
Awareness And Legal Protection For Nursing Staff At Dharma Yadnya Hospital, Denpasar

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Abstract

This study aims to analyze the awareness and implementation of legal protection for nursing personnel at Dharma Yadnya General Hospital in Denpasar. The research is motivated by the high legal risks faced by nurses due to unclear boundaries of medical authority and the weak legal protection system within hospital institutions. The study employs an empirical legal method with a qualitative descriptive approach through in-depth interviews with nurses and hospital management, as well as document analysis of relevant regulations and internal policies. The findings reveal that legal protection for nursing personnel at Dharma Yadnya Hospital remains general in nature, lacks a specific legal assistance unit, and has no clear internal guidelines. Legal, structural, and cultural factors significantly influence the effectiveness of legal protection, where the hospital's adherence to the Tri Hita Karana philosophy often creates a dilemma between maintaining harmony and asserting legal rights. In conclusion, strengthening legal protection for nurses requires the establishment of a legal protection unit, the formulation of internal delegation guidelines, and continuous legal awareness training grounded in professional and spiritual values.

Keywords: Legal Protection; Nursing Personnel; Hospital; Legal Awareness; Tri Hita Karana.

INTRODUCTION

This article discusses legal protection for nursing personnel in hospitals, focusing on RSU Dharma Yadnya Denpasar as one of the healthcare institutions in Bali that faces various legal risks in the implementation of nursing duties. The discussion aims to analyze the legal foundations, forms of problems, and the urgency of legal protection for nurses, who in practice often experience violence, uncertainty of authority, and minimal legal safeguards in the workplace. This study is not only theoretically relevant in the field of health law but also has practical implications for increasing legal awareness and occupational safety among nursing personnel as the frontline of public health services.

The Unitary State of the Republic of Indonesia (NKRI) as a state governed by law is affirmed in the 1945 Constitution of the Republic of Indonesia, hereinafter referred to as the 1945 Constitution, Article 1 paragraph (3), which states that Indonesia is a state based on law. Law is a set of norms about what is right and what is wrong, recognized by the government and embodied in written and unwritten rules, binding in nature and accompanied by sanctions when violated¹. As a constitutional state, Indonesia has the responsibility to protect and guarantee the implementation of human rights and citizens' rights². The right to health as part of human rights has been universally recognized through the Universal Declaration of Human Rights (UDHR) of 10 December 1948, Article 25, which states that everyone has the right to a standard of living adequate for the health and well-being of themselves and their family. The Indonesian Constitution also affirms human rights values in both the preamble and body of the 1945 Constitution, further strengthened through constitutional amendments³.

¹ Tongat Tongat, "The Ambiguous Authority of Living Law Application in New Indonesian Penal Code: Between Justice and the Rule of Law," *International Journal of Criminal Justice Sciences* 17, no. 2 (2022): 188–209.

² Laode Husen et al., "Implementation of Legal Guarantees for Human Rights Protection in Indonesia," *Journal of Law and Sustainable Development* 11, no. 4 (2023): e624–e624; Harisman Harisman, "Protection of Human Rights in the Amendment of the 1945 Constitution of The Republic of Indonesia," in *1st International Conference on Law and Human Rights 2020 (ICLHR 2020)* (Atlantis Press, 2021), 384–89.

³ Atma Suganda and Ghida Labibanuha Suganda, "Principles of Indonesian Constitutional Law in Pancasila Democracy," *International Journal of Religion* 2024 5, no. 11 (2024); Titon Slamet Kurnia and Ninon Melatyugra, "Universality of Rights as an Interpretive Principle for the Indonesian Constitutional Court," *Const. Rev.* 10 (2024): 474.

The implementation of the right to health is regulated through Law No. 17 of 2023 concerning Health, which states that health is a condition of physical, mental, and social well-being that enables a person to live productively. Health is an important investment for public welfare⁴. Based on Article 199 paragraph (3) of the law, nursing personnel consist of vocational nurses, professional nurses (ners), and specialist nurses. Nurses have three main functions: an independent function in providing nursing care, an interdependent function that is collaborative in nature, and a dependent function based on physicians' instructions⁵.

