

ABSTRAK

Memberikan pelayanan kesehatan di masyarakat yang dilakukan oleh tenaga kesehatan harus sesuai dengan ketentuan Undang – Undang No.36 Tahun 2014 tentang Tenaga Kesehatan, Bidan merupakan salah satu profesi tenaga kesehatan berkewajiban melaksanakan peran dan fungsinya sesuai kewenangannya yang diatur di dalam Undang – Undang No.36 Tahun 2014 tentang Tenaga Kesehatan dan Permenkes Nomor 1464/Menkes/Per/X/2010 tentang Izin dan Penyelenggaraan Praktek Bidan dan Kewenangan Bidan. Bidan yang bekerja di Rumah Sakit Umum seharusnya melakukan tindakan sesuai kewenangannya yaitu salah satunya menolong persalinan normal, tetapi kadang harus melakukan tindakan vakum ekstraksi. Tujuan penelitian ini adalah untuk mengetahui tanggung jawab bidan di Rumah Sakit yang melakukan tindakan vakum ekstraksi menurut Undang – Undang No.36 Tahun 2014 tentang Tenaga Kesehatan dan Permenkes Nomor 1464/Menkes/Per/X/2010 tentang Izin dan Penyelenggaraan Praktek Bidan dan Kewenangan Bidan dan mengetahui implementasi tanggung jawab bidan di Rumah Sakit Umum Kota Banjar yang melakukan tindakan vakum ekstraksi dihubungkan dengan Undang – undang no.36 Tahun 2014 tentang Tenaga Kesehatan dan Permenkes Nomor 1464/Menkes/Per/X/2010 tentang Izin dan Penyelenggaraan Praktek Bidan dan Kewenangan Bidan.

Penelitian ini merupakan penelitian deskriptif analitis dengan pendekatan yuridis normatif. Sumber data dalam penelitian ini berupa data primer yaitu berupa wawancara terhadap bidan dan berupa data sekunder yaitu berupa bahan hukum primer yaitu Undang – Undang dan Peraturan Menteri Kesehatan dan bahan hukum sekunder berupa buku – buku Ilmu pengetahuan, jurnal, bulletin ilmiah, surat kabar, pendapat-pendapat para ilmuwan maupun pendapat para praktisi hukum. Pengambilan sampel dalam penelitian ini secara purposive sample, lokasi penelitian di Rumah Sakit Umum Kota Banjar. Penelitian ini kemudian dianalisis dengan menggunakan metode analisis data kualitatif.

Hasil analisis data mengacu pada beberapa peraturan terkait, diantaranya Undang – undang no.36 Tahun 2014 tentang Tenaga Kesehatan dan Permenkes Nomor 1464/Menkes/Per/X/2010 tentang Izin dan Penyelenggaraan Praktek Bidan dan Kewenangan Bidan. Bidan di Rumah Sakit yang melakukan tindakan vakum ekstraksi atas keinginan sendiri bisa dikenai tiga tanggung jawab secara administratif, hukum perdata dan hukum pidana, apabila berdasarkan perintah maka tanggung jawab pimpinan Rumah sakit bisa dikenai tanggung jawab secara hukum administratif, hukum perdata dan hukum pidana. Implementasi tindakan vakum di Rumah Sakit Umum Kota Banjar dilakukan oleh bidan atas perintah dokter spesialis kebidanan dan kandungan dan selama ini belum dimintai tanggung jawab secara administratif, hukum perdata dan hukum pidana.

Kata Kunci : Tanggung jawab, Bidan, Rumah Sakit.

ABSTRACT

Giving health service in public which is done by paramedic must according with the provision of law number 36 year 2014 about the paramedic

Midwife is one of the paramedic profession have an obligation in performing their role and function according to their authority which is set in law number 36 year 2014 about the paramedic and regulation of health ministry number 1464/Menkes/per/X/2010 about permission and implantation of midwife and the authority of midwife. Midwife which is working in public hospital should have taken action according to his authority one of them is helping in normal childbirth, but sometimes need to be done by vaccum extraction. The aim of this research was to know the midwife responsibility in hospital who did the act of vacuum extraction based on law number 36 year 2014 about paramedic and the regulation of health ministry number 1464/Menkes/Per/X/2010 about permission and implementation of midwife and the authority of midwife and to know the implantation of the responsibly of midwife in public hospital of Banjar who did the act of vacuum extraction in accordance with law number 36 year 2014 about paramedic and the regulation of health ministry number 1464/Menkes/Per/X/2010 about permission and implementation of midwife and the authority of midwife.

This research was analytical descriptive with the normative juridical approach. The source of this research is primary data in the form of interview of midwife and secondary data in the form of primary law material, those are the law and the regulation of health ministry and secondary law material, those are scientific books, journal, scientific bulletin, newspaper, and the opinions from the scientist and law practitioners. Taking sample in this research then was analyzed by qualitative data analysis method.

The result of the analysis refer to related regulation, including law number 36 year 2014 about the paramedic and regulation of health ministry number 1464/Menkes/Per/X/2010 about permission and implantation of midwife and the authority of midwife. Midwife in hospital who did the act of vacuum extraction based on own desire could be subjected by three responsibility in administrative law, civil law, and criminal law but if it was an order so the responsibility in the administrative law, civil law, and criminal law could be subjected to the head of the hospital. The implementation of vacuum act in public hospital of Banjar was done by the midwife was based on the obstetricians orders and all this time yet ask for responsibility in administrative law, civil law and criminal law.

Keywords : Responsibility, Midwife, Hospital