

THE ROLE OF REGULATIONS IN ENSURING LEGAL PROTECTION FOR NURSING PERSONNEL

Daniel M Nainggolan¹ Alexander Julianus Hakim² Diauddin Ismail³ Muzakir Muhammad Amin⁴

Abstract

This article examines the role of regulations in ensuring legal protection for nursing personnel through a literature review approach. In nursing practice, healthcare workers often face various legal challenges that require effective regulations to protect their rights and obligations. Adequate legal protection is crucial for maintaining the well-being of nursing personnel and improving the quality of healthcare services. This study aims to analyze the various laws and policies applicable in the context of legal protection for nursing personnel in Indonesia. The research method used in this article is a literature review with a descriptive analysis technique. Data were collected by reviewing relevant literature on healthcare regulations, nursing law, and academic journals. The analysis was conducted by examining and comparing various legal sources and policies to identify gaps and challenges in the implementation of regulations. The results of this study are expected to provide insights into the importance of strengthening regulations and the role of the government in ensuring legal protection for nursing personnel, as well as offering recommendations for policy improvements in the future.

Keywords: Regulation1; Legal Protection2; Nursing Personnel3.

I. INTRODUCTION

Nursing personnel play a vital role in the healthcare system, particularly in providing direct care to patients and supporting the healing and recovery process. As the frontline in healthcare delivery, they directly encounter patient conditions and are often the first to act in emergency situations. However, behind this noble task, nursing personnel also face various legal challenges that often threaten their professional security. From the risk of malpractice and legal claims to issues of professional ethics violations, nursing personnel require adequate legal protection to perform their duties professionally without fearing adverse legal consequences.

Legal protection for nursing personnel is not only crucial for the safety of individuals working in this field but also serves as an important factor in ensuring the overall quality of healthcare services. Clear, comprehensive, and fair regulations are needed to govern the rights and obligations of nursing personnel so they can carry out their roles safely and effectively. In Indonesia, the government has issued various regulations governing the nursing profession, such as Law Number 38 of

¹ STT Katharos Bekasi, daniel.nainggolan@yahoo.com

² STT Katharos Bekasi, alexrichenly@gmail.com

³ Prodi Keperawatan Aceh Utara Poltekkes Kemenkes Aceh, uddindia85@gmail.com

⁴ Prodi Keperawatan Aceh Utara Poltekkes Kemenkes Aceh, muzakir@poltekkesaceh.ac.id

2014 on Nursing, Minister of Health Regulations, and professional codes of ethics formulated by nursing organizations.⁵ However, the implementation of these regulations does not always run smoothly. Issues such as a lack of understanding among nursing personnel regarding their legal rights, insufficient regulation dissemination, and weak law enforcement remain significant challenges.

Furthermore, the dynamics in the nursing field, such as technological advancements, increased workload, and demands for higher service quality standards, add to the complexity of challenges faced by nursing personnel. In such conditions, adequate regulations must be able to adapt to these developments and remain relevant in providing the necessary legal protection.⁶ However, various studies show that in many cases, nursing personnel still feel vulnerable and lack optimal legal protection while performing their duties. This situation can disrupt performance and reduce the overall quality of healthcare services.

The literature review approach in this research focuses on examining and analyzing various literature, laws, and policies related to legal protection for nursing personnel. This study aims to identify the extent to which existing regulations provide comprehensive and effective legal protection, as well as reveal gaps or deficiencies that need to be addressed. Additionally, this review also examines the challenges faced in implementing these regulations, including factors influencing policy implementation in the field. The findings of this study are expected to provide in-depth insights into the importance of strengthening regulations to enhance legal protection for nursing personnel, from the perspective of legislation, law enforcement, and legal awareness among nursing personnel themselves. Furthermore, the findings from this research are also expected to be a consideration for policymakers in formulating or revising regulations that better align with field needs and current developments, ensuring the well-being and security of nursing personnel are well safeguarded.

This study employs a library research method to analyze the role of regulation in ensuring legal protection for nursing personnel. The library research method was chosen because the focus of this study is on analyzing literature, legal documents, and policies relevant to the topic of legal protection for nursing personnel. The primary data sources for this research come from books, scientific journals, laws, government regulations, and various academic articles discussing legal aspects, regulations, and challenges within the nursing profession.⁷

Data collection was conducted through a systematic literature search using various scientific databases, digital libraries, and available legal sources. This research prioritizes recent and relevant literature that discusses regulations and

⁵ Ahmad, Farid, Rivai. (2024). Regulation Vs Legislation of Nursing Practice. doi: 10.62885/medisci.v1i5.243

