

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

This is to certify that Lutheran Social Services—New Beginnings Center is hereby granted this license to conduct and maintain a Group Care Center for Minors located at 1601 Milwaukee Avenue NE in Aberdeen, SD 57401 to provide care for a maximum of 18 children ages 10 to 17 years, for the period from April 1, 2019 to March 31, 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 April 2019.



License Number R 115

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 New Beginnings Center (R115)

DIRECTOR: Dawn Richards

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.	<u>✓</u>	<u> </u>
2. Documentation of need.	<u>NA</u>	<u> </u>
3. A copy of the building plans (approved by the Fire Marshal and Department of Health).	<u>NA</u>	<u> </u>
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.	<u>✓</u>	<u> </u>

Comments:

An application for license renewal dated March 11, 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 a part of the agency 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>
	<u>✓</u>	<u> </u>
B. The agency has sufficient funds to meet the needs of the community.	<u>✓</u>	<u> </u>

Comments:

New Beginnings Center is adequately furnished and maintained to provide for the needs of the residents. Financial reports provided prior to the licensing review 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>
	<u>✓</u>	<u> </u>
B. The agency carries public liability insurance.	<u>✓</u>	<u> </u>

Comments:

Auto liability, commercial general liability, and umbrella liability coverage is purchased from Philadelphia Indemnity Insurance Company, policy number PHPK1844795. Copies of Certificates of Liability Insurance verifying coverage through July 1, 2019 were submitted with the application for license renewal.

4. Accounting Systems - 67:42:01:34

A. An audit of the accounts has been done in the last year by a CPA.	<u>YES</u>	<u>NO</u>
	<u>✓</u>	<u> </u>

Comments:

An audit of Lutheran Social Services of South Dakota , Inc. and Consolidated Affiliates 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 was submitted with the application materials.

5. Staff Qualifications - 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>NA</u>	<u> </u>
3. At least two years of relevant alternative child care experience.	<u>✓</u>	<u> </u>

Comments:

Dawn Richards took over as the Program Director for New Beginnings Center Director in October of 2017. Dawn has a Masters of Science in Education and is a Licensed Professional Counselor and has over 10 years of relative experience.

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>NA</u>	<u> </u>

Comments:

A list of staff, including their qualifications, was submitted with the application for license renewal. All staff for whom a personnel record was reviewed was twenty-one years of age or over.

6. Staff/Child Ratio - 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>✓</u>	<u> </u>
F. Provisions are made for auxiliary staff members, i.e., mental health professionals, physical therapist, and/or occupational therapist (when appropriate).	<u>✓</u>	<u> </u>
G. A shelter care facility maintains a staff/child ratio of 1:4 for children under the age of four years during waking hours.	<u>NA</u>	<u> </u>
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.

See Comments

Comments:

The three week staff schedule submitted with the application for license renewal indicates at least three staff on duty during waking hours and at least two staff on duty during normal sleeping hours. Interviews with staff indicate the staffing schedule is always followed and that supervision is stressed and made a priority. Employs interviewed indicated that they ensure at all times that they are within ratio and often have more staff than ratio requires especially on outings off campus per agency policy. **See attached corrective action plan for comments related to the agencies 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.**

7. Personnel Records - 67:42:07:07, 67:42:07:08, 67:42:07:09, 67:42:07:04.01

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.	✓	
9. At least one official onsite designated to authorize the Reasonable and Prudent parent Standard	✓	

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

A. There is a written plan for orientation and training for staff and volunteers.	<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:

New Beginnings Center has an on-line orientation program as well as a period of shadowing prior to staff being allowed to supervise children alone on the floor. A checklist and electronic listing are used to document completion of the orientation by new staff. All four records reviewed indicated the orientation had been completed by the employee within thirty days after initial hire. A copy of the New Beginnings Orientation training schedule was provided with the application materials. Interviews with staff indicated they had all participated in an orientation process within thirty days after initial start of their employment. Staff interviewed indicated they felt the orientation process prepared them to do their job. Personnel records reviewed for staff indicated the staff are all receiving training in excess of the 24 hours of annual training required by ARSD 67:42:07:04.

