

The Department of Social Services, Office of Licensing & Accreditation is requiring the implementation of a Corrective Action Plan (CAP). The CAP is established to ensure changes are made to achieve and maintain compliance with the identified Administrative Rule(s) of South Dakota (ARSD).

ARSD – Out of Compliance

Aurora Plains Academy was found to be out of compliance with the underlined portion of the following Administrative Rules of South Dakota:

67:42:15:10. Treatment plan.

Within 14 days after admission to the facility, the child's treatment team must develop a written treatment plan for the child. Each team member must sign the plan. The plan must contain the following information:

(1) An assessment of the child's needs, strengths, weaknesses, and problems. The assessment must include a diagnostic evaluation of the medical, psychological, social, behavioral, and developmental needs of the child and reflect the need for intensive residential treatment.

(2) Treatment goals for the child and the child's family with an integrated program of therapies, activities, and experiences designed to meet the goals, and projected times for achieving the stated goals.

(3) The projected length of stay and the conditions under which the child will be discharged;
and

(4) A discharge plan that meets the requirements of § 67:42:15:12.

Source: 32 SDR 33, effective August 31, 2005; 34 SDR 200, effective January 30, 2008.

General Authority: SDCL 26-6-16.

Law Implemented: SDCL 26-6-16.

Cross-Reference: Individual plan of care, 42 C.F.R. § 441.155.

26-6-14.5 Subsequent to initial licensure, any person specified in § 26-6-14.4 shall, as a condition to employment, residence, or presence in a child welfare agency sign the waiver set forth in § 23-5-12, be fingerprinted and sign a declaration under penalty of perjury regarding any prior criminal conviction and military history. The licensee shall submit these fingerprints to the South Dakota Division of Criminal Investigation and the Federal Bureau of Investigation Identification Division not later than fourteen calendar days following employment, residence, or initial presence in the child welfare agency. If it is determined that the person has been convicted of a crime specified by rules of the department, the licensee shall act immediately to terminate

the person's employment and remove the person from the child welfare agency or bar the person from entering the child welfare agency.

Source: SL 1988, ch 208, § 3; SL 1993, ch 197, § 2.

Non-Compliance Finding:

A majority of treatment plans reviewed during the on-site license review were not completed within 14 days after admission.

Personnel files reviewed did not contain documentation the staff's fingerprints were submitted to the Division of Criminal Investigation and the Federal Bureau of Investigation Identification Division not later than fourteen calendar days following employment.

Action Needed:

A plan ensuring treatment plans are completed with completed within 14 days after admission.

A plan ensuring personnel files contain documentation fingerprints are submitted to the Division of Criminal Investigation and the Federal Bureau of Investigation Identification Division not later than fourteen calendar days following employment.

Submit plan by:

January 5th, 2024

Corrective Action Plan (Attach documents if needed):

- Clinical staff will be retrained on the requirements of **67:42:15:10**. APA will hire additional clinical staff to increase the agency's ability to comply with the requirements of **67:42:15:10**. APA will restructure the Clinical Director position to reduce their caseload to dedicate more time to compliance of **67:42:15:10** and other documentation rules. Triggers for documentation will be restructured to reduce the number of late submissions of required documentation. This will be completed by February 1st, 2024.
- Human Resources will be retrained on the requirements of **26-6-14.5**. APA will keep a permanent timestamped record in the employee's personnel file of all fingerprint submissions as evidence that the human resources department is ensuring personnel files contain documentation fingerprints are submitted to the Division of Criminal Investigation and the Federal Bureau of Investigation Identification Division not later than fourteen calendar days following employment. This will be completed by January 9th, 2024.

Date Corrective Action Plan Implemented: See above.

Date of Expected Completion: See above.

Your signature below certifies you have read and understand the non-compliance findings and submitted a plan to comply with the identified portions of ARSD to the Department of Social Services, Office of Licensing and Accreditation.

John Trunkey

Signature of Agency Director

1-09-24

Date

The Department of Social Services, Office of Licensing and Accreditation has reviewed and accepted the above plan. A review of treatment plans will be conducted in March 2024 by the Office of Licensing and Accreditation to ensure actions detailed in the plan have been successfully implemented.

Kevin Kanta

Signature of Licensing Staff

1/9/2024

Date