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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

August 08, 2022

Jill Particka
240 Austin Street
Sandusky, MI 48471

RE: License #: DG760405218
Kidz Care
240 Austin Street
Sandusky, MI 48471

Dear Ms. Particka:

This letter is a follow-up to the Department's findings regarding the interim inspection conducted at your home on 07/21/2022. The purpose of this inspection was to determine compliance with applicable licensing statutes and administrative rules for Family and Group Child Care Homes.

The violations that were found are:

R 400.1904a **Child care staff member; employment requirements.**

(2) Before caring for children at a child care home, an individual shall provide the licensee with all of the following:

(a) A valid certification in infant, child, and adult CPR.

At the time of the inspection on July 21, 2022, Tricia Hernandez identified herself as a staff person caring for the children. She indicated that she had just started working in the home approximately 2 months ago. She acknowledged that she had not completed CPR training prior to caring for the children. Ms. Particka acknowledged that Ms. Hernandez had not completed this training yet but is going to soon.

R 400.1904a

Child care staff member; employment requirements.

(2) Before caring for children at a child care home, an individual shall provide the licensee with all of the following:

(b) A valid certification in first aid.

Ms. Hernandez stated that she had not had first aid training prior to caring for children. Ms. Particka acknowledged that she had not completed this training yet but is going to soon.

R 400.1904a

Child care staff member; employment requirements.

(2) Before caring for children at a child care home, an individual shall provide the licensee with all of the following:

(c) Proof of training in the prevention of infectious disease, including immunizations. Hours of training in the prevention of infectious disease from MiRegistry will be allowed to count for training hours to meet this requirement.

On July 21, 2022, Ms. Hernandez stated that she had not completed infectious disease training prior to caring for the children. A review of the MiRegistry website showed a profile for Ms. Hernandez was created but infectious disease training was not completed. Ms. Particka acknowledged that she had not completed this training yet but is going to soon.

R 400.1904a

Child care staff member; employment requirements.

(3) Prior to contact with children, the individual shall be determined by the department to be eligible to serve as a child care staff member, pursuant to section 5n of the act, MCL 722.115n, and as required by R 400.1925.

On July 21, 2022, Ms. Hernandez stated that she had not been fingerprinted training prior to caring for the children. I conducted a search of the Michigan workforce background check website (CCBC) and did not see a profile for Ms. Hernandez under Ms. Particka's childcare license; therefore, her eligibility was not determined prior to contact with children. Ms. Particka acknowledged that she had not completed the fingerprinting process yet because she was having an issue with running this report.

R 400.1905

Training.

(3) A licensee shall ensure that child care staff members and child care assistants, prior to caring for children, have training that includes information on all of the following:

- (a) Safe sleep practices to prevent sudden infant death syndrome.

On July 21, 2022, Ms. Hernandez stated that she had not completed safe sleep training prior to caring for the children. A review of the MiRegistry website showed a profile for Ms. Hernandez was created but the safe sleep course was not completed. Ms. Particka acknowledged that she had not completed this training yet but is going to soon.

R 400.1905

Training.

(3) A licensee shall ensure that child care staff members and child care assistants, prior to caring for children, have training that includes information on all of the following:

- (b) Recognition of and the reporting of child abuse and neglect.

On July 21, 2022, Ms. Hernandez stated that she had not completed a training on the recognition and reporting of child abuse and neglect, prior to caring for the children. Ms. Particka acknowledged that she had not completed this training yet but is going to soon.

R 400.1905

Training.

(3) A licensee shall ensure that child care staff members and child care assistants, prior to caring for children, have training that includes information on all of the following:

- (c) Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment.

On July 21, 2022, Ms. Hernandez stated that she had not completed a training shaken baby and head trauma training prior to caring for the children. A review of the MiRegistry

website showed that shaken baby/head trauma was not completed. Ms. Particka acknowledged that she had not completed this training yet but is going to soon.

R 400.1905

Training.

(4) Within 90 days after receiving a child care license or of being hired at a child care home, a licensee, a child care staff member, and a child care assistant shall complete training on all of the following topics:

(a) Child development.

On July 21, 2022, Ms. Hernandez acknowledged that she had not completed child development training since she was hired at the home. She was unsure of her start date but indicated that it had been a couple months already. A review of the MiRegistry website on July 20, 2022, showed that this training had not been completed. Ms. Particka acknowledged that she had not completed this training yet but is going to soon.

R 400.1905

Training.

(4) Within 90 days after receiving a child care license or of being hired at a child care home, a licensee, a child care staff member, and a child care assistant shall complete training on all of the following topics:

(b) Administration of medication.

On July 21, 2022, Ms. Hernandez acknowledged that she had not completed this training since she was hired at the home. Ms. Particka acknowledged that she had not completed this training yet but is going to soon.

R 400.1905

Training.

