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**MINISTER DECREE(KEPMENKES) INDONESIAN REPUBLIC(RI). NUMBER. 369/2007 ABOUT MIDWIFE PROFESSION STANDARD AND MIDWIFERY CARE DOCUMENTATION CORRELATED TO REGULATION (UU). INDONESIA REPUBLIC(RI) NUMBER 36 YEAR 2014 ABOUT HEALTH WORKER IN HEALTH DEPARTEMENT IN BANDUNG CITY AREA WORK**

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## ABSTRACT

Health service done quality by health officers is services that are able to be responsible, midwives as health officers have an important role to improve the quality of health services, and documentation as the legal evidence from midwifery care implementation. The midwifery services unsuitable what had been hoped, midwives have not documentated midwifery care refer to the standard and all the independent practice midwife in Bandung City have not taken advantages from the Infant and maternal health books. This phenomenon has made the writer to do research with the title “The Implementation of Independent practice midwives based on the Health Minister Decree number 369/MENKES/SK /III/2007 about midwives profession standard, and midwifery care Documentation Correlated to Indonesia Republic Regulation number 36 in 2014 about Health officers in Health Departement In Bandung City Area Work. The research aims to know and analysis Independent practical midwives in documenting the midwifery care based on profession standard and in implementing government policy furthermore finding the new concept of independent practical midwife in implementing midwifery care documentation that based on Indonesian Health Law. The descriptive analytic method was used in this research, and the data resourch were primary law material, secondary law material and tertier law material. The research is qualitative, analysis technique is normative juridicial method and history juridicial. The research results were

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analyzed by using normal standard methods and correlated to norm, principle and rules. The research result showed that 4 midwife used KIA(Maternal and Infant Health) books in starting to do midwifery care to pregnant maternals but the midwives had not done the midwifery care documentation completely as in KIA book standard about pregnancy, puerperium, newborn infant, immunization, and 3 midwife did not document newborn status on KIA books. 5 midwives did not document the detection of children aged under five years old and the sick children on KIA books, according to KepMenKes RI.No369/2007 about midwife profession standard that midwife service standard at IX standard as mention that documentation is legal evidence for midwifery care implementation and regulation (UU) Number 36 /2014 about health worker, article 58 has been stated that health workers in article (1)...make and keep and or the document about check up, care, and intervention that has done, and midwife must have a competence. The research is recommended to all decision makers who in charge in health service in order to ask independent practical midwife to use KIA book in documenting midwifery care.

## INTRODUCTION

The health development program is manifested in the health services and one of services is midwifery services that provided by midwives based on midwife authorities and competence. The services of midwife are done in a responsible manner, accountable, quality, safe, and undertaken by register Midwives. To ensure legal protection for the midwives as health workers and the community as the service receivers are needed midwifery service management comprehensively that governed by legislation.

Midwives as health workers have important role to improve the health service quality in health effort that undertaken by midwife to be able to take it responsible. Based on Indonesia Republic Regulation Number 36 in 2014 about Health Worker article 58 stated as follows:

- (1) Point d Make and save the notes and or documentations about examination or check up, care, and intervention that have done;...
- (2) Duty as referred to in article (1)...letter D only applies to paramedict who give personal health services.

Midwifery services in indonesia in practice are divided into two, they are non independent midwifery service as the health providers and independent practice midwives as autonomy midwife and also midwife has responsible to Health Minister directly, because midwife authority is legal authority, and midwives have permission letter in their independent practice from health

minister. It is stated in PerMenKes Number 1464 in 2010 about permits and Midwife practice providers.

In midwifery services must be in accordance with the professional standards set by health minister. Standards based on article 1 of paragraph ( 6 ) Permenkes RI number 1464 in 2010 about permission and midwife practice providers was set :

The standard is the directive should be used as a guide to run a profession which includes standards of service, standards of a profession and procedure operation standard.

Standards of a profession midwives were arranged in Minister for Health Decree number 369 / MenKes / SK / III / 2007 about standards of a profession midwives, standards of a profession midwives for use in undertaking their midwife practice services. Standard of midwifery, upon default IX the documentation set :  
The midwifery care were documented according to the standard care of midwifery documentation, operational definition :

1. Documentation is carried out at every stage care of midwifery.
2. Documentation is implemented systematically, precisely and clearly.
3. Documentation is as an evidence legal of the care of midwifery.

