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PERFORMANCE SUPERVISION

HEALTH SOCIAL SECURITY IMPLEMENTING AGENCY

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ABSTRACT The study of the supervision of the House of Representatives of the Republic of Indonesia on the performance of the Health Social Security Administering Agency is important at least for several reasons: First, the suboptimal oversight function of the House of Representatives of the Republic of Indonesia has resulted in many violations of the implementation of the laws that have been established. Second, it is important to find out where the role of the House of Representatives is as a state institution that has a supervisory function over the policies that have been taken through Law No. influence on the performance of the Health Social Security Administering Agency. The formulation of the problem in this study, is First, how is the Implementation of the Supervisory Function of the House of Representatives of the Republic of Indonesia on the Health Social Security Administering Agency? Second, what are the obstacles to the implementation of the supervisory function of the House of Representatives of the Republic of Indonesia on the performance of the Health Social Security Administering Agency? The theoretical framework used in this research is Monitoring Theory. The research method used in this study uses empirical legal research methods. The conclusion of the study: the inability of the House of Representatives of the Republic of Indonesia in carrying out its function to question various government policies that are deemed less popular or suspected of having no major benefits for the community.

KEYWORDS: Supervision, Indonesian People's Representative Council, Health Social Security Implementing Agency

INTRODUCTION

The function of the House of Representatives is carried out in order to meet the needs of the community.(Sugiman, 2020) There is not a single policy made by the House of Representatives related to its functions and duties but to accommodate and realize what is in the interests of the people as stated in Article 69 paragraph (2) of Law No. 17 of 2014 concerning the People's Consultative Assembly, the People's Representative Council, the Regional Representatives, and Regional House of Representatives.(Ridwan, 2011) Accommodating interests, absorbing the aspirations of all levels of society, whether an organizational group, community group or individual, is the basic essence of the function

of the House of Representatives.(Sebayang, 2013) Thus, harmonizing various wills is the responsibility of the House of Representatives. The study on the supervision of the House of Representatives of the Republic of Indonesia on the performance of the Health Social Security Administering Agency is important at least for several reasons:(Hanny, 2020)

First, the lack of optimal oversight function of the House of Representatives causes many violations of the implementation of the laws that have been formed. (Solihah & Witianti, 2016) Violations of the law come from state institutions, whether executive, judicial or legislative itself.(Yani, 2018) The simple purpose of the regulation being formed is to satisfy what is in the public interest. For example, what is happening at the moment is causing "noise" between the community and the government, namely the increase in Health contributions, which is considered very burdensome for the community.(Irawan, 2021; Kartikasari, 2020)

Second, it is important to find out where the role of the House of Representatives as a state institution that has a supervisory function over the policies taken through Law No. 24 of 2011 concerning the Health Social Security Administering Agency is, especially how the supervision of the House of Representatives has an influence on the performance of the Health Social Security Administering Agency. Because for the community, the House of Representatives should be able to place its bargaining position as an institution that functions as checks and balances, as a supervisor on the performance of the Health Social Security Administering Agency before the policy on increasing the premiums of the Health Social Security Administering Agency is signed by the President.(Hanny, 2020)

Based on the foregoing, the formulation of the problem in this study, are, first, how is the Implementation of the Supervisory Function of the House of Representatives of the Republic of Indonesia on the Health Social Security Administering Agency? Second, what are the obstacles to the implementation of the supervisory function of the House of Representatives of the Republic of Indonesia on the performance of the Health Social Security Administering Agency?

METHODOLOGY

The theoretical framework used in this research is control theory Kadarisman in Jufrizen Supervision is an uninterrupted process to ensure that the implementation of tasks, functions, and authorities does not deviate from the rules that have been set to achieve organizational goals.(Kadarisman, 2012) Sukarna in Jufrizen, "Supervision is corrective actions in the implementation of work so that all activities are by predetermined plans, instructions, and instructions so that the predetermined goals can

be achieved". Admosudirjo in Feriyanto and Triana in Jufrizen "supervision is a whole rather than an activity that compares or measures what is being or has been implemented with criteria, standard norms, or plans that have been previously determined." (Yahya, 2006)