⁶ Yandriza, Yandriza., Diana, Arma. (2023). Pertanggungjawaban Pidana Rumah Sakit atas Kelalaian Perawat yang Mengakibatkan Tertukarnya Bayi yang Baru Dilahirkan dalam Perspektif Hukum Kesehatan di Indonesia. *Unes Law Review*, doi: 10.31933/unesrev.v6i1.1049

⁷ Ratnaningtyas, E. M., Saputra, E., Suliwati, D., Nugroho, B. T. A., Aminy, M. H., Saputra, N., & Jahja, A. S. (2023). *Metodologi Penelitian Kualitatif*. no. Januari. Aceh: Yayasan Penerbit Muhammad Zaini.

policies related to nursing, particularly those applicable in Indonesia. In the literature selection process, the researcher also considered the quality and credibility of the sources, prioritizing peer-reviewed literature from recognized journals or publishers. Additionally, legal documents such as laws, ministerial regulations, and professional codes of ethics were analyzed to understand how these regulations are designed and implemented.

Data analysis was conducted descriptively with a qualitative approach, where the researcher explored, interpreted, and compared various perspectives presented in the related literature. The researcher examined the alignment between existing legal theories and the realities of regulatory implementation in the field, as well as identified potential legal gaps that could affect the protection of nursing personnel. The results of this analysis are then formulated into conclusions and policy recommendations for improving existing regulations, with the aim of strengthening legal protection and enhancing the welfare of nursing personnel in the future.

II. DISCUSSION

Regulatory Analysis on Nursing Personnel

Nursing personnel are one of the main pillars in the healthcare system. In carrying out their duties, they must not only possess good clinical competence but also operate within a legal framework that protects their rights and obligations. In Indonesia, regulations regarding nursing personnel have been established through various laws and regulations, both general and specific, covering legal, ethical, and professional aspects of nursing practice. These regulations aim to ensure that nursing personnel can work safely, professionally, and responsibly while receiving adequate legal protection.

One of the key regulations governing the nursing profession in Indonesia is Law No. 38 of 2014 on Nursing. This law serves as the primary legal foundation for regulating the nursing profession, covering aspects of education, practice, and legal protection for nursing personnel. The law stipulates that nursing personnel must have a valid and registered practice license and are required to follow the professional code of ethics established by professional organizations.⁸ The law also provides guidelines on the obligations of nursing personnel in delivering services according to standards, while also outlining sanctions for those who violate applicable legal provisions. In performing their duties, nursing personnel face various legal challenges, particularly concerning issues of malpractice, negligence, and ethical violations. Therefore, legal protection for nursing personnel is crucial. Ministerial regulations also play an important role in regulating standard operating procedures (SOPs), practice limitations, and competency requirements that must be met by nursing personnel. These SOPs are designed to reduce the risk of errors in practice and provide legal protection for nurses who perform their duties according to established standards.

⁸ Ahmad, Farid, Rivai. (2024). Regulation Vs Legislation of Nursing Practice. doi: 10.62885/medisci.v1i5.243

In addition to laws and ministerial regulations, there is also a Nursing Code of Ethics issued by professional organizations such as the Indonesian National Nurses Association (PPNI).⁹ This code of ethics provides moral and ethical guidance for nursing personnel in performing their profession. By adhering to this code of ethics, nursing personnel are expected to maintain their professional integrity and minimize the risk of legal violations that could harm both themselves and their patients. However, it is important to note that this code of ethics is normative in nature, so its implementation requires awareness and commitment from each nurse.¹⁰

Although the existing regulations are fairly comprehensive, the biggest challenge often lies in their implementation. There is still a gap between the regulations and practices in the field. For example, many nursing personnel are not fully aware of their rights and obligations under applicable laws and regulations. This could be due to a lack of socialization, limited legal training in nursing education, and inadequate attention from healthcare institutions in educating nursing personnel about the legal aspects of their profession. As a result, many nurses feel legally unprotected, especially when facing legal issues such as malpractice claims. Additionally, law enforcement concerning these regulations remains an issue. In some cases, violations of the rights of nursing personnel are not always met with firm legal action.¹¹ Other factors affecting law enforcement include weak oversight by the government and professional organizations over illegal or non-standard practices occurring in the field. Strict supervision is essential to ensure that all nursing personnel work according to regulations and have adequate legal protection.¹²

In addressing these challenges, improvements and strengthening are needed in various aspects. One of them is enhancing legal understanding among nursing personnel through more intensive training and socialization. Nursing education institutions need to incorporate legal and professional ethics content as part of the mandatory curriculum. Furthermore, existing regulations need to be continually updated to align with the evolving times and the increasingly complex dynamics of the nursing field.¹³ Moreover, strengthening the role of professional organizations like PPNI in advocating for and providing legal protection for their members is also crucial.¹⁴ These organizations can be at the forefront in providing legal assistance when nursing personnel face issues and ensuring that all members adhere to the established code of ethics and professional standards.