But in the reality in the practice field, there are still many found problems in the service of midwifery were not as expected, the midwives do not document their care conforming to the standards and not all independent practice midwives in Bandung City use Maternal and Child Health ( KIA ) book. According to the Head of midwives Indonesia Association the Provinces of West Java, that independent practice midwives, who practices according to the standard of increased, in 2014 + 32 % and in 2015, it has become + 50 %. Documentation of obstetrics still varied care, while the use of book maternal and child health (IBI) do not all independent practice midwives used it, but IBI west Java provided the IBI, and midwives they can buy it. Bandung City, it divided into 30 in, and based on the exposure of employees health department Bandung City part Basic Health services, that the book IBI to independent practice midwife delivered through community. The midwife got books IBI when it delivered the report monthly to the Community Health Center every month. According to the Health department writer policy bandung been in line with the minister for health decree republic of Indonesia number 284 / MenKes / SK / III in 2004 about the book of maternal and Infants Health(KIA), that health officers who

provide service to pregnant women to finish the puerperium and the since birth to 5 old used AKI books and it has not required make a record maternal and infants health services including family planning, immunization, nutrition and are sprouting children in the services. Based on information Health services Bandung that the distribution of KIA delivered to independent practice midwife through a clinic when the present the report, only on reality not all the book is received from Community Health Center every month considering the limited in Public Health Center, but according to notice from the Ministry of Health of Indonesia on extracting KIA book on May 1, 2015 that KIA book can be printed out Ministry.

The Indonesian Midwives association (IBI) West Java provided the services, and midwives can buy it, because IBI West Java prints KIA books in accordance with the appeal health ministry with a writing on cafer back of the KIA in accordance with certain regulation in moment or meeting IBI always provided the KIA books for members who needed by means of buy or replace fare printing organization IBI always instructed members to join the government regulation the documentation of midwifery care, although in reality in the midwifery care documentation on independent practice midwifery still varied because they are not all midwife practices independent used the services.

Based on interviews and observation directly with five people that midwives in Bandung, the KIA average obtained from clinic when the report independent practice midwife service, 6 - 15 KIA books every month although it is not routinely and not all get KIA books were only from five people the only one every month got KIA books and all pregnant maternal get KIA books for free, because the was still active work in Public Health, to meet the needs of the book is buying into office IBI and sold to pregnant women and the price Rp 10.000, - s / up to Rp 15.000, - / books, one person midwives for service pregnant women and infants used books in accordance with independent practice midwife in practice did not KIA books )

According to an opinion of researcher for clients who bought a book on the midwife were in accordance with the appeal of Department of Health the City of Bandung, that a midwife as Health Workers midwifery care documentation, it was only midwife who had not been using KIA book, Health agency through community working area consideration needs to be considering that in Health services policy that lasts, there is the level of policy namely run practices between other: technical operational policy is a policy which contains standards to be done and policy is also one of the means supervision, because after supervision set need monitoring, examination and evaluation of its implementation and one of principle in the policy that must be considered in policy formulation is policy must always evaluated periodically so that if it needed to be

revised can be done in government fast. Policy conducted by government especially.

Government policy carried out by the government especially Ministry of Health in giving permission practices in independent practical midwives, the midwife must report all activities in accordance with the authority every month through Community Health. service must be kept her in order to improve Community Health Center, General criteria among other: service done a sustainable (continuity); management have to efficient the service had quality. Remembering the policy must focus on the things: The policy made in line with laws and regulations and it was conducted review and the revision of periodically, they have accommodate the interests of various people. The authority of formation of regulation policy aimed at set further the implementation of the government always can done by each a government agency that has the authority the goverment, according to Indroharto,

Making regulations and policies must consider: the contents of policy must be made it clear enough about right and duties of residents who suffered that. Meanwhile ethics rules of policy according to prosperous 2011, intended to create or in other words uphold honesty, adhere to the truth, implementing justice, live nationally and community by using books and Health services infants in urban areas Bandung will be monitored.