Nurses often face workplace conflicts arising from differences in background, values, and interests among individuals. Such situations frequently lead to acts of violence in healthcare settings⁶. A study at RSUD Luwuk Banggai found that 85% of nurses experienced verbal violence and 63.34% experienced physical violence⁷. Similar phenomena have occurred in various regions, such as cases at Siloam Hospital Palembang and RSUD Lakipadada Tana Toraja, where patients' families committed acts of violence against nurses. Such violence is not only physical but also verbal and even includes harassment⁸. The Indonesian National Nurses Association (PPNI) strongly condemns acts of violence against nurses and calls for the importance of legal protection for nursing personnel.

Violence against nurses may also come from fellow medical personnel, as in a case in Bandar Lampung where a doctor assaulted a nurse causing injuries⁹. Such tensions are worsened by the lack of clarity regarding the limits of medical authority that nurses may exercise. Based on Article 290 of Law No. 17 of 2023, nurses may receive written delegation of authority either delegatively or by mandate; however, the limits of exercising such authority have not been regulated clearly, thus creating legal uncertainty.

Legal protection for medical personnel and healthcare workers is emphasized in Article 273 paragraph (1a) of Law No. 17 of 2023, which states that medical and health personnel are entitled to legal protection as long as they perform their duties in accordance with professional standards, service standards, operational procedures, and professional ethics. Constitutional foundations are also found in the second and fourth paragraphs of the Preamble of the 1945 Constitution, which affirm the state's objective to protect all Indonesian people and promote general welfare¹⁰. In addition, Article 27 paragraph (2) of the 1945 Constitution guarantees the right to work and to a decent livelihood, while Articles 28A–28J regulate the rights to legal protection, security, and freedom from discriminatory treatment.

⁴ Mikho Ardinata, "State Responsibilities of Health Guarantee in the Perspective of Human Rights," *Jurnal HAM* 11 (2020): 319.

⁵ Veronica Komalawati and Erga Febrianti Triswandi, "Tanggung Jawab Dokter Atas Insiden Keselamatan Pasien Dalam Pelayanan Kesehatan Di Rumah Sakit Sebagai Institusi Kesehatan," *Jurnal Bina Mulia Hukum* 6, no. 2 (2022): 174–86.

⁶ Natasha Hawkins et al., "A Conflicted Tribe under Pressure: A Qualitative Study of Negative Workplace Behaviour in Nursing," *Journal of Advanced Nursing* 79, no. 2 (2023): 711–26.

⁷ Viermont Pakaya, Ora Et Labora Palendeng, and Erwin Kristanto, "Emergency Respond Time, Waktu Tunggu, Waktu Tunggu Rawat Jalan Dan Kekerasan Pada Perawat Rumah Sakit," *Indonesian Journal of Public Health and Community Medicine* 1, no. 3 (2020): 78–86.

⁸ Ramadhan Tosepu, Hasanuddin Nuru, and Tri Hari Irfani, "Violence against Nurses: A Serious Issue in Indonesia," *Belitung Nursing Journal* 7, no. 2 (2021): 139.

⁹ Eddy Rifai et al., "Legal Protection of Health Workers Who Experience Violence from Patients and Their Families in the Time of the Covid-19 Pandemic," *Nurani Hukum* 5 (2022): 12.

¹⁰ Khudzaiyah Dimiyati et al., "Indonesia as a Legal Welfare State: A Prophetic-Transcendental Basis," *Heliyon* 7, no. 8 (2021).

RESEARCH METHODS

This study employs a descriptive qualitative empirical legal research method aimed at depicting and analyzing in depth the awareness and legal protection of nursing personnel at RSU Dharma Yadnya. The research data were obtained through in-depth interviews with informants consisting of nurses and hospital management, as well as document studies of statutory regulations and internal hospital policies. Data validity was strengthened through source triangulation techniques, namely by comparing and rechecking data accuracy from various sources such as informants, service documents, and relevant legal regulations¹¹. The analysis was conducted using qualitative content analysis that is descriptive and systematic to reveal legal meanings, attitudes, and juridical awareness of nurses regarding their professional responsibilities in practice.

