

Joint Responsibility:

A trap in managing social security agency for healthcare social funds?

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Abstract—The issue of organizational management which ran by the Social Security Agency (*Badan Penyelenggara Jaminan Sosial*) for Healthcare has come up to mass media with its financial deficit. Some said this is linked to lack of capacity of directors in managing BPJS for Healthcare. President's intervention is needed to select members on those positions with proper capacity. The Law of the Republic of Indonesia. No. 24 Year 2011 Article 38, explains the responsibilities imposed on all directors (joint responsibility) due to errors in managing social funds. However, the regulation has not explained the details of the definition of financial loss, management technical instructions, and sanctions will be imposed. By using Systems Thinking approach and Soft System Methodology, this research invites us to understand the problem situation, transformation should be taken, and social engineering as the way to create public services. This paper will analyze the collaborative governance perspective as a cooperative approach in overseeing BPJS for Healthcare through Triple Helix to Quadruple Helix model. The focus of this paper is in the stage of identifying a series of factors that are crucial within the collaborative process itself, which includes shared understanding.

Keywords—collaborative governance; joint responsibility; social engineering; transformation; triple helix to quadruple helix; soft systems methodology-based action research

I. INTRODUCTION

In Indonesia, government actions are a shift in the paradigm in the realm of public administration from the concept of Government to the concept of Governance. This paradigm shift, goes hand in hand with the process of rolling out the government's entrepreneurial approach [1] which is part of the public service leadership. Public service leadership according to the public administration approach has undergone a very significant change. This development began from the time before the birth of the concept of the Nation State until the birth of modern science and Public Administration which until now has experienced several paradigm shifts. Starting from the classic model that developed from Wilson [2], Goodnow [3], to Peters [4].

Effective governance is one the indication of the birth of innovative public policies that can accelerate the role of other stakeholders — civil society organization in managing public affairs. Included in the public service leadership approach in health policy in Indonesia. The absence of a Presidential

Regulation that clarifies the joint responsibility of the Board of Directors for the financial losses arising from the mismanagement of the Social Security Fund, is a scourge for BPJS directors in carrying out their public service activities. Establishment of a Presidential Regulation is carried out to clarify the meaning of article 38 of Law 24 No. 2011 concerning the Responsibilities of the Board of Directors jointly and severally for the financial losses arising from mismanagement of social security funds.

II. LITERATURE REVIEW

A. Transformation

Fischer explains that the implementation of policy transformation based on objectives depends on the interaction of several actors with different interests and strategies [5]. While Simms argues that the main metric for the performance of government non-profit institutions is not the financial system, but the effectiveness of the mission [6]. Performance in this context means' how well does the agency carry out its mission?

B. Collaborative Governance

Donahue and Zeckhauser reveal that collaborative governance is the main bargaining option to solve problems by showing how governments at all levels can combine with the private sector in achieving public goals effectively [7]. While Emerson *et al.* [8] and Emerson and Nabatchi [9] define as processes and structures in management and policy decision making that involve people constructively to implement a public goal that is difficult to achieve easily. Ansell and Gash revealed that important factors for building collaborative governance are face-to-face dialogue, trust building, and the development of commitment and shared understanding [10]. Thus, leadership has the role of sponsor, committee, facilitator or mediator, representative, governing, commitment, and the ability to attract others to participate in a program of an organization or region, science translator, technology expert and public advocate [8,9].

C. Social Engineering

Social change requires more than just rules, regulations and procedures [11]. It will begin with the meaning of a social reality [12]. Social change requires the care and development

of society, so that they can transform society, and not simply solve or find problems but revoke the root of the problem to create a new society that is always growing [11].

D. Triple Helix to the Quadruple Helix

Bunders *et al.* see spiral interactions between universities, industries and governments in Bangladesh to form mutualistic relations [13]. Lu and Etzkowitz explained that the new policy and innovation agenda emerged as a result of close interaction and sharing of knowledge between Academics-Corporate-Government [14]. Brown and Duguid describe 'network of practice' to bridge the gap between community networks and practices in order to describe such a large and diffuse relationship to see community practices [15].