The method used by the author in this study is an empirical legal research method. The approach is through interviews with the aim of seeking information through discussion and question and answer. (Irianto & Shidarta, 2011) In this case, the researcher interviewed Nihayatul Wafiroh, as the head of Commission IX of the House of Representatives of the Republic of Indonesia, then Felly Estelita Runtuwene, who is also the leader of Commission IX of the House of Representatives of the Republic of Indonesia and Ashabul Kahfi, as Member of the House of Representatives of the Republic of Indonesia, Commission IX, in which the Commission IX is a commission in partnership with the Social Security Organizing Agency for Health, this interview method is in the form of questions that the author sends directly to the resource person's office in the House of Representatives of the Republic of Indonesia. In this case, the researcher will examine the effectiveness of the supervisory function of the House of Representatives of the Republic of Indonesia as stipulated in the Law of the Republic of Indonesia Number 17 of 2014 concerning the People's Consultative Assembly, the People's Representative Council, the Regional Representatives Council, and the Regional People's Representative Council in supervising the performance of the Guarantee Agency Health Social.

RESULT AND DISCUSSION

A. Implementation of the Supervisory Function of the House of Representatives of the Republic of Indonesia on the Health Social Security Administering Agency

Almost certainly all countries have social security programs. (Rys, 2011) In Indonesia, to run the program, a Social Security Administering Agency was created. This Agency is a legal entity formed and mandated by law. (Karim et al., 2018) Intended for all Indonesian people. The Law on the National Social Security System stipulates that changes to the social security administering Agency that are currently in force are possible to create or form new bodies or institutions in accordance with the dynamics of social security developments. (Putri, 2014)

The House of Representatives In supervising the Health Social Security Administering Agency, it is obligated to guarantee that it can provide the benefits as

referred to in Article 22, both public and private health facilities that collaborate with the Health Social Security Administering Agency.(Arisandi, 2021) Unlike the case when in a state of emergency or emergency, health services and facilities can be provided even if there is no cooperation. Compensation can be provided by the Health Social Security Administering Agency if in an area the available health facilities do not meet the standards and requirements for medical needs. If participants require hospitalization, the services provided are adjusted to the applicable standard class. Payment for health facilities in each region is adjusted based on an agreement between the association of health facilities and the Social Security Administering Agency.

A series of supervision carried out by the House of Representative of Indonesia Republic on health insurance agency is often carried out more or less every month, as the authors have collected, the supervision carried out by the House Of Representative Of Indonesia Republic on Health Insurance Agency often coincides with other bodies. With the example of supervision contained in the Hearing Meeting of the House of Representatives Commission IX with partners contained in the Lapsing (Short Report) in November 2019.

During the Hearing Meeting, one of them discussed the explanation of the President Director of Health Insurance Agency Kesehatan regarding the Grand Design for the Implementation of the 2019-2024 National Health Insurance Program by the Government's Vision and Mission. In this meeting, the House of Representatives of the Republic of Indonesia through Commission IX heard the visions and missions of Health Insurance Agency regarding the Grand Design for the Implementation of the 2019-2024 national health insurance program by the Government's Vision and Mission.

Even the House of Representatives perform their duties to oversee the performance of Health Insurance Agency Health, and at the meeting, the House Of Representative Of Indonesia Republic asked the President Director of Health Insurance Agency Health for an explanation regarding: First, the Participation System and Contribution Management, where the House Of Representative Of Indonesia Republic asked Health Insurance Agency Health to make improvements. Second, First Level Referral Health facilities require strengthening of capitation funds according to the president's vision and mission. Third, regarding what steps Health Insurance Agency Kesehatan takes to resolve any arrears in payment of claims from Advanced Referral Health Facilities. Fourth, ask Health Insurance Agency Health to submit a report to the House Of Representative Of Indonesia Republic regarding the results of the Financial and Development Supervisory Agency audit regarding the implementation of Data Cleansing.

In addition to asking for an explanation from the Director of Health Insurance Agency, the House of Representative Of Indonesia Republic also asked for an explanation related to the future condition of Health Insurance Agency, including First, Health Insurance Agency contributions have increased. Second, what are the strategic steps that will be taken by the Minister of Health and National Social Security Council to overcome the budget deficit. Third, related to how the two steps to improve the health service system, especially related to infrastructure and human resources.

