

Implementation of Indonesia's Regional

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Implementation of Indonesia's Regional Regulation Concerning the Management of Infectious Diseases in the Pandemic Covid-19 (Study of West Nusa Tenggara Local Regulation Number 7 of 2020)

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Abstract

The world is currently experiencing a health crisis due to the COVID-19 pandemic. As a result, all aspects of public activities are disrupted, so that all government programs that have been neatly arranged are delayed. All thoughts, energy and funding are focused on handling COVID-19. And the ones most affected by COVID-19 are in the economic sector. Workers in the private sector, in tourism, are often laid off, as well as being laid off, thus adding to the burden on the government both at central and regional levels to overcome this. To implement the handling of COVID-19 in the regions, West Nusa Tenggara Province, issued Regional Regulation Number 7 of 2020 concerning Contagious Disease Control, as a basis for acting for local government officials in West Nusa Tenggara to tackle infectious diseases. Referring to Article 5 paragraph (1) of the Minister of Health Regulation Number 82 of 2014 concerning Contagious Disease Control, the Regional Government and the community are responsible for organizing Contagious Disease Control and its consequences. As a follow-up handling, referring to the letter of the Governor of West Nusa Tenggara Number 180/275 / KUM, dated 18 August 2020, regarding: Dissemination of the Raperda, which in essence assigns all officials (IPDN) to disseminate the Health Protocol, to the public, regarding that until now, there are no confirmed signs of sloping in the community. This is due to the lack of discipline in the community regarding the spread of infectious diseases like COVID-19, therefore there is a need for socialization to the public.

Keywords: Socialization; COVID-19 Protocol; West Nusa Tenggara; Provincial Regulation

Introduction

Indonesia is a country that adheres to a democratic government system. As a democratic country, there will always be changes in all fields, both in terms of service providers and in terms of policy. The goals to be achieved by the Indonesian people are stated in the preamble of the 1945 Constitution in the 4th paragraph, namely "to promote public welfare, educate the nation's life and participate in implementing world order". The birth of reform in 1998 in Indonesia has rolled from a centralized system to a decentralized system. All sectors lead to decentralization. These sectors are driven by the government sector, namely the centralized government turns into a decentralized government at the district/city level

and the Province becomes the representative of the central government. The devolution of governmental authority by the central government to autonomous regions is a simple definition of decentralization (Law No. 23/2014). The delegation of authority is implemented in the form of the authority to regulate the territory and its respective potential. The existence of regional autonomy is implemented by local governments in various fields of government activities. Included in it are government activities related to regional government policies. Policies are made to solve public problems, so that as a solution to a problem, government regulations will be formed (Wahab, 2012: 5). Several forms of government regulations are in the form of laws, government regulations, presidential decrees, regional regulations, and regional head regulations (Pergub and Perbup/Perwal). Political law has a very important role in the formation of laws and regulations and national law of Indonesia. Some of these laws from the government can be said to be government policies, including regulations regarding sources of regional income which will become the lifeblood of a government, due to its implementation. Government activities require good and stable financial conditions. Government policies that are enforced for the people are often called public policies. This public policy can occur in the central, provincial and district or city governments. The formation of laws in the regions to ensure legal certainty that one's rights are protected and one's obligations can be carried out, namely the existence of legal certainty and the law is made to ensure justice in society, someone who violates the provisions stipulated in written regulations will be subject to administrative sanctions and criminal sanctions for those who break these rules. West Nusa Tenggara Province has issued Regional Regulation (Perda) Number 7 of 2020 concerning Prevention of infectious diseases. Of course, these regional regulations do not come out so easily but go through a long process in accordance with the provisions contained in Law Number 12 of 2011 concerning the formation of statutory regulations. In the formation of laws and regulations, it is necessary to guide the principles of good and ideal formation. This is intended to avoid mistakes and defects in norm formation. The principle of forming good laws and regulations according to I.C. Van Der Vlies, are the formal and material principles. Dunn, William N. (2000: 22), argues that the policy process is a series of intellectual activities carried out in an activity process that is basically political in nature. This political activity is described as a policy-making process and visualized as a series of interdependent stages arranged in a chronological order: agenda setting, policy formulation, policy adoption, policy implementation and assessment. Each step of this policy process requires a comprehensive and in-depth study of all elements and components of local government so that this public policy is realized. From the steps of the policy process, one of the most important things is the implementation of the policy because no matter how good the previous steps were, if the implementation was not successful, the public policy would also fail.