III. METHODS

This research paper utilizes the approach of action research [5] with the category of systems thinking [6] or soft systems methodology-based action research or SSM-based AR [7,8]; through the enrichment of the cultural stream of analysis [9-16]. In contrast to other types of research approach, such as

laboratory experiment—which struggles to maintain its relevance to the real world—the 'laboratory' of the action research is the real world itself.

The SSM-based AR approach forces us to understand the problem situation well, see the problem in its entirety, think about how to solve it, compare efforts to solve the problem with the real world, and implement problem solving in culture and system. Data retrieval is done by interviews and focus group discussions on several important parties and have competence in giving opinions.

IV. RESULTS

We purpose transformation relates to Presidential Regulation which means the system that is owned by the Government in the formation of the Presidential Regulation through formal law in the formulation of jointly responsibility policies on article clarification by the Board of Directors on financial losses arising from mismanagement of the Social Security Fund in order to ensure the achievement of collaborative governance health insurance system in Indonesia.

TABLE I. CATWOE

Customers	President, DPR RI, DPD RI, Ministry of Health, Ministry of Law and Human Rights, Ministry of Finance.
Actors	President, Ministry of Health, Ministry of Finance.
Transformation	From non-exist to the existence Presidential Regulation that clarifies the article jointly by the Board of Directors for the financial losses arising from the mismanagement of the Social Security Fund
Weltanschauung	Formal law in the formulation of policies concerning article clarification is jointly responsibility by the Board of Directors for the financial losses arising from mismanagement of the Social Security Fund.
Owner (s)	President, DPR RI, DPD RI, Ministry of Health, Ministry of Law and Human Rights, Ministry of Finance, BPJS Health, BPJS Employment.
Environment	Parties who do not want the occurrence of formal laws and informal conventions in improving the Health Insurance System Policy

V. DISCUSSION

A. Conceptual Model (CM)

This CM is based on the Root Definition that describes the activity of establishing a Presidential Regulation.

TABLE II. CONCEPTUAL MODEL ACTIVITIES

Activity 1	Preparing a study team and the establishment of Presidential Regulation on Joint Responsibility of the Board of Directors of the BPJS by the President as a Political Will from Leadership Champion, Collaborative Governance
Activity 2	Reviewing: Law 24 No. 2011 concerning BPJS Chapter VII Article 38 Responsible jointly by the Board of Directors for financial losses Evaluation of the Health Insurance Program
Activity 3	Considering aspirations: Ministry of Manpower, Ministry of Health, Ministry of Finance, Ministry of Law and Human Rights, Ministry of Social Affairs, BPJS and DJSN, TNI / Polri.
Activity 4	Forming a team from various stakeholders to conduct a review of the Presidential Regulation on Joint Responsibility of the Directors of BPJS in the framework of collaborative governance.
Activity 5	Designing content material that must be regulated
Activity 6	Discussing the Draft (Presidential Draft) Regulation
Activity 7	Improving the Presidential Regulation Draft
Activity 8	Signing the Presidential Regulation by the President
Activity 9	Promulgating Presidential Regulation by the Ministry of Law and Human Rights
Activity 10	Issuing State Gazette or State News in the form of Loose Sheet

Success or failure of Conceptual Model can be measured through three criteria, namely Efficacy, namely the existence of formal law; Efficiency, namely using minimum resources;

Effective which means that this model is successful if the Presidential Regulation is formed.