Supervision did not stop there, the next day the House of Representatives held a Working Meeting with the Minister of Health and also a Hearing Meeting with the leadership of health insurance agency Health which was attended by the Supervisory Board and the Managing Director of health insurance agency and also with the leadership of the National Social Security Council which was attended by the chairman. During the discussion, the House Of Representative Of Indonesia Republic formulated several monitoring points, including First, Commission IX of the House Of Representative Of Indonesia Republic remained consistent so that premiums for class III Non-Wage Recipients and not a worker were eliminated. Second, to suggest and urge the Indonesian Ministry of Health to seek financing for the difference in the increase in National Health Insurance contributions for Non-Wage Recipients and not a worker class III no later than December 31, 2019. Third, to urge Health Insurance Agency Health together with the government to finalize data cleansing of the remaining problematic Contribution Assistance Recipient State budget data. No later than the end of November 2019. Fourth, related to data cleansing of 96, With 8 million Contribution Assistance Recipient experiencing exclusion and inclusion errors, the Indonesian House of Representatives urges the Indonesian Ministry of Health, Ministry of Home Affairs, Ministry of Social Affairs, and Health Insurance Agency Health to be resolved immediately. Fifth, regarding the fulfillment of social security for non-civil servant government employees, the House Of Representative Of Indonesia Republic urges the National Social Security Council to immediately coordinate with related institutions and agencies. Sixth, Contribution Assistance Recipient State budget participation data throughout Indonesia must be submitted immediately by health insurance agency to the house of representative of indonesia republic no later than December 18, 2019.

After that, the next hearing meeting discussed the increase in participant fees, both Non-Wage Recipients and not a worker Class III which had experienced delays. The result of the meeting was to support the steps of the Ministry of Health of the Republic of Indonesia, Health Insurance Agency Health, and National Social Security Council so that in

the future they can utilize and optimize the surplus of Social Security Funds as an alternative solution in terms of payment of the difference in the increase in Non-Wage Recipients and not a worker class III contributions totaling 19,961,569 people. For this reason, the Ministry of Health of the Republic of Indonesia and health insurance agency guarantee that it can be implemented by the provisions of the legislation as of January 1, 2020.

Supervision for the sake of supervision is carried out by the House of Representative Of Indonesia Republic to facilitate what is on the agenda of the people's representatives, namely the creation of a conducive atmosphere in every line of people's lives. The House of Representative Of Indonesia Republic also continues to hold meetings to control or supervise the inputs that have been recommended at the previous meeting, entering the second trial period, on Monday, January 20, 2020, the House Of Representative Of Indonesia Republic Commission IX held a work meeting again. The agenda carried out at the meeting was to follow up on what was the conclusion of the meeting on December 12, 2019, that could not be implemented. Therefore, the House of Representatives Commission IX asked the Minister of Health of the Republic of Indonesia, National Social Security Council, the Director of Health Insurance Agency Health, and the Board of Health Insurance Agency so that coordination and consolidation to find a solution to the increase in contributions can be carried out immediately.

Member of the House of Representatives Commission IX, Felly Estelita Runtuwene, explained that in the future the DPR will hold a working meeting with the Minister of Health, and will summon the Chairman of the National Social Security Council, the Director of Health Insurance Agency Health and the Health Insurance Agency Supervisory Board to discuss and find solutions for the increase in contributions. The House of Representatives of the Republic of Indonesia realizes that the increase in Health Insurance Agency Health in this difficult time is not a solution for the community but adds to the burden on the community.

During the recess at the third session of the House Of Representative Of Indonesia Republic, Commission IX again held a meeting that brought together the Coordinating Minister for Human Development and Culture, the Minister of Health, the Chair of the national social security council, the Chair of the Health Insurance Agency Board, and the Director of the Health Insurance Agency to discuss and examine how the Health Social Security Fund was used. currently experiencing a deficit can be overcome and improvements in the governance of the health care system whose governance is still far from good can be corrected according to standards.