COVID-19 has been designated as a worldwide contagious disease and as a deadly disease, it is hoped that all people of West Nusa Tenggara are obliged to pay attention to life patterns by building clear, equitable, successful boundaries of roles, functions and responsibilities as well as authority. In order to achieve a degree of health, contagious disease control is a health effort that prioritizes promotional and preventive aspects aimed at reducing and eliminating morbidity, disability and death, limiting transmission and spread of disease so that it does not spread between regions and between countries and has the potential to cause extraordinary events / outbreaks. The incidence of an outbreak of an infectious disease in a society where the number of sufferers has increased significantly exceeds the normal situation at a certain time and in a certain area and can cause disaster. Seeing developments from day to day, the transmission of COVID-19 and those positive for COVID-19 has increased in West Nusa Tenggara. Based on the report of the COVID-19 handling task force (dated September 30, 2020), five orange areas are Mataram City, West Lombok, East Lombok, Bima Regency. Meanwhile, Dompu, which used to be a yellow zone, has turned into a red zone, which means that the transmission of cases is getting worse in the area.

Head of the Daily Implementation of the NTB Covid-19 Task Force, H. Lalu Gita Ariadi said of the 27 new positive cases in NTB yesterday, 11 people were in Dompu and 10 people were from Bima City, and the remaining 4 were from Mataram city and 2 people were from outside NTB province. With

these additional cases, the total covid-19 in NTB has reached 3,312 people, with 2,640 people recovered, 196 people died and 476 people are still positive. It was explained that a change in the zone status of an area is determined by 14 indicators that are used as benchmarks for the government. In addition of new positive cases and new death rates, zone status of the area is evaluated for 2 weeks if there are only 1 or 2 who die, it will be very influential. In Dompu yesterday there were 11 positive, then 1 person died.

Meanwhile, from Jakarta, the government issued a new appeal following the cluster of transmission in the family environment which is known to have increased this month. The government is taking a number of steps including tightening activities in the family environment. So the potential for transmission in the house can be suppressed. President Joko Widodo summoned the Minister of Women's Empowerment and Child Protection to immediately take steps, one of which is to strengthen the socialization of health protocols for families. His party also invited children's forums spread across 34 Provinces and 451 Regencies/Cities throughout Indonesia to socialize the movement of wearing masks, maintaining distance and washing hands for 20 seconds with running water.

Research Method

Every study has specific purposes and uses. In terms of research objectives, there are three kinds, namely discovery, verification and development. Research where something is completely new and has never been known before is defined as discovery. At a different point of view, research that tries to ascertain the truth of something that has been considered gray, unclear and full of doubt is interpreted as evidentiary research. Whereas research that deepens previous results, peels sharper and clearer against previous research results is defined as development research. Through research, every human being is basically trying to find answers to a problem that is still a big question mark for the individual himself. In this research it leads to development research because it deepens previous results, examines the results of previous studies on the implementation/implementation of Regional Regulation Number 7 of 2020 concerning Communicable Diseases Management. The results of this study can provide a clear picture of the implementation of the socialization of Regional Regulation Number 7 of 2020 concerning Contagious Disease Control in West Nusa Tenggara. There are 2 (two) research methods that are generally used in research, namely quantitative and qualitative research methods. The difference in axioms between the two which is the benchmark for the difference between the two research methods means that prospective researchers must really define a problem perfectly so that they can then determine the research method to be used. The nature of reality, the relationship between the researcher and the one under study, the relationship between variables, the possibility of generalization and the role of value are axioms which are the fundamental characteristics of the difference between the two. Departing from some of the research basics, in this study, researchers used a qualitative descriptive research method with an inductive approach. "Descriptive research is research that is intended to investigate conditions or other things that have been mentioned, the results of which are presented in the form of a research report" (Arikunto, 2010: 3). While the purpose of using this descriptive method according to Nazir (2011: 54) is "To create descriptions, descriptions or paintings in a systematic, factual and accurate manner regarding the facts, properties and relationships between the phenomena being investigated." According to Arikunto (2010: 3), descriptive research is research that really only describes what is present or occurs in a certain area, field, or area. The data collected is classified or grouped according to its type, nature or condition. After the data is complete, a conclusion can be drawn. According to Sugiyono (2005: 1) Qualitative research method is a research method used to examine the condition of a natural object, (as opposed to experiment) where the researcher is the key instrument, the data collection technique is done by triangulation (combined), data analysis is inductive. and the results of qualitative research emphasize meaning rather than generalization. According to Moleong (2013: 6), qualitative research is based on efforts to form a detailed view of those who are researched, formed with words, complex holiday images. This definition looks more at the emic perspective in research, which is looking at an effort to build a detailed view of the research subject, formed with words, a holistic and complex picture. So what is meant by descriptive

