

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

as a

CHILD WELFARE AGENCY

This is to certify that Children's Home Society is hereby granted this license to conduct and maintain a Residential Treatment Center located at 801 N. Sycamore Ave. in Sioux Falls, SD 57101 to provide care for a maximum of 62 children (42 Vandermark House, 12 Madsen House, 8 Intensive Unit) ages 4 to 14 years, for the period from July 1, 2020 to June 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 6th day of August, 2020.



License Number R 44, 45, and 4915

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

Virginia Wieseler
CPS Division Director

**LICENSING RENWAL STUDY
RESIDENTIAL TREATMENT CENTERS
ARSD 67:42:01, 67:42:08**

AGENCY NAME: Sioux Falls Children's Home (R44, 45 & 4915)

DIRECTOR: Michelle Lavelle

1. Licensing Requirements – 67:42:07:11.01, 67:42:08:01.01, 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.	✓	_____
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 CARF, COA or Joint Commission 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 June 10, 2020, is on file in the licensing record. It contains a signed statement of compliance with the Civil Rights Act of 1964. A copy of a letter from the Joint Commission verifying accreditation in the area of Behavioral Health Care, is on file in the licensing record. The certificate states the accreditation is effective December 15, 2018 and is customarily valid for up to thirty-six months. A copy of the current attestation statement for Sioux Falls Children's Home Residential, signed by Michelle Lavelle and dated June 1, 2020 was submitted with the application for license renewal and is on file in the licensing record.

2. <u>Agency Responsibilities</u> – 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:

Reviewers found the Sioux Falls Children's Home to be adequately furnished and maintained to provide for the needs of the residents. Children's Home Society of South Dakota financial reports that include Sioux Falls Children's Home were submitted with the application for licensure renewal indicate the availability of sufficient funds to provide for the needs of the program.

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|---|------------|----------------|
| 3. <u>Insurance</u> - 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 and commercial general liability insurance is purchased from Philadelphia Indemnity Insurance Company policy # PHPK2091520. Professional liability insurance is purchased from Tokio Marine Specialty Insurance Company policy# PPK2092208. A copy of the Certification of Liability Insurance verifying coverage through February 1, 2021 was submitted with the application materials.

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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. | ✓
_____ | _____
_____ |

Comments:

An audit of Children's Home Society of South Dakota's financial reports for the period ending June 30th, 2019 and 2018 was completed by Eide Bailly LLP, CPA's on October 23, 2019 was submitted with the agency's application.

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| 5. <u>Staff Qualifications</u> - 67:42:08:02, 67:42:07:07 | | |
| A. Program Director | <u>YES</u> | <u>NO</u> |
| 1. Masters Degree in an accredited behavioral or social science area plus two years relevant alternative child care experience; or | ✓
_____ | _____
_____ |
| 2. Bachelor of Arts/Bachelor of Science in an accredited behavioral or social science area plus four year's relevant alternative child care experience. | N/A
_____ | _____
_____ |

Comments:

Sue Williams, M.Ed., LMFT (#1162; exp. 12/31/20), LPC (#668; exp. 12/31/2020) is the Program Director for Sioux Falls Children's Home. Sue's LMFT license was issued and has been in good standing since 1996 and her LPC license was issued and has been in good standing since 1992. She has been employed by Children's Home Society in the residential program since July 1986.

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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. | ✓
_____ | _____
_____ |

Comments:

A list of staff, including their qualifications was submitted with the application. All records reviewed were for staff over the age of twenty-one.