The midwifery care documentation, the study noted results and action on the services, which includes pregnancy, childbirth, parturition (post partum), newborn infant and basic immunization but not all the record/fill information was born is on the services, two people midwives documentation a letter born and three were the document where necessary to BPJS insurance when KIA books pregnant women have, because three people midwives provided a letter birth born. For growth and development infants, all the document weight, while for all the development of not doing detection child development midwives serving infants sick, but documented only his weight course on the services, while the study and actions has not properly, and it is not reported to hospitals the operational area

According to the researcher based on the description above that the four midwife practices independent use KIA books and one midwife did not all pregnant women using the KIA books because the KIA books were from Community Health Ceneter limited, but the providing books for pregnant women and cards as required by independent practice midwife.

A letter birth born that only two midwives who wrote on KIA books completely, two midwives if it was not necessary for the benefit of social security agency or insurance ( BPJS ) and one midwives when KIA book available. Independent practice midwife serving infants who hospitalized but there were no midwives did detection the development of infantss and documented mere weight . the documentation of independent practice midwives to community health center is only pregnant

women, pregnant maternal, maternal parturition, family planning, immuniation, while infants who hospitals were not reported, reasoning that unsolicited by community health center, this is a causing independent practice midwives did not make a report about infant sick condition and development of infants to the community health center. According to the letter writer born to written on a book kia the independent because practices, based on undang-undang number 23 years 2002 about children protection, set: article 27 paragraph 3: "making birth certificate based on a letter from witnesses and / or aid the birth process", this should be done by midwives help delivery.

To protect the baby from the practice of not liable, the writing of information born on the books of the kia very important , as the midwife who helped childbirth, this is as proving the origin of the son, because documentation on the books of the kia began during expressed pregnant mother, childbirth and during the birth of a child and are based on article 529 KUHP is stipulated as follows: " goods he who does not meet obligations according to the act of reporting on the official civil registry or him about the birth ... threatened with criminal fines ... " and documents on the books of the KIA, it is very important to proving the infants. The growth and protection of infants and the child is sick documentation also is not recorded on the KIA books, Based on act of Republic of Indonesia no 23 / 2002 regarding the protection of children, that child protection evenly distributed 1945 constitution as well as the fundamental principle of the rights of children convention includes: non discrimination, of the interests that are best for a child, of the right to life, and development of and awards toward the opinions of the son.

Given that every infant has the right among others grown and developed in accordance with pride and esteem as human right, identity and the status of citizenship, get medical services in accordance with the need physical, mental and spitual and to purpose answer midwives as health workers and all activities will need to documented and this is in accordance with KepMenKes RI.no 369 / 2007 on standards of a profession midwives that service midwifery standards, upon default IX the documentation the point of 3, it is stipulated that documentation is evidence legally of the care of midwifery and law no 36 / 2014 about health workers, article 58 it is stipulated that health workers paragraph (1) ... make and keeping records and/or the documents that examination, Care, and act done, and midwives must have competence in practices this is consistent in article 1 paragraph (6) competence is the ability owned by somebody Health workers based on science, skill, and professional attitude to run the practice.

The midwife serving toddler who sick, but not documented on a book with mch reason mostly street parents toddlers not bring mch book. This should always remind midwives on parents infants that each carrying

ins to the fantsmidwife mandiri or practices of health facilities and posyandu bring books to the KIA. Because midwife practices mandiri results of studies and action must be documented in books and kia there are parts or the format for health as well as the midwife toddlers have to make documentation in Independent practice midwives because based on law no 36 / 2009 about of health workers article 70 stated that: paragraph 1. every paramedics who implement health service compulsory make medical record ... and paragraph 3 of medical record ... must be stored at the health facilities ... article 71 paragraph 1 medical record recipients health services ... belonging to health facilities

In reporting, there is no midwife are required to report toddlers a healthy and hospital, so midwives supposed to report to puskesmas, in accordance with Indonesian PerMenKes no 1464 regulation on licenses and the implementation of midwife practice article 21 paragraph ( 2 ) guidance and supervision directed to the quality of health services, patient safety and to protect the people ... and paragraph ( 3 ) head of ... city has to make guidance and supervision of Independent practice midwives. ayat ( 4 ) ... Head of Health Department the city ... set doctor closest Community Health Center to ... supervision to midwives the In its Area. The midwife provide health service For infants hospitals were not violate the law when in accordance with applicable regulations, because based on article 63 paragraph (1) act RI no 36 / 2009 on Health, that healing disease and recovery health done with control, treatment and or care, while in paragraph (2) the control, treatment and / or care can be done ... the way others.