⁹ S, Giri., Kshirabdhi, Tanaya. (2023). LEGAL & PROFESSIONAL ISSUES IN NURSING. doi: 10.58532/v2bs23p1ch5

¹⁰ Mardhatillah., Agusmadi. (2023). Nurse criminal responsibility for criminal actions in nursing practice. International Journal of Applied Science and Engineering Review, doi: 10.52267/ijaser.2023.4206

¹¹ Ana, Laura, Rodríguez, Gustá. (2023). Nurses as Disciplinary Agents of the State. Advances in Nursing Science, doi: 10.1097/ans.0000000000000503

¹² Ahmad, Farid, Rivai. (2024). Regulation Vs Legislation of Nursing Practice. doi: 10.62885/medisci.v1i5.243

¹³ Mardhatillah., Agusmadi. (2023). Nurse criminal responsibility for criminal actions in nursing practice. International Journal of Applied Science and Engineering Review, doi: 10.52267/ijaser.2023.4206

¹⁴ S, Giri., Kshirabdhi, Tanaya. (2023). LEGAL & PROFESSIONAL ISSUES IN NURSING. doi: 10.58532/v2bs23p1ch5

In conclusion, while regulations concerning nursing personnel in Indonesia have been crafted comprehensively, effective implementation and consistent law enforcement remain significant challenges. Going forward, collaboration between the government, healthcare institutions, educational institutions, and professional organizations is essential to create a safe and protected working environment for nursing personnel, allowing them to provide the best service to the community without worrying about potential legal issues that may arise.

Implementation of Legal Protection for Nursing Personnel

Legal protection for nursing personnel is a crucial issue in ensuring their safety, security, and well-being as they carry out their professional duties. As a profession that directly interacts with patients, nursing personnel face various risks, ranging from medical negligence to legal claims related to malpractice.¹⁵ Therefore, the implementation of adequate legal protection is essential. Although several regulations have been established to protect nursing personnel, their implementation in practice still encounters challenges, including nurses' understanding of the law, consistency in law enforcement, and support from healthcare institutions.

Law No. 38 of 2014 on Nursing is one of the legal foundations providing protection to nursing personnel in Indonesia. This law covers various aspects, including nurses' obligations to provide care according to standards and their right to legal protection while performing their professional duties. Additionally, there are other regulations such as Minister of Health regulations (Permenkes) and the nursing code of ethics designed by professional organizations like the Indonesian National Nurses Association (PPNI). All these regulations share the same goal: ensuring that nursing personnel can work in a safe and legally protected environment.¹⁶

Despite clear regulations, their implementation in practice does not always meet expectations. One of the main challenges is the lack of understanding and awareness among nursing personnel regarding their rights. Many nurses do not fully comprehend the content of regulations and laws that protect them, whether due to inadequate socialization or insufficient legal content in nursing education. This leaves them vulnerable to legal issues when errors or disputes arise in the workplace.¹⁷

Moreover, the implementation of regulations is often hindered by weak law enforcement. In practice, when legal disputes occur, the resolution process often favors those with financial strength or better access to legal aid, while nurses frequently lack adequate support. For instance, in some malpractice cases, nurses may be blamed even if the error was due to an unsupportive system, heavy workloads, or insufficient resources.

¹⁵ Valentyn, Shapovalov., V.S., Shapovalova., Alina, A., Osyntseva., V.V., Shapovalov. (2024). The Relevance of Acquiring of Legal Knowledge Concerning Labor Protection, Fire Safety, Sanitary and Epidemiological Regime for Health Care Professionals. SSP Modern Law and Practice, doi: 10.53933/sspmlp.v4i1.127

¹⁶ S, Giri., Kshirabdhi, Tanaya. (2023). LEGAL & PROFESSIONAL ISSUES IN NURSING. doi: 10.58532/v2bs23p1ch5

¹⁷ S, Giri., Kshirabdhi, Tanaya. (2023). LEGAL & PROFESSIONAL ISSUES IN NURSING. doi: 10.58532/v2bs23p1ch5

Legal protection for nursing personnel also heavily depends on the support from healthcare institutions and professional organizations. Hospitals or healthcare facilities should be the first entities to protect their nurses. However, in some cases, there have been reports that institutions disengage and do not provide sufficient legal assistance when nurses face legal problems. Ideally, healthcare institutions should have clear policies and protocols for handling legal situations involving nursing personnel, including providing legal support and ensuring that nurses' rights are protected.¹⁸

Professional organizations like PPNI also play a central role in advocating for and providing legal assistance to their members. PPNI, as a professional organization, is responsible for ensuring that all its members receive proper legal protection and helping them navigate legal issues that arise during their nursing practice. PPNI also plays a role in educating nurses about their rights and responsibilities and promoting greater understanding of existing regulations.

