

# *Evaluation and Affirmation of Policy In Nursing Law to Increase Nurse Professionalism and Welfare*

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**Abstract**— It is necessary for nurses who are competent and have high dedication to carry out their duties properly. Nursing law should be evaluated more deeply to produce a law in accordance with the services provided by nurses. During this time, there are many demands from the community regarding the improvement of the professionalism of nurses. One of the causes of the lack of professionalism of nurses in the nursing education given while still doing the education level. In addition, nurses also tend to be less prosperous. This study uses descriptive research methods with a qualitative approach. Based on the literature review, to improve the welfare of nurses, this role is also one of the Government's obligations to evaluate the policy of minimum wages and benefits even for honorary nurses. The evaluation must be conducted in synergy with Law No. 38 of 2014 concerning nursing. Meanwhile, policies can also be clearly stated in this Law. The synergy of these two things can be one of the arenas for the revival of the nursing profession to become even better.

**Keywords**—component; evaluation, affirmation, policy, nursing, professionalism, welfare

## I. INTRODUCTION

Health workers have an essential factor in providing health services to the community. One of the health workers is a nurse. It is necessary for nurses who are competent and have high dedication to carry out their duties properly. As technology develops, nursing education continues to develop and creates nursing graduates ready to enter the field and are professional. However, there are opposing opinions regarding diploma level education. The S1 program has a different learning focus from the D-3 program. It is sometimes not clear from a practical point of view because of the lack of boundaries in carrying out the nursing practice. This then raises the stigma that the D-3 level should be abolished. Nursing education is regulated in Law Number 38 of 2004 concerning Nursing Higher Education Article 9 Paragraph 2; the forms of nursing education are universities, polytechnics or academies, high schools, and other institutions. These institutions certainly create nurses with a diploma, bachelor's, nurse's, specialist, master and doctor degrees. Based on this Law, it is known that the D-3 level is legal. Vocational learning places more emphasis on-field practice. At the same time, undergraduate programs focus on theoretical understanding that must take professional education (Kompasiana, 2019).

In the public lecture for the Diploma Nursing Professionalism class, this graduate nurse plays the role of an implementing nurse or practitioner who focuses on helping professional nurses to meet the 14 basic needs of clients. While nursing profession graduates have the authority to make nursing diagnoses that will be given to clients and carry out what has been planned on the nursing diagnosis. The polemic of the dilemma arises due to the number of applicants who graduate with a bachelor's degree being more than those from vocational graduates, and many parties have more confidence in bachelor's degree graduates. It is what makes many parties advise the Government to abolish the "Diploma 3" program because it is less effective. It has been

evaluated through the Menristekdikti, where the "Diploma 3" program will not be abolished but will be revitalized, producing reliable vocational graduates. It has not been seen in real terms in the field, where people are more likely to demand more adequate health services and professionalism in terms of nurses. In fact, based on this problem, the education system must be improved and strengthened between "Diploma 3" and bachelor's degree.

In addition to these problems, nurses in Indonesia also have problems in terms of low wages. It certainly raises controversy because nurses provide health services to many people and sometimes have to sacrifice many things. It can be said that the welfare of nurses is still neglected. Harif revealed that some nurses are still working on daily contracts with pay below the provincial minimum wage (UMP). Some nurses work as voluntary workers (TKS) (Harnas, 2018). Increasing the professionalism of nurses is needed to improve health services for the community. However, this must also be proportional to the concern for the welfare of nurses as a whole, and there is no overlap between regions.

## **II. METHODOLOGY**

This study uses descriptive research methods with a qualitative approach. According to Sugiyono (2010:9), this research is a key instrument whose data collection techniques are combined, and data analysis is inductive. The sources of supporting data supporting this research are obtained from news from credible media, books, and journals relevant to the topic in this study. The study aims to evaluate nursing law and suggest various policies that might improve the professionalism and welfare of nurses.

