

ISSN-0971-720X (Print) • ISSN-0973-1283 (Electronic)

Volume 20, Number 3 July-September 2020



# Medico-Legal Update

An International Journal



[www.medicolegalupdate.org](http://www.medicolegalupdate.org)

# Medico-Legal Update

Editor-in Chief

**Prof. (Dr) R K Sharma**

Former Head, Department of Forensic Medicine & Toxicology  
All-India Institute of Medical Sciences, New Delhi-110029  
E-mail: medicolegalupdate@gmail.com

## ASSOCIATE EDITOR

1. **S.K. Dhatarwal** (*Professor*)  
Forensic Medicine, PGIMS, Rohtak, Haryana
2. **Dr. Adarsh Kumar** (*Additional Professor*)  
Forensic Medicine, AIIMS, New Delhi
3. **Dr. Vijaynath V** (*Associate Professor*)  
Forensic Medicine, Vinayaka Mission Medical college, Tamil Nadu
4. **Ms. Roma Khan**, Forensic Sciences, INSAAF Mumbai
5. **Dr. Imran Sabri** (*Assistant Professor*)  
Department of Bio-Medical Sciences, College of Medicine, King Faisal University, Saudi Arabia

## INTERNATIONAL EDITORIAL ADVISORY BOARD

1. **B. N. Yadav** (*Professor*)  
Forensic Medicine, BP Koirala Institute of Medical Sciences, Nepal
2. **Dr. Vasudeva Murthy Challakere Ramaswam** (*Senior Lecturer*)  
Department of Pathology, International Medical University, Bukit Jalil, Kuala Lumpur, Malaysia
3. **Babak Mostafazadeh** (*Associate Professor*)  
Department of Forensic Medicine & Toxicology, Shahid Beheshti University of Medical Sciences, Tehran-Iran
4. **Dr. Sarathchandra Kodikara** (*Lecturer*)  
Forensic Medicine Department of Forensic Medicine, Faculty of Medicine, University of Peradeniya, Sri Lanka

## NATIONAL EDITORIAL ADVISORY BOARD

1. **Prof. N.K. Agarwal** (*Professor*) Forensic Medicine, UCMS, Delhi
2. **P.K. Chattopadhyay**, (*Professor*)  
Forensic Sciences, Amity University, Noida
3. **Dalbir Singh** (*Professor*) Forensic Medicine, PGIMER, Chandigarh
4. **Dr. Harish Pathak**, Mumbai
5. **J. Gargi** (*Professor*) GGS Medical College, Faridkot
6. **P.C. Dikshit** (*Professor*)  
Forensic Medicine, Jamia Hamdard Medical College, New Delhi
7. **Anil Mittal** (*Professor*)  
Forensic Medicine, Vardhman Mahavir Medical college, New Delhi
8. **Balbir Kaur** (*Professor*)  
Forensic Medicine, MM institute of Medical Sciences, Ambala
9. **Mukesh Yadav** (*Professor*) Forensic Medicine, School of Medical Sciences and research, Greater Noida
10. **T.K.K. Naidu** (*Professor*) Forensic Medicine, Prathima Institute of Medical Sciences Andhra Pradesh
11. **S. Das** (*Professor*) Forensic Medicine, Himalayan Institute of Medical Sciences Dehradun
12. **Col Ravi Rautji**, Forensic Medicine, Armed Forces Medical College, Pune
13. **Dr. Manish Nigam** (*Professor and Head*)  
Department of Forensic Medicine & Toxicology Sri Aurobindo Institute of Medical Sciences, INDORE (M.P.)
14. **Dr. Shailesh Kudva** (*Principal*)  
Rajasthan Dental College and Hospital Jaipur-302026
15. **Usmanganishah Makandar** (*Associate Professor*)  
Anatomy, AIMS, Bhatinda
16. **Dr. Pratik Patel** (*Professor and Head*) Forensic Medicine, Smt NHL Municipal Medical College Ahmedabad
17. **Basappa S. Hugar** (*Associate Professor*)  
Forensic Medicine, Ramaiah Medical College, Bangalore

## NATIONAL EDITORIAL ADVISORY BOARD

18. **Dr. Vandana Mudda** (*Awati*) (*Associate Prof*)  
Dept of FMT, M.R. Medical College, Gulbarga, Karnataka, India
19. **Dr. HarishKumar. N.** (*Associate Professor*)  
Dept. of Forensic Medicine, Sri Siddhartha Medical College, Tumkur
20. **Dr. Gowri Shankar** (*Associate Professor*)  
Forensic Medicine, SNMC, Bagalkot
21. **Dr. Manjunath Badni** (*Reader*) Dept of Oral pathology Maharana Pratap college of Dentistry and Research Centre, Gwalior
22. **Dr. L.Ananda Kumar** (*Associate Professor*) Forensic Medicine, Rajiv Gandhi Institute of Medical Sciences, (RIMS), Kadapa
23. **Dr. Ramesh Nanaji Wasnik** (*Associate Professor and Head*)  
Forensic Medicine Late B.R.K.M. Govt. Medical college, Jagdalpur
24. **Dr. Sachin Sinha** (*Reader*), Dept. of Oral Pathology & Microbiology  
Daswani Dental College & Research Centre, Rajasthan
25. **Dr. Sasi Kanth**, *Asst. Professor*, A.C.S.R Government Medical College, Nellore, Andhra Pradesh.

**Medico Legal Update** is a scientific journal which brings latest knowledge regarding changing medico legal scenario to its readers. The journal caters to specialties of Forensic Medicine, Forensic Science, DNA fingerprinting, Toxicology, Environmental hazards, Sexual Medicine etc. The journal has been assigned international standard serial number (ISSN) 0971-720X. The journal is registered with Registrar of Newspaper for India vide registration numbers 63757/96 under Press and Registration of Books act, 1867. The journal is also covered by EMBASE (Excerpta Medica Database) from 1997 and by INDEX COPERNICUS, POLAND. Medico legal update is a half yearly peer reviewed journal. The journal has also been assigned E-ISSN 0973-1283 (Electronic version). The first issue of the journal was published in 1996.

**Website: [www.medicolegalupdate.org](http://www.medicolegalupdate.org)**

© All Rights reserved The views and opinions expressed are of the authors and not of the Medico Legal Update. The Medico Legal Update does not guarantee directly or indirectly the quality or efficacy of any products or service featured in the advertisement in the journal, which are purely commercial.

## Editor

**Dr. R.K. Sharma**  
Institute of Medico-legal Publications  
Logix Office Tower, Unit No. 1704, Logix City Centre Mall,  
Sector- 32, Noida - 201 301 (Uttar Pradesh)

## Printed, published and owned by

**Dr. R.K. Sharma**  
Institute of Medico-legal Publications  
Logix Office Tower, Unit No. 1704, Logix City Centre Mall,  
Sector- 32, Noida - 201 301 (Uttar Pradesh)

## Published at

**Institute of Medico-legal Publications**  
Logix Office Tower, Unit No. 1704, Logix City Centre Mall,  
Sector- 32, Noida - 201 301 (Uttar Pradesh)



# Medico-Legal Update

---



---

## CONTENTS

---



---

**Volume 20, Number 3**

**July-September 2020**

1. Carbamate Poisoning – An Autopsy Study ..... 1  
*Jinu.M, Thankamma.P.George, N.A.Balaram, Sujisha.S.S*
2. Profile of Burn Deaths: A Study based on Postmortem Examination of Burn Cases at R.N.T. Medical College, Udaipur..... 8  
*Akhilesh Sharma, Manish Kumar Sharma, Ashish Kumar Garg*
3. Psychological Autopsy: the Psychological Assessment of the Dead Individual’s Role in the Death ..... 13  
*Anand Kumar Vasudevan, Hanumantha, Lynne Eccleston*
4. Legality In Hospitals- Medico-Legal Case Management ..... 19  
*Ashwini Pandit, Dhvani Patel, Arushi Chawla*
5. To Assess Association of Bullous Pemphigoid and Neurological Disorders- A Clinical Study..... 24  
*Balkrishna Pralhadrao Nikam, Dhanraj D Chavan, Nischhal Shrivastava*
6. To Assess Clinical Profile of Patients with Dermatophytosis Infection ..... 28  
*Balkrishna Pralhadrao Nikam, Dhanraj D Chavan, Nischhal Shrivastava, Namita Narkhede*
7. The Study of Trends and Out Come of Acute Poisoning in a Tertiary Care Hospital Khammam, Telangana; India..... 32  
*Bharath Kumar Guntheti, Kondru Laxman*
8. Correlation between various Measurements of Sternum with Stature - An Autopsy based Study ..... 40  
*Bhumesh Darade, Pawan Sabale, Shailesh Mohite, Swapnil Akhade, Chaitanya Kulkarni*
9. Assessment of Depression among the Housewives of Alcohol Consuming Husbands in Selected Community Areas, Kancheepuram District, Tamilnadu..... 46  
*Bhuvana.A, Ajaykumar.P, Yaazhini.T, Dineshkumar.S, Devaki. K*
10. A Study to Assess the Knowledge on Oral Health and Self Esteem among Young Adults in Selected College, in Kancheepuram District, Tamilnadu, India ..... 51  
*Gini T.R, Ashika Parveen, Sharmilavathi.A, Avinash.U, Anto Benson, Shanthi*
11. Knowledge and Attitude of Final Year Medical Students Towards Dentistry and Dental Consultation: A Questionnaire-based Study ..... 55  
*Girish Suragimath, Mrunal B Mohite, Ashwinirani SR, Sameer Zope, Siddhartha Varma*
12. Consensual Sexual Intercourse among children Vs Current Legal Provisions under POCSO: A Scientific Review with Prospective Quantitative Analytical Study..... 60  
*H. S. Tatiya, A. A. Taware, H. V. Vaidya, V. T. Jadhav, A. L. Bandgar, S. B. Punpale*