To strengthen the implementation of legal protection for nursing personnel, several steps need to be taken. First, there should be increased socialization and legal training for nursing personnel, both during their education and through ongoing professional development. Content on legal rights and obligations, as well as how to handle legal situations, should be an integral part of nursing education curricula. Second, there needs to be a reinforcement of regulations and clear standard operating procedures (SOPs) at the institutional level. Institutions must ensure that every action taken by nursing personnel has a strong legal foundation and is supported by approved protocols.¹⁹ With good SOPs, errors in service can be minimized, and nurses will have better protection when performing their duties. Third, collaboration between the government, professional organizations, and healthcare institutions in providing legal protection must be strengthened. The government should improve oversight and law enforcement systems to ensure that regulations are genuinely implemented at all levels. On the other hand, professional organizations need to be more proactive in providing legal assistance and building legal support networks for their members.

Although the regulatory framework for legal protection of nursing personnel is in place, its implementation still faces complex challenges. Addressing these challenges requires collaborative efforts between the government, professional organizations, and healthcare institutions. By strengthening legal education, regulatory oversight, and fair law enforcement, it is hoped that nursing personnel can work in a safe and protected environment, allowing them to provide optimal healthcare services without excessive legal risks.

Challenges in Enforcing Nursing Regulations

Enforcing regulations for nursing personnel in Indonesia faces a variety of complex challenges. Although regulations governing the nursing profession have been comprehensively formulated, their implementation in the field often does not

¹⁸ Bilabora, Yus Baimbang. (2023). Legal protection for professional nurses working in hospital hemodialysis rooms. doi: 10.25041/iplr.v4i2.2986

¹⁹ O., N., Atamanchuk. (2024). Assessment of the characteristics of professional protective equipment, monitoring compliance with professional safety rules by nursing staff. doi: 10.33920/med-05-2404-06

align with the intended ideal goals. These challenges in regulation enforcement are not only technical but also involve social, cultural, and structural aspects within Indonesia's healthcare system.

1. Lack of Understanding of Regulations

One of the main challenges in enforcing nursing regulations is the lack of understanding and awareness among nurses regarding their rights and obligations as stipulated by the regulations. Law No. 38 of 2014 on Nursing and the Minister of Health's regulations governing nursing practices are often not well understood by many nursing personnel. This can be attributed to insufficient dissemination by the government or professional organizations and the minimal inclusion of legal topics in nursing education. As a result, many nurses are not fully aware of the legal boundaries in performing their duties, making them vulnerable to legal risks.²⁰

2. Gap Between Regulations and Field Practice

Another challenge is the gap between established regulations and actual field practices. Although the regulations are designed to provide clear guidelines for nursing duties, real-life conditions often fall short of the ideal. In some cases, shortages of human resources, inadequate facilities, and heavy workloads force nurses to work beyond the limits set by regulations.²¹ For instance, in some areas, nurses are required to perform medical procedures that should be outside their authority due to a lack of doctors. This situation can lead to legal and ethical issues, as nurses risk being accused of violations, even though their actions were taken under emergency conditions.

3. Weak Supervision and Law Enforcement

Enforcement of regulations is also hindered by weak supervision and law enforcement. In Indonesia, oversight of nursing practices is often considered suboptimal, especially in remote and rural areas. The government and professional organizations like the Indonesian National Nurses Association (PPNI) play an important role in supervising nursing practices and ensuring compliance with regulations.²² However, supervision is often inconsistent and only conducted sporadically. This inconsistency results in regulations not being fully enforced, and violations are often not met with strict sanctions.

Moreover, in legal cases involving nursing personnel, law enforcement tends to be unsupportive of nurses. Nurses accused of malpractice or ethical violations often feel inadequately protected by their institutions or professional organizations. This lack of support can be driven by various factors, including pressure from economically or politically powerful parties. The situation is exacerbated by limited

²⁰ Ikhsan, M. ., & Wahab, S. . (2022). Kepastian Hukum Tenaga Kefarmasian Dalam Menyelenggarakan Pelayanan Kefarmasian. *Jurnal Hukum Kesehatan Indonesia*, 1(02), 106-120. <https://doi.org/10.53337/jhki.v1i02.12>

²¹ Amir, N., Purnama, D. (2021). Perbuatan Perawat yang Melakukan Kesalahan dalam Tindakan Medis. *Kertha Wicaksana: Sarana Komunikasi Dosen dan Mahasiswa*. 15 (1). Pp 26 - 36. <https://doi.org/10.22225/kw.14.2.1863.77-86>

²² Riasari, R. (2021). Perlindungan Hukum terhadap Perawat pada Rumah Sakit Berdasarkan Undang-Undang Nomor 38 Tahun 2014 tentang Keperawatan. *Jurnal Hukum Lex Generalis*, 2(10), 946-960. <https://doi.org/10.56370/jhlg.v2i10.79>

access to quality legal assistance for nurses, particularly in areas with minimal healthcare facilities.