This research method enables the researcher to understand social and juridical realities more comprehensively, so that the results not only describe the factual condition of legal protection for nurses but also provide empirically based policy recommendations. RSU Dharma Yadnya, as a Hindu hospital in Bali grounded in the spiritual values of *Tri Hita Karana*, serves as an important context for examining the synergy between cultural values, legal norms, and healthcare service practices. Given the complexity of nurses' roles and the high level of legal risk within hospital work environments, the urgency of strengthening legal awareness and protection for nursing personnel at RSU Dharma Yadnya Denpasar has become increasingly evident and pressing.

RESULTS AND DISCUSSION

Forms of Legal Protection for Nursing Personnel at RSU Dharma Yadnya Denpasar

Legal protection for nursing personnel at RSU Dharma Yadnya Denpasar represents an embodiment of the rule-of-law principle as stipulated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia. This provision affirms that every citizen, including nurses, is entitled to legal guarantees in carrying out their profession. Law No. 17 of 2023 on Health, particularly Article 273 paragraph (1a), explicitly states that medical and health personnel are entitled to legal protection as long as they perform their duties in accordance with professional standards, service standards, operational procedures, and professional ethics. This provision provides a juridical basis for nurses to obtain legal certainty in their work, including when facing legal claims arising from nursing actions performed within their professional authority.

Based on empirical research conducted through in-depth interviews with nursing personnel at RSU Dharma Yadnya Denpasar, it was found that the forms of legal protection implemented within the hospital environment remain general in nature. Existing mechanisms typically consist only of institutional support when medical disputes occur and do not yet include systematic legal assistance mechanisms or a dedicated unit handling legal issues for nurses. One interviewed nurse stated:

“If there is a legal problem or complaint from a patient, we usually report it to the head nurse or management. The hospital does help, but there is no special unit that handles legal matters for nurses. So if there is a lawsuit, we are still confused about what to do.”

This statement indicates that although the hospital provides moral and administrative support, formal legal protection mechanisms for nurses are not yet clearly structured. This condition demonstrates a gap between legal norms in legislation and their implementation at the institutional level. Nurses tend to rely on informal internal policies such as support from supervisors, solidarity among colleagues, and a familial work culture as forms of social protection rather than formal legal protection.

¹¹ John W Creswell, “Controversies in Mixed Methods Research,” *The Sage Handbook of Qualitative Research* 4, no. 1 (2011): 269–84.

Interviews with hospital management also confirmed that RSU Dharma Yadnya does not yet have an internal legal aid unit or written mechanisms explicitly regulating the limits of nursing authority in delegated tasks. Management stated:

“Our nurses are protected according to regulations, but there is indeed no special legal unit yet. If there is a legal issue, we coordinate directly with HR and the director. We still refer to Ministry of Health regulations and PPNI guidelines.”

These findings show that legal protection is still administrative and reactive rather than preventive, as expected under the theory of preventive legal protection proposed by Elkind (2024) and Al-Billeh et al. (2025), which emphasizes the importance of legal systems that protect citizens before disputes arise.

The implementation of legal protection at RSU Dharma Yadnya Denpasar is also influenced by the hospital’s spiritual values grounded in the philosophy of *Tri Hita Karana*. This philosophy promotes harmony among humans, the environment, and God, encouraging harmonious nursing practices. A senior nurse explained:

“Here we work with the principle of *Tri Hita Karana*, so maintaining good relationships with patients, colleagues, and supervisors is important. Sometimes we prefer to resolve problems in a familial way rather than taking legal action.”

While these cultural values create a harmonious work atmosphere, they also cause many nurses to hesitate to report violence, harassment, or legal conflicts for fear of disrupting workplace harmony. This pattern aligns with findings by Tsunematsu et al. (2023), which show that conflict and violence in nursing professions often arise from weak legal awareness combined with a cultural tendency to prioritize harmony over rights enforcement.

Research by Pidada & Wahab (2024) also supports this finding, noting that most nurses in Indonesia experience workplace violence—both verbal and physical—but hesitate to report it due to limited legal protection and the absence of strong internal complaint mechanisms. A similar phenomenon occurs at RSU Dharma Yadnya, where legal protection remains more institution-oriented than nurse-oriented.