## II

13. Assessment of the Psychological Wellbeing of Elderly Residing at Pooncheri Rural Community Area in Kancheepuram District, Tamilnadu, India..... 66  
*George Fernandez A, Janagiraman N, Shalini M, Vinitha R, Metha*
14. Effectiveness of Flax Seed Pillow on Stress and Physical Parameters of Premature Infants..... 70  
*Tessy Thomas, Sujatha R*
15. A Study to Examine the Association of Health Related Behaviours and Body Mass Index among Young Adults at Selected Colleges in Kancheepuram District, Tamil Nadu, India..... 76  
*J.Sherlinblessy, G.Santhiya, E.Mohan1, Shanthi*
16. Five Year Retrospective Study of Profile of Burn Deaths from Pune Region..... 81  
*Jadhao Vijay T, Bandgar Abhijit L, Taware Ajay A, Tatiya Harish S, Vaidya Hemant V*
17. Pattern of Poisoning Cases in a Tertiary Care Centre in South India - An Observational study..... 86  
*James Rajesh J, Sampath Kumar P, Priyadarshree Pradhan, Jothi Marie Feula A, Siva Reddy B*
18. Estimation of Stature from Footprint Length..... 91  
*Janarthanan R, Muthamizh Selvan*
19. Effect of Structured Exercise Programme on Functional Mobility in Parkinson's Disease..... 96  
*Joshi Madhura S., Kanase Suraj B.*
20. A Study to Assess the Knowledge on Pubertal Changes and Menarche among Adolescent Girls Residing in A Selected Rural Community, Kanchipuram District, Tamilnadu..... 102  
*Jyothish Lal Prasad, Abishek, Aishwariya, Ananthi, Cyril Cherian, Reshma Banu, L. Lakshmi*
21. For Effective, Earlier and Simplified Diagnosis of Retinopathy of Prematurity (RoP), a Probe through Digital Image Processing Algorithm in B-Scan ..... 105  
*K R N Aswini, S Vijaya Raghavan, Sreekanth NP, Manju Sree RP*
22. Effect of Early Physiotherapy for Endotracheal Intubation Induced Temporomandibular Joint Dysfunction –Experimental Study ..... 110  
*Krutika Dnyaneshwar Gawade, Sandeep Babasaheb Shinde, P.B. Jamale*
23. An Observational Study on the Sexual Assault Victims in the Year 2018 at Tertiary Health Care Center of Rajasthan..... 117  
*Mahendra Singh, R.K Punia, Deepali Pathak, Shashank Sharma*
24. Mob Lynching: A New Form of Hate Crime..... 122  
*Manoj Kumar Pathak, Srishti Rai*
25. Radiological Study of Appearance and Fusion of Iliac Crest in hip bone in Bikaner Region in 14-22 Years Age Group ..... 129  
*Mathur Indubala, Sajjad Hussain, Bohra Bhavesh, Sharma Yogesh, Agrawal Anjali*
26. Abortion Laws in India: Issues and Challenges in 21st Century ..... 133  
*Nitesh Bhatt, Pooja Suman*
27. Effect of Core Stability And Functional Mobility Exercises on Muscle Strength after Lumbar Spinal Cord Injury..... 138  
*Neha Y. Kakade, Suraj B. Kanase*

28. A Study to Assess Effectiveness of Jacobson Progressive Relaxation Technique on Sleep Quality among Elderly in Selected Old-Age Home of Kheda District..... 144  
*Patel Margi, Mayavanshi Rashmika, Pandya Rutu, Prajapati Nisha, Patel Vrutta, Khristi Linus, Patel Jay*
29. Awareness of Various Forms of Treatment Approaches in Stroke amongst Rural Population..... 148  
*Prajakta S.Kadam, Suraj B.Kanase*
30. Effect of Multidimensional Exercise Program for Improving Balance in Traumatic Brain Injury Patients..... 155  
*Pranali Kakade, Suraj B Kanase*
31. Traumatic Spinal Injuries: An Autopsy Study at Tertiary Health Care Center of Rajasthan During the Year 2017-18..... 162  
*R.K.Punia, Sanjay Achra*
32. An Analysis of Trends of Homicidal Deaths in Western Mumbai Region ..... 168  
*Rajesh B. Sukhdeve, Sachin S. Sonawane, Shashank Tyagi*
33. Evaluation of Perception of II Year MBBS Students Regarding A Clinical Forensic Medicine Module in a Tertiary Care Centre ..... 174  
*Ravindra Baliram Deokar, Harish Manilal Pathak*
34. A Retrospective Study to Determine the Type of Offence Committed by the Juveniles in the Reformatory Schools of a Capital City of India ..... 180  
*Richa Choudhury, Neeharika Mishra, Pradeep Kumar Yadav*
35. Prevalence of Addiction among Tuberculosis Patients ..... 185  
*Richa Choudhury, Shobhit Shakya, Pradeep Kumar Yadav, Hemant Kumar*
36. A Cross Sectional Autopsy based Study of Homicidal Deaths in Vijayapura, Karnataka ..... 191  
*Siva Kumar V, Tejas J, Shruthi. K. Sivakumar*
37. A Descriptive Study on Alleged Sexual Offenders in South Bangalore ..... 196  
*Sujatha P. L, Ananda. K, Mandar Ramchandra Sane*
38. Pattern and Nature of Fatal Blunt Force Homicidal Injuries and Its Correlation with the Weapon..... 201  
*Sujith Sreenivas C*
39. Prevalence of Odontogenic Cysts and Tumors – A Clinicopathological Study ..... 207  
*Sushruth Nayak, Asha Karadwal, Prachi Nayak, Kush Pathak*
40. A Study of Over-The-Counter (OTC) Drug Usage Pattern among the Patients attending a Medical College Hospital ..... 211  
*Tejasvi.P.K, Magendran.J*
41. Tobacco Toxicity in Tobacco Chewers ..... 217  
*V. Chandrasekhar*
42. Study of Temporary Trends in The Pattern of Poisonings in a Tertiary Care Hospital..... 221  
*V.K.Sowmithra, Magendran.J*

## IV

43. Amputation of Penis Due To Electrocutation- A Case Report..... 228  
*Vedant Kulshrestha, Mohammad Amjad*
44. Towards Digital Diagnosis of Oral Cancer: A Study on Optimum Preferences of Histopathological Techniques and Features..... 232  
*Tabassum Yesmin Rahman, Lipi B. Mahanta, Anup K Das, Jagannath D Sharma*
45. Trauma to the Thoracic Cage – An Autopsy Study..... 239  
*Thankamma P. George, K. Sreekumari, Sreedevi C. S.*
46. Evaluation of the Cookies Formulated with ***Costus igneus*** Plant Material for Antidiabetic Activity ..... 246  
*A. Rajani Chowdary, Raaththika R, Payala Vijayalakshmi*
47. A Study to Assess the Effectiveness of Training Program on Knowledge and Practices Regarding Advanced Cardiovascular Life Support (ACLS) among Staff Nurses in MMIMS & R Hospital ..... 253  
*Alka Walia, Simaranjit Kaur, Vinay Kumari*
48. Punjabi Adaptation of WHO’s Global Physical Activity Questionnaire (GPAQ) in Gurumukhi Script: A Validity and Reliability Study..... 257  
*Harmandeep Singh, Sukhdev Singh, Amandeep Singh*
49. Management of Oroantral Communication Using Double Layered Closure with Buccal Fat Pad and Buccal Advancement Flap: Prospective Randomized Clinical Study ..... 264  
*Kumar Nilesh*
50. Information Booklet on Self-Care Management of Chemotherapy among gynecological Cancer Survivors at Selected Hospital, Mangalore, Karnataka ..... 269  
*Shynee Paul, Jacintha Veigas*
51. Effect of Yoga Therapy on State and Trait Anxiety in Perimenopausal Women: A Non-Randomized Controlled Study ..... 273  
*Abhishek Chaturvedi, Asha Kamath, Gayathry Nayak,, Anjali Rao*
52. A Clinical Study of Complicated Inguinal Hernia with Special Reference to Its Management..... 279  
*Pulin Ch Kumar, Paul Pratik*
53. A Comparative Study of Medical Termination of Pregnancy Act, 1971 with Recent Medical Termination of Pregnancy (Amendment) Bill, 2020 Through Judicial Pronouncement..... 284  
*Pyali Chatterjee*
54. Effect of Kangaroo Mother Care on Physiological Parameters of Low Birth Weight Babies Admitted in NICU..... 290  
*Pratibha Thakur, Jyoti Sarin, Yogesh Kumar*
55. Perception of Medication error among Interns and Staff Nurses in a Selected Hospital at Mangaluru- A Mixed Method Approach ..... 298  
*Pavithra K, Latha S, Gincy Joseph, Sujatha.R , Jyothi Rao*
56. Knowledge of Antenatal Mothers Regarding Human Milk Banking ..... 305  
*Philomena Fernandes, Sabitha Nayak*