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:

New Beginnings Center written procedures for reporting suspected incidents of child abuse or neglect relate to the above areas.

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, 67:42:07:04.01, 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.	✓	_____
3. Discharge.	✓	_____
4. Discipline	✓	_____
5. Confidentiality.	✓	_____
6. Health care of children	✓	_____
7. Emergency procedures in case a child is injured.	✓	_____

8. Reasonable and prudent parent standard

✓

Comments:

New Beginnings Center has written procedures relating to the above required areas that are in compliance with licensing rules.

B. Children attend a local school.

✓

Comments:

Residents unable to attend public school attend the on-site educational program staffed by teachers from the Aberdeen School District and operated in the boys dorm area.

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.

✓

*3. Treatment plans are developed within one month of placement and updated at least every three months.

✓

*4. Treatment plans must contain the child's needs and strengths.

✓

*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;

✓

*6. A discharge plan that includes the projected length of stay and the conditions under which the child will be discharged.

✓

*7. Monthly progress reports submitted to placement agency.

✓

*8. Progress reports reflect the treatment plan.

✓

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.

✓

14. Evidence of application of the Reasonable and Prudent Parent Standard.

✓

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.

NA

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.	NA	_____
G. The interstate compact administrator has been contacted before acceptance of an out-of-state child.	NA	_____
H. A facility that provides alternative services to children in custody of the department has a signed alternative service agreement with the department.	NA	_____

Comments:

Four records were reviewed for youth in care and each contained documentation to verify compliance with the above requirements.

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:

New Beginnings Center written procedures for storage and administration of medications are in compliance with licensing rules. Two of the four records reviewed was for youth prescribed a psychotropic medication and contained documentation to verify at least quarterly review by the prescribing practitioner of the continued need for the medication. New Beginnings Center has a full time Registered Nurse on staff.

12. Seclusion and Restraint - 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.	✓	_____
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.	✓	
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.	NA	

Comments:

New Beginnings Center written procedures for use of restraint and seclusion are in compliance with licensing rules. Three incidents of the use of restraint and seclusion were reviewed and evidence was found that met all of the above criteria. Interviews with staff and clients indicated that restraint and seclusion is used but it is rare. Staff indicated that it is a priority for them to avoid restraints and they felt that their use of de-escalation techniques was the key to the low number of restraints. New Beginnings Center does not have a room used exclusively for seclusion. All staff interviewed stated they would only use restraint or seclusion when a child is a threat to themselves or others and all staff interviewed were able to list other forms of interventions/discipline used prior to use of restraint or seclusion. Residents interviewed noted that there are not a lot of restraints that occur and noted that staff try hard to avoid using restraint on the residents.

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

Comments:

Lutheran Social Services written procedures for use of volunteers are in compliance with licensing rules.

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.	03/15/19	
B. There is a current health inspection.	03/15/19	
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 copy of the fire/health inspection report for the inspection completed by the Department of Public safety was submitted along with a copy of the Compliance Plan..

- | | | |
|---|------------|----------------|
| 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:

Interviews with staff an youth supported the meals provided to be of sufficient quality and quantity.

16. Recommendations:

New Beginnings Center is found to be in substantial compliance with licensing rules for Group Care Centers for Minors. Please refer and respond to the attached corrective action.

It is recommended that a satisfactory license be issued to Lutheran Social Services to operate New Beginnings Center as a Group Care Center for Minors at 1601 Milwaukee Avenue, Aberdeen, South Dakota to provide care for a maximum of eighteen residents age ten to seventeen years.

Completed By: Kevin Kanta 04/24/19
Kevin Kanta, Program Specialist

Date of On-Site Visit: 4/10/19