

**South Dakota Department of Social Services
CERTIFICATE OF LICENSE**

**as a
CHILD WELFARE AGENCY**

This is to certify that Lutheran Social Services-Arise Youth Center West is hereby granted this license to conduct and maintain a Group Care Center for Minors-Shelter Care Facility located at 3505 Cambell Street in Rapid City, SD 57701 to provide care for a maximum of 22 children ages 10 to 17 years, for the period from May 1, 2020 to April 30, 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 8th day of May, 2020.



License Number R 21091

Kiyama 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/WEST (R21091)

DIRECTOR: Mark Kiepke

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.	N/A	_____
3. A copy of the building plans (approved by the Fire Marshal and Department of Health).	✓	_____
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:

LSS Arise Youth Center is a Shelter Care Program for male and female youth ages ten to seventeen that is located in the Western South Dakota Juvenile Services Center (WSDJSC) facility in Rapid City, South Dakota. A detention program is also located in the WSDJSC. Pennington County entered into a Memorandum of Understanding with Lutheran Social Services on June 18, 2013 to provide Shelter Care Services and Reception Center Services in the WSDJSC. There continues to be locking doors between the detention center and the Arise Youth Center and the facilities continue to operate separate from each other. LSS Arise Youth Center/West is licensed for a capacity of twenty-two youth.

An application for license renewal dated April 17, 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.

2. Agency Responsibilities – SDCL 26-6-11

	<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:

LSS Arise West is adequately furnished and maintained to provide for the needs of the residents served. The reviewers were given a tour of the facility. The space has ten bedrooms which could sleep a maximum of two youth and two single capacity bedrooms.

3. Insurance - 67:42:01:35

	<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 liability, commercial general liability, and umbrella liability coverage is purchased from Philadelphia Indemnity Insurance Company, policy number PHPK2001362. Copies of Certificates of Liability Insurance verifying coverage through July 1, 2020 were submitted with the application for license renewal.

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|--|------------|-----------|
| 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. | ✓ | _____ |

An audit of Lutheran Social Services of South Dakota, Inc. and Consolidated Affiliates financial statements for the period ending June 30, 2019 and 2018 was completed by Eide Bailly LLP, CPA's on October 25, 2019. A copy was submitted with the application materials.

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| 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 | ✓ | _____ |
| 2. An equivalent combination of education and experience. | ✓ | _____ |
| 3. At least two years of relevant alternative child care experience. | ✓ | _____ |

Comments:

Mark Kiepke serves as the Director for the Arise Youth Center/West. Mark has been employed in this role since July of 2017. Mark has 17 years of relevant experience and has worked for Lutheran Social Services in various roles.

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|---|------------|-----------|
| B. Other Staff | <u>YES</u> | <u>NO</u> |
| 1. At least eighteen years of age. | ✓ | _____ |
| 2. 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 including their positions held, education, experience and date of employment was included in the application materials.

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|---|------------|-----------|
| 6. <u>Staff/Child Ratio</u> - 67:43:07:03 | <u>YES</u> | <u>NO</u> |
| A. 1:8 during waking hours. | ✓ | _____ |
| B. 1:25 in the building during sleeping hours. | ✓ | _____ |
| C. One staff member present in each separate sleeping unit during sleeping hours. | ✓ | _____ |
| D. Arrangements made for substitute staff during vacations, illness, or off-duty time of regular staff. | ✓ | _____ |

E. Certified special ed teachers are employed (when appropriate).	N/A	_____
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:

Arise Youth Center Weekly Schedule submitted with the application materials indicates appears to indicate at least three staff on duty during waking hours seven days a week and at least two staff on during regular sleeping hours seven days a week. The staff schedule shows the agency to generally be above staff/child ratio for their license capacity at all times and interviews with staff confirm the agency follows the schedule at all times and the agency makes supervision of residents a priority.

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 st aid and CPR.	✓	_____

Comments:

Personnel records were not reviewed due to Covid-19 restrictions.

8. <u>In-service Training</u> - 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.

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:

LSS has a written plan for orientation which is in compliance with licensing rules. Training completed by staff is documented on the LSS Essential Learning system that includes components that assure the training provided is competency based. Personnel records were not reviewed due to Covid-19 restrictions.

9. <u>Reporting Suspected Child Abuse or Neglect and Changes in Circumstances</u> - 67:42:01:12, 67:42:07:15, 67:42:07:16, 67:42:07:05	<u>YES</u>	<u>NO</u>
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.	✓	
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:

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.

10. <u>Treatment</u> – 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	<u>YES</u>	<u>NO</u>
A. There are written procedures relating to:		
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.

B. Children attend a local school.	✓	
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Comments:

Arise Youth Center residents will attend their home school when possible or educational programming will be coordinated through the Rapid City School District or coordinated with their home school district when possible. For youth not currently enrolled in school, the Rapid City Area School District provides education on site.

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:

Client records were not reviewed due to Covif-19 restrictions.

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

	<u>YES</u>	<u>NO</u>
A. The facility has written procedures relating to the storage and administration of medication which include:		
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. The MOU provides for Nursing Services to be provided by WSDJSC nursing staff that is on duty 24 hours a day. A separate MOU/contract has been developed with Pennington County that outlines specific responsibilities with the head nurse being responsible for oversight of medication administration and notification of med errors to the on-duty nurse along with other nursing duties.

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.	✓	
F. Placement in seclusion or restraint is documented.	✓	
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. The reviewer was informed the Arise Youth Center 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:

A Semi-Annual Fire System Inspection report was included with the application materials and can be found in the licensing record. A copy of the yearly fire drills conducted by the facility was provided with the application materials. Documentation indicates that fire drills are conducted monthly.

15. Nutrition - 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. The Pennington County Sheriff's Office provides Food Service for youth in the Arise Youth Center. Staff and residents interviewed stated the meals are adequate quality and quantity.

16. Recommendations:

LSS Arise Youth Center is in substantial compliance with licensing requirements for a Group Care Center for Minors-Shelter Care Facility. It is recommended that a satisfactory license be issued to Lutheran Social Services to operate the Arise Youth Center/West as a Group Care Center for Minors-Shelter Care Facility in the Western South Dakota Juvenile Services Center building located at 3505 Cambell Street, Rapid City, South Dakota, to provide care for a maximum of 22 youth age ten to seventeen years.

Completed By: Kevin Kanta 5/15/20
Kevin Kanta, Program Specialist Date

Date of on-Site Visit: NA