57.	A Study on Occupational Health Psychology of Employees in IT Sector in Ahmedabad City .....	313
	<i>Pranav Saraswat</i>	
58.	Acupressure– A Review with a Current and Future Prospective in Dentistry .....	320
	<i>Dharnappa Poojary, Diksha Singh, Rubina Anjum, Dieu Thuy Dao, Shailesh Kudva</i>	
59.	Does Cerclage wiring with Intramedullary Nailing in Subtrochanteric Fractures Improve the Final Outcome? .....	326
	<i>Rajendra Annappa, Surendra Umesh Kamath, Sunil Lakshmpura Krishnamurthy, Sharan Mallya, Krithika Kamath, Pooja Kundapur Suresh</i>	
60.	Effect of Acupressure on Anxiety among Patients Undergoing Hemodialysis in Selected Hospitals of Ambala, Haryana: A Randomized Controlled Trial.....	332
	<i>Jimmy Dharwal , Srinivasan.P, Kanika, Jyoti Sarin</i>	
61.	Self Esteem and Peer Group Relationship of Adolescent Children in Single Parent Families .....	339
	<i>Anjaly Mohan, Priya V</i>	
62.	Skin Cancer Classification Using Dermoscopic Images based on Ranklet Transform, Co-occurrence Features and Random Forest Classifier .....	344
	<i>Chithra Devi M</i>	
63.	Melanoma Skin Cancer Classification Using Deep Learning Convolutional Neural Network.....	351
	<i>S. Mohan Kumar, J. Ram Kumar, K. Gopalakrishnan</i>	
64.	Cluster Analysis for MRI Brain Tumor Segmentation.....	356
	<i>M. Rajmohan, M. Abraham, D. Sahaya Lenin,P. Pandiaraj</i>	
65.	Effect of Posture on Electrical Axis of Heart During Different Phases of Breathing in Normal Subjects.....	362
	<i>H. Vishnu Priya, S. Krishnan, Prem B</i>	
66.	Effectiveness of Guided Imagery on Stress and Coping among Wives of Alcoholics- A Quasi Experimental one Group Pre-Test Post-Test Research Design .....	367
	<i>Aarti, Srinivasan.P, Manpreet Sharma, Jyoti Sarin</i>	
67.	Predicting the Existence of Brain Tumor in Mri Images by Applying FCNN.....	375
	<i>Sylvester Ranjith F, Parveen Sultana H</i>	
68.	Effect of Video based Teaching on Knowledge and Attitude regarding ADHD of Children among Primary School Teachers .....	381
	<i>Vijyeta Bhasin, Srinivasan P., Uma J. Deaver, Jyoti Sarin</i>	
69.	Illegalities and Infirmities in Implementation of ‘Ex-Servicemen Contributory Health Scheme: Public Audit Findings and Other Irregularities - An Analytical Study .....	389
	<i>Bhupal Singh, Asha Verma</i>	
70.	Attitude of Dental Faculty on Admissions to Dental Colleges through National Eligibility cum Entrance Test (NEET) - A Knowledge, Aptitude and Perspective Survey .....	394
	<i>Saloni Kachhara, Deepak Nallaswamy, Subha M</i>	

## VI

71. Difference in the Academic Performance of NEET and NON-NEET batch- A Cohort Study At Saveetha Dental College..... 401  
*Saloni Kachhara, Deepak Nallaswamy, Subha M*
72. Effect of NEET based Selection Process on the Academic Outcome of Students Pursuing Dentistry - A Cohort Study at Saveetha Dental College ..... 407  
*Saloni Kachhara, Deepak Nallaswamy, Subha M*
73. Medical Device Prototype for Planter Intrinsic Muscles: A Scientific Note ..... 412  
*Amit Sharma, Priyanshu V Rathod*
74. Fire Safety Related Challenges Faced by Existing Hospitals: A Review..... 419  
*Abdul Hakim Choudhary, Mohammad Kausar, Sidhartha Satpathy, D. K. Sharma*
75. Body Mass Index, Modified Bishop Score and Transvaginal Sonographic Measurement of the Cervical Length as Predictors of Successful Induction of Labour by Misoprostol ..... 426  
*Basma Mohamed, Omaina Idris, Noura El-Nassery, Mazen Abdel-Rasheed, Osama Azmy*
76. In Potential Siliko Simulation of Clorogenic Acid in *Coffea canephora* to Transferring Macrophage Polarization of M1 in Tuberculosis Infection ..... 432  
*Christina Destri, Jusak Nugraha, Muhammad Amin, Djoko Agus Purwanto*
77. Molecullar Docking of Epigallocatechin-3-gallate (EGCG) on Keap1-Nrf2 Complex Protein in Photoaging Prevention ..... 439  
*Damayanti, Cita Rosita Sigit Prakoeswa, Djoko Agus Purwanto, Anang Endaryanto, Siswandono*
78. The Effect of Buzz Group Modification Method on Exclusive Breastfeeding Against Self Efficacy in Pregnant Women: A Quasi Experiment..... 446  
*Febyana Dwi Cahyantia, Lailatun Nimah, Retnayu Pradaniea*
79. Tobacco Smoke and Pregnancy Outcome: Literature Review ..... 452  
*Haerani Harun, Anwar Daud, Veni Hadju, Ridwan Amiruddin, Anwar Mallongi, Rosmala Nur*
80. Identifying and Revealing Active Compound from Green Tea (*Camellia sinensis*) for Curing Systemic Lupus Erythematosus by Acting as CASPASE 1 Inhibitor ..... 457  
*Herin Mawarti, Jusak Nugraha, Djoko Agus Purwanto, Joewono Soeroso*
81. Herpes Virus, Causes of Infections and Preventive Methods..... 464  
*Huynh Tan Hoi*
82. Association between Inactive-Gymnastics and Active-Gymnastics Elderly towards Cognitive Functions Measured by The Mini-Mental State Examination (MMSE) ..... 470  
*Muhammad Hamdan, Raini Wisnujono, Yudha Haryono, Abdulloh Machin, Ichwanuddin*
83. The Politics of Judicial Law in the Development of the National Health Law ..... 476  
*Irfan Nur Rachman, Arief Hidayat, and Lita Tyesta*
84. Pattern of Fatal IntraAbdominal Injuries in Autopsy Cases- A 3 Year Retrospective Study..... 481  
*Khaja Azizuddin Junaidi, Kashif Ali*
85. ARM Diagnosis with Distal Colostography on Anorectal Malformations..... 486  
*Naely Rahma, Bambang Seprijanto*



86. Multiplanner Measurement to the Clicked Tempromandibular Joint (Condylar Process and Articular Dick) with Conbeam Computed Tomography..... 491  
*Nameer Fadhel, Manar Abd Alrazaq Hassan, Nour Abd Alrazaq Hassan*
87. Performance of the Health Cadres in Children’s Growth and Development Monitoring Program after Training in the Working Area of Public Health Services of Abiansemal II, Badung, Bali ..... 498  
*Ni Wayan Armini, Gusti Ayu Marhaeni, I Gusti Ayu Surati, I Putu Sairaoka*
88. The Effect of Re-unification Education on Empathy and Multicultural Competence of Nursing-College Students ..... 505  
*Myoungsuk Kim, Gie-Ok Noh, MJ Park*
89. Assessment of Health Status of Children with Cancer who Undergo Chemical Therapy..... 511  
*Kareem Ghadhban Sajem*
90. Effects of Onion Extract on Hepar Histopatology in Alloxan-Induced Diabetic Rattus Novergicus ..... 517  
*Ni Komang Aprilina Widi Suputri, Ajik Azmijah, Retno Bijanti, Made Mahaguna Putra*
91. Inclusive and Sustainable Healthcare Delivery-A Public Private Participatory Model ..... 525  
*Nimble O J, A.V.Chinnasamy*
92. Factors Analysis Related to the Completeness of Providing Basic Immunization in Infant Aged 12 Months ..... 531  
*Hannik Rahmaningrum, Harmayetty, Deni Yasmara, Ilya Krisnana*
93. The Effect of Soot Particulate towards Vascular Cell Adhesion Molecule-1 (VCAM-1) Expression in the Mechanism of Cardiovascular System Disruption ..... 538  
*Edmond Leonard, Muhammad Aminuddin*
94. The Role of Universal Health Coverage in Supporting National Family Planning Program: A Comparative Study ..... 544  
*Erni Rosita Dewi, Muhammad Ardian Cahya Laksana, Nur Anisah Rahmawati, Alifia Candra Puriastuti, Budi Prasetyo*
95. A Study to Assess the Level of Knowledge on Ill Effects of Mobile Usage among Adolescents in Selected College at Kancheepuram District, Tamilnadu, India ..... 550  
*Renuga S, Alfred Sam D, Dinesh.J, Keerthi.G, Parasuraman P, Vijay S, N.Thivya*
96. Learning of Patient Identification in Patient Safety Programs Through Clinical Preceptor Models..... 553  
*Roymond H. Simamora*
97. Effectiveness of Structured Teaching Programme on Pulmonary Rehabilitation among Patients with Chronic Obstructive Pulmonary Disease..... 557  
*S.Eswari, Pushpakala K.J*
98. Nicotine Adds Risk Factors to the Cardiovascular System and Increases Mortality and Sudden Cardiac Arrest ..... 563  
*Salah Abd- Al kader Omran; Abstract*
99. The Effect of Abuse of Some Anabolic Steroids on Hormonal and Testicular Function in Male Rats .... 569  
*Salah M.M. Al Chalabi Rasha F. Abdul-Lattif and Haylim N. Abud*

## VIII

100. Study of a Hormonal Assay in PCOS Patients with Type 2 DM and their Correlation with Inhibin B.... 575  
*Huda Hameed Hassan, Saaad Muhssen Ghazi Aufaira Shaker Nasif*
101. Estimation the Scavenging Activities of Ascorbic Acid, Uric Acid, Gallic Acid and GSH to DPPH Radical ..... 581  
*Ali M.A. Al-Kufaishi*
102. Histological Investigations for Cordia Myxa During the Treatment of Gastritis in Local Rabbits..... 587  
*Hussein Bashar Mahmood, Ghassan A Dawood, Ali Fayadh Bargooth*
103. Frequency of Aspirin Misuse Among Hypertensive Patients in Babylon Province..... 591  
*Zahraa Fattah Ghani, Oday Jasim Alsalihi , Mustafa Shakir Mahmood*
104. Estimation of Antioxidants Activity Through DPPH Inhibition Levels in Patients with Chronic HPV 16 Cervicitis ..... 598  
*Ali M. A. Al-Kufaishi, Lamia A. M. Al-Mashhedy, Bushra Jaber Al-Rubaie*
105. Estimation of Some Genetic and Physiological Variables of Iraqi Desert Snake *Cerastes gasperettii* ... 603  
*Samir M. Khalaf, Haitham L. Abdulhadi, Banan R. Dabdoub, Luay H. Ali*
106. Evaluation of Soluble PD-1 and PD-L1 in Iraqi Type 2 Diabetes Mellitus (T2DM) Patients with Chronic Toxoplasmosis ..... 609  
*Farah E. Mohammed, Ali N. Yaseen, Muhammed A. H. Aldabagh*
107. Clinical Variants of Rosacea in Iraqi Patients ..... 616  
*Ahmed Abdulhussein Kawen, Hussein Abbas Al-Sultany*
108. Assessment of MR-ProADM and N-Terminal B-Type Natriuretic Peptide of Serum Levels in Patients with Heart Failure. .... 621  
*Ahmad abd alraheem Ibrahim Dahy; Walaa Al-Jedda, Abbas Al-Sharifi*
109. Effects of Two Different Doses of Vitamin B2 and a Single Dose of Vitamin B12 Against Cyclophosphamide Induced Nephrotoxicity..... 627  
*Waleed K. Ghanim, Nada N. Al-Shawi, Muhsin S. G. Al-Mozieel*
110. Investigating the Effect of *Lymnaea auricularia* (snail) Powder on Different Species of Pathogenic Bacteria ..... 634  
*Sally Hani Abdul-Khaliq, Nebrass Faleh Chachain, Raghad Abdulatif Abdurazaq*
111. Effects of Simvastatin and/or Metformin Administration on Lipid Profile and Reproductive Function in Adults Male Rats ..... 640  
*Muhsin S.G. Al\_Mozie'el, Abbas A. Khudhair, Noora S. Ghalib*
112. Parkinson's Disease Follow Up Self-Assessment Scale..... 647  
*Kifah K. Al- Ubaidy, Aiyar Shakir, Basim Abdulelah Ali*
113. Dental Caries among Mental Patients in Kerbala-Iraq in 2019 ..... 654  
*Yaseen, Nabeel, Al Haydari, Amer, Al Mousawi, Ali*
114. Treatment of Iraqi People with Hyperkinetic Movement Disorders by Tetrabenazine in Relation to Genetic Polymorphism of CYP450 2D6 ..... 660  
*Zainab A. Abbood , Shatha H. Ali Nawfal M. Sheaheed*