research with an inductive approach is a method that departs from concrete empirical facts in finding the truth, namely by examining, describing the state of an object, system of thought, factual and accurate regarding the facts, properties, and the relationship between The phenomenon being investigated is then linked to relevant or appropriate theories to produce general conclusions. In this study, researchers tried to present a description of the implementation of Regional Regulation Number 7 of 2020 concerning the prevention of infectious diseases during a pandemic.

Analysis and Discussion

Law Politics and Decentralization Theory as Basis of Local Regulation

Governance is in accordance with regional government policies that the government hands over governmental authority to provincial and district/regencies/regions in the framework of regional autonomy According to Syafrudin (2007: 24) that the transfer of authority through the decentralization mechanism has several general objectives, namely: first, the effectiveness of grass roots governance, participation and democracy; both systems of government to match the interests of the demands of the part of the country; the third calculation of the factors of democracy, geography and culture; fourth, recognition of the existence and real need of the regions; and fifth, providing opportunities and training local leaders. Based on the system of decentralization and regional autonomy in accordance with the prevailing government policies, autonomous regions, namely provinces, regencies and cities, have regional autonomy authority. Government policies are closely related to public policy. The real policy is not only related to the mechanism of translating political decisions into routine procedures through the bureaucratic channels but more than that, it is more about conflicts, decisions and who gets what from a policy. Because it is not too wrong to say that policy is an important aspect of the whole process of making and determining government decisions (Sumaryadi, 2013: 83). In this context, of course, a deep understanding of the policy itself is needed. public policies need to be designed or planned, implemented through various organizations and institutions, led by the government and the executive organization it leads, namely the bureaucracy, together with the people and to achieve results.

Politics is seen as what happens in the state law-making body to the making of Regional Regulations both in Provinces, Districts/Cities. Politics includes events that occur around government decision making. Political law means determining the purpose and content of statutory regulations, a statement of the will of the state government regarding the laws applicable in its territory and the direction in which the law will be developed the objectives and basis for the formation of statutory regulations. Government or state policies/politics in the field of law can be addressed to the material (content). According to Padmo Wahjono, political law is a policy of state administrators which is fundamental in determining direction, form and content of the law to be formed and about what the criteria for punishing something are. Political law which is the basic reason for the issuance of a statutory regulation, nature; neutral and contains universal values of objectives and reasons for the formation of laws and regulations.

In drafting a regulation, it is necessary to have three bases for drafting legislation, namely (1.) the principle of legislation, (2.) the principle of the formation of legislation, (3.) the basis for the enforcement of legislation, the principles of statutory regulations, the basis for the legislation of the invitation is:

- Customary law, jurisprudence and others, only as input.
- Only certain laws and regulations can be used as a juridical basis.
- Regulations of higher or equivalent and directly related laws and regulations.
- Regulations Applicable laws and regulations can only be deleted, revoked, or amended by statutory regulations of an equivalent or higher level.

- New laws and regulations override the old ones.
- Regulations of higher laws override lower ones.
- Regulations that specific in nature override laws that are general in nature.
- Each type of regulation has different content.

Every law made is always based on a number of basic principles or principles. The principle of law is the foundation of a statutory law. If the principle is set aside, the building of the law and all implementing regulations will collapse. Satjipto Rahardjo (1986: 87) states that legal principles are not legal regulations. However, there is no law that can be understood without knowing the legal principles in it, because legal principles give ethical meaning to legal regulations and legal systems.

West Nusa Tenggara Local Regulation on Management of Infectious Diseases in the Pandemic Covid-19

Currently humans and the world economy have almost stopped moving due to the corona virus, helpless to face an organism measuring 80-150 nanometers. Not sure when you can move freely. Corona viruses are a large family of viruses that can infect birds and mammals, including humans. The Corona virus or COVID-19 is zoonotic, meaning that it is a disease that can be transmitted between animals and humans. Rabies and malaria are examples of zoonotic diseases that exist. Likewise, with MERS which is transmitted from camels to humans. Over the last 70 years, scientists have discovered that the coronavirus can infect mice, dogs, cats, turkeys, horses, pigs and livestock. Sometimes these animals can transmit the corona virus to humans.