The results or recommendations at the meeting included: First, National Health Insurance governance, which is still far from good, needs to be corrected immediately by referring to what the Financial and Development Supervisory Agency recommends. Second, regarding financing and payment systems, which are still experiencing many problems, comprehensive research and study should be made immediately to find a new formula. Third, there is a need for an in-depth study of the benefits of health insurance according to basic needs. Fourth, the obligation to register all families on the family card to join Health Insurance Agency is to be abolished.

After the Hearing Meeting in June 2020, the Indonesian Parliament continued to supervise Health Insurance Agency, where this meeting was held in September 2020 with the discussion agenda: First, an explanation of the formulation of standard class policies and basic needs including a redefinition of membership classes and service benefits. in the National Health Insurance Program. Second, an explanation of the 2020 National Health Insurance Program deficit projection. Third, an explanation of the verification process and payment of claims for Covid-19 service fees.

Felly Estelita Runtuwene again explained that the most important thing was that the Indonesian House of Representatives through Commission IX urged Health Insurance Agency Health to immediately resolve hospital claims for newborns based on Minister of Health Regulation No. 76 of 2016 concerning INA-CBGs Guidelines, Letter of the Minister of Health Number JP.02.04/MENKES/602/ 2020 dated 7 September 2020 regarding the response to HEALTH INSURANCE AGENCY Health's letter regarding Newborn Baby Claim Guarantee with Actions in the Implementation of the National Health Insurance Program and the findings of Financial and Development Supervisory Agency, no later than 31 October 2020.

B. Obstacles in the Implementation of the House Of Representative Of Indonesia Republic's supervisory function on the performance of the Health Social Security Administering Agency (Health Insurance Agency)

In 2019, the Health Insurance Agency deficit is estimated to reach IDR 32.9 trillion. From the results of an audit by the Financial and Development Supervisory Agency (Financial And Development Supervisory Agency), there are many problems with the National Health Insurance system. Therefore, the National Health Insurance system needs to be improved completely so that Health Insurance Agency Kesehatan does not continue to run into a deficit.

There are findings of invalid data regarding the Beneficiary of Contribution Assistance Health Insurance Agency. The scheme of who is entitled to receive Contribution

Assistance Recipient is also a problem and a solution must be found. Valid membership data is very important to determine the amount of State budget allocation for National Health Insurance. With that, the monthly costs incurred by Health Insurance Agency can be estimated.

A budget deficit is the main problem why contributions are raised. The Managing Director of health insurance agency, Fachmi Idris, said that even though it was raised in 2020, Health Insurance Agency had not been able to get out of the "abyss" of the deficit as a whole. Health Insurance Agency predicts that the deficit will reach IDR 32 trillion, at least until the end of 2019. Meanwhile, the government disbursed funds of around IDR 9.13 trillion (health.detik.com, 20 November 2019).

As far as is known, the increase in contributions did not occur only once. In 2016 the government has also increased dues through Presidential Decree No. 19 of 2016 concerning the Second Amendment to Presidential Regulation No. 12 of 2013 concerning Health Insurance. The Presidential Regulation came into effect on April 1, 2016. The increase, according to Health Insurance Agency, is the effect of the Health Insurance Agency budget which continues to run a deficit. contribution is a consequence of the deficit experienced by Health Insurance Agency at that time. And again, approximately three years later, in 2019 the government took the same policy and for the same reason. Through Presidential Decree No. 75 of 2019 concerning Amendments to Presidential Regulation No. 82 of 2018 concerning Health Insurance, the government has increased the dues and has been in effect since January 2, 2020.

In the DPR's supervision of the performance of Health Insurance Agency, of course, there are many obstacles faced. For now, and in a pandemic condition like now, for example, the monitoring function is a bit hampered. Especially when doing investigations and cross-checks in the field.