115. New Record of the Genus <i>Hydrotaea</i> Robineau-Desvoidy, 1830 (Diptera, Muscidae) from Kerbala City, Iraq.....	667
<i>Haider Naeem Al-Ashbal, Rafid Abbas Al-Essa, Hanaa H. Al-Saffar</i>	
116. Effect of Aerobic Training on Selected Cardiopulmonary Parameters in Myocardial Infarction Patients with Stroke .....	673
<i>Zeezy Soliman Eraky, Nesreen Ghareb El-Nahas, Naguib Mohamed Salem, Samir Abdelfattah El-gazar, Ahmed Ali</i>	
117. Effects of Perceived Health Condition, Gerotranscendence, and Wisdom on Successful Aging of Elders .....	681
<i>Hee Kyung Kim</i>	
118. Association of Terminal Complement Complex (TCC), Prostaglandin (PG <sub>2</sub> ) among Patient with First Episode Psychosis (Case-Control Study) .....	688
<i>Rana Fadhil Obaid, Rasha Fadhel Obaid, Sumeiya Mahdi al Har</i>	
119. Perception of Medical Health College Students Toward Mental Health.....	695
<i>Wiwik Widiyawati, Ah Yusuf, Indra Fajar Ibnu</i>	
120. The Correlation between the Characteristic of Reflux Based on 24 Hours-Multichannel Intraluminal Impedance- Ph Monitoring with the Quality of Life of Refractory Laryngopharyngeal Reflux Patients .	701
<i>Muhammad Amsyar Akil, Risma Sari Ayu Hasroni, Abdul Kadir, Fardah Akil</i>	
121. Tympanogram and Audiogram Presentation after Tympanomastoidectomy Surgery Using Musculus Temporalis Fascia Profunda Graft and Composite Graft .....	708
<i>Sandrianto Lande, Riskiana Djamin, Sutji Pratiwi Rahardjo</i>	
122. Risk Factors of Lung Tuberculosis Occurrence in the Working Area of Kaluku Bodoa Health Center Makassar City .....	714
<i>Stang, Anwar Mallongi, Indra Dwinata, Sumarni</i>	
123. Difference of Predisposing Factors with Notification Pulmonary TB through Rapid Molecular Test and Specimen Transportation Method of TB Health Centre Staff .....	720
<i>Tukiman, Syarifah, Hiswani</i>	
124. The Influence of Duration, History of Contact and BMI on the Incidents of Pulmonary TB in patients with DM .....	725
<i>Sorimuda Sarumpaet, Evawany Aritonang, Syarifah</i>	
125. Analysis Relationship of the Pulmonary TB Prisoners with the Prevention Measures in Jail In Province of Sumatera Utara .....	729
<i>Lina Tarigan, R. Kintoko Rochadi</i>	
126. The Influence of Distance from Health Facility, Family Number at Home and TB History in Starting Treatment of MDR-TB in Medan.....	736
<i>R. Kintoko Rochadi, Erna Mutiara</i>	
127. The Influence of Education, Existence of Sufferers, and Ventilation with TB Incidence in Batak Etnics in Pematang Bandar Health Centre.....	740
<i>Alam Bakti Keloko, Lina Tarigan</i>	

**X**

128. Proximate Characteristics and Nutritional Value of White Anchovy Flour ..... 744  
*Hendrayati, Theresia Dewi KB, Laras Budyghifari, Adriyani Adam*
129. Distribution of RNA M. Leprae Household Contact in Endemic Area Indonesia ..... 750  
*A. Rizki Amelia*
130. Analysis of Environmental Risk Factors and Treatment Efforts Malaria Import Patients in Puskesmas in the Work Area of District Health Center of Segeri, Pangkep Regency 2019 ..... 757  
*Mugfira Mayangsari Putri, Hasanuddin Ishak, Indar, Anwar Mallongi*
131. Formulation and Effectiveness Test of Matoa Stem (*Pometia Pinnata*) Skin Extract Cream Combination of Honey on *Staphylococcus Aureus* Bacteria..... 763  
*Norma*
132. Relationship between Level of Knowledge of Childbearing Age Women About Cervical Cancer and Behavior of Preventing Cervical Cancer in Mayamuk District, Sorong Regency ..... 770  
*Sunaeni, S.ST, M.Keb*
133. The Affectivity of Knee and Hip Muscle Strengthening Exercise to Improve Muscle Strength, Balance, Pain, and Functional Activity of People with Osteoarthritis ..... 775  
*Djohan Aras, Fatimatu Zahrah Syarif, Natalia Toding Padang, Nurhikmawaty Hasbiah, Herdin Rusli, Ita Rini*
134. Quinone Oxidoreductase 2 Serum Level that affecting the Psychotic Disorders of Methamphetamine Abusers ..... 782  
*Dany H. Ludong, A. Jayalangkara Tanra, Mochammad Hatta, Sonny T. Lisal, Ismail Fikri, Reza Nasution, Tri Supartini*
135. Application Pis (Indonesia Wellness Progrsam) PK Model with Decision and Matriarchal Patriarchal Family of Compliance on the Family of the Suffering of Disease TB Lung Health in the Work Remu City Sorong ..... 788  
*Maria Loihala*
136. Decompression Sickness Indicators in Traditional Divers in Bajo, Boalemo District ..... 794  
*Syamsiar S. Russeng, Lalu Muhammad Saleh, Muhammad Syafar Muliadi Rais*
137. The Coparation between Exclusive Breastfeeding and Infant's Development at the Age of 6 Months in Rskia Pertiwi Makassar South Sulawesi Indonesia ..... 800  
*Sundari, Andi masnilawati, Daswati, Lina Fitriani, Sitti Hadriyanti, Sumiaty, Nurlina Akbar*
138. Effects of Classical Music Therapy on Anxiety Level of Caesarean Section Mother ..... 806  
*Sumarni Marwang, Rosita Passe, Rosdianah Aswan, Nurhidayat Triananinsi, Nahira Iskandar, Fadrijah Ohorella, Sumarni Sikki*
139. Effectiveness of Baby Spa and Music Therapy on Growth and Development of Baby..... 811  
*Sri Handayani, Anwar Mallongi*
140. The Role of Kamoro Traditional Leaders in Communities Empowerment and Health in Mimika District ..... 817  
*Vince Tebay, Anwar Mallongi*

141. Effect of Brown Algae Extract <i>Sargassum</i> sp on Malondialdehyde Levels in White Rats ( <i>Rattus Norvegicus</i> ) Pregnant Wistar Strains.....	822
<i>Dahniar, Suryani As'ad, Nasrudin A.Mappeware, Gemini Alam, Budu, Rosdiana Natzir, Burhanuddin Bahar</i>	
142. Factors Corresponded to Health Service Utilization of Chronic Disease Management Program (Prolanis) Patient in Health Center Lateri Ambon City Post-Earthquake .....	828
<i>Ervina Imelda Souhaly, Muhammad Alwy Arifin, Darmawansyah, Amran Razak, Anwar Mallongi, Syamsuddin Wadi, Muh. Yusri Abadi</i>	
143. The Influence of Occupational Safety and Health on Job Satisfaction and Organizational Commitment of Hospital Nurses in Makassar City .....	834
<i>Andi Niartiningsih, Irwandy, Masyitha Muis</i>	
144. Influence of Iur Cost to Patient Satisfaction through Customer Value patients BPJS Hospital in South Sulawesi Province .....	840
<i>Marwah Thaha, Amran Razak, Indar, Fridawat Rivai</i>	
145. Health Education Influence the Maybrat's Women Early Cancer Cervical Detection.....	847
<i>Yowel Kambu, Simon Lukas Momot</i>	
146. Snowball Education Method Effect the Family Support for Plwha Art's Adherence.....	852
<i>Oktovina Mobalen, Yowel Kambu: Absract</i>	
147. Analysis the Influence of Job Embeddednes and Work Engagement on Improving Employee Performance in Rsud Haji of South Sulawesi Province in 2020 .....	857
<i>Noviani Munsir, Irwandy, Syamsuddin</i>	
148. Study of Tobacco Smoke and Pregnancy Outcome .....	864
<i>Haerani Harun, Anwar Daud, Veni Hadju, Ridwan Amiruddin, Anwar Mallongi, Rosmala Nur</i>	
149. Environmental Factors and Use of Protective Personal Equipment for the Prevention of Covid-19 in 3 Large Cities in Indonesia (Jakarta, Surabaya and Makassar).....	869
150. The Influence of Body Image towards Self-Esteem, Self-Compassion and Psychological Well-Being in Female Exerciser .....	876
<i>Namora Lumongga Lubis, Hasnida, Anwar Mallongi</i>	
151. A qualitative Study of Accessibility Health Services among Communities on Small Islands in Makassar City .....	882
<i>Alfiah Ramadhani Amran, Muhammad Alwy Arifin, Muhammad Syafar</i>	
152. Environmental Pollution and Health Problems Due to Forest Fires with Co2 Parameters .....	888
<i>Anwar Mallongi, Rusydi Indra, Muh. Kamil Muh. Arief, M. Fais Satrianegara</i>	
153. The Effect of Giving Date Palm Juice on the Duration of the First Stage of Labor in Sele Be Solu Hospital, Sorong City .....	893
<i>Ariani Pongoh, Niken Kumala Budi, Sri Ayu Dawam</i>	

