

South Dakota Department of Social Services
CERTIFICATE OF LICENSE
as a
CHILD WELFARE AGENCY

This is to certify that Aurora Plains Academy is hereby granted
this license to conduct and maintain a Intensive Residential Treatment Program
located at 1400 East 10th Street, Plankinton, SD 57368
to provide care for a maximum of 78 children ages 10 to 18 years,
for the period from January 1, 2021 to December 31, 2021.

This facility satisfactorily complies with requirements of the South Dakota Compiled Laws of 1967,
Sections 26-6-1 through 26-6-27 and the Child Care Standards as established by the
South Dakota Department of Social Services. This license is subject to revocation for
reasonable cause as cited in SDCL 1967; Section 26-6-23.
Issued this 22nd day of December 2020.



License Number R 12450

Virginia Wieseler
CPS Division Director

Department of Social Services
Child Protection Services
700 Governors Drive
Pierre, S.D. 57501-2291
605-773-3227

**LICENSING RENEWAL STUDY
INTENSIVE RESIDENTIAL TREATMENT CENTERS
ARSD 67:42:01, 67:42:15**

Agency Name: Aurora Plains Academy (R12450)

Agency Director: Nanette Biggers

1. Licensing Requirements – 67:42:07:11.01; 67:42:15:02; SDCL 26-6-11; 42 CFR 441 Subpart D

A. The following have been submitted to the Department:	<u>Yes</u>	<u>No</u>
1. Application materials for license.	✓	_____
2. Documentation of need as per SDCL 26-6-11.	N/A	_____
3. A copy of the building plans (approved by the Fire Marshal and Department of Health).	N/A	_____
4. Documentation to verify the agency/facility is currently accredited by COA, CARF or JC or making progress in pursuit of accreditation.	✓	_____
5. The facility has completed an annual attestation statement and/or been surveyed by DOH to verify they meet the requirements as a Psychiatric Residential Treatment Facility.	✓	_____
B. A statement of compliance with the Civil Rights Act of 1964 is included in the agency's policies or is a part of the purchase of service contract with the Department.	✓	_____

Comments:

An application for license renewal dated November 16, 2020 is on file in the licensing record. It contains a signed statement of compliance with the Civil Rights Act of 1964 which is also part of the facility agreement with the Department of Social Services. A copy of an accreditation report from the Council on Accreditation (COA) stating Aurora Plains Academy is accredited through July 31, 2020 was provided in the application materials and can be found in the licensing record. The copy of the report lists out all programs and services in which Aurora Plains Academy is accredited. Accreditation renewal has not occurred due to COA suspending their visits due to COVID-19 restrictions. A renewal site visit is scheduled for February 8, 2021. **Please submit any changes to the scheduled visit and proof of accreditation when received.** A copy of the Attestation Psych Under 21 Rule dated June 28, 2020 and signed by the Director of Clinical Services, Jeremy Pischke, was submitted with the application for license renewal and is on file in the licensing record.

2. Agency Responsibilities – SDCL 26-6-11

A. The building and equipment needs of the organization are adequately met.	<u>YES</u>	<u>NO</u>
A. The building and equipment needs of the organization are adequately met.	✓	_____
B. The agency has sufficient funds to meet the needs of the community.	✓	_____

Comments:

The reviewers found the facility to be adequately furnished and maintained to provide for the needs of the residents. Financial reports submitted with the application for license renewal indicate the availability of sufficient funds to provide for the needs of the program.

3. Insurance - 67:42:01:35

A. Vehicles used to transport clients have appropriate passenger liability insurance.	<u>YES</u>	<u>NO</u>
A. Vehicles used to transport clients have appropriate passenger liability insurance.	✓	_____
B. The agency carries public liability insurance.	✓	_____

Comments:

Auto (policy # BA0000002018BA), commercial general (policy # MPA0000002849BA), professional (policy # MPA0000002849BA) and umbrella (policy # CMB0000002851BA) liability insurance coverage is purchased from Harleysville Mutual Insurance company. A copy of the Certificate of Liability Insurance verifying coverage through October 1, 2021 was submitted with the application for license renewal and is on file in the licensing record.

4. <u>Accounting Systems</u> - 67:42:01:34	<u>YES</u>	<u>NO</u>
A. An audit of the accounts has been done in the last year by a CPA.	✓	_____

Comments:

An audit of Aurora Plains Academy financial statements for the period ending December 31, 2019 and 2018 was completed by Carlon & Millar, Prof. L.L.C., CPA's on May 1, 2020. A copy of the audit report, including a summary to the Board of Directors was submitted with the application for license renewal.

