


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

This is to certify Children's Home Society is hereby granted a license extension 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, 2022 to August 31, 2022.

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 15th day of July 2022.



License Number R44, 45, 4915



Licensing & Accreditation Administrator

Department of Social Services
Office of Licensing & Accreditation
910 E. Sioux Avenue
Pierre, S.D. 57501-3940
605-773-4766

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

AGENCY NAME: Sioux Falls Children’s Home (R44, 45 & 4915)
 DIRECTOR: Michelle Lavallee

1. Licensing Requirements – 67:42:07:11.01, 67:42:08:01.01, 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 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.	✓	_____
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 May 5, 2022 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 is on file in the licensing record. The certificate states the accreditation is effective April 15, 2022 and is customarily valid for up to thirty-six months.

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:

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.

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, professional liability, and commercial general liability insurance is purchased from Marsh and McLennan Agency LLC policy # 853102210. A copy of the Certification of Liability Insurance verifying coverage through February 1, 2023 was submitted with the application materials.

- | | | |
|--|------------|-----------|
| 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, 2021 and 2020 was completed by Eide Bailly LLP, CPA’s on October 27, 2021 was submitted with the agency’s application.

- | | | |
|---|------------|-----------|
| 5. <u>Staff Qualifications</u> - 67:42:08:02, 67:42:07:07 | <u>YES</u> | <u>NO</u> |
| A. Program Director | | |
| 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:

Lisa Johnson, LPC (#1185; exp. 11/30/22) is the Program Director for Sioux Falls Children’s Home. Lisa has a bachelor’s degree in Psychology and Sociology and a master’s in Counseling and Human Resource Development. She has been employed by Children’s Home Society in the residential program since September 2007 and became the Program Director in April of 2021.

- | | | |
|---|------------|-----------|
| 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. Staff interviewed were aware of the staff to child ratio requirement.

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:

YES

NO

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 1st aid and CPR.

✓

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

Comments:

Each record reviewed contained documentation to verify compliance with the above requirements.

8. <u>In-service Training</u> – 67:42:07:04, 67:42:08:04, 42 CFR 483.376	<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 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.	✓ _____	_____

Comments:

The agency uses a form called Fundamental Competencies at Orientation that is signed and dated to document completion of orientation by new staff.

9. <u>Reporting Suspected Child Abuse or Neglect, Changes in Circumstances -</u> 67:42:01:12, 67:42:07:15, 67:42:07:16	<u>YES</u>	<u>NO</u>
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;	✓ _____	_____
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 and unusual incidents defined by ARSD 67:42:01:12.	✓ _____	_____

Comments:

Sioux Falls Children's Home written procedures for reporting suspected abuse or neglect 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

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

B. Children attend an on grounds school.	✓	_____
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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 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.	See	Comments
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:

Records reviewed for children in care contained documentation to verify compliance with the above requirements, except files reviewed for youth not placed by DSS did not contain progress reports. See attached Corrective Action Plan.

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. Records reviewed for children prescribed a psychotropic medication contained documentation of at least quarterly review by the prescribing practitioner of the continued need for medication.

12. Emergency Safety Interventions (ESI) - 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. Reports of use of ESI involving a restraint were reviewed with documentation found to verify compliance with the above requirements.

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. <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 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 fire and health inspection was completed on June 29, 2022. Issues identified on the inspection were corrected.

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. A completed Corrective Action Plan relating to Treatment is attached.

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 8/2/22
Kevin Kanta, Program Specialist Date:

Date of On-Site Visit: 06/21/22

Program Manager: Muriel Nelson

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).

Agency: Children's Home Society

ARSD – Out of Compliance

Children's Home Society was found to be out of compliance with the underlined portion of the following Administrative Rule of South Dakota:

67:42:08:07. Review and evaluation of treatment plan. A case record must be maintained on each child according to § 67:42:01:21. The facility must secure the records against loss, tampering, or unauthorized use.

When the 30-day review of the child's treatment plan is complete, a progress report must be sent to the child's placement agency. The facility shall send a copy of the monthly report to the child's parent or guardian if the parent or guardian was involved in the child's placement or is actively involved in treatment planning. At least once every three months the treatment plan must be updated. The updated treatment plan must include the progress made toward achieving the goals in the previous plan and any amendments made to the plan. When complete, a copy of the plan amendments must be sent to the child's placement agency and the parent, if applicable. During the month of the quarterly review, the 30-day progress report may be incorporated into the quarterly review and treatment plan amendment.

Source: 12 SDR 4, effective July 25, 1985; 33 SDR 227, effective July 1, 2007; 34 SDR 200, effective January 30, 2008.

General Authority: SDCL [26-6-16](#).

Law Implemented: SDCL [26-6-16](#).

Cross-References: Treatment plan, § 67:42:08:05; Individual plan of care -- Required 30-day review, 42 C.F.R. § 441.155(c).

Non-Compliance Finding:

Four out of twelve files reviewed during the on-site license renewal on June 21, 2022 did not contain a 30 day review of the treatment plan. Agency staff shared 30-day reviews were only being done for children placed by the Department of Social Services.

Action Needed:

The agency must submit a plan to ensure the facility completes a 30-day review of the treatment plan and sends a copy of the monthly report to the child's parent or guardian if the parent or guardian was involved in the child's placement or is actively involved in treatment planning.

Submit plan by: July 15, 2022

Corrective Action Plan (Attach documents if needed):

Lisa Johnson, Program Director, met with therapists on June 22, 2022 to inform them 30 Day Progress Reports are required for all children on their caseloads (all residential children).

Teachers and nursing staff have also been informed of their responsibility to submit educational and medical information for 30 Day Progress Reports in coordination with the therapist.


Secretaries for the Madsen House and VanDemark House will track the timeliness of the reports and submit their findings each month to the Program Director, Unit Directors and Compliance Director.

The 30 Day Progress Report Policy was updated on June 22, 2022 to reflect the requirement.

Date Corrective Action Plan Implemented: July 1, 2022

Date of Expected Completion: August 10, 2022 and monthly thereafter

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.



Signature of Agency Director

7-11-22

Date

The Department of Social Services, Office of Licensing and Accreditation has reviewed and accepted the above plan.

Kevin Kanta

Signature of Licensing Staff

7/12/22

Date

30 DAY PROGRESS REPORT

POLICY: Each child's treatment status shall be reviewed on an on-going basis during the child's stay.

PROCEDURE:

1. Every 30 days, a progress report will be submitted to the placement source. This is scheduled to begin after the first full month following the 45 day meeting. This document must include relevant information from the child's therapist, teacher and agency RN or psychiatrist, and must be completed by the 10th of the month.

Revised 06/22