## XII

154. Food Management System and Satisfaction Level of Students of Pesantren Tebuireng Jombang, East Java ..... 899  
*Mustamir Kamaruddin Anwar Mallongi*
155. Macronutrient Intake of 6-11 Months Old Infant on Mothers Obtaining Moringa Leaves and Iron Supplements ..... 907  
*Sumiaty, Abdullah Tahir, Bahar Burhanuddin, Jafar Nurhaedar, Hadju Veni, Syafar Muhammad, MasyitaMuis, Sri Sumarmi*
156. The Effect of Moringa Oleifera on the Life Outcome of Pregnant and Breastfeeding Mothers: Literature Review ..... 914  
*Nur Ulmy Mahmud, Tahir Abdullah, Arsunan, A.A, Burhanuddin Bahar, Veni Hadju, Muhammad Syafar*
157. Analysis of Drug Logistics Planning at Medical Management Agency in Ambon City Health Office (Qualitative study) ..... 920  
*Jakobis Lewier, Darmawansyah, Muhammad Alwy Arifin, Sukri Palutturi, Anwar Mallongi, M. Furqan, Dian Saputra Marzuki*
158. The Influence of Individual Characteristics on the Performance of Nutrition Program in Ambon City Public Health Center ..... 926  
*Horib, Darmawansyah, Sukri Palutturi, Amran Razak, Yahya Thamrin, Rahmatia Yunus, Nurhayani, Anwar Mallongi*
159. Analysis of Ability and Willingness to Pay Patients in Psychiatric Clinics (Special hospital case study in Maluku Province) ..... 932  
*Mega Aziza, Darmawansyah, Indar, Muhammad Alwy Arifin, Syamsiar S Russeng, Rahmatia Yunus, Muhammad Al Fajrin*
160. Factors Corresponded to Health Service Utilization of Chronic Disease Management Program (Prolanis) Patient in Health Center Lateri Ambon City Post-Earthquake ..... 937  
*Ervina Imelda Souhaly, Muhammad Alwy Arifin, Darmawansyah, Amran Razak, Anwar Mallongi, Syamsuddin Wadi, Muh. Yusri Abadi*
161. The Effect of Work Discipline on a Employee Performance (The Health Office Case Study of Tanimbar Island) ..... 943  
*Edy Slamet Kelibulin, Sukri Palutturi, Muhammad Alwy Arifin, Indar, Yahya Thamrin, Stang, Suci Rahmadani*
162. Analysis Health Information Systems Quality on the Effectiveness of Public Health Center Officers in Ambon City ..... 948  
*Erwine Senda N Wattimena, Amran Razak, Sukri Pallutturi, Darmawansyah Muhammad Syafar, Lalu Muhammad Saleh, Suci Rahmadani*
163. Juvenile Treatment Model according to Juvenile Criminal Justice System in the LPKA (Juvenile Detention Center) Class I, Tanjung Gusta, Medan ..... 954  
*Madiasa Ablisar, Marlina*
164. Factors Related to the Existence of Aedes Aegypti Larvae in Endemic and Non Endemic Areas in Makassar City ..... 959  
*Erniwati Ibrahim, Jusnita, Syamsuar Manyullei, Anwar Mallongi*



165. Analysis of Cost Sharing on the Satisfaction of NHI Patients Not Contribution Beneficiaries (Case Study of Passo Hative Hospital in Ambon City) ..... 965  
*Yoki Stefanus, Darmawansyah, Muhammad Alwy Arifin, Indar, Syamsuar Manyullei, Ansariadi, Dian Saputra Marzuki*
166. Estimation of Some Immunological and Biochemical in the Patients with Systemic Lupus Erythematosus in Males and Females in Baghdad ..... 972  
*Dua'a Akram AL-Atabi, Bushra F. Hasan, Ali H. AL-Hafidh*
167. Impact of Food Simulants Material on Orthodontic Bond Strength after Application of Caries Infiltrant Resin (In Vitro Study) ..... 979  
*Ahmed Muhsin Yousif AL-Mayali, Mohammed Nahidh, Hayder A. Kadhim, Ali Hadi Fahad*
168. Antibacterial Activity of Selected Fractions Extract of *Coptis chinensis* Franch Rhizomes ..... 985  
*Reyadh R Al-Rashidi, Hisham Al-Shaikhli, Rusul A Alsaray, Tahrani Munusamy, Radhi K. Obaid*
169. Therapeutic Effect of Chemically Synthesized Silver Nanoparticles on Aphthous Stomatitis in Some Iraqi Patients ..... 991  
*Zahraa Neamah Abbas, Nafal NazarBahjat*
170. Evaluation of Serum Leptin, Interlukein-6 and some Biochemical Parameters in Iraq obese Adult Patients ..... 996  
*Salwa Gahzi Turki, Asmehan Adnan AL- Naqeeb, Zahid Jasim Muhammed, Wesam Hameed Ahmed*
171. Estimation The Scavenging Activities of Ascorbic Acid, Uric Acid, Gallic Acid and GSH to DPPH Radical ..... 1003  
*Ali M.A. Al-Kufaishi*
172. Frequency of Aspirin Misuse among Hypertensive Patients in Babylon Province ..... 1009  
*Zahraa Fattah Ghani, Oday Jasim Alsalihi, Mustafa Shakir Mahmood*
173. Estimation of Antioxidants Activity Through DPPH Inhibition Levels In Patients with Chronic HPV 16 Cervicitis ..... 1016  
*Ali M. A. Al-Kufaishi, Lamia A. M. Al-Mashhedy, Bushra Jaber Al-Rubaie*
174. Postoperative Hypothermia in Surgical Patients at Azadi Teaching Hospital ..... 1021  
*Anas Amer Mohammad, Mehvan Jameel Ahmed,*
175. Histological and Biometric Study of the Effects of *Fusarium Graminarum* Silver Nanoparticles on the Kidney in Male Albino Mice ..... 1028  
*Sahar A. H. AL-Sharqi*
176. Assessment Hormonal Disorders of Women in Oral and Vaginal Changes ..... 1036  
*Karama M.T AL-Nuaimy*
177. A Difficulty Chart for Estimation of Treatment Duration of Palatally Impacted Canines ..... 1040  
*Riyadh A. Ruwiaee, Dhuha A. Al-Ali, Mushriq F. Abid*
178. Histological and Enzyme Histochemical Changes of Liver Induced By the Action of Maxxthor Insecticide in Male Albino Rats ..... 1047  
*Entesar A. Essa, Sahar A.H. AL-Sharqi, Jabbar H. Yenzeel, Layla J. Mohammed*

## XIV

179. The Nature of the IL17 Cytokine Response In Rabbits Prime-Boosted With Escherchia Coli-Pseudomonas Aeruginosa Prototype Bacterin Combinations..... 1054  
*Ibrahim Ms Shnawa, Ferial Abd*
180. Effect of Hearing Impairment on Behavior and Communication of Children in Schools and Special Education Centers in Mosul City..... 1060  
*Hana A. Al-saeed Rabei M. Al-dobooni*
181. Molecular Identification of Pathogenic Klebsiella Pneumoniae Strains Producing Biofilm ..... 1068  
*Omer N. Abbas, Ahmed A. Mhawesh, Abdulwahid B. Al-Shaibani*
182. Molecular Localization of Human Papilloma Viral 16/18 DNA in Adenotomized Tissues from a group of Iraqi Patients ..... 1075  
*Taghreed F. Almahbobi; Mustafa Jaffar Hussien, Zainab A. Hamid, Shakir H. Mohammed Al-Alwany Saad Hasan Mohammed Ali*
183. Roles of Brain-Derived Neurotrophic Factor (BDNF) In Developing Jaw..... 1082  
*Noor Natic Raheem, Mohammed Faris, Athraa Y. Al-Hijazi, Ali I Alqurshi*
184. Serum and Salivary Immunoglobulins levels in Tobacco Smokers of Baghdad Governorate..... 1088  
*Shatha F. Tariq, Raghad N. Shihab*
185. Association of Retinol Binding Protein-4 and Microalbuminuria and Blood Glucose Regulation in Type 2 Diabetic Iraqi Patients..... 1094  
*Thair Lateef, Ali Abdulhussain Kasim*
186. Assessment of Nurses Knowledge Toward Neonate with Birth Asphyxia at Neonatal Intensive Care Unit in Pediatric Hospitals at Babylon Governorate ..... 1099  
*Salim Amir Yousef, Abdul Mahdi Abdul Ridah Hasan*
187. Evaluating the Concentration of Cotinine, Lead and Cadmium in Newborns with Respiratory Distress Syndrome ..... 1105  
*Hiba Hussein Ali , Ali Faris Hassan, Hayder Hussein Alzubaidi*
188. Synergistic Effect of Some Natural Substances in Combination with Antibiotics on MDR Klebsiella isolates ..... 1112  
*Mohammed Shaker Mahmoud Alani, Laith Musleh Najeeb Al Nuaimi*
189. Assessing the Response of a Sample of Iraqi Asthmatic Patients to Different Medication Regimens ... 1119  
*Ali L. Jasim, Eman S. Saleh, Mustafa N. Abd Ali*
190. Experimental Study of Prepared Killed Vaccine For S. Aureus in Local Rabbits..... 1127  
*Mohammad Hamid Kareem, Rafid Khalid Ali , Shireen Jameel Khaleel , Mustafa Salah Hasan, Eman Naji Saleh*
191. Evaluation of Serum Leptin Level in Correlation with CRP in a Sample of Iraqi Patients with Inflammatory Bowel Disease at Gastroenterology and Hepatology Teaching Hospital ..... 1133  
*Ali S. Musa Al Shammaa, Ghaith Sael Mohammed Ali Haitham Kaddouri Hussein*
192. Influence of Quality of Nursing Work Life on Nurses' Turnover Intention: the Mediating Effect of Organizational Commitment..... 1140  
*Hyoungshim Choi, Insook Kim, Yeongyi Yim, Seonae Won*