5. Staff Qualifications - 67:42:15:04; 67:42:15:05; 67:42:15:06; 67:42:15:07; 67:42:15:08

A. Program Director	<u>YES</u>	<u>NO</u>
1. Masters Degree in an accredited behavioral or social science area plus four years relevant alternative child care experience; or	N/A	_____
2. Bachelors Degree in an accredited behavioral or social science area plus six year's relevant alternative child care experience.	✓	_____

Comments:

Nanette Biggers (QMAP, CAC, CMAT, QHMP, QDDP, QMRP) took over as director in July of 2020. Nanette has her BA in Psychology and Criminal Justice. Nanette has extensive experience in director positions in health care management, skilled nursing, psychiatric addictions, and family support services of all stages of growth and development.

B. Counselor/Therapist	<u>YES</u>	<u>NO</u>
1. Masters Degree in social work, counseling, psychology or other behavioral science; or	✓	_____
2. Bachelor's Degree in accredited social or behavioral science plus three years working with difficult adolescents.	✓	_____
3. Hold's license in applicable field if available.	See	Comments
4. Caseload of no more than 12 children, or 6 if doing both therapy and case management.	✓	_____

Comments:

Jeremy Pischke, MA Counseling, LPC-MH (#2244, exp.12/31/2022) is the Director of Clinical Services for APA. Jeremy does not carry a caseload, however he fills in when other therapists are on vacation.

APA currently employs three therapists. Documentation provided by APA notes none of therapists carry a caseload of more than twelve. One of therapist has an LCSW license and two are under supervision for their LPC. **Please submit documentation verifying completion of licensure in their field of study to this office when received to be in compliance with ARSD 67:42:15:07.**

C. Case Manager	<u>YES</u>	<u>NO</u>
1. Bachelor's Degree in accredited behavioral or social science area; or	✓	
2. Equivalent combination of education and experience.	✓	
3. Caseload of no more than 12 children, or 6 if doing both therapy and case management.	✓	

Comments:

APA currently employs four case managers who meet the requirements listed above.

D. Direct Care Staff	<u>YES</u>	<u>NO</u>
1. At least one of three staff per unit has a Bachelor's Degree in behavioral or social science area; or	✓	
2. Forty-eight credit hours of post-high school education and one year child group care experience that includes behavior management and intervention, recreational and therapeutic activities, and participation in assessment and case planning.	✓	
3. Staff that do not meet the requirements of 1 or 2 are under the supervision of a staff member who provides direct care to children and meets the requirements of 1 or 2.	N/A	
4. If under age twenty-one, is under direct supervision of an experienced child care staff; and 3 years older than any children supervised.	N/A	

Comments:

A list of employees as well as date hired, job position and education were included in the application materials. Twelve staff files were reviewed and met the above criteria according to the staff schedule submitted. A staff schedule for 11/8/20 to 11/21/20 was provided with the licensing renewal materials along with a list of staff employed by APA which included their position held and education with area of study. The staff schedule appears to reflect that APA meets the requirements of ARSD: 67:42:15:05 if the schedules are followed.

6. <u>Staff-Child Ratio - 67:42:15:14</u>	<u>YES</u>	<u>NO</u>
A. 1:3 during waking hours.	✓	
B. 1:6 during sleeping hours in each living unit.	✓	
C. Arrangements made for substitute staff during vacations, illness, or off-duty time of regular staff.	✓	
D. Certified special education teachers are employed as appropriate.	✓	
E. Provisions are made for auxiliary staff members, i.e., mental health professionals, physical therapist, and/or occupational therapist as needed to fulfill the facility's defined purposes.	✓	
F. A minimum of two adults are on the grounds at all times when children are present.	✓	
G. The facility has a written plan to ensure that staff, law enforcement, or appropriate emergency responders are available at the center within a reasonable time in the event of an emergency.	✓	

Comments:

The staff schedule submitted indicated Aurora Plains Academy is within staff to child ratio at all times for all Units/Cottages if followed. The staff schedule submitted indicates a Core Staff Supervisor is assigned to each shift throughout the day and night in addition to Residential Treatment Workers.