6. <u>Staff/Child Ratio</u> - 67:42:08:03	<u>YES</u>	<u>NO</u>
A. 1:6 during waking hours.	✓	_____
B. 1:12 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).	✓	_____
F. Provisions are made for auxiliary staff members, i.e., mental health professionals, physical therapist, and/or occupational therapist (when appropriate).	✓	_____
G. A minimum of two adults are on the grounds at all times when children are present.	✓	_____
H. 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:

Sioux Falls Children's Home is licensed to provide care for sixty-two children, forty-two in VanDemark House, twelve in Madsen House and eight in Madsen Downstairs formerly known as the Boys Unit. Staff schedules submitted with the license application indicate at least four staff and a Team Coordinator on duty on each level of the Van Demark House when children are present and awake; at least three staff and a Team Coordinator in Madsen House and in the Boys Unit when children are awake and present. The staff schedule indicates at least two childcare staff on duty in each unit during sleeping hours. The facility appears to be within staff to child ratio at all times if the schedule is followed. In addition to childcare staff Sioux Falls Children's Home employs four Unit Directors, two assistant Unit Directors, two full time bachelors level Nurses, one, six Residential Therapists and ten Team Coordinators. The agency coordinates with a pediatrician, a psychiatrist and other area medical professionals to meet the physical and mental health needs of children in care.

7. Personnel Records – 67:42:07:07, 67:42:07:08, 67:42:07:09; SDCL 26-6-14.11

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.	✓	_____

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| 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:

Thirty personnel records were reviewed. Each record reviewed contained documentation to verify compliance with the above requirements.

	<u>YES</u>	<u>NO</u>
8. <u>In-service Training</u> – 67:42:07:04, 67:42:08:04, 42 CFR 483.376		
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 during their first month of employment that includes the facility’s functions, services, community resources and specific job functions.	✓	
C. Each employee has a documented record of a minimum of forty 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.	See	Comments

Comments:

Sioux Falls Children’s Home uses a Fundamental Competencies at Orientation list as an orientation plan that is signed and dated to document completion of the agency orientation by new staff. The orientation consists of forty scheduled hours and the orientation class consists of five hours. A Staff Training Record for the period July 1, 2020-June 30, 2021 was submitted with the application for license renewal that provides for forty-two hours of in-services training during the year that relates to all areas required by ARSD 67:42:07:04. Five of the ten records for staff employed more than a year did not contain a plan for competency-based training based on an annual evaluation of the staff member’s competencies. **Please assure all records for staff employed more than a year contain a plan for competency-based training based on an annual evaluation of the staff member’s competencies to comply with ARSD 67:42:07:04.**

	<u>YES</u>	<u>NO</u>
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, 42 CFR 483.374		
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;	✓	

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| 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 SD Advocacy Services 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:

Sioux Falls Children's Home written procedures for reporting suspected abuse or neglect and serious occurrences relate to the above requirements.

10. Treatment – 67:42:01:06, 67:42:01:01(7), 67:42:07:04:01, 67:42:07:29, 67:42:08:01, 67:42:08:01.01, 67:42:08:05, 67:42:08:07, 67:42:07:10, 67:42:01:21, 42 CRF 441 Subpart D

- | | <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. 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. | ✓ | |
| 9. Public Law 113-183 (Reasonable and Prudent Parents Standard). | ✓ | |

Comments:

Sioux Falls Children's Home written procedures relate to the above required areas. Each record reviewed for children in care contained documentation indicating the parent or guardian had been informed of all required policies.

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

Comments:

Educational needs are met by attending the on-grounds school located on the campus of Sioux Falls Children's Home. Children's Home employs an Education Director and Assistant Education Director, Teachers, Teacher's Aide's, Teacher's Assistants, Behavioral Specialists, Therapists, Transition Coordinator, and a Recreation Coordinator.