The next problem is the synchrony of the data obtained by the DPR with the data owned by the government, namely Health Insurance Agency regarding the budget or the number of participants participating in the Health Insurance Agency program. the question of how to accommodate many different interests. The House of Representative of Indonesia Republic must find solutions and a middle ground so that the interests of the government, society, and other stakeholders find a win-win solution point. Of course, so that all parties feel satisfied and fair without negating the principles of good institutional governance as the basic principle. For example, during the meeting of Commission IX of the House of Representative Of Indonesia Republic with Health Insurance Agency and the Health Insurance Agency Council on March 17, 2021, After listening to the partners'

explanations and conducting an in-depth study of the material, Commission IX of the House of Representatives of the Republic of Indonesia found indications that Health Insurance Agency Kesehatan was considered to be blocking the work of the Supervisory Board from obtaining budget data. This certainly becomes one of the challenges in managing various interests and political processes for improving institutional governance, and the best solution must be found for better performance.

Member of the Indonesian House of Representatives Commission IX Nihayatul Wafiroh¹ explained that as a member of Commission IX of the House Of Representative Of Indonesia Republic, he continues to monitor and evaluate all policies of partners, including the performance of Health Insurance Agency. The procedural mechanism of supervision that we carry out is by summoning Business Partners and other stakeholders in Commission IX of the House Of Representative Of Indonesia Republic in Working Meetings, Hearings Meetings, Public Hearings Meetings, and Joint Meetings across Commissions and Ministries/Institutions. Other forms of policy supervision are also carried out through Kunker, Sidak, as well as through the media or other political channels that are legal according to the law.

In short, we at Commission IX of the House Of Representative Of Indonesia Republic continue to ensure that partner performance goes well. All reports submitted to Commission IX of the House Of Representative Of Indonesia Republic will be reviewed. The data presented by partners, for example, will be criticized and evaluated if they are not by the objective conditions in the field. All of this is done as a form of control or supervision in improving the performance of Health Insurance Agency.

When the increase in the Health Insurance Agency Health Contribution was rejected by elements of the community together with the House Of Representative Of Indonesia Republic and was canceled by the Supreme Court, then a Presidential Regulation on the increase in Health Insurance Agency contributions was again ratified, Member of the House Of Representative Of Indonesia Republic Commission IX Nihayatul Wafiroh explained that on October 24, 2019, President Jokowi issued Presidential Regulation No. 75 of 2019 concerning amendments to Presidential Regulation number 82 of 2018 concerning Health Insurance. In the Presidential Regulation, it is noted that the increase in Health Insurance Agency is up to 100 percent. The monthly fee for class III was previously Rp. 25,500, this time paid Rp. 42,000. For class II previously Rp. 51,000 this time to Rp. 110,000 per month. Class I, which was previously Rp. 80,000, has now become Rp. 160,000. The basis is to cover the 2019 Health Insurance Agency deficit of 32.8 T.

¹Nihayatul Wafiroh, Interview, Jakarta, 08 April 2021

As a policy response from the government, on September 2, 2019, Commission IX of the Indonesian House of Representatives held a joint meeting with the Ministry of Health, and Health Insurance Agency. In this meeting, the House Of Representative Of Indonesia Republic gave a strong rejection of the increased fees for class III-Independent. The House Of Representative Of Indonesia Republic asked the government to postpone and find other solutions, not to increase the fees. Likewise, with the meeting on November 7, 2019, Commission IX of the House Of Representative Of Indonesia Republic still decided not to approve the increase in Health Insurance Agency contributions. Likewise, during the December 9 2019 meeting, a joint meeting with the Ministry of Health, National Social Security Council, and Health Insurance Agency, the House Of Representative Of Indonesia Republic still did not approve the increase in Health Insurance Agency contributions.

On December 12, 2019, Commission IX of the House Of Representative Of Indonesia Republic held a hearing with the Ministry of Health, Health Insurance Agency, the Health Insurance Agency Supervisory Board, and the Head of the National Social Security Council and decided for class III non Contribution Assistance Recipient or independent, in the end, it did not go up. The Ministry of Health, Health Insurance Agency, the Supervisory Board of Health Insurance Agency, and the Head of the National Social Security Council and decided for class III non Contribution Assistance Recipient or independent, in the end, it did not go up.²After the meeting, it was said that Commission IX of the House Of Representative Of Indonesia Republic provided support for alternative solutions taken by the Indonesian Ministry of Health, Health Insurance Agency, and National Social Security Council to take benefits from the surplus of the Social Security Fund to be able to pay the difference in the increase in participant contributions which amounted to 19,961,569 people. The Ministry of Health and Health Insurance Agency guarantee that, as of January 1, 2020, it can be implemented. However, in reality on the ground, the increase in Health Insurance Agency contributions is still being applied to all classes. The issues developed by the media are getting wilder. The government builds media opinion that, if the December 12, 2019 decision is still enforced, it will have the potential to violate the law and corner Commission IX of the House of Representative of Indonesia Republic.