B. Comparisons and Changes

TABLE III. COMPARISONS BETWEEN SYSTEMS THINKING AND REAL WORLD

No	Activity in the Model	How?	Who?	Alternatives?
1	Preparing a study team and the establishment of Presidential Regulation on Joint Responsibility of the Board of Directors of the BPJS by the President as a Political Will from Leadership Champion, Collaborative Governance	President Internal Meeting	President and Secretary of State	Collaboration with Indonesian House of Representatives Commission IX and BPJS
2	Reviewing: Law 24 No. 2011 concerning BPJS Chapter VII Article 38 Responsibility Responsible jointly by the Board of Directors for financial losses Evaluation of the Health Insurance Program	President Internal Meeting	Cabinet Secretary, Ministry of Health, Ministry of Finance, BPJS	Collaboration with Legal Experts, Insurance Practitioners, Researchers, and Academics
3	Considering aspirations: Ministry of Manpower, Ministry of Health, Ministry of Finance, Ministry of Law and Human Rights, Ministry of Social Affairs, BPJS and DJSN, TNI/Polri.	Meeting and Discussion	Cabinet Secretary	Collaboration with Legal Experts, Insurance Practitioners, Researchers, and Academics.
4	Forming a team from various stakeholders to conduct a review of the Presidential Regulation on Joint Responsibility of the Directors of BPJS in the framework of collaborative governance.	Meeting and Discussion	Cabinet Secretary, Ministry of Health, Ministry of Finance, BPJS	Coordination with the Ministry of Health.
5	Designing content material that must be regulated	Meeting and Discussion	President and Secretary of State	Consultation with the Ministry of Law and Human Rights and the Ministry of Finance
6	Discussing the Draft (Presidential Draft) Regulation	Meeting and Discussion	President, Indonesian House of Representatives Commission IX, Ministry of Law and Human Rights	Collaboration with the Ministry of Finance, Ministry of Health, BPJS
7	Improving the Presidential Regulation Draft	President Internal Meeting	President and Secretary of State	Collaboration with the Ministry of Finance, Ministry of Health, BPJS
8	Signing the Presidential Regulation by the President	Meeting and Discussion	Secretary of State and Ministry of Law and Human Rights	Collaboration with the Ministry of Finance, Ministry of Health, BPJS
9	Promulgating Presidential Regulation by the Ministry of Law and Human Rights	-	Ministry of Law and Human Rights	Consultation with the Ministry of Law and Human Rights
10	Issuing State Gazette or State News in the form of Loose Sheet	-	President	Dissemination by the President and DPR RI Commission IX

The President and Secretary of State played an important role in initiating the efforts to establish the Presidential Regulation that clarified Law 24 No. 2011 on BPJS chapter VII Accountability Article 38. The initial effort made was to prepare a Team (*ad hoc*) for the establishment of the Presidential Regulation conducted in collaboration with the Indonesian House of Representatives Commission IX and BPJS.

C. Systems Changes

From the results of the comparison between the CM and the real world, a change or action steps need to be formulated in an effort to resolve the problem.

TABLE IV. SYSTEMS CHANGES

Systematically Desirable?	Culturally Feasible?
Yes it is, the President must form a Presidential Regulation to clarify the meaning of article 38 of Law 24 No. 2011 concerning the responsibility of directors jointly and severally for the financial losses arising from mismanagement of social security funds.	Yes it is, by representing an accommodation of different interests from stakeholders. As a manifestation of accommodation, the issuance of the Presidential Regulation is expected to reduce and / or eliminate financial losses arising from mismanagement of the social security fund.

Differences in views of the stakeholders involved need to be accommodated from Presidential Regulation which is expected to reduce and/or eliminate financial losses arising from mismanagement of the social security fund. Thus, this Presidential Regulation must contain the definition of financial

loss and mismanagement of the social security fund as well as its technical guidelines; including sanctions that will be imposed on the board of directors as mandated by Law 24 No. 2011.

D. Action to Improve the Situation

The transformation of regulation through Presidential Regulation is a way to engineer the social situation. Presidential regulation which must contain the definition of financial loss and mismanagement of the social security fund as well as the technical guidelines, including sanctions is aimed to conduct BPJS for healthcare management through collaborative management. The collaboration of the role of President, DPR RI, DPD RI, Ministry of Health, Ministry of Law and Human Rights, Ministry of Finance, BPJS for Healthcare, Academician, and private stakeholders is the main goal in creating quadruple helix perspectives.

VI. CONCLUSION

The practice of managing BPJS for Healthcare in Indonesia using a collaborative governance approach has not been supported by good legislation. Constraints that occur in Indonesia are the lack of leaders (President, DPD-RI, Minister of PMK, Minister of Manpower and Transmigration, Minister of Health, Minister of PAN-RB, DJSN) who have certain influence, authority and power in healthcare policy implementation. This is exacerbated by leaders who have initiating leadership to become official stakeholders in initiating a program.

The President needs to establish a Presidential Regulation to clarify the meaning of article 38 of Law 24 No. 2011 concerning the responsibility of directors jointly and severally for the financial losses arising from mismanagement of social security funds. The Presidential Regulation must contain the definition of financial loss and mismanagement of the social security fund and its technical guidelines; including sanctions that will be imposed on the board of directors as mandated by Law 24 No. 2011.

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