From a human rights perspective, legal protection for nurses must be understood as a guarantee of recognition and security as stipulated in Article 28D paragraph (1) and Article 28G paragraph (1) of the 1945 Constitution. The Indonesian National Human Rights Commission and Constitutional Court emphasize that the right to personal protection and decent work is a fundamental right that must be safeguarded by the state. In the nursing context, this means nurses should not be treated as the sole party responsible in medical cases involving teamwork but must instead be protected proportionally according to their role and authority.

Empirical findings indicate that most nurses at RSU Dharma Yadnya recognize the importance of legal protection but feel they lack the power to formally claim their rights. One emergency-department nurse stated:

“We know nurses also have legal rights, but when it involves problems with patients or doctors, it feels difficult to speak up. We are afraid of being seen as disrespectful to our superiors.” This illustrates that barriers to legal protection are not only structural but also psychological and cultural. Nurses’ legal awareness has not developed proportionally with their professional responsibilities.

Research by Dewi & Aspan (2025) emphasizes that effective legal protection for health workers depends heavily on clear institutional mechanisms within hospitals and support from professional organizations such as the Indonesian National Nurses Association (PPNI)¹². In this context, PPNI could play an important role in providing legal assistance, juridical awareness training, and mediation between nurses and hospital management in the event of legal disputes.

¹² Chandra Dewi and Henry Aspan, “The Effectiveness of the Implementation of the Health Law in Ensuring the Safety of Medical Personnel from Physical and Psychological Threats,” in *International Conference on Artificial Intelligence, Navigation, Engineering, and Aviation Technology*, vol. 2, 2025, 115–22.

Ideally, legal protection for nurses at RSU Dharma Yadnya should not stop at administrative or reactive measures but should include preventive, curative, and educative protection. Preventive protection can be realized through clear guidelines on nursing authority limits; curative protection through rapid legal advocacy mechanisms; and educative protection through regular legal awareness training. In this way, the principle of substantive justice mandated by the Constitution and Law No. 17 of 2023 can be genuinely implemented in nursing practice at RSU Dharma Yadnya Denpasar.

Factors Influencing the Implementation of Legal Protection for Nursing Personnel

Legal, structural, and cultural factors strongly influence the effectiveness of legal protection for nurses at RSU Dharma Yadnya Denpasar. Field findings indicate that the main obstacles stem from unclear legal norms, weak institutional protection mechanisms, and organizational culture that still places nurses in subordinate positions compared with other medical personnel. These three factors interact to shape the socio-legal realities nurses face in healthcare practice.

Legal Factors

Regulatory ambiguity is a primary cause of ineffective legal protection. Article 290 of Law No. 17 of 2023 provides a legal basis for delegation of authority from medical personnel to nurses, either delegatively or by mandate, but does not explicitly define which medical actions nurses may perform. Consequently, in emergency situations nurses often face a dilemma between fulfilling professional responsibility and facing potential legal risks if their actions are considered beyond their authority.

An interview with a senior emergency nurse illustrates this dilemma:

“Sometimes we face situations where patients need immediate action while the doctor has not yet arrived. We know our limits, but if we don’t act, the patient’s life could be at risk. Yet if we do act, we fear being blamed if the outcome is not as expected.”

This reflects tension between professional duty and legal risk due to regulatory uncertainty. Similar findings are reported by Wang et al. (2024), who note that unclear boundaries of delegated authority create legal vulnerability for nurses.

The absence of technical rules also weakens nurses’ legal position during disputes. In several Indonesian cases, nurses become the easiest party to hold accountable because they are on the front line of care. Mahat et al. (2025) confirm that nurses are often blamed in medical errors due to their structurally lower position and limited legal protection. This condition was also identified at RSU Dharma Yadnya, where dispute resolution mechanisms still follow general procedures without nursing-specific legal guidelines.

Structural Factors

Hospital institutional structure plays a crucial role in ensuring effective legal protection. Empirical findings show that RSU Dharma Yadnya does not yet have a dedicated unit handling legal protection for health workers. Existing procedures treat doctors, laboratory staff, and nurses similarly without considering differences in workload and legal risk.