7. Personnel Records - 67:42:07:07; 67:42:07:08; 67:42:07:09, 67:42:15:15, 67:42:15:16

	<u>YES</u>	<u>NO</u>
A. Personnel records are maintained and contain the following:		
1. Resume or application that includes educational background, personal, and employment history.	✓	
2. Job description.	✓	
3. Annual performance appraisal.	See	Comments
4. Verification of contact with at least three former employers or professional references if former employers not available.	✓	
5. Verification of screening for substantiated reports of child abuse or neglect.	✓	
6. Verification of submission of fingerprints to the DCI.	✓	
7. Verification of sex offender registry checks.	✓	
8. Verification of current certification in basic 1 st aid and CPR.	✓	
9. At least one official onsite designated to authorize the Reasonable and Prudent Parent Standard.	✓	

Comments:

Twelve personnel records were reviewed for staff. Each record reviewed contained documentation to verify compliance with the above requirements. Four out of six personnel records reviewed did not contain an annual performance evaluation. Human resource staff shared performance evaluations have not been done for approximately fifty percent of staff employed more than a year. APA must develop and implement a plan to complete overdue performance evaluations required by ARSD 67:42:09:11. **See Attached Corrective Action Plan.**

8. In-service Training - 67:42:15:15; 67:42:15:16

	<u>YES</u>	<u>NO</u>
A. There is a written plan for orientation and training for staff and volunteers.	✓	
B. Each employee has a documented record of an initial orientation to the center within one month of the date of hire that includes the facility's functions, services, community resources and specific job functions.	✓	
C. Each employee has a documented record of a minimum of fifty hours annual in-service training.	✓	
D. Each employee receives in-service training during the first year of employment that includes all of the areas required in 67:42:15:16.	✓	
E. Training for all employees after the first year of employment is determined by an annual evaluation, is competency based and includes five hours in a nationally recognized program of behavior management techniques and five hours of training in specials areas used to provide services.	✓	

Comments:

Aurora Plains Academy has a New Employee Orientation Checklist form that relates to all required areas and is used as an orientation plan and to document completion of orientation to the facility by new

staff.

A 2021 Aurora Plains Academy In-Service Schedule was submitted with the application for renewal which provides for over 50 hours of in-service training and relates to all areas required for staff to attend during their first year of employment. Personnel records reviewed for staff employed for more than one year contained documentation of at least fifty hours of in-service training during the past year. Documentation of training in all areas required was found in the personnel records of all employees who were employed during the last year.

The reviewers noted that Aurora Plains Academy's employee performance appraisal is well suited for use to assess staff competency in carrying out their job duties and training after the first year of employment appears to be competency based.

9.	<u>Reporting Suspected Child Abuse or Neglect, Changes in Circumstances and Serious Occurrences</u> - 67:42:01:12; 67:42:07:15; 67:42:07:16; 67:42:07:29; 42 CFR 483.374	<u>YES</u>	<u>NO</u>
A.	The facility has a written procedure for handling and reporting suspected in-house CA/N. It includes:	✓	_____
1.	A definition of what constitutes CA/N;	✓	_____
2.	Immediate reporting to DSS or law enforcement;	✓	_____
3.	A procedure for assuring the incident will not recur pending the investigation;	✓	_____
4.	A procedure for evaluating the continued employability of any staff member involved in an incident of CA/N.	✓	_____
B.	Each employee has signed a statement acknowledging and understanding the reporting procedure.	✓	_____
C.	The facility is aware of its need to report any changes of circumstances that may affect its licensed status.	✓	_____
D.	The facility has written procedures for reporting serious occurrences to CPS and Disability Rights of South Dakota and to the parent or legal guardian within 24 hours after the serious occurrence.	✓	_____
1.	The death of a resident is reported to CMS by the close of business the day after the death.	✓	_____
2.	A copy of the report of a serious occurrence is retained in the resident's record.	✓	_____

Comments:

Aurora Plains Academy has written procedures for reporting suspected abuse or neglect, changes in circumstances, and serious occurrences relating to the above requirements.

