

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

This is to certify that Sotera Youth and Family Services is hereby granted this license to conduct and maintain a Group Care Center for Minors-Shelter Care Facility located at 2306 Flag Mountain Dr., Pierre, SD to provide care for a maximum of 8 children ages 0 to 17 years, for the period from January 6, 2023 to December 31, 2023.

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 January 2023.



License Number R 33039



Licensing & Accreditation Administrator

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

**INITIAL LICENSING STUDY
SHELTER CARE FOR MINORS
ARSD 67:42:01, 67:42:07**

AGENCY NAME: Sotera Youth and Family Services

EXECUTIVE DIRECTOR: Katie Big Eagle

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

The agency has discussed the need for the program with Child Protection Services (CPS). CPS intends to contract to utilize the shelter when licensed. While CPS will contract with Sotera, they have stated that they cannot guarantee placements into the program due to the unpredictability of the need for this service.

An application for a Shelter Care Program for male and female youth ages zero to seventeen located at 2306 Flag Mountain Drive, Pierre, SD, dated September 2, 2022, 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

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:

The SYFS is located in Pierre. Agency offices are adequately furnished and maintained to provide for the needs of the agency. Financial reports submitted with the application for license 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:

A copy of the Certificate of Liability Insurance was included with the application for license renewal and is on file in the licensing record. Commercial Liability (policy #NXTXPLLTDQ-00-GL) is purchased

from State National Insurance Company, INC. Documentation verifying current coverage expiring March 1, 2023 is on file in the licensing record.

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.	NA	_____

Comments:

The annual estimated cost to operate the program at full capacity was included in the application materials. An annual audit will be required upon license renewal.

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:

Job descriptions for Executive Director and Shelter Director were included with the application materials.

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 employees SYFS intends to hire including their positions to be held, education, experience and date of employment was included in the application materials.

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:

SYFS has requested a license capacity of 8 residents in their initial application for license. An SYFS example of a weekly schedule submitted with the application materials indicates at least one staff on duty at all times. SYFS will utilize volunteers to supplement their staff.

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:

SYFS is aware of all licensing rules which pertain to personnel records (ARSD 67:42:07:07, 67:42:07:08, 67:42:07:09). Personnel records will be reviewed at the annual on-site license review. A copy of the SYFS annual Professional Performance Appraisal was included with the application materials.

8. In-service Training - 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:

Orientation and annual training requirements are detailed in the SYFS employee handbook. Employee training records will be renewed upon license renewal.

<u>9. Reporting Suspected Child Abuse or Neglect and Changes in Circumstances - 67:42:01:12, 67:42:07:15, 67:42:07:16, 67:42:07:05</u>	<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:

SYFS has written procedures for identification and reporting of child abuse and neglect that address the above requirements and are in compliance with licensing rules.

<u>10. Treatment – 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>	<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.	✓	_____

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| 6. Health care of children | ✓ | |
| 7. Emergency procedures in case a child is injured. | ✓ | |

Comments:

The SYFS has written procedures which relate to all of the above required areas and are in compliance with licensing rules.

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| B. Children attend a local school. | ✓ | |
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Comments:

SYFS residents will attend their home school when possible. If the resident cannot remain in their school of origin the agency must make other arrangements for the youth.

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| 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:

Resident records will be reviewed for compliance with the above requirements at the yearly onsite review.

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:

SYFS has written procedures for storage and administration of medications that are in compliance with licensing rules.

	<u>YES</u>	<u>NO</u>
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		
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.	N/A	
F. Placement in seclusion or restraint is documented.	N/A	
G. A room used for seclusion meets the physical specifications of 67:42:07:25.	N/A	

Comments:

SYFS has written policies for restraint or seclusion that comply with licensing requirements. The 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:

SYFS has written procedures for use of volunteers that are in compliance with licensing rules. The reviewer will review records for volunteers if the facility uses them during the annual on-site license review.

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.	10/19/22	
B. There is a current health inspection.	10/19/22	
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		

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| sleeping facilities. | ✓ | _____ |
| F. Sleeping children are monitored. | ✓ | _____ |
| G. Each child has their own bed with linens, blankets and pillows. | ✓ | _____ |

Comments:

The shelter care program will be occupying a duplex in Pierre. The upper level is 1305 sq ft with the two bedrooms, one full bath, a full kitchen, dining room and living room. The lower level is 885 sq ft consisting of a kitchen, large family room/office area, full bath and utility room with a 620 sq ft garage. It has two private entrances and a large backyard area with a walk-out patio. The upper level will be used for care and the agency will expand to the lower level if occupancy is increased.

A fire and health inspection was completed on October 19th, 2022 and there were no issues identified.

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| 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:

SYFS has written policies regarding Nutrition Standards. SYFS will develop a monthly menu.

16. Recommendations:

SYFS has established policies and procedures for the operation of a Shelter Care Facility that have been found to be in substantial compliance with licensing rule and has indicated their intent to continue to meet compliance with licensing rules for a Group Care Center for Minors-Shelter Care Facility.

It is recommended that a satisfactory license be issued to SYFS to operate a Group Care Center for Minors-Shelter Care Facility at Pierre, SD, to provide care for a maximum of 8 youth age zero to seventeen years.

Completed By: <u>Kevin Kanta</u>	1/6/23
Kevin Kanta , Program Specialist	Date

Program Manager Muriel Nelson