## **III. RESULT AND DISCUSSION**

Nurses have a vital role in providing health services to doctors. Nurses must be on standby 24 hours to perform routine tasks and deal with various emergencies. During this time, there are many demands from the community regarding the improvement of the professionalism of nurses. A lot of good talk on social media about nurses who are fierce, bitchy, inattentive, unresponsive, unskilled and many more. Professionalism from nurses is needed; there are three indicators of nursing professionalism needed, namely nursing science, skills and ethics (Partinah, 2016). The development of the health world is increasingly rapidly opening up public knowledge about the world of health and nursing. It is indicated by many people starting to highlight the performance of health workers and criticizing various aspects contained in health services. The professional nursing profession is certainly very much needed by the community. One of the healing factors for patients is the service of the nurses themselves. Nurses are the closest people who provide care to patients, so nurses should have a professional attitude.

Nursing law should be evaluated more deeply to produce a law in accordance with the services provided by nurses. Nursing law is listed in the Nursing Act (Nursing Law). The purpose of the Nursing Law is to provide legal certainty and protection and perfect, direct, and organize various legal instruments that regulate the implementation of responsible, accountable, quality, and safe nursing and nursing practice. Of advances in science and technology. Type of nurse, higher nursing education, registration, practice license, and re-registration, nursing practice, rights and obligations of nurses and clients, nursing-related institutions (such as professional organizations, collegiums, and councils), nurse development, coaching, and supervision, and sanctions administrative matters are all covered by this Law.

Nurses are required to complete nursing service facilities and infrastructure in accordance with nursing service standards and statutory provisions, as stated in Article 27 of Law Number 38 of 2014. Another nurse's obligation is to provide nursing services in accordance with the code of ethics, nursing service standards, standards profession, standard operating procedures, and provisions of laws and regulations; and provide nursing services in accordance with the code of ethics, nursing service standards, professional standards, standard operating procedures, and statutory provisions; refer clients who are unable to be treated to nurses or other health workers who are more appropriate in terms of the scope and degree of competence; recording of nursing actions according to standards; provide Clients and/or their families with complete, honest, true, clear, and easy-to-understand information about Nursing actions within the limits of their authority; carry out the act of delegating authority from other health workers within the limits of their competence, and carry out special tasks determined by the Government.

The importance of the nursing profession for patient recovery shows that efforts are needed to improve the professionalism of nurses. Based on the research, patients consider a nurse to have professionalism in service, assessment and intervention, communication, critical thinking, management, leadership, teaching, human caring, and social relations. One of the causes of the lack of professionalism of nurses in the nursing education given while still doing the education level. The problem with this education is that it is not spread across all regions, and the division of tasks at each level of education is unclear. Many nurses fall

into the inappropriate category because there are still many nurses who work outside their authority, such as Clinical Nurse I working on the authority of Clinical Nurse II and Clinical Nurse III, and vice versa. This is because, during service, the distribution of Clinical Nurses is not evenly distributed. Therefore, there is a need for a review in terms of human resources for nurses who already have a career path so that there is a good equal distribution of career paths in each room (Kusumah et al., 2019).

Another thing that needs to be considered is equal distribution of education and confirmation from the Government regarding the D-3 and S1 levels limits. One of the important actors in increasing the professionalism of nurses is nursing education itself, either in academies, vocational schools, or universities. Another thing that causes is the number of private universities that provide majors in health workers but do not yet have adequate quality. Therefore, the Government should pay more attention and evaluate every nursing education in terms of what is lacking so that the professionalism of nurses is less formed.

Article 1 of Law Number 38 of 2014 mentions the criteria for graduates of nursing higher education. So far, several nursing education institutions are recognized by the Government but do not have adequate quality nursing facilities and infrastructure. This Law only states that "a nurse is someone who has passed a higher education in Nursing, both at home and abroad which is recognized by the Government in accordance with the provisions of the legislation". In the future, the Government should be more assertive in granting nursing education permits so that the graduates produced have the same quality as other nursing education institutions.

In addition, professional nurses are less dispersed throughout the area. Many of the professional nurses only exist in big cities. It is also in line with the unequal distribution of health facilities throughout Indonesia. The Government must take firm action on these matters so that there is cohesion between the demands of society and the professional development provided by education and the Government. In this case, nurses must also be aware of and adhere to nursing ethics and understand the meaning of professionalism in nursing. Article 1, paragraph 7 of the nursing law states that "Nursing services are a form of professional service which is an integral part of health services based on nursing knowledge and tips aimed at individuals, families, groups, or communities, both healthy and sick."