193. The Role of Aspiration and Thyroxine Suppression Therapy in Management of Benign Thyroid Nodules ..... 1147  
*Jalil Ibrahim Awaid alrubaye; Hussein Ali Abed Ahmad ; Salah Mahdi Tager*
194. Assessment of Risk Factors of Lung Cancer Patients in Babylon Governorate ,Iraq ..... 1154  
*Ali Abdullah Jasim, Basim Hussein Bahir*
195. Preparation & Characterization of Some Poly Ester-Amide as Drug Polymers..... 1159  
*Abeer Abdul RazakMohammed; ManalAzat Aziz*
196. Correlated of Some Parameters of Placenta and Umbilical Cord with the Newborn Baby ..... 1165  
*Saif Kamel Mohammed; Saad Ahmed Al-Rawi; Samira Abdul Hussein Abdullah ; Nihad Khalawe Tektook*
197. Treatment of Retained DJ(neglected DJ) in AL-Anbar Government, A Postconflict Study ..... 1171  
*Omar Mahmood Shakir; Dhia A.Kareem ; Ameel Farooq Al Shawi , Wafaa Khalel Ibrahim*
198. The Association of Raised Mid-trimester Serum Human Chorionic Gonadotrophin (hCG) and Alpha-Fetoprotein with adverse Pregnancy Outcome ..... 1179  
*Marwa Hamood Jabir, Taghreed Salah Alquzwini*
199. Evaluation of the Immune Response in Scabies Patient (Ordinary and Prisoners) Treated with Permethrin 5% ..... 1185  
*Kawther Omran Hashim, Maan Abdul Aziz Shafiq, Hazima Mossa Al-Abassi, Majid Mohammed Mahmood*
200. Association of birth Spacing with birth weight in Baghdad City ..... 1192  
*Buthaina Ateyah Rashid; Shaymaa Hadi Najm ; Aws Azmi Shakir*
201. Knowledge of Mothers Regarding Measles Control in Primary Health Care Centers in Al- Samawa City ..... 1200  
*Salwan Abdullah Naji , Khadija S. AL-Mizury, Shatha K. Atrah*
202. Correlation of Ki 67, Histopathological Features and Shape of Lesion in Skeletally Mature Osteochondroma ..... 1211  
*Wafaa Redha Mohammed Al Sabbagh, Mushtaq Talib Hussein, Ali Fadhil Hashim, Enass Abdul Kareem Dagher Al-Saadi*
203. Vitamin D Level Status and hypertension among Elderly Iraqi People in Al Hillah City ..... 1218  
*Ismael Hasan Jawad, Hasan ALwan Baiee*
204. Impact of Physical Activity Program upon Elderly Quality of Life at Al-Amara City/Iraq ..... 1223  
*Ghazwan Abdul Hussein AlAbedi, Arkan B. Naji*
205. Fear and Anxiety Disorders Related to Childbirth among Primiparous Women in Kirkuk City ..... 1229  
*Abbas Lateef Muhe-Aldeen, Ameer Salah-Aldeen Abdulrazaq, Ahmed Mohammed Jasim*
206. Effectiveness of an Educational Program on Nurses' Knowledge and Practices Concerning Nursing Care for Critically – Ill Patients at Critical Care Units in Misan Governorate Hospitals..... 1236  
*Aqeel Azeez Arrar, Suad J. Mohammed*

## XVI

207. Genotyping *Tinea Capitis* Fungi based on Barcoding ITS rDNA Marker ..... 1243  
*Falih Hasan Mohammad Alkhafaji, Hiba Jabur Sallal, Zaidan Khlaif Imran*
208. Encrypt Medical Image using CSalsa20 Stream Algorithm ..... 1248  
*Kian Raheem Qasim, Sara Salman Qasim*
209. Evaluation of Students' Self-management and Academic Achievement in the University of Baghdad 1257  
*Basima J. Jasim*
210. Risk factors for Cardiovascular Diseases among Diabetic Patients attending Al Nasiriya Diabetic and Endocrinology Center ..... 1264  
*Qasim Ali Khasal, Dheyaa Kadhim Jabbar, Fatima J Shinjar*
211. Comparative Study between the Effect of Melatonin and Hyaluronic acid on Induced Bone Defect Healing in Rabbit ..... 1271  
*Rawaa Abdul-Jabbar Mahmood, Noor Abdulkareem Razouki*
212. Knowledge and Protective Health Behaviors Concerning Risk Factors for Coronary Heart Disease among Baghdad University Students ..... 1277  
*Aqeel H. Jasim, Haider M. Majeed, Tahseen R. Mohammed*
213. Evaluation of Quality of Nursing Documentation in Surgical Wards at Baghdad Teaching Hospitals ... 1284  
*Tahseen R. Mohammed, Haider M. Majeed, Aqeel H. Jasim*
214. Knowledge of Mother Regarding Children Vaccines ..... 1289  
*Faraj H. Johni*
215. Effect of Corrective Exercises According to the Biomechanical Indicators of the Footprint of the Paraplegic ..... 1294  
*Haider Fayyadh ALamiri*
216. Effects of Caring Children with Leukemia on their Mothers' Psychosocial Status ..... 1299  
*Adraa H. Shawq, Khitam M. AL-Mousawi, Zaid W. Ajil*
217. Social Factors associated with Relapse in Psychotic Patients Attending Teaching Hospitals in AL-Furat Al-Awsat Governorates ..... 1303  
*Ali A. ALHatab, Saja H. Mohammed*
218. Linkage between Cariogenic *Streptococcus Mutans* and Atherosclerotic Plaques of Cardiovascular Disease Patients in Iraqi Population ..... 1309  
*Adil Ateyah A. A. AL-Nasrawi, Haider Ali Muhammed, Ali Kadhim Aljarah*
219. Effect of Omega-3 on Induced Cutaneous Wounds Healing in Rabbits ..... 1316  
*Falah Mahmood Hameed*
220. Use of Iraqi Castor (*Ricinus Communis*) Leaf Extract as Anti-Inflammatory in Treatment of Skin Wounds in Rabbits ..... 1321  
*Namir I. Mohammed, Jassim M. Khalaf Albozachri*
221. Assessment of Child Complications Related to Fluids and Electrolyte Disorders in Babel Hospital for Mothers and Children in AL-Hilla City ..... 1326  
*Abdul Mahdi A. Hassan*

222. The Rate of Post-Spinal Puncture Headache in Patients Undergoing Spinal Anesthesia According to the Size of Spinal Needle (G22 versus G24): Case Reference Study..... 1329  
*Ahmed Matrood Kadhim, Salman Abbas Badi, Watheq Maeh Naji*
223. The Crime of Establishing a Shell Bank – A Comparative Study..... 1335  
*Hawraa Ahmed Shakir, Israa Mohammed Ali Salim, Ammar Ghali Abdulkadhim El-Eisaw*
224. Prevalence Rate of Hepatitis C virus (HCV) and Hepatitis B virus (HBV) Infection in Iraqi Patients on Hemodialysis: Cross Sectional Study ..... 1340  
*Wisam Hatef Kareem Al-Muramdy*
225. Impact of Mass Media upon Juvenile Delinquency in Basra Central Prison and AL- Maqal Police Station ..... 1346  
*Haider Falih Jabbar, Ali Kareem Al-Juboori*
226. Evaluation of the Quality of Primary Health Care Services for Adolescents With Chronic Illness in Kirkuk City ..... 1352  
*Burhan A. Hama Hussein, Mohammed F. Khalifa*
227. Self-evaluation of Continuing Nursing Education Programs in Kirkuk Health Directorate Hospitals ... 1356  
*Hussein M. Abdulfatah Salma K. Jeehad*
228. IL-10(-1082 G/A) Gene Polymorphism in Iraqi Patients with Scabies..... 1361  
*Amerah Abdel Hadi, Alaa Jawad Hassan*
229. Assessment of Pregnant Women Knowledge and Practices Concerning Iron Deficiency Anemia at Al-Amara City/Iraq..... 1368  
*Ghazwan Abdulhussein AlAbedi, Aqeel Aziz Arar, Mustafa Salim Abdul Alridh*
230. Epidemiology of Burn Cases in Erbil Governorate ..... 1374  
*Pakistan Hamadamin Yousif, Hoshyar Amin Ahmed*
231. Changes of Some Environmental Factors in the Iraqi Coastal Waters..... 1381  
*Mohammed Faris Abbas, Sabeeh H. Al-Mayah, T. A. Khalaf*
232. Primary School Teachers' Attitudes regarding Stuttering of School Age Children at First Al-Karkh Education Directorate in Baghdad City ..... 1390  
*Rafea Qadri Meteab Al-Qaisi, Eqbal Ghanim Ali, Ali Kareem Khudhair, PhD*
233. Synthesis and Antibacterial Evaluation of some New Pyrazole Derivatives ..... 1395  
*Mohammad M.Al-Tufah, Saad Salim Jasim, Khalid A. Al-Badrany*
234. Bacteriological Study of Eye infection in Baghdad City..... 1400  
*Farah Ali Hameed*
235. Effectiveness of an Instructional Program on Hypertensive Patients' Knowledge toward Prevention of Cerebral Vascular Accident at Al-Razi Center in Al-Basra City ..... 1406  
*Khadija Mohammed Jassim, Suad Jassim Mohammed*
236. Determination the Causes of Neonatal Mortality during the Last 3 Years Ago in Al-Kut City..... 1412  
*Gossoon Juma Elywy, Mohammed Malih Radhi, Alaa M. Tuama*

