

State of South Dakota

EIGHTIETH LEGISLATIVE ASSEMBLY, 2005

400L0370

SENATE BILL NO. 57

Introduced by: The Committee on Health and Human Services at the request of the
Department of Social Services

1 FOR AN ACT ENTITLED, An Act to establish an intensive residential treatment center as a
2 category of a child welfare agency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 26-6-14 be amended to read as follows:

5 26-6-14. A child welfare agency shall be licensed, as provided in this chapter, for activities
6 which fall within one or more of the following categories:

7 (1) The providing of group care, maintenance, supervision, and protection of children on
8 a regular full-time basis as a substitute for regular parental care, with or without
9 compensation, in a nonfamily group setting, which shall be known as an intensive
10 residential treatment center, a residential treatment center, a group care center, or as
11 a group home as each shall be defined by standards established pursuant to § 26-6-
12 16;

13 (2) The providing of care, maintenance, supervision, and protection of a child, or
14 children, as a substitute for regular parental care, without transfer of legal custody or
15 placement for adoption, with or without compensation, on a regular full-time basis



- 1 in a family home, which shall be known as a foster home;
- 2 (3) The providing of group care and supervision of children on a regular basis for part
3 of a day as a supplement to regular parental care, with or without compensation, for
4 twenty-one or more children, including children under the age of six living in the
5 home and children from more than one unrelated family received for day care, in any
6 facility, including a family home, which is known as a day care center;
- 7 (4) The receiving and placement of children in foster homes or for adoption, with or
8 without compensation, as a regular activity of any agency formed for such purpose,
9 or the performance of such services as an adjunct to other regular activities, and any
10 such agency shall be known as a child-placement agency;
- 11 (5) The providing of care for pregnant girls or women or the care of a mother and infant
12 after birth, with or without compensation. Any agency performing such services shall
13 be known as a maternity home;
- 14 (6) The providing of group care and supervision of children on a regular basis for part
15 of a day as a supplement to regular parental care, with or without compensation, for
16 thirteen to twenty children, including children under the age of six living in the home
17 and children from more than one unrelated family received for day care, in any
18 facility, including a family home, which is known as a group family day care home;
- 19 (7) The providing of care and supervision of children on a regular basis before and after
20 regular school hours which does not exceed four hours daily per child shall be known
21 as a before and after school day care program;
- 22 (8) The providing of supervision and training in self-sufficiency and responsible
23 independent living for youth aged sixteen through twenty years of age who are wards
24 of the state, which is known as an independent living preparation program.