According to the Head of Nursing:

“We do not yet have standard guidelines for legal protection of nurses. If there is a legal issue, it is handled directly by HR or management depending on the case. So there is no specific system to assist nurses legally.”

This indicates institutional weakness in providing legal guarantees. Nainggolan et al. (2024) similarly found that most Indonesian hospitals lack integrated institutional systems for nurse legal protection, offering only administrative rather than substantive safeguards¹³.

Management interviews also reveal that the hospital tends to wait for directives from local government or professional organizations before establishing internal legal policies, reflecting

¹³ Daniel M Nainggolan et al., “The Role of Regulations in Ensuring Legal Protection for Nursing Personnel,” *PRANATA HUKUM* 19, no. 2 (2024): 187–200.

institutional dependence on external regulation. Saks (2021) notes that effective legal protection for health workers requires synergy between national regulations and internal hospital policies¹⁴; without clear internal policies, protection remains declarative rather than operational.

Cultural Factors

Organizational culture and social values also affect legal protection effectiveness. As a Hindu-based hospital, RSU Dharma Yadnya upholds *Tri Hita Karana*, emphasizing harmony among God, humans, and the environment. This value fosters a harmonious, tolerant workplace that prioritizes familial conflict resolution.

One nurse explained:

“The atmosphere here is very familial and respectful. But sometimes, because we try too hard to maintain harmony, we choose to stay silent even when we are treated unfairly by patients or other medical staff.”

This reflects a paradox: strong harmony values create peace but may discourage confrontation, including reporting injustice. Dhamanti et al. (2024) similarly found that many Indonesian nurses hesitate to report violence or legal violations for fear of disrupting workplace relationships¹⁵. Such socio-cultural conditions indicate that legal protection is determined not only by formal rules but also by nurses’ awareness and courage to assert their rights. Limited legal knowledge, reluctance toward superiors, and hierarchical norms hinder effective legal protection systems.

Overall, findings show a correlation among legal, structural, and cultural factors in creating legal vulnerability for nurses. Unclear regulations are compounded by weak institutional systems and workplace cultures that tolerate injustice. Wang et al. (2024) stress that without stronger legal awareness and institutional support, legal protection for nurses will remain normative and difficult to implement effectively¹⁶.

Strengthening Legal Protection and Juridical Awareness of Nursing Personnel

Strengthening legal protection for nurses at RSU Dharma Yadnya Denpasar requires systematic measures combining normative, institutional, and educational approaches. These efforts aim not only to provide legal guarantees during disputes but also to build legal awareness, security, and professional confidence among nurses. Findings show that low legal awareness, weak institutional support, and the absence of internal legal mechanisms are major barriers.

A normative approach is needed to clarify nurses’ authority and responsibilities. A hospital legal officer stated: “We realize the need for more detailed internal regulations on delegation of authority to nurses, so there will be no doubt when they must make medical decisions in the field.”

This reflects institutional recognition of the importance of internal legal guidelines. Hospital regulations defining action limits, delegation procedures, and accountability mechanisms could serve as a foundation for structured legal protection. Akpoghome (2021) emphasizes that legal protection for health workers is effective only when accompanied by operational technical policies at healthcare-facility level.

The institutional approach is equally important. RSU Dharma Yadnya currently lacks a dedicated unit providing legal consultation, advocacy, and assistance for nurses. One nurse explained:

“If there is a legal problem, we don’t know who to go to. Usually we just report to our supervisor, but there is no clear legal assistance.”

¹⁴ Mike Saks, “The Regulation of Healthcare Professions and Support Workers in International Context,” *Human Resources for Health* 19, no. 1 (2021): 74.

¹⁵ Inge Dhamanti et al., “Exploring Healthcare Workers’ Experience and Barriers in Disclosing Patient Safety-Related Incidents: A Qualitative Study in Indonesian Hospitals,” *International Journal of Healthcare Management*, 2024, 1–9.

¹⁶ Wang et al., “Clinical Nurses’ Legal Roles, Challenges, and Responses to Enabling Legislation in China: A Qualitative Study.”

This highlights structural weakness. Establishing a Health Worker Legal Protection Unit could provide consultation, advocacy, and representation. Søvdal et al. (2021) note that such units can reduce stress and increase health workers' sense of security and productivity.