10.	<u>Treatment</u> - 67:42:01:01(7); 67:42:01:21; 67:42:07:10; 67:42:15:01; 67:42:15:03; 67:42:15:09; 67:42:15:10; 67:42:15:11; 67:42:15:12; 67:42:15:18; 67:42:15:19; 67:42:15:20	<u>YES</u>	<u>NO</u>
A.	There are written procedures relating to:	✓	_____
1.	Intake.	✓	_____
2.	Treatment.	✓	_____
3.	Discharge.	✓	_____
4.	Confidentiality.	✓	_____

- | | | |
|---|---|--|
| 5. Behavior management and passive physical restraint. | ✓ | |
| 6. On-going and emergency health care of children. | ✓ | |
| 7. Emergency procedures in case a child is injured. | ✓ | |
| 8. Discipline. | ✓ | |
| 9. Family Services. | ✓ | |
| 10. Aftercare services | ✓ | |
| 11. The child's parent or guardian has signed and dated a statement that lists the specific policies covered as verification that the facility provided the required information. | ✓ | |
| 12. Reasonable and Prudent Parent Standard | ✓ | |

Comments:

Aurora Plains Academy has written procedures relating to the above required areas appear to be in compliance with licensing rules.

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|--|---|--|
| B. Children attend an on-grounds school. | ✓ | |
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Comments:

Educational services are provided under an agreement with the Plankinton School District.

C. Required services are provided by the facility as follows:

- | | | |
|--------------------------------------|---|--|
| 1. Psychological services; | ✓ | |
| 2. Case services treatment planning; | ✓ | |
| 3. Case management; | ✓ | |
| 4. Psychiatric services; | ✓ | |
| 5. Family services; | ✓ | |
| 6. Transitional services; and | ✓ | |
| 7. Aftercare services. | ✓ | |

Comments:

Aurora Plains Academy written policies relate to the provision of the above required services for youth in the program. The facility contracts with Dr. Chiu to provide required services. Documentation in records reviewed of youth in care indicates the above services are provided.

- | | | |
|--|---|--|
| D. The facility employs a full-time licensed nurse with 24-hour access to medical care provided by a nurse or hospital emergency room. | ✓ | |
| E. Case records are maintained and include the following: | | |
| 1. Face sheet/application form with identifying information. | ✓ | |
| 2. Documentation to verify the child meets IRTC and PRTF eligibility. | ✓ | |
| 3. Treatment plan developed and signed by the treatment team that includes the child, parent or guardian, IRTC Case Manager, counselor | | |

or therapist, IRTC teacher, psychiatrist, psychologist and placing agency staff.	✓	
4. Treatment plans are established within fourteen days of placement.	✓	
5. Treatment plans are based on assessment of the child's medical, psychological, social, behavioral and developmental needs, strengths, weaknesses and problems and reflect the need for IRTC.	✓	
6. Treatment plans contain treatment goals and objectives for the child and their family with an integrated program of therapies, activities and experiences designed to meet the goals.	✓	
7. Treatment plans include conditions for discharge, and a discharge plan that includes:		
a. Projected date of discharge;	✓	
b. Responsibilities of provider, child, family and placing agency;	✓	
c. Transitional services to be provided and by whom;	✓	
d. Crisis and emergency plans;	✓	
e. Links with resources and preparation to navigate adult system if 16 or older;	✓	
f. Aftercare services;	✓	
g. List of responsible persons; and	✓	
h. Involvement of Tribe in aftercare planning if Native American.	✓	
8. Treatment plan is reviewed at least every 30 days and a progress report sent to placement agency.	✓	
9. Evidence of application of the Reasonable and Prudent Parent Standard.	✓	
10. Physical exam (three months prior to or one month following admission).	✓	
11. Current immunization record.	See	Comments
12. A signed authorization for medical care at the time of placement.	✓	
13. On-going records of medical/dental/eye/hearing care.	✓	
F. Records are kept in a locked file.	✓	
G. The interstate compact administrator has been contacted before acceptance of an out-of-state child.	✓	

Comments:

Five records were reviewed for youth in care and each contained documentation to verify compliance with the above requirements, except the files did not contain a current immunizations record. These records were obtained while the reviewers were onsite. Nursing staff shared it has been difficult to obtain these records during the COVID-19 outbreak. **Please assure all client files contain a current immunization record to comply with ARSD 67:42:07:10.**

11. Medications - 67:42:07:19; 67:42:07:20; 67:42:07:22; 67:42:07:23; 67:42:15:19

	<u>YES</u>	<u>NO</u>
A. The facility has written procedures relating to the storage and administration of medication that include:		
1. Responsibility of licensed nurse for administration with delegation only within requirements of ARSD 20:48:04.01.	✓	
2. Documentation.	✓	
3. Immediately notifying the facility's nurse in cases of medication errors or drug reactions. The nurse assesses the situation and determines whether there is a need to report the incident to the attending physician.	✓	
4. Evaluating and recording children's reactions to medication.	✓	
B. Psychotropic drugs are prescribed by a psychiatrist with monthly medication management services.	✓	
C. Medicine is kept in a locked cabinet.	✓	
D. A medication record is kept on each child.	✓	

Comments:

Aurora Plains Academy has written procedures for Medication Control and Administration that relate to the above requirements. The facility employs two Registered Nurses to meet requirements of ARSD 20:48:04:01 as required by ARSD 67:42:07:19. Records reviewed for youth prescribed a psychotropic medication contained documentation to verify compliance with the applicable requirements.

