

DEPARTMENT OF SOCIAL SERVICES  
DIVISION OF CHILD PROTECTION SERVICES

811 East 10<sup>th</sup> Street Dept. 3

Sioux Falls, SD 57103

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March 18, 2019

Lutheran Social Services  
Amy Witt, Vice President of Children and Youth Services  
621 E Presentation Street  
Sioux Falls SD 57104

Dear Amy:

Enclosed is the current certificate of license that allows Lutheran Social Services to operate Arise – East as a Shelter Care at 621 E Presentation Street Suite 200 in Sioux Falls, South Dakota. The license is effective from March 1, 2019 to February 29, 2020 and is issued on a satisfactory basis. It allows for the care of a maximum of 15 children, ages 10 to 17 years of age. South Dakota law requires the license to be posted in a conspicuous place in the facility.

A copy of the licensing study is enclosed. Please read it carefully and refer to it for details relating to compliance with each of the applicable licensing standards. Continued non-compliance with licensing rules or failure to submit any requested information may result in negative licensing action such as suspension or revocation of the license. Should you have any questions, feel free to contact Kevin Kanta at the telephone number above.

Thank you for the care Arise East provides to South Dakota's children and families.

Sincerely,

A handwritten signature in blue ink that reads 'Virgena Wieseler'.

Virgena Wieseler  
Division Director

VW/kk

Enclosures

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

This is to certify that Lutheran Social Services—Arise East is hereby granted this license to conduct and maintain a Shelter Care facility located at 621 E Presentation Street in Sioux Falls, SD 57104 to provide care for a maximum of 15 children ages 10 to 17 years, for the period from March 1, 2019 to February 29, 2020.

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 1st day of March 2019



License Number R 23955

*Virginia Wieseler*  
\_\_\_\_\_  
CPS Division Director

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

**INVESTIGATION REPORT AND LICENSING STUDY  
GROUP CARE CENTERS FOR MINORS  
ARSD 67:42:01, 67:42:07**

AGENCY NAME: LSS ARISE YOUTH CENTER/ EAST (R23955)

Program DIRECTOR: Rebekkah Kruse

1. Licensing Requirements - 67:42:07:11.01; SDCL 26-6-11

A. The following have been submitted to the Department:	<u>YES</u>	<u>NO</u>
1. Application materials for license.	✓	_____
2. Documentation of need.	✓	_____
3. A copy of the building plans (approved by the Fire Marshal and Department of Health).	N/A	_____
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:

Lutheran Social Services (LSS) Arise Youth Center/East is a Shelter Care Program for male and female youth ages ten to seventeen that is located at 621 E Presentation Street in Sioux Falls, SD. LSS Summit Oaks Centers PRTF services are offered in the same building. An application for license renewal dated February 22, 2019 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.

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>
	✓	_____
B. The agency has sufficient funds to meet the needs of the community.	✓	_____

Comments:

The review team found the facility to be adequately furnished and maintained to provide for the needs of the residents served. An agency audit is done on a yearly basis and submitted to the department.

3. Insurance - 67:42:01:35

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

Comments:

Auto Liability (Policy Number PHPK1844795), Commercial General Liability (Policy Number PHPK184495), and Umbrella Liability coverage (Policy Number PHUB36768) is purchased from Philadelphia Indemnity Insurance Company. A copy of the Certificate of Insurance verifying coverage through July 1, 2019 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.	<u>✓</u>	<u>                    </u>

An audit of Lutheran Social Services financial statements for the period ending June 30, 2018 and 2017 was completed by Eide Bailly LLP, CPA's on December 14, 2018. A copy of the audit report, including a summary of significant accounting policies is on file in the licensing record.

5. <u>Staff Qualifications</u> - 67:42:07:02, 67:42:07:07		
A. Program Director	<u>YES</u>	<u>NO</u>
1. Bachelor's degree in an accredited behavioral or social sciences area, or	<u>✓</u>	<u>                    </u>
2. An equivalent combination of education and experience.	<u>✓</u>	<u>                    </u>
3. At least two years of relevant alternative child care experience.	<u>✓</u>	<u>                    </u>

Comments:  
Rebekkah Kruse, Masters of Counseling and Human Resource Development, has over five years of relevant child care experience and has served as the Program Director for the Arise Youth Center/East since December 27, 2018.

B. Other Staff	<u>YES</u>	<u>NO</u>
1. At least eighteen years of age.	<u>✓</u>	<u>                    </u>
2. If under age twenty-one, is under direct supervision of an experienced child care staff; and 3 years older than any children supervised.	<u>✓</u>	<u>                    </u>

Comments:  
A list of employees including their positions, education, experience and date of employment was included in the application materials and is on file in the licensing record. The Arise Youth Center/East currently employs twenty-two staff which includes a Program Director, Associate Director, three Clinical Case Managers and one Residential Supervisor.