4. Cultural and Social Challenges

Cultural and social aspects also influence regulation enforcement. In some Indonesian cultures, the relationship between healthcare workers and the community is often shaped by traditional norms that may not align with modern legal principles.²³ For example, in certain cultures, nurses are expected to serve patients with utmost dedication, even beyond legal and ethical professional boundaries. These social expectations can exert pressure on nursing personnel, especially when they are expected to take actions outside their authority to meet community needs. Additionally, social stigma surrounding the nursing profession can affect efforts to enforce the law. In some places, nursing is still perceived as a profession subordinate to doctors in terms of both authority and responsibility.²⁴ This perception can lead to nurses feeling compelled to perform certain medical procedures due to a lack of support from other healthcare workers, even if those procedures fall outside their competence.

5. Limited Resources and Infrastructure

Another challenge in enforcing nursing regulations is the limited resources and infrastructure. Many healthcare facilities in Indonesia, particularly in remote areas, still face shortages of medical equipment, skilled personnel, and other supporting facilities. In such conditions, nurses often have to carry out their duties with very limited resources. These limitations make it difficult to consistently apply the service standards set by regulations, increasing the risk of legal violations. Additionally, inadequate infrastructure affects the supervision and reporting process.²⁵ In some regions, access to report violations or obtain legal assistance is still very limited. The lack of technology and support systems in healthcare facilities also hampers the accurate collection of data related to regulation implementation, making it difficult to evaluate and improve policies.²⁶

6. Suboptimal Involvement of Professional Organizations

Professional organizations like PPNI are expected to be at the forefront in providing legal protection and ensuring proper regulation enforcement. However, in practice, the role of these organizations is still not optimal in some areas. Poor coordination and communication between professional organizations, the government, and healthcare institutions often result in fragmented and uncoordinated regulation enforcement efforts.²⁷ This situation leaves nurses facing

²³ Nur, Azizah, Idris., Abdul, Razak., Muhammad, Ilham, Arisaputra. (2024). Delegation of Medical Action Authority of Doctors to Nurses in Health Services in Emergency Departments: Empirical Legal. *RGSA: Revista de Gestão Social e Ambiental*, doi: 10.24857/rgsa.v18n2-117

²⁴ Farid, Yusuf. (2024). Sociocultural Influence on Health Services for Children Under Five in Jayapura Regency. *Journal transnational universal studies*, doi: 10.58631/jtus.v3i6.96

²⁵ Ahmad, Farid, Rivai. (2024). Regulation Vs Legislation of Nursing Practice. doi: 10.62885/medisci.v1i5.243

²⁶ Javier, Hernández, Pascual. (2024). [The challenges of human resources governance in public healthcare. *SESPAS Report 2024*]. *Gaceta Sanitaria*, doi: 10.1016/j.gaceta.2024.102377

²⁷ Riasari, R. (2021). Perlindungan Hukum terhadap Perawat pada Rumah Sakit Berdasarkan Undang-Undang Nomor 38 Tahun 2014 tentang Keperawatan. *Jurnal Hukum Lex Generalis*, 2(10), 946–960. <https://doi.org/10.56370/jhlg.v2i10.79>

legal issues feeling inadequately supported by professional organizations, which should be responsible for protecting the interests of their members.

To address these challenges, integrated and continuous efforts from various parties are needed. First, enhancing the dissemination and legal education for nursing personnel should be prioritized. Legal education should not only be provided during formal education but also through continuous training organized by the government and professional organizations. Second, strengthening supervision and law enforcement must be carried out more consistently. The government and professional organizations need to collaborate in building a more effective supervision system, including utilizing technology to monitor nursing practices in real-time. Third, it is essential to build a work culture that supports regulation enforcement. Healthcare institutions must ensure that all healthcare workers, including nurses, understand their roles and responsibilities according to existing regulations. Support from management and colleagues is also needed to create a legally and ethically compliant work environment. By overcoming these challenges, it is hoped that regulation enforcement for nursing personnel can be more effective, allowing the intended legal protection to be truly felt by nurses. This will not only improve the well-being of nursing personnel but also have a positive impact on the overall quality of healthcare services in Indonesia.

Recommendations and Solutions for Enhancing Nursing Regulations

The enhancement of nursing regulations is an urgent need to improve the quality of healthcare services in Indonesia while providing optimal legal protection for nurses. Although current regulations cover many important aspects of the nursing profession, there are still several issues in their implementation that require serious attention. Strategic recommendations and solutions are therefore needed to strengthen these regulations, from policy formulation, law enforcement, to the development of the nursing workforce itself.

