you practice in a hospital, you need STR and SIP." (P2)

Kind of service

The type of service is care services that can be carried out in an independent nursing practice service unit.

"Kalau saya paling ya perawatan luka, khitan, sama home care bu." (P4)

"For me, at least wound care, circumcision, and home care ma'am." (P4)

"Pelayanan yang dilakukan disini, kayak perawatan luka terus home care sama khitan." (P5)

"Services performed here, such as wound care and home care for circumcision." (P5)

" di tempat saya ada rawat luka, terus perawatan kecantikan, sama home care bu. Sebenarnya perawatan luka itu banyak bu jadi yang bisa dilakukan di praktik mandiri banyak, apalagi sekarang perkembangan rawat luka itu macem-macem jadi bisa jadi peluang untuk praktik mandiri" (P1)

"At my place there is wound care, continuing beauty care, and home care, ma'am. Actually, there are a lot of wound treatments, ma'am, so there's a lot that can be done in independent practice, especially now that the development of wound care varies, so it could be an opportunity for independent practice" (P1)

Practice Authority

Actions that can and cannot be done while carrying out independent nursing practice

".....jadi kalau dak dikasih obat itu katanya kurang mantep, kadang ada yang maksa minta disuntik tapi tetap saya tolak jagani kalau ada apa-apa." (P2)

".....so if you don't give the medicine, they say it's not good enough, sometimes someone forces you to get an injection but I still refuse to take care of it if there's anything." (P2)

"yang Tidak boleh itu yang seperti Tindakan invasif, suntik, pasang infus kalau hanya sekedar perawatan infus, kemudian ganti balut, perawatan kateter dirumah masih boleh bu" (P1)

"... what is not allowed is something like an invasive procedure, injecting, putting infusion if it's just an infusion treatment, then changing the bandage, catheter care at home is still allowed ma'am" (P1)

".....Yang penting kita hindari yang tindakan invasif bu, kanyak nyuntik terus sama ngasih obat itu juga gak boleh, eh kalau obat seperti pamol itu masih boleh bu." (P3)

".....The important thing is that we avoid invasive actions ma'am, injecting a lot and then giving the drug is also not allowed, eh if a drug like pamol is still allowed ma'am." (P3)

Rights and obligations

Rights are everything that is owned and obtained during independent nursing practice. Obligations are everything that must be done and carried out during independent nursing

practice.

" Kita biasanya mempunyai tarif untuk setiap tindakan yang kita lakukan seperti yang tadi saya sampaikan misal perawatan luka ada debridemenya berarti nanti akan berbeda dengan yg hanya ganti biasa. Nanti juga beda lagi kalau alat yang digunakan menggunakan punya kita semua kayak kasa, terus cairan pembersih luka. Soale ada juga yang pasien yang nyiapin sendiri jadi kita menyesuaikan dengan apa yang diinginkan pasien." (P1)

"We usually have a fee for every action we take, as I said earlier, for example, wound care has debridement, which means that later it will be different from just changing normally. Later it will also be different if the tools used use all of us like gauze, then wound cleaning fluid. The problem is that there are also patients who prepare it themselves, so we adjust it according to what the patient wants." (P1)

Penalty

Sanctions are reprimands that are obtained when violating the established rules.

"...ya bu ketat banget gak bisa sembarangan nanti kalau ada apa-apa kita bisa kena tuntutan." (P3)

"... yes, ma'am, it's really strict, you can't be careless, later if anything happens, we can be sued." (P3)

"kemarin perawat x juga bu tetap melakukan ya nyuntik, ya ngresepi akhirnya dia masuk penjara..... ya bu saat dulu pelatihan minimal kita harus punya catatan data pasien, kondisi yang kita rawat dan Tindakan apa yang sudah kita lakukan, kayak missal nama alamat terus luka seperti apa dan apa yang kita lakukan harus didokumentasikan." (P4)