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Recently the new corona virus emerged and known as COVID-19 triggered an outbreak in China in December 2019, and spread in various countries so that WHO declared a global pandemic. A person can be said to be infected with the corona virus itself, it is quite difficult to see at first, this is because not everyone who has been infected will immediately show symptoms of the initial symptoms of the corona virus. It takes 2 to 14 days for the person who has been infected to produce signs or features of the corona virus. During this time, an infected person may unknowingly pass it on to others. This is why it is very important to isolate yourself at home first for approximately 2 weeks, especially for people who have recently traveled abroad or who have had contact with patients who have contracted the corona virus. Characteristics of people who are infected with the corona virus with a lower level such as: fever, cough and shortness of breath, fatigue. Meanwhile, severe features include: discomfort and pain, sore throat, diarrhea, red eyes, headaches, loss of taste and changes in skin. Then the serious symptoms of difficulty breathing, chest pain or pressure in the chest and loss of ability to speak or breathe and what we need to be aware of is that we are infected by people without symptoms (OTG), the person does not feel the symptoms as above because their cute body is good but can transmit to others.

The ability of the province of West Nusa Tenggara to carry out contact tracing or contact tracing of positive patients with COVID-19 is still very encouraging. The ratio of transmission of close contact, which is the key to COVID-19, has never been ideal. In the weekly evaluation it becomes our attention, (H. Lalu Gita Ariadi). The current contact tracing is based on groups of people who are not easily coordinated, including office workers, including employees in government service offices. However, contact tracing was not ideal according to population. The ability of local governments, especially district/city governments, is very limited in carrying out massive contact tracing. In addition, some people are afraid of being tested by officers. Based on the developments that have been infected with COVID-19 in West Nusa Tenggara, for this reason the West Nusa Tenggara Provincial Government makes and immediately issues Regional Regulation Number 7 of 2020 concerning the prevention of infectious diseases in order to maintain, protect and improve the degree of public health. This Regional Regulation was formed with the aim of being a guideline for Regional Government in:

- a. Stops the spread of infectious diseases
- b. Reducing the number of sufferers and the number of deaths.
- c. Maintain public health against disease exposure
- d. Protecting the socio-cultural and economic life of the community (article 3).

Prevention of communicable diseases Infectious diseases that have been designated by the central government as an epidemic or pandemic, prevention is carried out, namely by breaking the chain of transmission of COVID-19, therefore it is urged to all people of West Nusa Tenggara to keep wearing masks, keep their distance and wash their hands frequently and to stay at home if there is no urgent need. Until now, in West Nusa Tenggara, all educational institutions from kindergarten to tertiary institutions have not been allowed to face-to-face and learn via online with an online system according to the instructions of the Minister of Education. Efforts to prevent, control and eradicate infectious diseases are carried out by the Regional Government together with the community through health efforts consisting of: health promotion, health surveillance, risk factor control, case-finding, and case-subscription, provision of immunity and mass administration of preventive drugs. Since it was promulgated in the Regional Office of West Nusa Tenggara Province on August 28, 2020, all district / city governments and educational institutions and other institutions in West Nusa Tenggara are required to disseminate this Regional Regulation in accordance with the Governor's instructions for that. Taking part in the socialization of the Regional Regulation in Central Lombok Regency as well as distributing masks to the community. The local government in collaboration with the TNI/Police and Satpol PP continues to carry out mask raids where it even reaches the traditional markets so that people remain obedient to health protocols in article 20 of Regional Regulation Number 7 of 2020 Article 20, namely:

- Every person is prohibited from doing/actions that aim to spread or transmit disease
- Take medical action against sufferers or suspected sufferers of infectious diseases or suspected sufferers of infectious diseases which are designated as epidemics/external conditions (KLB)/health emergencies that are troubling the world community (KKMMD)
- Import from outside the area and/or label animals that are infected with the disease or are reasonably suspected of being infected with the disease.
- Providing and/or disseminating false information about a disease which results in public unrest, disturbance of order and regional security.