1. Strengthening Policy Formulation and Updates

The first step in enhancing nursing regulations is to update and strengthen existing policies to make them more relevant to current developments. Existing policies, such as Law No. 38 of 2014 on Nursing, have provided a clear legal foundation for the nursing profession. However, with the advancement of technology, demographic changes, and the dynamics of healthcare services, these regulations need to be updated to remain relevant. Policy updates should cover aspects such as more specific competency standards, strengthening legal responsibilities, and expanding the scope of nursing practices in line with societal needs.²⁸ For instance, with the growth of telemedicine and digital health services, clear regulations are needed regarding the roles and responsibilities of nurses in remote care settings. Additionally, regulations should be more responsive to the needs of remote areas, where nurses often serve as the frontline in healthcare services.

²⁸ Nasir, Ahmad, Ganaie., Haseena, Naz. (2024). Embracing the Digital Shift: Enhancing Nursing Practice in the Digital Age. *International journal of science and research*, doi: 10.21275/mr24105143930

2. Enhancing Legal Education and Training for Nursing Personnel

One crucial recommendation for improving nursing regulations is to strengthen legal education and professional ethics. Current nursing education often focuses more on technical and clinical aspects, while legal and ethical aspects are either overlooked or only briefly covered. However, a good understanding of regulations, legal rights, and obligations is essential to prevent nurses from facing legal issues in the future. This education enhancement can be achieved by adding legal and professional ethics content to nursing curricula at the diploma, bachelor, and professional levels. Moreover, ongoing legal training for working nurses should be continuously improved. Such training can be facilitated by the government, healthcare institutions, and professional organizations like the Indonesian National Nurses Association (PPNI).²⁹ In this way, nurses will have a better understanding of applicable regulations and how to apply them in daily practice.

3. Strengthening Supervision and More Effective Law Enforcement

Strong supervision and firm law enforcement are key to ensuring that regulations are effectively implemented. One of the biggest challenges in enforcing nursing regulations has been the weak oversight by relevant authorities. Therefore, the government needs to build a more effective monitoring system, whether through health inspectorates in each region or by collaborating with professional organizations. Technology can play a significant role in this supervision. The use of integrated health information systems enables regulators to monitor the implementation of standard operating procedures (SOPs) and nursing practices in various healthcare facilities in real-time.³⁰ Additionally, regular audits of nursing practices should be conducted to ensure compliance with regulations and to identify potential violations early on.

In terms of law enforcement, there needs to be clarity in the mechanisms for handling regulatory violations. When violations occur, penalties must be firm, proportional, and in accordance with existing provisions. However, on the other hand, nursing personnel must also have fair access to legal assistance and support if they face legal issues, especially in malpractice cases, which are often sensitive. Professional organizations like PPNI should be more proactive in providing legal aid services to their members facing such issues.

4. Enhancing the Role of Professional Organizations and Healthcare Institutions

Professional organizations like PPNI and healthcare institutions have a strategic role in improving nursing regulations. PPNI should strengthen its function not only as a platform for professional development but also as an active body in advocacy and legal protection for its members. PPNI needs to be more involved in the dissemination of regulations, the provision of legal training, and the resolution of legal disputes involving nurses.³¹ On the other hand, healthcare institutions, both

²⁹ S, Giri., Kshirabdhi, Tanaya. (2023). LEGAL & PROFESSIONAL ISSUES IN NURSING. doi: 10.58532/v2bs23p1ch5

³⁰ O., N., Atamanchuk. (2024). Assessment of the characteristics of professional protective equipment, monitoring compliance with professional safety rules by nursing staff. doi: 10.33920/med-05-2404-06

³¹ Arga, Setyo, Adji. (2024). Analysis of Ministry of Health Regulation No. 30 of 2022 on Hospital Service Quality In Indonesia. Arrus Journal of Social Sciences and Humanities, doi: 10.35877/soshum2582

hospitals and clinics, must ensure that nursing regulations are consistently applied in the workplace. They need to develop internal policies that support legal protection for nurses, including policies on incident reporting, whistleblower protection, and legal support systems. Healthcare institutions should also be committed to providing adequate support to nurses in facing legal and ethical challenges that may arise.

5. Improving Infrastructure Quality and Resources in Healthcare Facilities

The implementation of good regulations heavily depends on the availability of adequate infrastructure and resources. In many areas, especially in remote regions, healthcare facilities still lack equipment, medications, and specialists, which ultimately affects service quality and regulatory compliance. The government needs to invest more in improving healthcare infrastructure and ensure equitable distribution of resources so that every nurse can work according to established standards.³² The government and healthcare institutions must also collaborate in providing adequate support systems, such as access to ongoing training, advanced health technologies, and sufficient human resources to support quality healthcare services. In this way, nurses can focus on performing their duties in accordance with regulations without facing pressure due to resource limitations.