"... yesterday the nurse didn't do it, ma'am, she continued to inject, yes, it was annoying that she finally went to jail.....Yes, ma'am, during the first training, we must at least have patient data records, the conditions we are treating and what actions we have taken, for example, the name, address, and what kind of wound, and what we have done, must be documented." (P4)

Regulatory developments

Includes aspects of nurse knowledge in changing existing regulations

"awal klinik saya masih jadi satu tempat tinggal sekarang tidak boleh antara klinik dan tempat tinggal jadi satu." (P4)

"Initially, my clinic was still a single residence, now it can't be between the clinic and the residence as one." (P4)

DISCUSSION

Characteristics

The results of the study obtained an overview of the characteristics of the respondents, including the sex, the most sex was male with a vulnerable age of adulthood. The highest level of education is Bachelor Degree, with a maximum length of practice of 8 years.(Permenkes, 2019)explained that the change in the law regarding the minimum educational level for implementing independent nursing practice is at least a graduate of Nurses, where independent practice implementers whose education at the time the 2019 regulation was issued were still DIII nursing graduates were given at least 7 years after the latest regulation was issued. From the results of the study, it was found that there were respondents who had graduated from DIII Nursing with a working period of 6 years. In other words, respondents when applying for licenses to practice independently were still guided by the old rules where the minimum education requirement was DIII Nursing.(Ministry of Health, 2010)Article 2 describes nurses who can carry out nursing independent practices at

least DIII Nursing. The ability of nurses, skills to carry out actions are influenced by length of work where length of work will affect the skills and abilities of nurses in carrying out independent nursing practices. (Tuasical, 2020) explains that there is a relationship between the quality of nursing actions and length of work. (Hutabarat, 2022) there is a relationship between length of work, experience of nurses in carrying out actions with confidence in carrying out nursing actions.

The results of the study also found 6 themes regarding the knowledge of nurses regarding the legal aspects of nursing, among others permits, types of services, practice authority, rights and obligations, witnesses, regulatory developments. The following discusses one by one the description of the knowledge of nurses about the legal aspects of nursing. The following is an explanation of several themes regarding the knowledge of nurses about the Legal Aspects of independent practice.

Licensing

The first knowledge related to the legal aspects of independent nursing practice is about licensing to establish an independent nursing practice, where to establish an independent nursing practice, nurses must submit a SIPP. Awaluddin (2016) explained that nurses who have obtained SIPP or permits indirectly nurses have obtained a license, the force of law while carrying out independent practice. RI Law (2009) explains that health workers who will carry out independent services must have a permit in accordance with applicable regulations. Pramitaresthi (2017) explains that nurses as professionals have the right to carry out nursing independent practices, where the law has regulated licensing to carry out these practices. RI Law (2014) article 19 explains that nurses who practice nursing are required to have a permit, the permit referred to in the form of an SIPP issued by the district/city Regional Government on the recommendation of the authorized health official in the district/city where the nurse practices. Taukhit (2019) explained that the absence of licensing administration requirements is an administrative malpractice, so that nurses will be vulnerable to malpractice lawsuits and can be subject to legal sanctions. Permenkes (2019) number 26 explains the requirements that must be attached when obtaining the SIPP, including (1) a legalized copy of the diploma, (2) a legalized copy of the STRP, (3) a health certificate from a doctor, (4) a recommendation letter from the head of the health center where the nurse practices, (5) passport photo 4x6 3 sheets, (6) recommendation from the head of the local district/city health office or appointed official. (7) Local PPNI recommendations. Furthermore, nurses who carry out independent practice must put up a practice sign which at least contains the name of the nurse, STRP number, SIPP number, and the statement "providing Nursing Care".