Regional governments in all regencies/cities in West Nusa Tenggara continue to coordinate with all elements in the context of the implementation of prevention of infectious diseases to prevent illness, death and disability. In order to achieve the objectives of the formation of Regional Regulation Number 7 of 2020 and so that the people in West Nusa Tenggara Province are disciplined, the Regional Regulation in Article 23 states administrative sanctions, including:

- 22 1. Violation of the mandatory provisions as referred to in Article 17 letter d may be subject to:
 - a. Verbal warning
 - b. Written warning
 - 18 c. Administrative fines of up to Rp. 500,000.
2. The imposition of sanctions as referred to in paragraph (1) can be carried out directly during the control operation by the Satpol PP together
3. Further provisions are regulated in a Governor Regulation.

Meanwhile, the criminal sanctions are:

- 10 1. Every person who violates the provisions of the prohibition as referred to in Article 20 shall be punished with a maximum imprisonment of 6 (six) months or a maximum fine of Rp. 21 50,000,000.00., (Fifty million rupiah)
2. The criminal act as referred to in paragraph (1) is a violation.

The community is expected, both individually and in an organized manner, and to contribute ideas and considerations regarding the determination of technical policies and implementation of protection against infectious diseases. Data shows the number of suspected Covid-19 cases as many as 11.627 people, with details of 269 people still in isolation, 75 people still in probable status, 11.283 people have been removed from the list. Furthermore, people in close contact with positive patients with COVID-19, but without symptoms, 25,803 people have finished quarantine; the remaining 2.326 people are still in quarantine. The perpetrators of the trip were 78.322 people who had traveled from areas affected by COVID-19 who were still undergoing quarantine, 1.024 people and 77.298 people who had completed the quarantine period.

Recently the COVID-19 case was contributed by many people who traveled outside the region (Head of the NTB provincial Health Service). Therefore, in the future, to reduce the spread of COVID-19, it is necessary to intensify the screening of travel actors, including construction workers, mining, tourism and others. The condition of society in the current era of the new normal life order illustrates the situation where the community has calmly adapted, the return to normal life is now our awareness as a society in the face of the COVID-19 pandemic has gradually begun to neglect to implement a healthy lifestyle in efforts to prevent and break the chain of the corona virus. However, amidst the tension in human activity that has returned to normal, there is the case that the incidence of COVID-19 has not completely disappeared from the surface, even though, ironically, in the midst of people's unconsciousness, the number of COVID-19 spread continues to increase. Regional Regulation Number 7 of 2020 concerning the prevention of infectious diseases has become an effective educational media for the Covid-19 health protocol for the public. Apart from the general public, all levels of society who are domiciled in West Nusa Tenggara, including officers and apparatus, are the targets for its implementation.

Conclusion

The function of Regional Regulation Number 7 of 2020 is as a medium to educate the public, including officials and officers, how important it is for us to educate and prevent infectious diseases. The West Nusa Tenggara Provincial Government has taken a very precise policy and is supported by the DPRD and all levels of society in the midst of this pandemic by issuing Regional Regulation Number 7 of 2020 concerning Prevention of Infectious Diseases because the consequences of contracting COVID-19 are very dangerous and can be deadly especially for patients who have congenital pain. Public awareness must also be increased in breaking the chain of COVID-19, especially with the discipline of carrying out health protocols, namely wearing masks, maintaining distance, and frequently washing hands using soap with running water.

COVID-19 subscribers have clear standards or standards throughout West Nusa Tenggara Province so that the subscribers will benefit. Comprehensively as one unit of mutual cooperation to deal with COVID-19 as a whole, all people are affirmed to comply with Regional Regulation No.7 of 2020 concerning Contagious Disease Control. Every community is obliged to carry out 3M, namely wearing a mask, when doing activities outside the home, maintaining distance, and washing hands diligently. Thus, the managers of public places and centers of social economic activity are also required to provide these 3M facilities. To prevent transmission and early detection of COVID-19 transmission, health workers continue to carry out Contact Tracing for all people who have had contact with positive observation. All health workers in the Regency/City identify the epicenter of local COVID-19 transmission to take preventive measures and control COVID-19. Until now, the transmission of COVID-19 is still happening; this shows that the transmission of this virus is still not well controlled. Therefore, it is appealed to the people of West Nusa Tenggara to remain obedient and disciplined in implementing health protocols and prevention of Covid-19 in their daily activities. Regional governments throughout NTB, which are fully backed up by the TNI-Polri, have begun to take action and enforce Regional Regulation No.7 of 2020 so

that they can provide a sense of discipline to the community in daily activities, to implement the covid-19 health protocol. For the current sanctions, social sanctions to administrative sanctions and values according to the status of the community itself.

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