To respond to this chaos, the leadership of the Indonesian House of Representatives also held an FGD on January 28, 2020, inviting the National Police, as well as the Attorney General's Office. The National Police stated that Based on the direction of the President of the Republic of Indonesia, to support the acceleration of development, the police are

² Nihayatul Wafiroh, Interview, Jakarta, 08 April 2021

expected not to indiscriminately criminalize state officials, especially those related to administration. Meanwhile, the Attorney General's Office stated:

1. There is Jurisprudence from the Supreme Court even though there is an element of personal action, b. the state is not harmed, c. The public interest is served; then the action does not violate corruption;
2. Thus, Jampidum believes that the use of DJS Health assets other than those contained in Article 21 government regulations number 87/2013, can be carried out as long as it does not harm the state, does not have personal gain, and is for public benefit.

The Indonesian Dialysis Patient Community (KCDI) and other CSOs requested a judicial review of Presidential Regulation (Perpres) No. 75 of 2019 concerning Amendments to Presidential Regulation No. 82 of 2018 concerning Health Insurance after previously holding an audience at Commission IX of the House Of Representative Of Indonesia Republic. This lawsuit was won by KPCDI and the Supreme Court canceled the increase in Health Insurance Agency Contributions. The Supreme Court's decision was officially accepted by the Government on March 31, 2020, and the government must heed the Supreme Court's decision no later than 90 days, which is until June 29, 2020.

Commission IX of the House Of Representative Of Indonesia Republic continues to encourage the Government to immediately implement this Supreme Court decision. However, the Government did not heed it and increased HEALTH INSURANCE AGENCY contributions again through Presidential Regulation Number 64 of 2020 concerning the Second Amendment to Presidential Regulation Number 82 of 2018 concerning Health Insurance. The presence of this Presidential Regulation is actually the opposite, the Government has again increased Health Insurance Agency Contributions for class I and Class II starting July 1, 2020. Meanwhile, Health Insurance Agency Contributions for class III will be increased in 2021.

On June 11, 2020, and in response to Presidential Regulation Number 64 of 2020 concerning the Second Amendment to Presidential Regulation Number 82 of 2018 concerning Health Insurance, Commission IX of the House Of Representative Of Indonesia Republic summoned and held a Working Meeting and Hearing Meeting with the Coordinating Minister for Human Development and Culture, Minister of Health, Chairman of National Social Security Council, Chairman of the Board of Health Insurance Agency, and Director of Health Insurance Agency. His meeting was very tough, and one of the conclusions of this meeting was that Commission IX of the House Of Representative Of

Indonesia Republic requested that the government immediately conduct a study on the financing of independent class III Non-wage workers and non-workers.

Supervision of any policy must be carried out and not only the policy of increasing Health Insurance Agency Contributions. About its supervisory function, the House Of Representative Of Indonesia Republic has the duties and authorities: to supervise the implementation of laws, State Budget, and government policies, as well as to discuss and follow up on the results of supervision submitted by the Regional Representative Council of the Republic of Indonesia.

It is also necessary to note that all meetings scheduled and carried out by the House Of Representative Of Indonesia Republic, both in internal commissions, between commissions, and between other institutions/agencies in the House Of Representative Of Indonesia Republic, make a note or a brief report signed by the chairman of the meeting or the secretary of the meeting on behalf of the chairman of the meeting concerned.

Likewise with working partners, in the House Of Representative Of Indonesia Republic there are always outputs produced, namely short reports. This brief report contains the joint agreements between Commission IX House Of Representative Of Indonesia Republic and its partners. This agreement must be executed together and each partner also accepts it. Before this brief report is mutually agreed upon, each partner will be asked for their opinion on objections to the contents of the report. The short report is a final mutual agreement after being corrected and objections submitted by Commission IX of the House Of Representative Of Indonesia Republic and from partners (in the sense here it is the Ministry of Health, Health Insurance Agency).