Kind of Service

The type of service is care services that can be carried out in an independent nursing practice service unit. Permenkes (2019) (1) providers of nursing care, (2) extension agents and counselors for clients, (3) managers of nursing services, (4) nursing researchers (5) executors based on delegation of authority, (6) and/or executors under certain limited circumstances. The types of services performed by respondents included nursing care providers at home and in clinics such as wound care, catheter care, decubitus care. (Pramitaresthi, 2017) explains the scope of nursing practice including practice in hospitals, at home (home care), group practice, individual practice.

Practice Authority

Actions that can and cannot be done while carrying out independent nursing practice. Permenkes (2019) regulates the authority of nurses in carrying out independent nursing practices including: a. carry out nursing assessment holistically; b. establishing a Nursing diagnosis; c. planning Nursing actions; d. carry out nursing actions; e. evaluate the results of Nursing actions; f. make referrals; g. provide action in emergency situations according to competence; h. provide nursing consultations and collaborate with doctors; i. conduct health counseling and counseling; and J. carry out the management of drug administration to clients according to prescriptions from medical personnel or over-the-counter or limited-free drugs.

Rights and obligations

Rights are everything that is owned and obtained during independent nursing practice. Obligations are everything that must be done and carried out during independent nursing practice. (Permenkes, 2019) Article 35 explains the rights and obligations of nurses in carrying out their practice, one of which is wages. Nurses have the right to determine wages according to the procedures for the actions taken and that is one of the rights that nurses have. In addition to the rights of nurses, they also have to carry out their obligations, one of which is to respect the rights of patients.

Penalty

Sanctions are reprimands that are obtained when violating the established rules. Latitude (2021) explaining violations of applicable legal provisions will cause the perpetrator to receive sanctions, these sanctions include administrative sanctions, civil sanctions, or criminal sanctions.

Regulatory Developments

Covers aspects of nurse knowledge in changes to existing regulations. The law governing the independent practice of nursing in Indonesia is currently undergoing several changes, one of which is the level of education that used to be D3 Nursing, now at least it has to be Nurses. (Permenkes, 2019) explained that the change in the law regarding the minimum educational level for implementing independent nursing practice is at least a graduate of Nurses, where independent practice implementers whose education at the time the 2019 regulation was issued were still DIII nursing graduates were given at least 7 years after the latest regulation was issued. (Ministry of Health, 2010) Article 2 describes nurses who can carry out nursing independent practices at least DIII Nursing.

Carin, Sund and Lahkar (2018) explained that the law drafted was used by the government for legal protection for nurses in the form of preventive legal protection by issuing laws on independent nursing practice. Nurses in carrying out their duties must always pay attention to patient safety so as not to get into trouble. (Santoso et al., 2022) explained that in order to maintain patient safety, nurses must be able to carry out their care in accordance with nursing service standards, professional standards, operational standards and in accordance with statutory provisions, because care services that are not in accordance with procedures can pose risks for patients. (Mahaputri, 2019) explained that actions that nurses should not take are medical actions such as invasive procedures. Invasive actions may be given if there is a doctor's discharge. (Setiani, 2018) The nurse's responsibilities will be based on the authority they have. (Santoso. et al, 2022) explains that Authority is a formal power that comes from the law, in other words, nurses in practice have authority independently. As long as nurses carry out practices according to authority, they will be safer from lawsuits.

CONCLUSION

The results of the study obtained an overview of Alumni knowledge regarding Legal Aspects of independent nursing practice. Furthermore, the results of this study can be used as a basis for the development of further research, especially regarding knowledge of the legal aspects of independent nursing practice.