C. Case records are maintained and include the following:

- | | | |
|---|---|--|
| 1. Face sheet/application form with identifying information. | ✓ | |
| 2. Documentation to verify the child meets PRTF eligibility. | ✓ | |
| 3. Treatment plans developed and signed by the treatment team that includes the child, parent or guardian if appropriate, facility staff working with the child, placing agency staff and those required by 42 CFR 441.156. | ✓ | |
| 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 and strengths, projected length of stay, conditions for discharge with discharge plans to ensure continuity of care and reflect the need for care at the PRTF level. | ✓ | |
| 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 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. Treatment plan is updated every three months to include progress toward achieving goals and amendments to the plan and sent to the placement agency (meets requirement for | | |

progress report).	✓	_____
10. Physical exam (twelve months prior to or thirty days following admission).	✓	_____
11. Current immunization record.	✓	_____
12. A signed authorization for medical care at the time of placement.	✓	_____
13. On-going records of medical/dental/eye/hearing care.	✓	_____
D. Records are kept in a locked file.	✓	_____
E. The interstate compact administrator has been contacted before acceptance of an out-of-state child.	✓	_____

Comments:

Thirteen records were reviewed for children 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:

Sioux Falls Children's Home written procedures for storage and administration of medication are in compliance with licensing rules. All records reviewed were for children prescribed a psychotropic medication and each record contained documentation of at least quarterly review by the prescribing practitioner of the continued need for medication.

12. <u>Emergency Safety Interventions (ESI)</u> - 67:42:07:24, 67:42:07:25, 67:42:07:26, 67:42:08:05, 42 CFR 483 Subpart G	<u>YES</u>	<u>NO</u>
A. The facility has a written procedure relating to the use of ESI's 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's is incorporated into the treatment plan.	✓ _____	_____ _____
C. Placement agency/parent/guardian are informed of policies, give written approval for use of ESI's at the time of admission and are notified of use of ESI's as soon as possible.	✓ _____	_____ _____
D. Only qualified staff give and receive orders and monitor and provide assessments following ESI's.	✓ _____	_____ _____
E. Trained clinical staff continually monitors children while involved in ESI's.	✓ _____	_____ _____
F. ESI's do not exceed times allowed in orders.	✓ _____	_____ _____
G. Required reports are completed following ESI's.	✓ _____	_____ _____
H. Staff involved in an ESI meets 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.	✓ _____	_____ _____

Comments:

Sioux Falls Children's Home written procedures for use of Emergency Safety Interventions are in compliance with licensing rules. Four reports of use of ESI involving a restraint were reviewed with documentation found to verify compliance with the above requirements. The reviewers noted there was documentation of the need for the use of the ESI in each event and that the use of the ESI was least restrictive.

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 unrelated references.	✓ _____	_____ _____
D. Documented orientation.	✓ _____	_____ _____
E. Documented in-service training as per 67:42:07:04 if volunteer works thirty plus hours per week.	✓ _____	_____ _____
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:

Documentation was found in record to meet the requirements above.

14. Physical Facility - 67:42:07:11, 67:42:07:12

YES

NO

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 are held annually.

✓ _____

E. Children of opposite genders over the age of six have separate sleeping facilities.

✓ _____

F. Sleeping children are monitored.

✓ _____

G. Each child has his own bed with linens, blankets and pillows.

✓ _____

Comments:

A copy of a current fire and health inspection report dated July 21, 2020 is on file in the licensing record.

15. Nutrition - 67:42:07:13

YES

NO

A. Meals are of sufficient quantity to meet children's nutritional needs.

✓ _____

B. Arrangements are made for children with a special prescribed diet.

✓ _____

Comments:

Staff and residents interviewed described the food served to be adequate quality and quantity.

16. Recommendations

Sioux Falls Children's Home is found to be in substantial compliance with licensing rules for Residential Treatment Centers. Please refer to the body of this licensing study for comments and recommendations relating to In-service Training.

It is recommended that a satisfactory license be issued to operate Sioux Falls Children's Home as a Residential Treatment Center at 801 N Sycamore Ave., Sioux Falls, South Dakota to provide care for a maximum of sixty-two youth ages four to fourteen.

Completed By: Kevin Kanta
Kevin Kanta, Program Specialist Date: 08/05/20

Date of On-Site Visit: 06/14/20