In addition to the professionalism demands, nurses also have problems of lack of welfare, even though nurses are a risky job and aim to provide health services. Some nurses in Indonesia still work on daily contracts with pay below the provincial minimum wage (UMP) and voluntary labour (TKS). This fact was found in one area in Indonesia, namely Kendari, where 131 nurses with TKS status were found at the Kendari hospital. According to the PPNI DPP, the ideal wage for a nurse is three times the Provincial Minimum Wage. Along with this statement, Harif, part of the PPNI DPP, said that the Government still acts discriminatory because the majority only doctors and midwives have the opportunity to become civil servants.

Many nurses who do not enter have the opportunity to become civil servants because the Government places more emphasis on and prioritizes doctors. Nurses need jobs because, besides having the necessary educational qualifications, they also need income to support their lives. Nursing is a profession that aims to serve, but that does not mean nurses do not get welfare and appropriate wages. Welfare has been strived for by PPNI and all nursing personnel. Many challenges confront the nursing profession, both internally and externally. This downturn is compounded by the Government's policy of being more of a doctor than a nurse. Nevertheless, nurses and doctors are needed and provide health services for the community. Many benefits are provided by the Government, especially only to doctors, both general practitioners and specialists.

In-Law Number 38 of 2014 Article 36 is not regulated regarding the benefits and welfare of nurses. In this case, the rights of nurses are only regulated, namely as follows:

1. Obtain legal protection as long as they carry out their duties in accordance with service standards, professional standards, standard operating procedures, and provisions of laws and regulations.
2. Obtain correct, clear, and honest information from the client and/or his family.
3. Receive service fees for nursing services that have been provided.
4. Reject the wishes of clients or other parties contrary to the code of ethics, service standards, professional standards, standard operating procedures, or the provisions of laws and regulations.
5. Obtain work facilities according to standards.

The third point above states that nurses are entitled to receive compensation for services that have been provided. This compensation must be emphasized regarding the benefits that must be obtained, and so on. It ensures that nurses get the welfare they deserve according to what is given to the client.

The synergy of nursing change must be carried out as a solution to improve the nursing profession. The revival of the nursing profession must be carried out continuously so that the nursing profession can meet the demands of society to increase professionalism, but at the same time as justice from the Government for the welfare of nurses. To increase professionalism evenly, the Government must carry out a revolution regarding education in every nursing education so that there is no overlap or no workers. Equality in nursing education is needed so that all nursing graduates can have high professionalism. There should no longer be a favourite nursing school; all nursing education should be equal because it has one goal: to produce nurses who provide the best service to the community. In addition, this must also be accompanied by an increase in the welfare of nursing, which is very much needed for nurses.

The Government should emphasize regulations regarding the minimum wage for nurses and the benefits they should receive. Nurses with honorary contracts do not mean they have to get wages that are not commensurate with their performance. The most important key is the revolution in nursing education and the improvement of government regulations regarding nursing. With the synergy of all aspects of nursing, all problems regarding nursing can be resolved properly. Nurses have been devoted to helping provide health services for the Government, so nurses must be respected and their welfare improved, along with the increase in professionalism carried out by nursing education and nurses themselves.:

#### **IV. CONCLUSION AND SUGGESTIONS**

##### **4.1. Conclusion**

Nurses have a very important role in helping patients recover. During this time, there are many demands from the community regarding the improvement of the professionalism of nurses. One of the causes of the lack of professionalism of nurses in the nursing education given while still doing the education level. In addition, nurses also tend to be less prosperous, so what must be done is to synergize together to increase professionalism and recognition as an arena for the revival of the nursing profession. The important role of nursing education and Government is needed to improve nursing professionalism because the most important key to this is nursing education and Government. Policies and evaluations from the Government must be carried out at all levels and schools of nursing education to produce a more professional nursing profession. In addition, to improve the welfare of nurses, this role is also one of the Government's obligations to evaluate the policy of minimum wages and benefits even for honorary nurses. The evaluation must be conducted in synergy with Law No. 38 of 2014 concerning nursing. Meanwhile, policies can also be clearly stated in this Law. The synergy of these two things can be one of the arenas for the revival of the nursing profession to become even better.