6. <u>Staff/Child Ratio</u> - 67:43:07:03	<u>YES</u>	<u>NO</u>
A. 1:8 during waking hours.	<u>✓</u>	<u>                    </u>
B. 1:25 in the building during sleeping hours.	<u>✓</u>	<u>                    </u>
C. One staff member present in each separate sleeping unit during sleeping hours.	<u>✓</u>	<u>                    </u>
D. Arrangements made for substitute staff during vacations, illness, or off-duty time of regular staff.	<u>✓</u>	<u>                    </u>
E. Certified special ed teachers are employed (when appropriate).	<u>N/A</u>	<u>                    </u>

F. Provisions are made for auxiliary staff members, i.e., mental health professionals, physical therapist, and/or occupational therapist (when appropriate).	✓	_____
G. A shelter care facility maintains a staff/child ratio of 1:4 for children under the age of four years during waking hours.	N/A	_____
H. 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 Arise Youth Center/East has a license capacity of 15 residents. Interviews with staff supported items listed above.

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

A. Personnel records are maintained and contain the following:	<u>YES</u>	<u>NO</u>
1. Resume or application that includes educational background, personal, and employment history.	✓	_____
2. Job description.	✓	_____
3. Annual Performance Appraisal.	✓	_____
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 <sup>st</sup> aid and CPR.	✓	_____

Comments:

Four employee records were reviewed for Arise Youth Center/East employees and each contained documentation to verify compliance with the above requirements.

8. In-service Training - 67:42:07:04

	<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.	SEE	<u>COMMENTS</u>
C. Each employee has a documented record of a minimum of twenty-four 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 67:42:07:04.

✓  
\_\_\_\_\_

E. Training for all employees after the first year of employment is determined by an annual evaluation and is competency based.

✓  
\_\_\_\_\_

Comments:

An Arise East 2019 In-Service Training Schedule was included in the application materials and appears to be in compliance with licensing rules. The training schedule provides for 74.5 hours of in-service training which is coded 1 through 11 and appears to be in compliance with licensing rules.

Documentation to verify compliance with the above requirements was found in each of the records except the reviewers found compliance issues with the initial orientation to the program in several personnel records. Compliance issues included one record where the orientation was not completed until three months after the hire date, in two files the orientation appeared to be completed within the time allotted however it was not signed off for until several months after the hire date, one was not signed, and one record did not have documentation of orientation. Similar issues were noted during the previous license renewal. **Please submit a plan within 30 days which assures all new employees complete an orientation course within one month after their hire date to be in compliance with ARSD 67:42:07:04.**

9. Reporting Suspected Child Abuse or Neglect and Changes in Circumstances - 67:42:01:12, 67:42:07:15, 67:42:07:16

YES

NO

A. The facility has a written procedures 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.

SEE                      COMMENTS  
\_\_\_\_\_

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.

✓  
\_\_\_\_\_

Comments:

Documentation to verify compliance with the above requirements was found in each of the records. LSS has written procedures for identification and reporting of child abuse and neglect that address the above requirements and appear to be in compliance with licensing rules, except the "Child Abuse and Neglect Policy/Procedure" is unclear as to who evaluates the continued employability of any staff member involved in an incident of child abuse or neglect. **Please update your policy within 30 days to be in compliance with ARSD 67:42:07:16.**

10. Treatment – 67:42:01:01(3), 67:42:01:21, 67:42:07:01, 67:42:07:01.01, 67:42:07:01.02, 67:42:07:05, 67:42:07:10, 67:42:07:28, 67:42:07: 29

A. There are written procedures relating to:	<u>YES</u>	<u>NO</u>
1. Intake.	✓	_____
2. Treatment.	N/A	_____
3. Discharge.	✓	_____
4. Discipline	✓	_____
5. Confidentiality.	✓	_____
6. Health care of children	✓	_____
7. Emergency procedures in case a child is injured.	✓	_____

Comments:

The Arise Youth Center has written procedures which relate to all of the above required areas that are in compliance with licensing rules and can be found in the LSS Group Service Manual, these areas are also covered in the LSS Arise Youth Center Shelter Care Parent/Guardian Handbook and the LSS Resident Handbook which was included in the initial application materials and documentation of changes made are provided yearly.

B. Children attend a local school.	✓	_____
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Comments:

Arise Youth Center/East residents attend their home school when possible or educational programming coordinated through the Sioux Falls School District or coordinated with their home school district when possible. A Memorandum of Understanding with the Sioux Falls School District was included with the initial application materials.

C. Case records are maintained and include the following:		
1. Face sheet/application form with identifying information.	✓	_____
*2. Development of the treatment plan must involve the child in care, the facility staff working with the child, the placement agency and if appropriate the parents.	N/A	_____
*3. Treatment plans are developed within one month of placement and updated at least every three months.	N/A	_____
*4. Treatment plans must contain the child's needs and strengths.	N/A	_____
*5. Treatment goals for the child and family, including a description of how family and aftercare services will be provided, and projected times for achieving goals;	N/A	_____