## XVIII

237. Nurses Knowledge Assessment Concerning Prevention of Ventilator-Associated Pneumonia..... 1420  
*Hussein Jassim Mohammed , Nuhad Mohammed Kassi , YasharAl-Naamy, Ali F . Abdul Hussein, Raheem Malalla ABADi, R.N Kadhim Hussein Jassim*
238. Maternal Nutritional Status and Preterm Birth ..... 1426  
*Hind Abd Al-Rasoul Mughir, Basim Shanin Jasim, R.N .Kadhim Hussein Jassim*
239. Immunological Aspects of Patients Infested with Scabies in Thi-Qar Province, Southern Iraq ..... 1431  
*Zainab Abd Ali Mohammad, Nadia Ahmed Hadi, Ahmed Abdulhussein Kawen*
240. Mother's Knowledge of Initiative Breast Feeding in Relation to Neonatal Jaundice ..... 1436  
*Nuhad Mohammed Al Doori, Wafaa Ahmed Ameen , Mohommed Talib*
241. Epidemiology and Outcome of Burn Patients in the Burns Specialty Center at Al-Diwaniyah Province, Iraq, 2019 ..... 1442  
*Muhammad Kerim Jasim Albo Jumaa, Abdulameer abdulhussein Kadhim, Hassoon Oleiwi Tinah*
242. The Effect of Fixed Force Exercises by Using Different Tools in the Values of Some Bio Kinematics Variables to the Hit/Spike Skill in Volleyball for Young People..... 1448  
*Hussein Ali Kadhim, Ali Naeem Sultan, Amjad Abd Kadhim*
243. Nurses' Knowledge, Attitude and Practice Towards Preparedness of Disaster Management in Emergency of Mosul Teaching Hospitals..... 1454  
*Nasir M. Younis, Mahmoud M. Ahmed, Ahmed A. Hussein*
244. Molecular detection of Virulence Factors genes Associated with Immune Resistance in Klebsiella pneumonia ..... 1459  
*Nihad Jawad Kadhim , Hayder Shkhair Al-Janabi , Mohanad Jawad Kadhim*
245. Evaluation of Technical Quality and Procedural Errors of Root Canal Treatment Performed by Undergraduate and Postgraduate Dental Students: A Retrospective Radiographic Analysis ..... 1466  
*Ahmed H. Ali, Noor H. Fadhil, Ahmed G. Al-Marroof*
246. Studying the Problems of Attracting Attention in the Physical Education Lesson for the Preparatory Stasge from the Female Teachers Point of View ..... 1472  
*Jihan Karim Amana, Mohssen Ali Musa*
247. Study the Correlation between Serum level of Interlukin 6 and Lactate Dehydrogenase in Myeloma Patients at Stage III with Serum Creatinine and Calcium Level ..... 1477  
*Shaymaa Obaid Abdullah, Hussein Jasim Al-Harbi*
248. Direct Vision Comparison of Lip Curvature between Genders in Fully Edentulous Patients..... 1483  
*Zahraa S. Karkosh*
249. Evaluation of Nurses' Evidence-based Practice at Primary Health Care Centers in Baghdad City..... 1487  
*Ali Hadi Muosa, Mohammed Fadhil Khalifa*
250. The Effect of Competitive Antigen on Some Cytokine in Rabbits ..... 1493  
*Aseel Hashim Neama, Ibrahim M. S. Shnawa, Frial G. Abd*



251. Estimation of Vitamin D Levels in Women with Carpal Tunnel Syndrome (with and without Diabetes) ..... 1500  
*Ghadeer hamid AL-Ardhi, Adil Mohammed AL-Maamory, Ali Mohammed Abd- Alameer*
252. Hematological Study of Splenctomized Dog in Iraq ..... 1505  
*Ali Hussein Fadhil, Mohammed Assad S. Alkabi, Ihab Ghazi Mahdi AL, Shemmari, Ameer Sachet Atta AL-Saigh*
253. The Effect of Using the Cognitive Strategies on the Achievement and Practical Performance of Physiology (Modeling / Reciprocal teaching) ..... 1511  
*Miade Nazim Rashid*
254. Effectiveness of Instructional Program for Nurses' Knowledge regarding Oxygen Administration Methods at Pediatric Teaching Hospitals in Mosul City ..... 1519  
*Mohammed Ahmed Sultan Al-Wily , Afifa Radha Aziz, PhD*
255. Nurses Knowledge Assessment Concerning Prevention of Ventilator-Associated Pneumonia..... 1526  
*Hussein Jassim Mohammed, Nuhad Mohammed Kassi, YasharAl-Naamy, Ali F. Abdul Hussein, Raheem Malalla ABADi, R.N Kadhim Hussein Jassim*
256. Skill and Capacity of Women through Social Mobilization: Analysis of Urban Women Self Help Groups in Coimbatore City ..... 1532  
*Kanagaraj S, Priya V*
257. Fluorosis: An Endemic Disease ..... 1538  
*Sakshi Chaturvedi, Chakrapani Chaturvedi*
258. Family Interaction Pattern in Wive's of Alcohol Dependents..... 1542  
*Chinnu Sebastian , Suja M.K*
259. Experiencing Foster Care-Happiness and Wellbeing of Institutionalised Children ..... 1547  
*Saleena.M, Suja M.K*
260. Empathy and Interpersonal Relationship among Institutionalized Children ..... 1552  
*Jincy V.V, Suja M.K*

# The Politics of Judicial Law in the Development of the National Health Law

Irfan Nur Rachman<sup>1</sup>, Arief Hidayat<sup>2</sup>, and Lita Tyesta<sup>3</sup>

<sup>1</sup>Doctoral Student Diponegoro University, Indonesia, <sup>2</sup>Professors Diponegoro University, Indonesia, <sup>3</sup>Associate Professor Diponegoro University, Indonesia

## Abstract

Normatively, the follow up on the Constitutional Court's Decree has been regulated in the Constitution No.12 of 2011. Yet, the mentioned norm has not optimally regulated the follow up of the Constitutional Court's Decree as one of the main sources in the planning and the renewal of the national law. This is shown by the fact that there was a norm which was annulled by the Constitutional Court, yet it was still written in the new Constitution. Because of that, the Constitutional Court's verdict, especially those regarding the politics of judicial law, is crucial to be included in the national law planning and development documents as a guide for the lawmakers in the form of the Constitution. This is because the Constitutional Court's decree includes the politics of the judicial law, which determines the road of the national health law's development, so that the constitution in the aspect of health will not be against the 1945 Constitution.

This research is a qualitative study, by using the post-positivism paradigm and the juridical-normative approach. The research approach used is statute approach and case approach. The research approach is used to see the politics of the judicial law contained in the Constitutional Court's Decree which should have been the guide of the national health law development.

**Keywords:** *verdict, politics of judicial law, law development.*

## Introduction

The constitutional change which happened in the period of 1999-2002 has changed the design and the structure of the governance in Indonesia. The birth of some new stately institutions such as the Constitutional Court, the Regional Representatives, and the Judicial Commission are the means to strengthen the check and balance mechanism between the stately institutions. The Constitutional Court was created in the third amendment of the constitution's change. Yet, this institution was only effective in carrying out its constitutional tasks after the issuing of the constitution which regulates the Constitutional Court, which was the Constitution No. 24 of 2003 regarding the Constitutional Court on

August 13<sup>th</sup>, 2003. The Constitutional Court consists of nine judges in which each three were appointed by the President, the Legislative House, and the Supreme Court with a five-year term of office. They may then be reappointed for one term of office.

Based on the stipulations of Article 24C of the Republic of Indonesia's 1945 Constitution, *juncto* of the Constitution No. 8 of the years 2011 the Constitutional Court has four rights and one responsibility, which are:

- (1) Testing the Law against the Republic of Indonesia's 1945 Constitution;
- (2) Making the verdict upon stately institution power dispute, in which its power was given by the Republic of Indonesia's 1945 Constitution;
- (3) Making the verdict on the dissolution of political parties; and
- (4) Making verdict on the disputes of the general election results.

---

### Corresponding Authors:

**Irfan Nur Rachman,**

Diponegoro University, Prof. H Soedarto Street,  
Semarang City, Indonesia.

Email: irfan\_nrachman@yahoo.com

The presence of the Constitutional Court and its constitutional review is aimed to create the check and balance mechanism between the state institutions so that there are no misuses of power in the establishment of the state, as stated by Lord Acton<sup>1</sup>, “*power tends to corrupt, absolute power corrupts absolutely*”. Because of that, as the executor of the check and balance mechanism, if the health constitutions as the legislative house’s products are proved to be against the constitution, it can be revoked by the Constitutional Court. Apart from undergoing constitutional trials, the Constitutional Court is also known as undergoing norm trials. This is because there is the Constitutional Court’s power in testing the constitutionality of a constitution.

In its development, especially after the change of the 1945 Constitution, there are new legal sources which must become the guide in undergoing the national law renewal, which is the Constitutional Court’s verdict. Normatively, the Constitutional Court has the role as the negative legislature, which functions in annulling the norms in the constitution, including those regarding health. According to Hans Kelsen<sup>2</sup>, “*The annulment of a law is legislative function, an act-so to speak of negative legislation. A court which is competent to abolish laws-individually or generally-function as negative legislature*”. Meanwhile, according to Siahaan<sup>3</sup> the Legislatives and the Presidents act as the positive legislature who creates the law.

Generally, Bagir Manan states that the efforts to renew the colonial law are not only limited by the formation of the constitutional regulations. Yet, it may also be done through the judge’s verdict<sup>4</sup>. In that verdict also, this article aims to explain and to discuss the politics of the judicial law in the Constitutional Court’s verdict in the process of creating law, especially those regarding health.

## Discussion

In general, the Politics of Law’s definition according to experts and specialists is substantively and basically the same. According to Moh. Mahfud MD<sup>5</sup>, politics of law is legal policy or formal line (policy) concerning health law which will be enacted by formulating a new law or by replacing the old law, in order to achieve the State’s goals. From several existing definitions, the core of Politics of Law’s definition is legal and health

policy that will or has been nationally implemented by the Indonesian government. That is namely: *first*, a legal development in which its main point is making and updating the legal materials so that they can meet the needs; *second*, the implementation of the existing health legal provision, including the affirmation of the institution and the guidance functions by the law enforcers. From these definitions, it showed that politics of law encompasses the process of legal making and legal implementation that can indicate the nature and the direction in which health law will be established and enforced.