##### **4.2. Suggestions**

The important role of Government and nursing education is very important in improving the professionalism of nurses and the welfare of nurses. This professionalism and welfare can be increased if all elements can perform a good synergy to improve it. Therefore, it is suggested that the government and nursing education evaluate education and provide proper welfare to nurses. These things can, of course, also lead to an increase in the quality of health in Indonesia. An evaluation must be conducted in synergy with Law No. 38 of 2014 concerning nursing. Meanwhile, policies can also be clearly stated in this Law.

#### **V. ACKNOWLEDGMENT**

Praise and gratitude the author prays to God Almighty, because of the blessings and hard work of the author in writing this journal, it can be completed properly and on time. The author realizes that this journal was composed thanks to the support of various parties. Therefore, on this occasion the author would like to express his gratitude to many parties who have supported the writing of this journal. The author realizes that this journal is still far from perfect and requires further development of the analysis. Therefore, criticism and suggestions from readers are very much expected so that later results can be obtained more optimally than before. Finally, the author hopes that this journal can be useful for all parties.

#### **REFERENCES**

- [1] Efendi, F. (2005). KESEJAHTERAAN PERAWAT YANG TERABAIKAN!!.

- [2] Fahmawati, A. (2019). Hubungan antara kesejahteraan psikologis dan burnout pada perawat.
- [3] Harnas. (2018). Kesejahteraan Perawat Masih Terabaikan. <http://www.harnas.co/2018/03/16/kesejahteraan-perawat-masih-terabaikan>
- [4] Kompasiana. (2019). Dilema Penghapusan Pendidikan Keperawatan Jenjang D-3. <https://www.kompasiana.com/senaldadefa/5ce2c3d73ba7f740cd791fe2/dilema-penghapusan-pendidikan-keperawatan-jenjang-d-3?page=all>
- [5] Kusumah, N.A.R., Richa N & Laelasari. (2019). Evaluasi Pelaksanaan Kompetensi Berdasarkan Jenjang Karir Profesional Perawat. <https://jurnal.ugm.ac.id/jkesvo/article/download/44840/24661>
- [6] Mahaputri, A. A. I., Budiarta, I. N. P., & Dewi, A. A. S. L. (2019). Perlindungan Hukum Bagi Profesi Perawat Terhadap Pelaksanaan Praktik Keperawatan. *Jurnal Analogi Hukum*, 1(3), 277-281.
- [7] Mendri, N. K., & Prayogi, A. S. (2017). Etika Profesi dan Hukum Keperawatan.
- [8] Mutupelayanankesehatan.net. (2017). Peran Perawat Profesional Untuk Pasien. <https://mutupelayanankesehatan.net/13-berita/2585-peran-perawat-profesional-untuk-pasien>
- [9] Nasrullah, D. (2014). Etika Dan Hukum Keperawatan: Untuk Mahasiswa dan Praktisi Keperawatan.
- [10] Partinah, T & Rachmat T. (2016). Hubungan Profesionalisme Perawat dengan Resiko Terjadinya Malpraktik Di RSUD Bekasi Tahun 2016. <https://uia.e-journal.id/afiat/article/download/684/383>
- [11] PPNI, T. P. S. D. (2018). Standar intervensi keperawatan indonesia.
- [12] Rahadian, S. (2017). Penerapan Undang-Undang Keperawatan terhadap Perlindungan Hukum Profesi Perawat. *Journal of Law and Policy Transformation*, 1(1), 28-55.
- [13] Sudiyanto, H. (2019). Etika Hukum Keperawatan. E-Book Penerbit STIKes Majapahit.
- [14] Silvani, S. A. (2019). Pelaksanaan Asuhan Keperawatan Berdasarkan Hukum Dalam Keperawatan.