In the case of the increase in Health Insurance Agency contributions, the government can be said to have left the agreement taken when referring to the results of the meeting on September 2, 2019 because it continues to increase Health Insurance Agency fees. Regarding sanctions, this is a shared ethical area that must be carried out because it is a joint decision. If the joint decisions that have been agreed upon are not implemented, there will certainly be political unrest and relations between the parliament and the executive could deteriorate and result in hampered other strategic work.

Regarding the performance of Health Insurance Agency, until now there are still many who feel that they are not optimal, both in terms of systems, services and budget management. Member of the House of Representatives Commission IX, Nihatul Wafiroh, explained that since 2016, I have said that the performance of this Health Insurance Agency must be improved and improved before implementing the new policy. Dissatisfaction and complaints from the community that continues to be present are

strong reasons why their services must be improved. What I found in the field, for example, is that the quality of Health Insurance Agency Health management is still far from service standards. One of them is the validity of the data on non Contribution Assistance Recipients, which is far from valid, even though the budget is paid for from the State Budget. In addition, I think Health Insurance Agency needs to focus on improving services by prioritizing public satisfaction, participants will certainly be disciplined in paying dues. If many participants are satisfied with Health Insurance Agency services, without being forced, many people will pay voluntarily.

Health is a basic right for every citizen as mandated in the 1945 Constitution. The mandate is clear and emphasizes that health insurance for the community, especially the poor and underprivileged, is the responsibility of the central and regional governments. In the Amendment of the 1945 Constitution, Article 34 paragraph 2 states that the state shall develop a Social Security System for all Indonesian people. For this reason, the state is obliged by law to be present amid society. So far, many people have complained about the services provided, and in the field we still find cases of discrimination between patients who participate and do not participate in Health Insurance Agency. This is certainly an important note. The government must improve the quality of services and ensure that there is no more discrimination. Do not let the increase in fees is not accompanied by excellent service quality.

The quality of Health Insurance Agency management performance is also an important thing that needs to be improved. The validity of the data of non Contribution Assistance Recipients is one of the many that must be improved. I imagine, this which is guaranteed to be paid by the government is still in shambles, what if the payers are independent. During the joint meeting on February 18, 2021 to address the increase in Health Insurance Agency contributions, I also said that data cleansing or sweeping of Health Insurance Agency Health membership data must be completed first before wanting to increase the contributions. The data held by the government, precisely at the Ministry of Social Affairs needs to be corrected because it is still not completed.

From the facts, it can be stated that the supervision carried out by the House Of Representative Of Indonesia Republic is an activity of observing and evaluating the implementation of Health Insurance Agency performance. Referring to the theory used in this writing, that the House Of Representative Of Indonesia Republic has supervised the Social Security Administering Agency (Health Insurance Agency) by its duties, which is by the theory put forward by Kadarsiman that supervision is an uninterrupted process to ensure that the implementation of tasks, functions and authority does not deviate from the

rules that have been set to achieve organizational goals. However, the Social Security Administering Agency (Health Insurance Agency) or the government often ignores or ignores what has been recommended by the House Of Representative Of Indonesia Republic through Commission IX, because in the data from the Social Security Administering Agency (Health Insurance Agency) for Health, it was found that there were people who were not eligible to enter as participants in the Contribution Assistance Recipient, but they remained the responsibility of the State. The increase which was rejected by the House Of Representative Of Indonesia Republic and even the Supreme Court annulled the contents of the Presidential Regulation concerning the increase in Health Insurance Agency tariffs but continued to increase and did not heed the proposal and even the decision of the Supreme Court. That is, the issue of supervision of Health Insurance Agency is a big problem and becomes a collective homework to be resolved immediately.