The duty midwife in Midwifery services is documenting the midwifery care, as this is a legal proof of the implementation of midwifery care, in accordance with the opinion of Abdul kadir Mohammed in 2006, the profession is a particular job based on specific expertise that is done in a responsible, in providing professional it services, midwives were responsible to themselves and society. Responsible to yourself, it means working because of moral integrity, intellectual and professional, and considering that the standard of the profession drawn up in accordance with the competence of a midwife and competence acquired through education, every level of education have different competencies. Midwifery in philosophy was believed that continuity, it can only be achieved if planned and evaluated by the midwife who had accountability towards a sustainable upbringing and the main objective of midwifery upbringing was to save the mother and infant (reducing pain and death). According to independent nursalam is a nurse/professional midwives through cooperation shaped collaboration with clients and other health workers in the care of nursing / care of obstetrics in accordance with the authorities and responsible of the environment. The idea of Nursalam also can be applied to midwife services independent practices that the act midwife practices independent midwives through cooperation shaped collaboration with clients and energy other health care in

giving or according to authorities and responsibilities midwives.

Midwife in providing health services comprehensively in this needed wholeness both in terms of knowledge, attitudes and skills. In practice must be competent in the field, so people are not harmed, the practice driven by moral and accountability need of conduct midwives well rounded and quality of life, integrity, autonomy, freedom and self realization that is the contents of midwifery, this should be prepared since in education. According to Titik Triwulan and Shita Febriana made the pattern in 10 (Ten) Service quality dimensions as follows: *Reliability* refers to job constance, and the ability that could be responsibly, *Responsiveness* (properly service that given), *Competence*, *Access* (easy in communication), *Courtesy* (attitude-behaviour), *Communication* (informative), *Credibility* (it could be believed, honest), *Security* (risk insurance), *Understanding* (understanding toward the patients), *Tangible* (physic proven).

According to the author, the Health Department Bandung and supported by the Indonesian midwife association (IBI) in Bandung that independent practice midwife in Bandung can practices independent finished Diploma 3 of midwifery science, they have been given the competence and also they would be the basis for health workers in providing health services, and given that includes attitude competence, knowledge and skill (the Minister for Education and Culture Republic of Indonesia no 49 in 2014 on national education standards high article 6) regulations RI no 36 / 2014 about health workers set: article 1 paragraph 6: competence of the ability that someone possess health workers based on science, skills, and attitude professional. Terminology of competent is essentially people, capable or skilled on context human resources management, competence found on the person classified as performing superior or effective. According to sudarmanto in 2014, competence individual include restraint and consciousness is the pillars of emotional intelligence and it is an intelligence that it would affect strong against the success of some one individually or workplace. Common skill level of 5 KKNI (Diploma 3) is capable of working, to communicate and inovative thinking to the multimedia, while special skills of midwifery Diploma 3 include: being able to provide care, newborns to the age of 5 years, and being able to cooperate with the stakeholders to settle health problems on an individual, family or society as comprehension and collaborative, in contact of health services.

According to author in accordance with law of RI no. 36 in 2014 about of Health workers article 58, Health workers who conducts services individual health obliged to make and keep records and / or documents about the examination, care, and act done. Bintoro tjokroamidjojo in the management of health and health services. Understanding conception management trustful can be explained by the principles that are accountability is an obligation to give an account for the performance

by health workers, and paramedics have to transparency, they have been known to interested parties. According to purwono, in 2010, and documents basically a written or printed document and can be used as evidence, explanation and document having legal value is original documents, the power of documents not only located in his but also value the information contained in the document that concerned. In accordance with statements from Purnomo that document having legal value is original documents because the power documents not only located in his but also value the information contained in the document that concerned. To regard referred to so midwives care must document midwifery care.

Based on law of Indonesia Republic no 43 about documentation in 2009, the trusty represent a complete of an action, activity or facts, so reliable to the next, the the documentation for example birth certificate, documentation conducted based on the legal basis and aligned with regulations of law, cling to keep the principle and trust archives, so that it can be used as evidence and materials accountability; Documentation must keep completeness the archives of the reduction of the addition or changing information that can interfere with orignality, documentation have to take the archive as accountability and should be able to merepleksikan event being recorded, Documentation must be able to benefit the social life, national and state, to enable, the availability and achievement for the who use archive, Documentation have been implemented consider public use. What is meant by of the setting to make of the administration countries namely in terms of law it as a decision of state administration that contains a norm law that is set.