Institutional policy should also be accompanied by stronger collaboration among hospitals, professional organizations, and government. PPNI has played an active role in advocating for nurses facing legal or violent incidents. Elsehrawy et al. (2025) show that professional-organization support increases nurses' willingness to report violence because it provides moral and legal backing.

An educational approach forms the third pillar. Nurses' legal awareness must be improved through continuous training, socialization, and legal-education programs. The Head of Nursing acknowledged:

"We have never had formal legal training for nurses. We mostly attend clinical training, even though the legal aspect is also important so nurses do not take the wrong steps." Martinez & De Oliveira (2021) demonstrate that targeted legal training improves nurses' understanding of their juridical rights and responsibilities and increases confidence in handling conflict or violence¹⁷. Thus, legal education functions not only as capacity building but also as prevention.

Local cultural and spiritual values can also be optimized. *Tri Hita Karana* can serve as a moral foundation encouraging justice and professionalism. Observations show that these values are internalized in nurses' work ethic but remain moral rather than formally integrated into legal policy. Incorporating them into hospital ethical codes could strengthen the moral dimension of legal protection so that law functions not merely as sanction but as a manifestation of social and spiritual harmony.

Hospital management must actively promote legal awareness through guidance and dissemination. Nurses need to understand that legal protection is not only a right but also an obligation to work according to professional standards and procedures, in line with Article 273 paragraph (1a) of Law No. 17 of 2023.

Overall, strengthening legal protection at RSU Dharma Yadnya Denpasar should focus on three main aspects:

1. drafting internal legal guidelines and standard operating procedures,
2. establishing a legal aid unit for health workers, and
3. improving legal awareness through education and outreach.

When implemented synergistically, these measures can transform legal protection from reactive to preventive and sustainable.

This study concludes that effective legal protection for nurses depends on the interaction of regulation, institutional capacity, and organizational culture. As a hospital grounded in *Tri Hita Karana* values, RSU Dharma Yadnya has strong potential to become a model for spiritually and humanistically based legal protection for health workers. Through strengthened legal awareness, improved institutional capacity, and professional courage among nurses to assert their rights, the ultimate goal of creating a fair, effective, and humane legal protection system for nursing personnel can be realistically achieved.

¹⁷ Angel Johann Solorzano Martinez and Giovanna Cecilia De Oliveira, "Workplace Violence Training Programs for Nursing Students: A Literature Review," *Journal of the American Psychiatric Nurses Association* 27, no. 5 (2021): 361–72.

CONCLUSION

Legal protection for nursing personnel at RSU Dharma Yadnya Denpasar normatively has a strong legal basis through Law Number 17 of 2023 on Health, particularly Article 273 paragraph (1a); however, its implementation in practice remains suboptimal. The available forms of legal protection are still general in nature and have not been specifically implemented through internal hospital policies. Nurses frequently face legal uncertainty, especially when carrying out delegated medical actions as regulated in Article 290 of Law No. 17 of 2023, which creates ethical and juridical dilemmas in emergency situations. Empirical findings from interviews indicate that nurses at RSU Dharma Yadnya do not yet have adequate access to legal assistance units and do not fully understand their legal rights and obligations. This situation demonstrates that substantive legal protection has not been fully realized in practice, despite having a clear juridical foundation.

The effectiveness of legal protection is influenced by three main factors: legal, structural, and cultural. Regulations that lack detail, weak institutional systems for legal protection, and a work culture that prioritizes harmony without the courage to report violations are the primary reasons why legal protection for nurses has not been optimal. Necessary strengthening efforts include drafting internal hospital legal guidelines, establishing a legal protection unit for health workers, and providing professional legal training for nurses to enhance juridical awareness. Collaboration among hospitals, government, and professional organizations such as the Indonesian National Nurses Association (PPNI) is essential to create a comprehensive legal protection system. The application of *Tri Hita Karana* values at RSU Dharma Yadnya can serve as a moral foundation for building justice and legal harmony, ensuring that protection for nursing personnel becomes not only a formal obligation of the state but also a manifestation of humanitarian responsibility and professionalism in healthcare services.

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