6. Increasing Legal Awareness Among the Public

Good regulations not only require understanding from nursing personnel but also from the public. Often, legal issues faced by nursing personnel arise from the public's lack of understanding regarding the roles and limitations of nurses' authority. Therefore, it is important to enhance legal education and awareness among the public about nurses' rights and obligations, as well as how the public should interact with healthcare workers.³³ This outreach can be conducted through health campaigns involving mass media, community organizations, and educational institutions. The public needs clear information on how the healthcare system works, including the role of nurses, so they have realistic expectations and do not demand actions beyond the nurses' capacity.

7. Regular Updates and Harmonization of Regulations

To keep regulations relevant with the times, there needs to be regular updates and harmonization of regulations. Existing regulations should be routinely evaluated to align with changes in nursing practices, healthcare technology, and societal needs. This process of updating regulations should involve various stakeholders, including nurses, professional organizations, educational institutions, and community representatives.³⁴ Additionally, harmonization among the various regulations related to nursing personnel is crucial to avoid overlaps and conflicts between rules. Harmonized regulations will provide better legal certainty and make

³² Ahmad, Farid, Rivai. (2024). Regulation Vs Legislation of Nursing Practice. doi: 10.62885/medisci.v1i5.243

³³ Ahmad, Farid, Rivai. (2024). Regulation Vs Legislation of Nursing Practice. doi: 10.62885/medisci.v1i5.243

³⁴ Fatmi, Andriati., Aidul, Fitriadi, Azhari., Wardah, Yuspin. (2023). Minister of Health Regulation of the Republic of Indonesia Number 35 of 2014 on Reproductive Health Service Standards: Legal Review and Normative Aspects in Healthcare Practices. doi: 10.24167/sjhk.v9i2.10960

it easier for nursing personnel to carry out their duties without confusion due to conflicting rules.

8. Developing a Reward and Motivation System for Nursing Personnel

As part of efforts to improve regulations, it is also important to develop a reward and motivation system for nursing personnel who comply with regulations and provide high-quality services. Rewards can be given in the form of financial incentives, recognition, or career development opportunities. With such a reward system in place, it is hoped that nurses will be more motivated to work in accordance with established standards and maintain integrity in performing their duties. Enhancing nursing regulations requires a holistic and collaborative approach from various parties.³⁵ By strengthening policies, enhancing legal education, reinforcing supervision, and providing adequate support, the existing regulations are expected to be implemented more effectively. Additionally, efforts to harmonize regulations and develop infrastructure are essential to create a safe, fair, and supportive work environment for nurses to carry out their duties professionally and responsibly.

III. CONCLUSION

Based on the research and discussion on the role of regulations in ensuring legal protection for nursing personnel, it can be concluded that the current nursing regulations provide a comprehensive legal framework to protect nursing personnel in carrying out their duties. Law No. 38 of 2014 on Nursing and its derivative regulations have set forth detailed provisions on the rights and obligations of nurses, including competency standards, scope of practice, and supervision mechanisms. However, there are several challenges in implementing these regulations. Some of these challenges include a lack of legal understanding among nurses, gaps between regulations and field practices, and weak supervision and law enforcement. Other challenges involve infrastructure limitations, socio-cultural pressures, and the suboptimal role of professional organizations in supporting legal protection for nurses. To address these challenges, several strategic recommendations are needed, such as strengthening policy formulation and updates, enhancing legal education for nurses, and reinforcing supervision and law enforcement. Additionally, increasing the role of professional organizations and healthcare institutions, harmonizing regulations, and developing infrastructure and resources are also necessary. With the implementation of these solutions, it is hoped that legal protection for nursing personnel will be more effective, allowing nurses to perform their duties professionally and safely, ultimately leading to improved quality of healthcare services in Indonesia. In conclusion, strong and effective regulations are not only the legal foundation but also instruments that protect nurses and ensure the quality of healthcare services provided to the public.