In law administration the plan of terms of state administration is a set of the act of the act of integrated for the purpose that created a state of being an orderly when the act such action had finished. Purnadi purbacaraka and Soejono Soekanto introduce six the principle of legislation, the regulation of made by lords who higher has a high position higher in its position. The formulation and manufacture of public policy with the approach participation is very strategic, because into the essence basic in summarizes and articulate public aspiration as the engine of the play driving force in any process policy decision.

According to author in accordance with statements from Budiono Kusumohamidjoyo in 1999, public order is a situation on the human life as a life together, orderly common implies a regularity which is received in common, and some also mentioned legal certainty. Function of law the most basic was to prevent conflict of interest it be resolved in conflict open, so law is resolving the conflict rational. Meaning orderly that law can only realise if it should justice for those concerned about the state of orderly it, because wherever laws protect the interests and their basic human like security of soul, freedom to take care of themselves, the forms the property of certain. According to Soerjono

Soekanto and Herukutanto, country is a law, the rule of law (supremacy of law) the recognition and will normative empirical the rule of law, that everything is resolved by law as highest guidelines. The principle of legality (legality principle) any state law required the legality principle in all shapes (legality principle) that all government action should be based on the rules perundang-undangan legitimate and written

According to author in accordance with the disciplinary complementary nature and sometimes disciplinary often referred to as elite law, the patient will legal protection, besides health workers they also need protection laws porposional arranged in legislative regulation, protection is particularly directed to perhaps, the possibility of health workers do negligence commonly called malpractice medical. Disciplinary law can be entrusted to the profession as IBI, because the main objective of disciplinary law is: in controlling and developing professional quality, therefore the role of the organization professional is very important in monitoring and coaching the independent practices midwife the documentation of midwifery must be fully care. The conventional wisdom is the basis of supervision, thesize set by authorities, supervision needed an appropriate manner that can be implemented handling. A written report, the staff report must be made a system of recording easily understandable and services provided a comprehensive, this service is carried out fairly, conducted a sustainable service

## CONCLUSION

1. Independent practice Midwife in the midwefery care documented based on the standard of profession: the midwifery care document which includes pregnancy, childbirth, parturition, newborns, family planning and immunization, children growth, not all the document information born on the services, the child development and children hospitals were not documented on the KIA according to government policy.
2. Independent practices Midwife based on KepMenKes RI no 369/2007 about standards of a profession midwives, in the work of area Bandung, independent practices Midwife must have the grade Diploma 3 of midwifery graduates, documentation care of midwifery incomplete, based on law no 36 / 2014 about health workers that health workers was required to create about the document, care, and intervention that had been taken but midwife practices independent incomplete in the care of midwifery document, to infants development and infants hospitals were not documented according to midwife practices independent not be allowed to report to hospitals.

## SUGGESTION

1. The Feedback to decision makers pertaining to midwife practices independent, especially in doing documentation on the services, that all midwife practices independent are obliged to use the KIA books in accordance with government policy based on the Health Minister of Indonesia. In number 284 / MenKes / SK / III . in 2004. About the book mother and child health set: ... health workers ... that provide service ... must make a record maternal and child health services including family planning , Immunization , nutrition and are sprouting children in the services. Based on the principles of autonomy fundamental principle local government administration based on regional autonomy. Article 1 paragraph 7 the right of local autonomy containing power to regulate process itself, this is important because to accommodate the interests of various parties, and midwives of health services reported health services in accordance with its powers and as its can use document is on the KIA and report to through the health department.
2. In order to provide clarity and protection as the users of health services to ensure that a midwife as health workers in accordance with law no 36 / 2014 about of health workers, of health services midwives should have competence and in carrying out midwifery care based on indonesian kepmenkes no 369 of 2007 on standards of a profession the midwife, that documentation is evidence legally care of the implementation of midwifery, then documentation must be made in a complete manner remember that document having the value of the law is original documents because the power not only documents lies in the physical but also the value of the information was contained in the document concerned

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