*6. A discharge plan that includes the projected length of stay and the conditions under which the child will be discharged.	N/A	
*7. Monthly progress reports submitted to placement agency.	N/A	
*8. Progress reports reflect the treatment plan.	N/A	
9. Physical exam (twelve months prior to or thirty days following admission).	✓	
10. Current immunization record.	✓	
11. A signed authorization for medical care.	✓	
12. On-going records of medical/dental/eye/hearing care.	✓	
13. Signed statement verifying the child's parent or guardian was informed of agency written policies.	✓	
D. Records are kept in a locked file.	✓	
*E. A shelter care facility that does not provide short term assessment services is exempt from numbers 2, 3, 4, 5, 6, 7 and 8 but submits a summary report to the placement agency upon discharge of the child.	✓	
F. Children do not remain in a shelter care facility longer than thirty days unless an extension of time is needed not to exceed thirty days for the plan to be implemented or needed assessment services completed.	✓	
G. The interstate compact administrator has been contacted before acceptance of an out-of-state child.	N/A	
H. A facility that provides alternative services to children in custody of the department has a signed alternative service agreement with the department.	N/A	

Comments:

Four records were reviewed for children currently in care and documentation was found in each to verify compliance with the licensing rules above.

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

A. The facility has written procedures relating to the storage and administration of medication which include:	<u>YES</u>	<u>NO</u>
1. Conditions under which medications may be given.	✓	
2. Procedures for documenting the administration of medication.	✓	
3. Procedures for 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. Procedures for evaluating and recording each child's reactions to prescribed medication.	✓	_____
B. A licensed nurse is responsible for administration of medications.	✓	_____
C. Psychotropic drugs are prescribed by a MD, CNP or PA with ongoing quarterly follow-up.	✓	_____
D. Medicine is kept in a locked cabinet.	✓	_____
E. A medication record is kept on each child.	✓	_____

Comments:

LSS has written procedures for storage and administration of medications that are in compliance with licensing rules. A Healthcare Personnel Services Agreement between Lutheran Social Services and Avera McKennan Hospital & University Health Care as well as a copy of a Transfer Agreement with Avera Behavioral Health Center was included in the initial application materials and can be found in the licensing record. This agreement automatically renews yearly. Please report any changes to the agreement.

12. <u>Seclusion and Restraint</u> - 67:42:07:05, 67:42:07:24, 67:42:07:25, 67:42:07:26, 67:42:07:27	<u>YES</u>	<u>NO</u>
A. The facility has written procedures relating to the use of seclusion and restraint.	✓	_____
B. Use of seclusion and restraint is included in the treatment plan.	N/A	_____
C. Placement agency/parental/guardian approval of seclusion and restraint is obtained prior to its use.	✓	_____
D. Staff continuously observe and monitor a child who has been placed in a room for the purposes of seclusion.	N/A	_____
E. Placement in seclusion or restraint does not exceed two hours if the child is age 9 to 17 or one hour if the child is under the age of 9.	N/A	_____
F. Placement in seclusion or restraint is documented.	N/A	_____
G. A room used for seclusion meets the physical specifications of 67:42:07:25.	N/A	_____

Comments:

LSS has written policies for restraint or seclusion that appear to comply with licensing requirements. A shelter care facility may not use locked seclusion.

13. <u>Volunteers</u> - 67:42:07:14	<u>YES</u>	<u>NO</u>
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 non-related 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:

LSS has written procedures for use of volunteers that are in compliance with licensing rules. LSS Arise Youth Center East does not utilize volunteers as part of programming at this time.

14. <u>Physical Facility</u> - 67:42:07:11, 67:42:07:12	<u>YES</u>	<u>NO</u>
A. There is a current fire inspection.	✓	
B. There is a current health inspection.	✓	
C. A fire escape plan is posted.	✓	
D. A minimum of four fire drills 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:

The shelter care program currently occupies a space that was previously being used for PRTF level care. The Fire & Life Safety/Environmental Health/Food Service Inspection Form was included with the application materials and was completed on January 9, 2019. A compliance plan was included with the inspection which indicated the facility had taken appropriate action to address and compliance concerns found.

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

Comments:

LSS has written policies regarding Nutrition Standards. A copy of a 4 week schedule titled Summit Oaks Center was included in the application materials. The menu used for Summit Oaks Center is the same menu which will be used for the Arise Youth Center/East. The menu was signed by an RD, LN and dated.

16. Recommendations:

LSS Arise Youth Center/East has established policies and procedures for the operation of a Shelter Care Facility that have been found to be in substantial compliance with licensing rule and has indicated their intent to continue to meet compliance with licensing rules for a Group Care Center for Minors-Shelter Care Facility. Please refer to the body of this study for comments relating to Inservice Training and Reporting Suspected Child Abuse or Neglect and Changes in Circumstances. Please complete Correction Action documents and return to this office with 30 days.

It is recommended that a satisfactory license be issued to Lutheran Social Services to operate the Arise Youth Center/East as a Group Care Center for Minors-Shelter Care Facility at 621 E Presentation Street in Sioux Falls, SD, to provide care for a maximum of 15 youth age ten to seventeen years.

Completed By: Kevin Kanta 3/11/19  
Kevin Kanta , Program Specialist Date

Date of on-Site Visit: 2/8/19