12. Emergency Safety Interventions (ESI) – 67:42:15:18, 67:42:07:24; 67:42:07:25; 67:42:07:26

	<u>YES</u>	<u>NO</u>
A. The facility has a written procedure relating to the use of ESI that allows for use only to ensure safety of the child or others and by order of a physician or other licensed practitioner.	✓	
B. Use of ESI is incorporated into the treatment plan.	✓	
C. Placement agency/parent/guardian are informed of policies, give written approval for use of ESI at the time of admission and are notified of use of ESI as soon as possible.	✓	
D. Only qualified staff give and receive orders and monitor and provide assessments following ESI.	✓	
E. Trained clinical staff continually monitors children while involved in ESI.	✓	
F. ESI's do not exceed times allowed in orders.	✓	
G. Required reports are completed following ESI.	✓	
H. Staff involved in an ESI meet with the child involved to discuss the ESI and with administrative staff within 24 hours after use of the ESI.	✓	
I. Medical treatment is provided for a resident injured during an ESI.	✓	
J. Seclusion rooms meet the physical specifications of 67:42:07:25.	N/A	

Comments:

Aurora Plains Academy written procedures for use of Emergency Safety Interventions appear to meet the requirements of licensing rules. Five incidents of use of ESI were reviewed and documentation was found in

each to verify compliance with the above requirements. Staff and residents interviewed indicated the facility utilizes Emergency Safety Interventions in an appropriate manner and as a last resort to prevent a resident from harming themselves or others.

	<u>YES</u>	<u>NO</u>
13. <u>Volunteers</u> - 67:42:07:14		
A. Have a written job description with specific responsibilities.	N/A	_____
B. Supervised and evaluated by an experienced staff member.	N/A	_____
C. Three documented references.	N/A	_____
D. Documented orientation.	N/A	_____
E. Documented in-service training as per 67:42:07:04 if volunteer works thirty plus hours per week.	N/A	_____
F. Informed of obligation to report suspected CA/N.	N/A	_____
G. Verification of screening for substantiated reports of child abuse or neglect.	N/A	_____
H. Verification of submission of fingerprints to the DCI.	N/A	_____
I. Verification of sex offender registry checks.	N/A	_____

Comments:

Aurora Plains Academy did not use volunteers in their program during the past year.

	<u>YES</u>	<u>NO</u>
14. <u>Physical Facility</u> - 67:42:07:11; 67:42:07:12		
A. There is a current fire inspection.	11/2/20	_____
B. There is a current health inspection.	11/2/20	_____
C. A fire escape plan is posted.	✓	_____
D. A minimum of four fire drills are held annually.	✓	_____
E. Children of opposite gender over the age of six have separate sleeping facilities.	✓	_____
F. Sleeping children are monitored.	✓	_____
G. Each child has their own bed with linens, blankets and pillows.	✓	_____

Comments:

A copy of the current fire/health inspection report is on file in the licensing report. No issues were identified.

	<u>YES</u>	<u>NO</u>
15. <u>Nutrition</u> - 67:42:07:13		
A. Meals are of sufficient quantity to meet children's nutritional needs.	✓	_____
B. Arrangements are made for children with a special prescribed diet.	✓	_____

Comments:

Interviews with staff and youth supported the meals being of sufficient quality and quantity.

16. Recommendations

Aurora Plains Academy is found to be in substantial compliance with licensing rules for Intensive Residential

Treatment Centers. Please refer to the body of this licensing study for comments and recommendations relating to Licensing Requirements, Counselor/Therapist, and Treatment. A Correct Action Plan is attached for Personal Records.

It is recommended that a satisfactory license be issued to Aurora Plains Academy to operate as an intensive Residential Treatment Center located at 1401 E. 10th Street, Plankinton, South Dakota to provide care for a maximum of seventy-eight residents age ten to seventeen.

Completed By: Kevin Kanta
Kevin Kanta, Program Specialist Date: 01/05/21
Date of On-Site Visit: 12/15/20