CONCLUSION

1. House Of Representative Of Indonesia Republics supervisory function of the government, especially Health Insurance Agency, is again felt to be lacking for the community. One of them is the inability of the DPR to check and balance government policies in addressing the issue of increasing Health Insurance Agency participant contributions, especially after the Supreme Court decides to cancel the increase in Health Insurance Agency contributions, which then the President re-signed a new Presidential Regulation which again increased health insurance agency health contributions.
2. Second, the first problem is that there are different data between Health Insurance Agency which was presented at the hearing and DPR data found in the field. The number of participants who take part in the health insurance agency program, there is often a miscommunication between the house of representative of indonesia republic and health insurance agency Health. In addition, the House of Representatives of the Republic of Indonesia is unable to actively participate in field research and find actual problems that exist within the health insurance agency Agency. A challenge for the House Of Representative Of Indonesia Republic in the future is the issue of how to accommodate many different interests. The house of representative of indonesia republic must find a solution and a middle ground so that the interests of the government, society and other stakeholders find a win-win solution point.

BIBLIOGRAPHY

- Arisandi, M. Z. (2021). Mekanisme Pengawasan Terhadap Peserta Bpjs Ditinjau Dari Perspektif Hukum Administrasi Negara. *Journal of Law (Jurnal Ilmu Hukum)*, 1(2), 127–139.
- Hanny, Y. (2020). *Tanggung Jawab Pemerintah Terhadap Defisit Bpjs Kesehatan Berdasarkan Peraturan Perundang-Undangan di Indonesia* [PhD Thesis]. Fakultas Hukum Universitas Jember.
- Irawan, F. P. P. (2021). KONTROVERSI PERPRES NOMOR 64 TAHUN 2020 TENTANG KENAIKAN IURAN BPJS DI TENGAH PANDEMI COVID-19. *LONTAR MERAH*, 4(1), 338–348.
- Irianto, S., & Shidarta. (2011). *Metode Penelitian Hukum: Konstelasi & Refleksi*. Yayasan Obor Indonesia.
- Kadarisman, M. (2012). Manajemen pengembangan sumber daya manusia. *Jakarta: Rajawali Pers*, 2, 13.
- Karim, M. I. T., Moenta, A. P., & Riza, M. (2018). Implementasi Kebijakan Pemerintah Daerah di Bidang Kesehatan Masyarakat Melalui Jaminan Kesehatan Nasional. *Amanna Gappa*, 53–63.
- Kartikasari, S. (2020). Analisis Wacana Kritis Nourman Fairclough terhadap Pemberitaan Jokowi Naikkan Iuran BPJS di Tengah Pandemi. *An-Nida: Jurnal Komunikasi Islam*, 12(2), 113–124.
- Putri, A. E. (2014). *Seri Buku Saku-2: Paham BPJS Badan Penyelenggara Jaminan Sosial*. Jakarta: Friedrich-Ebertstiftung.
- Ridlwan, Z. (2011). *Fungsi Pengawasan Dewan Perwakilan Rakyat di Indonesia*. Penerbit Universitas Lampung.
- Rys, V. (2011). *Merumuskan Ulang Jaminan Sosial: Kembali ke Prinsip-prinsip Dasar*. Pustaka Alvabet.
- Sebayang, T. T. (2013). *Peran Representasi dari DPR yang sesuai dengan aspirasi rakyat dalam menjalankan fungsi-fungsinya ditinjau dari UU Nomor 27 Tahun 2009 dan Tata Tertib DPR-RI/oleh Tom Tandy Sebayang* [PhD Thesis]. Universitas Tarumanegara.
- Solihah, R., & Witianti, S. (2016). Pelaksanaan fungsi legislasi Dewan Perwakilan Rakyat pasca pemilu 2014: Permasalahan dan upaya mengatasinya. *Jurnal Ilmu Pemerintahan ISSN*, 2442, 5958.
- Sugiman, S. (2020). Fungsi Legislasi Dpr Pasca Amandemen UUD Nkri 1945. *JURNAL ILMIAH HUKUM DIRGANTARA*, 10(2).

Yahya, Y. (2006). Pengantar Manajemen. *Yogyakarta: Graha Ilmu*.

Yani, A. (2018). Sistem Pemerintahan Indonesia: Pendekatan Teori dan Praktek Konstitusi Undang-Undang Dasar 1945. *Jurnal Ilmiah Kebijakan Hukum*, 12(2), 119.