³⁵ J, Pooja., Modapothala, Jashua, Rajesh. (2024). Reward system and its impact on employees' performance in laurus labs – hyderabad. Indian Scientific Journal Of Research In Engineering And Management, doi: 10.55041/ijsrem36561

REFERENCES

- Ahmad, Farid, Rivai. (2024). Regulation Vs Legislation of Nursing Practice. doi: 10.62885/medisci.v1i5.243
- Amir, N., Purnama, D. (2021). Perbuatan Perawat yang Melakukan Kesalahan dalam Tindakan Medis. Kertha Wicaksana: Sarana Komunikasi Dosen dan Mahasiswa. 15 (1). Pp 26 - 36. <https://doi.org/10.22225/kw.14.2.1863.77-86>
- Ana, Laura, Rodríguez, Gustá. (2023). Nurses as Disciplinary Agents of the State. Advances in Nursing Science, <https://doi.org/10.1097/ans.0000000000000503>
- Arga, Setyo, Adji. (2024). Analysis of Ministry of Health Regulation No. 30 of 2022 on Hospital Service Quality In Indonesia. Arrus Journal of Social Sciences and Humanities, <https://doi.org/10.35877/soshum2582>
- Bilabora, Yus Baimbang. (2023). Legal protection for professional nurses working in hospital hemodialysis rooms. <https://doi.org/10.25041/iplr.v4i2.2986>
- Farid, Yusuf. (2024). Sociocultural Influence on Health Services for Children Under Five in Jayapura Regency. Journal transnational universal studies, <https://doi.org/10.58631/jtus.v3i6.96>
- Fatmi, Andriati., Aidul, Fitriaciada, Azhari., Wardah, Yuspin. (2023). Minister of Health Regulation of the Republic of Indonesia Number 35 of 2014 on Reproductive Health Service Standards: Legal Review and Normative Aspects in Healthcare Practices. <https://doi.org/10.24167/sjkh.v9i2.10960>
- Ikhsan, M. ., & Wahab, S. . (2022). Kepastian Hukum Tenaga Kefarmasian Dalam Menyelenggarakan Pelayanan Kefarmasian. *Jurnal Hukum Kesehatan Indonesia*, 1(02), 106-120. <https://doi.org/10.53337/jhki.v1i02.12>
- J, Pooja., Modapothala, Jashua, Rajesh. (2024). Reward system and its impact on employees' performance in laurus labs – hyderabad. Indian Scientific Journal Of Research In Engineering And Management, <https://doi.org/10.55041/ijrem36561>
- Javier, Hernández, Pascual. (2024). [The challenges of human resources governance in public healthcare. SESPAS Report 2024].. Gaceta Sanitaria, <https://doi.org/10.1016/j.gaceta.2024.102377>
- Mardhatillah., Agusmadi. (2023). Nurse criminal responsibility for criminal actions in nursing practice. International Journal of Applied Science and Engineering Review, <https://doi.org/10.52267/ijaser.2023.4206>
- Nasir, Ahmad, Ganaie., Haseena, Naz. (2024). Embracing the Digital Shift: Enhancing Nursing Practice in the Digital Age. International journal of science and research, <https://doi.org/10.21275/mr24105143930>
- Nur, Azizah, Idris., Abdul, Razak., Muhammad, Ilham, Arisaputra. (2024). Delegation of Medical Action Authority of Doctors to Nurses in Health Services in Emergency Departments: Empirical Legal. RGSA: Revista de Gestão Social e Ambiental, <https://doi.org/10.24857/rgsa.v18n2-117>
- O., N., Atamanchuk. (2024). Assessment of the characteristics of professional protective equipment, monitoring compliance with professional safety rules by nursing staff. <https://doi.org/10.33920/med-05-2404-06>
- Ratnaningtyas, E. M., Saputra, E., Suliwati, D., Nugroho, B. T. A., Aminy, M. H., Saputra, N., & Jahja, A. S. (2023). Metodologi Penelitian Kualitatif. no. Januari. Aceh: Yayasan Penerbit Muhammad Zaini.

- Riasari, R. (2021). Perlindungan Hukum terhadap Perawat pada Rumah Sakit Berdasarkan Undang-Undang Nomor 38 Tahun 2014 tentang Keperawatan. *Jurnal Hukum Lex Generalis*, 2(10), 946–960. <https://doi.org/10.56370/jhlg.v2i10.79>
- S, Giri., Kshirabdhi, Tanaya. (2023). Legal & Professional Issues In Nursing. <https://doi.org/10.58532/v2bs23p1ch5>
- Valentyn, Shapovalov., V.S., Shapovalova., Alina, A., Osyntseva., V.V., Shapovalov. (2024). The Relevance of Acquiring of Legal Knowledge Concerning Labor Protection, Fire Safety, Sanitary and Epidemiological Regime for Health Care Professionals. *SSP Modern Law and Practice*, <https://doi.org/10.53933/sspmlp.v4i1.127>
- Yandriza, Yandriza., Diana, Arma. (2023). Pertanggungjawaban Pidana Rumah Sakit atas Kelalaian Perawat yang Mengakibatkan Tertukarnya Bayi yang Baru Dilahirkan dalam Perspektif Hukum Kesehatan di Indonesia. *Unes Law Review*, <https://doi.org/10.31933/unesrev.v6i1.1049>.