In its development, Politics of Law is not only made by legislators, namely it is made by the People’s Representative Council and the President. It can also be carried out by the Constitutional Court as a judicial institution whose one of its authorities is to test the constitutionality of a constitution against the 1945 Constitution. The Constitutional Court’s decision often determines in which direction the legislators must direct their legal politics.

In fact, it is not uncommon for the Constitutional Court to act as a positive legislature, because the Constitutional Court does not only state that a legal norm is contrary to the constitution so that it does not have binding legal force, but the Constitutional Court also takes the role of a law-maker because it participates in formulating new norm in its conditionally constitutional or conditional unconstitutional decisions. According to Stone, the Constitutional Court’s involvement in the legislative process by formulating norm in its decision can also be referred to as judicialization of politics. The following is Stone’s<sup>6</sup> full opinion.

“Judicialization of politics is the intervention of constitutional judges in legislative processes, establishing limits on law-making behavior, reconfiguring policy making environments, and sometimes, drafting the precise terms of legislations”

Therefore, the Constitutional Court must now be seen as a law-making body other than the President and the People’s Representatives Council. According to Asshiddiqie<sup>7</sup>, this is seen as a convergence between the legal systems. This is because, recently there is a strong tendency in the environment of countries that adopt the system of judge-made law to give a greater role to the

Constitution as in the civil law system. Conversely, in the civil law environment there is also a desire to enlarge the court's role as a law-making institution.

The Constitutional Court acts as a positive legislature. Because the Constitutional Court is involved in formulating new norm by making the interpretation so that the norm referred to does not conflict with the constitution. Moreover, the Constitutional Court gives an interpretation of the health constitution when the rules in the constitution do not clearly regulate something in question or give orders to the legislator to revise the norms in a constitution until a certain time limit. If the legislator does not make the revision to a norm in a constitution as instructed in the decision of the Constitutional Court, then that norm directly becomes unconstitutional. The order in the decision of the Constitutional Court was termed by Paczolay<sup>8</sup> as a constitutional mandate. However, the term used by the author is judicial legal politics because the Constitutional Court has given directions of the national legal development which will be addressed.

On the other hand, based on Laksono's<sup>9</sup> research examining the decisions of the Constitutional Court from 2003-2015, there are several variants of the constitutional mandate contained in the Constitutional Court's decisions, they are as follows:

1. The Decision of the Constitutional Court that contains suggestion, recommendation, advice, or encouragement to make amendment, improvements, or formulation of the Constitution;

2. The Decision of the Constitutional Court that provides the alternatives normalization in formulating the Constitution;

3. The Decision of the Constitutional Court that contains prohibition to contain a certain norm;

4. The Decision of the Constitutional Court that must contain a specific norm in formulating Constitution;

In the rule of law perspective, disregarding judicial decisions is considered as a bad precedent. Law supremacy doctrine within the conception of the rule of law has obliged all parties to obey the judicial decision. Although there are some parties which argue, from the perspective of authority separation theory, the institution

with authority to make laws is the parliament, therefore the judiciary may not function as a parliament. However, in the development of the idea of judicial review, it turns out that the function of the Constitutional Court is not only limited as negative legislature, but also functions as positive legislature. According to Stone, the involvement of the Constitutional Court in the legislative process by drafting norms in its decisions may be referred as judicialization of politics.

This matter is also in accordance with Asshiddiqie's opinion that currently, there is a tendency for countries which adopt civil law system to broaden the role of the judiciary in making laws. Conversely, in countries which adopt common law system, there is a tendency to give major roles to the law. This is also an indicator that the constitutional doctrine in one country always develops following the development of law and society.

Within the period 2013-2019, there were at least 26 times the testing of laws in health sector which included laws on health, laws on medical practice, laws on animal husbandry and animal health, laws on health personnel, hospital law. There are 6 (six) issues which are often disputed by their constitutionality according to Junaidi<sup>10</sup>, namely:

1. Phrases regarding health caution;
2. Revocation of criminal sanctions for nurses who perform medical and pharmaceutical services;
3. Safeguarding the use of addictive substances so as not to interfere and endanger public health and public environment;
4. Provision of a designated space to smoke;
5. Health warning in cigarette production alongside with the sanctions;
6. Related to health financing sources originating from the government.

Below are several decisions which contain important guidelines which are considered by legislators in constructing laws, particularly in the development of health law. The examples of the Constitutional Court verdicts where the application grants the Petitioner's and contains constitutional mandate, include:

1. Decision Number 4/PUU-V/2007 concerning the testing of Constitution Number 29 Number 2004 regarding Medical Practices. In this decision, the Constitutional Court stated that the provisions of criminal sanctions in Article 75 paragraph (1), Article 76, Article 79, letter a of the Medical Practices are contrary to the constitution. The Constitutional Court eradicated criminal sanctions and only applied a fine to doctors or dentists who practiced without having registration certificate and practice permit as stipulated in Article 75 paragraph (1) and Article 76 of the Constitution and the threat of imprisonment as regulated in Article 79 letter a Medical Practice Constitution. Within this decision, Constitutional Court also provides guidelines to legislators in regulating criminal sanctions, to uphold criminal law which is humanist and closely related to the code of ethics. Therefore, the provision of criminal sanctions has to uphold the following guidelines: (i) criminal threats may not be used to achieve any particular goal which fundamentally might be able to be achieved in other ways which are as effective yet with less suffering and loss, (ii) criminal threats may not be used if the side effects are more detrimental than the actions to be criminalized, (iii) criminal threats has to be rational, (iv) criminal threats has to maintain harmony between order, in accordance with law, and competence (order, legitimation, and competence), and (v) criminal threats has to maintain the equality between community protection, honesty, procedural justice. Thus, the provision of appropriate sanction for doctors or dentists who practice with neither registration certificate nor license to practice would be a fine sanction.

2. Decision Number 12/PUU-VIII/2010 concerning the testing of the Constitution Number 36 of 2009 regarding Health. In this decision, the Constitutional Court has revoked the provisions of Article 108 paragraph (1) of the Health Constitution regarding the elucidation of the following phrase “health personnel” which contained in the elucidation section of Article 108 paragraph (1) of the Health Constitution and enclose the definition of “health personnel” in Article 108 paragraph (1) of the Health Constitution instead. This means, the Constitutional Court has repositioned the norms from the elucidation into the Article 108 of the Health Constitution. Under its consideration, Constitutional Court stated that the placement of exclusion provisions in the Explanation is considered as an improper

placement, because such provisions are also included in the category of normalization and are not supposed to merely be explained. Moreover, the normalization contained in the said elucidation may have implications for the imposition of criminal sanctions, despite the existence of said sanction provisions may be found in another article. Norms are supposed to be placed within the article. Exception provisions are highly limited as they do not provide neither protection to patients in emergency nor provide protection to health workers. The test begun when Misran, a nurse who was also the head of the Community Health Center (Puskesmas) and was assigned in a remote area in East Borneo in where no doctor and pharmacist felt disadvantaged by the enactment of Article 108 paragraph (1) of the Health Law and its explanation. With this provision, Misran, as both of the head of Puskesmas and a nurse was unable to optimally carry out their duties in providing health services to patients, notably when there are patients who need emergency measures as one of the impacts of the narrow definition of health personnel and be jotted down in the article instead of in the explanation. With the eradication of norm regarding who are referred to as health workers in the elucidation of Article 108 paragraph (1) of the Health Constitution, then was placed in the Article 108 paragraph (1) section has guaranteed legal certainty for health workers in providing optimal services to the community.

3. Decision Number 57/PUU-IX/2011 concerning Testing of Constitution Number 36 of 2009 concerning Health. In this decision, the Constitutional Court has revoked the phrase “may” in the Elucidation Article 115 paragraph (1) of the Health Constitution which states, “For several specific places such as workplaces, public places, and other places **may** provide designated area to smoke”. Therefore, the provision of designated smoking areas at workplace, public places, and other places is no longer optional, but considered as a necessity.

From this provision, it can at least be concluded that the decision of the Constitutional Court was accounted for the making of a law. In other words, the Constitutional Court’s decision should be an important source of law which has to be considered to form a national health law.

## **Conclusion**

The presence of the Constitutional Court after



the constitutional amendment has a significant role in striving to form a national health law. As the decision of Constitutional Court often contains judicial legal politics which has to be a ground rule for the legislators, which in this case are President and the House of Representatives. The decision of Constitutional Court has to be upheld in making a law related to health sector, thereby such laws will not contradict the constitution as the supreme law (the supreme law of the land).

**Ethical Clearence:** Yes.

**Conflict of Interest:** No

**Source of Funding :** Authors

### References

1. Asshiddiqie. The constitution and the constitutionalism. Jakarta: Secretary General of Constitution Court. 2005;167p.
2. Kelsen H. General Theory of Law and State. New York: Russel & Russel. 1973;268p.
3. Siahaan M. The Implementation of the Constitutional Court's Verdict in the testing of the constitution: A study of the check and balance mechanism in Indonesia. [dissertation]. Semarang: Diponegoro University. 2010;405 p.
4. Manan B. The Theory and the Politics of the Constitution. Yogyakarta: FH UII Press. 2004;183p.
5. Mahfud MD M. Building the Law's Politics, Enforcing the Constitution). Jakarta: Rajawali Pers. 2011;17p.
6. Sweet AS. Governing with judges: Constitutional Politics in Europe. New York: Oxford University Press. 2002;32p.
7. Asshiddiqie J. The Law of Governance and the Pillars of Democracy: Thinking Fragments of the Law, the Media, and the Human Rights. Jakarta: Constitution Press. 2005;7p.
8. Paczolay P. Experience of the Execution of Constitutional Court's Decisions Declaring Legislative Omission in Hungary, Execution of the of the Decisions of Consitutional Court: A Cornerstone of the Process of Implementation Constitutional. Baku. 2008;3p.
9. Laksono F. Relation Between the Constitutional Court of the Republic of Indonesia and the Legislators According to the 1945 Constitution of the Republic of Indonesia. *Constitutional Review J.* 2017;3(2):145.
10. Junaidi V. Reading 16 Years of the Constitutional Court: The Testing Material Data of the Constitution Towards the 1945 Constitution (2003-2019). Jakarta: Constitution, Democration and initiative foundation. 2019;33p.