

**DEPARTMENT OF SOCIAL SERVICES
DIVISION OF CHILD PROTECTION SERVICES**

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Strong Families - South Dakota's Foundation and Our Future

October 2, 2019

Welfully
Burke Eilers, Executive Director
PO Box 1087
Rapid City, SD 57709

Dear Mr. Eilers:

Enclosed is the current certificate of license that allows Welfully to operate as a Residential Treatment Center for Minors located at 22 Waterloo Street in Rapid City, South Dakota. This license is effective from October 1, 2019 through September 30, 2020 and is issued on a satisfactory basis. It allows for the care of a maximum of 8 female children, ages 10 years 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 Welfully provides to South Dakota's children and families.

Sincerely,

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 Welfully is hereby granted this license to conduct and maintain
a Residential Treatment Center for Minors
located at 22 Waterloo St, Rapid City, SD 57701
to provide care for a maximum of 8 female children ages 10 to 17 years,
for the period from October 1, 2019 to September 30, 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 2nd day of October, 2019.



License Number R 28831

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

Virginia Wieseler
CPS Division Director

**INVESTIGATION REPORT AND LICENSING STUDY
RESIDENTIAL TREATMENT CENTERS
ARSD 67:42:01, 67:42:08**

AGENCY NAME: Wellfully (R28831)

DIRECTOR: Burke Eilers

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.	NA	_____
3. A copy of the building plans (approved by the Fire Marshal and Department of Health).	✓	_____
4. Documentation to verify the agency/facility is currently accredited by CARF, COA or Joint Commission or making progress in pursuit of accreditation.	See	<u>Comments</u>
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 May 21, 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.

The agency is seeking accreditation from Joint Commission. They were informed they need to provide services to a minimum of two kids for thirty-day period before they can conduct an on-site review of the program. **Please provide updates on progress toward accreditation and results.**

A copy of an Attestation Statement stating the facility complies with all of the requirements set out in 42 CFR 483 Subpart G and 42 CFR 431.610. which is signed by the Executive Director Burke Eilers and dated September 6, 2019 was included in the application materials and can be found in the licensing record.

	<u>YES</u>	<u>NO</u>
2. <u>Agency Responsibilities</u> – SDCL 26-6-11		
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:

The agency plans to house the eight residents in a wing of the building separate from the group care program. The building was constructed in 2019 and has ample amount of space for the residents. Financial reports submitted with the application for license indicate the availability of sufficient funds to provide for the needs of the program.

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.	<u>✓</u>	<u> </u>
B. The agency carries public liability insurance.	<u>See</u>	<u>Comments</u>

Comments:

A Certificate of Liability Insurance for Commercial General Liability and Automobile Liability (Policy # PHK1735747) and Umbrella Liability Occurrence and Retention (Policy # PHUB653803) with Philadelphia Insurance Company through November 1, 2019 was provided with the application materials and is on file in the licensing record. **Please provide a copy of the updated insurance certificate when available.**

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>

Comments:

An audit of financial statement of Wellfully , Inc. which comprises the statement of financial position as of June 30, 2018 and 2017 was completed by Ketel Thorstenson, LLP, CPA in October 2018.

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	<u>✓</u>	<u> </u>
2. Bachelor of Arts/Bachelor of Science in an accredited behavioral or social science area plus four year's relevant alternative child care experience.	<u>✓</u>	<u> </u>

Comments:

Burke Eilers will serve as the director of the program. Burke has a Master of Science in Psychology and Counseling and a Bachelor of Science in Business Management. He was previously the director of the Youth and Family Services Counseling Center in Rapid City since 2002.

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

Comments:

Once hired, please provide a list of staff who will provide for the needs of the facility.

	<u>YES</u>	<u>NO</u>
6. <u>Staff/Child Ratio</u> - 67:42:08:03		
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:

The staff schedule submitted with the application for license indicates the agency will be within staff to child ratio at all times.

7. Personnel Records – 67:42:07:04.01, 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.	✓	
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:

Wellfully policies and procedures appear to be sufficient to address the requirements listed above.

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:

Wellfully has an orientation checklist that is used as an orientation plan and to document completion by new staff. A required new staff training schedule was submitted with the application materials which outlines the agency's new staff orientation.

Wellfully uses Relias Learning, an internet-based staff training and development program for annual staff trainings.

	<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;	✓	_____
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.	NA	_____
2. A copy of the report of a serious occurrence is retained in the resident's record.	✓	_____

Comments:

Wellfully written procedures for reporting suspected incidents of child abuse or neglect, changes in circumstances and serious occurrences relate to the above requirements.

10. <u>Treatment</u> - 67:42:01:01(7), 67:42:07:04.01, 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		
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 parent standard

✓

Comments:

Wellfully has written procedures relating to the above required areas that appear to be in compliance with licensing rules.

B. Children attend an on grounds school.

See

Comments

Comments:

The agency is planning to hire a teacher to provide for the education needs of the residents. The facility has a classroom to meet the teacher's needs. **Please provide verification of the teacher's employment prior to providing services to children.**

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. Evidence of application of the Reasonable and Prudent Parent Standard.	✓	_____
11. Physical exam (twelve months prior to or thirty days following admission).		_____
12. Current immunization record.	✓	_____
13. A signed authorization for medical care at the time of placement.	✓	_____
14. 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.	NA	_____

Comments:

Wellfully has written procedures relating to the above required areas that appear to be in compliance with licensing rules.

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:

Wellfully written procedures for storage and administration of medications are in compliance with licensing rules. The agency employees a full-time registered nurse who is responsible for the oversight of the administration of medications.

- | | <u>YES</u> | <u>NO</u> |
|---|------------|-----------|
| 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 | | |
| 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. | NA | _____ |
| J. Seclusion rooms meet the physical specifications of 67:42:07:25. | ✓ | _____ |

Comments:

Wellfully written procedures for use of emergency safety interventions appear to be in compliance with licensing rules.

- | | <u>YES</u> | <u>NO</u> |
|---|------------|-----------|
| 13. <u>Volunteers</u> - 67:42:07:14 | | |
| 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 unrelated 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:

Wellfully has written procedures relating to the above required areas that appear to be in compliance with licensing rules.

	<u>YES</u>	<u>NO</u>
14. <u>Physical Facility</u> - 67:42:07:11, 67:42:07:12		
A. There is a current fire inspection.	07/18/19	_____
B. There is a current health inspection.	07/18/19	_____
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.	NA	_____
F. Sleeping children are monitored.	✓	_____
G. Each child has his own bed with linens, blankets and pillows.	✓	_____

Comments:

A copy of the fire/health inspection report dated 07/18/19 is on file in the licensing record and has no violations.

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

Comments:

The facility plans to utilize a rotating menu for meals.

16. Recommendations

Wellfully 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 Licensing Requirements, Insurance, Treatment, Personnel Records, and Staff Qualifications.

It is recommended that a satisfactory license be issued to Wellfully, Inc. to operate a Residential Treatment Center at 22 Waterloo Street, Rapid City, SD to provide care for a maximum of eight female youth age twelve to seventeen years.

Completed By: Kevin Kanta 09/17/19
Kevin Kanta, Program Specialist Date

Date of On-Site Visit: 5/30/19