REFERENCES

- Awaludin (2016) 'permit to practice independent nursing as the executor of the nurse's function in efforts to provide public health services is linked to Health Law No. 36 of 2009', *medical scholar*, 3 no 2 (36), pp. 12–42.
- Creswell, JW (2010) *Research design: qualitative, quantitative, and mixed approaches*. Yogyakarta: Student Library PT.
- Law (2009) 'Constitution No 36 of 2009 Concerning Health', *Law Concerning Health*, 2(5), p. 255. Available at: <https://peraturan.go.id/common/dok/ln/2009/uu36-2009.pdf>.
- Hutabarat, V. (2022) 'Relationship between Nurse's Longtime Work Experience and Self-Efficacy in Performing CPR Actions at Cibinong Hospital, Bogor Regency', *Wijaya Scientific Journal*, 14(2), pp. 64–73. Available at: www.jurnalwijaya.com;
- Ministry of Health (2010) 'Ministry of health regulations on nurse practice permits and administration'.
- Lintang, K. (2021) 'Legal responsibility of independent practicing nurses for patient losses', *Suara Hukum Journal*, 3(2), pp. 300–326. Available at: <https://journal.unesa.ac.id/index.php/SuaraHukum/article/view/13120>.
- Marion, JR (2021) 'Independent Nursing Practice as Evidence of the Implementation of Legal Protected Nursing Professionalism', (December).
- Notoatmodjo (2007) *Health Promotion, Science and Behavior*. Jakarta: Rineka Cipta.
- Pramitaresthi. (2017) 'Analysis of Licensing and Implementation of Independent Nurse Practice', *Study Program of Nursing, Faculty of Medicine, Udayana University, Denpasar, Bali*, pp. 1–35.
- Permenkes (2013) *permits and administration of nurse practice, Minister of Health of the Republic of Indonesia*. Available at: <https://pubmed.ncbi.nlm.nih.gov/23956527/>.
- Permenkes (2019) *Regulation of the Minister of Health of the Republic of Indonesia Number 26*.
- Fikri, Agustien. (2015) 'The Relationship between The Level of Knowledge and Nurses' Motivation in Applying of Independence Nursing Practice in Bontang 2015'. Available at: https://dspace.umkt.ac.id/bitstream/handle/463.2017/1140/skr_Khairin--pdf?sequence=1.
- Taukhit (2019) *Nurses' Experience in Licensing for Independent Nursing Practices in Bandung Regency, Bali Province*. Yogyakarta.
- Tuasikal, H. (2020) 'The Relationship of Experience, Workload, and Nurse Ability with Independent Actions in Hospitals', *Journal of Healthcare Technology and Medicine*, 6(1), p. 515. doi: 10.33143/jhtm.v6i1.752.

RI Law (2014) 'RI Law No. 38', Concerning Nursing, (10), pp. 2–4.

Santoso. Widi Ardian. (2018) 'No Etik Dan Hukum Profesi Perawat Dalam Pelaksanaan Praktik Keperawatan, Institut Ilmu Kesehatan Surya Mitra Husada

Istri Mahaputri, A. A., Putu Budiarta, I. N. and Laksmi Dewi, A. A. S. (2019) 'Perlindungan hukum bagi profesi perawat terhadap pelaksanaan praktik keperawatan', *Jurnal Analogi Hukum*, 1(3), pp. 277–281. Available at: <https://ejournal.warmadewa.ac.id/index.php/analogihukum%0APerlindungan>.

Pertanggungjawaban, | et al. (2022) 'Pertanggungjawaban Hukum Perawat Dalam Tindakan Keperawatan Ditinjau Dari Konsep Sociological Jurisprudence', *Ejournal.Mandalanursa.Org*, 6(4), pp. 2598–9944. doi: 10.36312/jisip.v6i4.3870/http.

Setiani, B. (2018) 'Pertanggungjawaban Hukum Perawat Dalam Hal Pemenuhan Kewajiban dan Kode Etik Dalam Praktik Keperawatan', *Jurnal Ilmiah Ilmu Keperawatan Indonesia*, 8(04), pp. 497–507. doi: 10.33221/jiiki.v8i04.154.

Santoso. (2022) Kewenangan Perawat Dalam Tindakan Tens-Ems Secara Homevisite Dan Penerapan Keselamatan Pasien Pada Tindakan Tens-Ems, *Jurnal Ilmiah Ilmu Hukum QISTIE Vol. 15 No. 2 November* 175–185.