(4) Within 90 days after receiving a child care license or of being hired at a child care home, a licensee, a child care staff member, and a child care assistant shall complete training on all of the following topics:

(c) Prevention of and response to emergencies due to food and allergic reactions.

On July 21, 2022, Ms. Hernandez acknowledged that she had not completed this training since she was hired at the home. Ms. Particka acknowledged that she had not completed this training yet but is going to soon.

R 400.1905

Training.

(4) Within 90 days after receiving a child care license or of being hired at a child care home, a licensee, a child care staff member, and a child care assistant shall complete training on all of the following topics:

- (d) Handling and storage of hazardous materials and the appropriate disposal of bio-contaminants.

On July 21, 2022, Ms. Hernandez acknowledged that she had not completed this training since she was hired. Ms. Particka acknowledged that she had not completed this training yet but is going to soon.

R 400.1905

Training.

(4) Within 90 days after receiving a child care license or of being hired at a child care home, a licensee, a child care staff member, and a child care assistant shall complete training on all of the following topics:

- (e) Precautions in transporting children.

On July 21, 2022, Ms. Hernandez acknowledged that she had not completed this training since she was hired at the home. Ms. Particka acknowledged that she had not completed this training yet but is going to soon.

R 400.1905

Training.

(4) Within 90 days after receiving a child care license or of being hired at a child care home, a licensee, a child care staff member, and a child care assistant shall complete training on all of the following topics:

- (f) Building and physical premises safety.

On July 21, 2022, Ms. Hernandez acknowledged that she had not completed this training since she was hired at the home. Ms. Particka acknowledged that she had not completed this training yet but is going to soon.

R 400.1905**Training.**

(4) Within 90 days after receiving a child care license or of being hired at a child care home, a licensee, a child care staff member, and a child care assistant shall complete training on all of the following topics:

- (g) All hazards emergency preparedness and response planning.

On July 21, 2022, Ms. Hernandez acknowledged that she had not completed this training since she was hired at the home. Ms. Particka acknowledged that she had not completed this training yet but is going to soon.

R 400.1908**Capacity.**

(1) The licensee shall ensure that the actual number of unrelated children in care at any 1 time does not exceed the number of children for which the child care home is licensed, not more than 6 children for a family child care home and not more than 12 children for a group child care home.

At the time of the inspection, I reviewed the attendance log for the home. The attendance log had 22 children signed in for the day. I counted 19 children present in the home. Ms. Particka was not present at the inspection, but child care staff member Kelly Phillips was present. She stated that some of the children were related to Brittany Short, another person who was there with her 5 children. Phillips stated that Ms. Short had just started helping out and was in the process of doing what she needed to be hired. Ms. Phillips further indicated that some of the children were also related to her. The rest of the children were unrelated. During the exit conference with Ms. Particka, she acknowledged that she was over the 12 capacity of unrelated children in the home. Ms. Particka stated that child care in Sandusky is very limited and she has a hard time telling parents they cannot bring their children during the summer. She agreed to follow her licensed capacity of 12 unrelated children at one time. I provided her with technical assistance on this rule and how to work with parents on overlapping schedules.

R 400.1916

Bedding and sleeping equipment.

(5) Play yard mattresses must be purchased from the manufacturer of the play yard and be manufactured after February 19, 2014. Play yards must meet the Consumer Product Safety Commission safety standards for play yards, 16 CFR part 1221 (2019). Licensees shall comply with this subrule by December 31, 2019. These standards are available at <http://www.cpsc.gov>. They are also available for inspection and distribution at the Michigan Department of Licensing and Regulatory Affairs, Bureau of Community and Health Systems, Child Care Licensing Division, 611 W Ottawa, Lansing, MI 48933-1070.

At the time of the inspection, I observed a play yard (pack and play) that was not dated. I informed Ms. Particka that the play yards should be dated after February 19, 2014. She stated that she already ordered new ones from Amazon and would replace any of the ones not current.

R 400.1919

Communicable disease; immunization; mental and physical health; physician attestation; tuberculosis.

(2) A licensee shall obtain from a child care staff member and a child care assistant a written statement, signed by a licensed physician or his or her designee within 1 year prior to caring for children, that attests to the child care staff members or child care assistant's mental and physical health. The attestation must be renewed at the time of subsequent renewals of the child care home's license.

At the time of the inspection, neither Ms. Hernandez nor Ms. Short had not completed a physical prior to caring for the children. Ms. Particka acknowledged this and indicated that she was in the process of getting this done.

R 400.1919

Communicable disease; immunization; mental and physical health; physician attestation; tuberculosis.

(3) An applicant, licensee, child care staff member, child care assistant, and a member of the household who is age 14 or

older shall provide written evidence of freedom from communicable tuberculosis (TB) prior to caring for children or living in the child care home.

At the time of the inspection, neither Ms. Hernandez nor Ms. Short had not completed a tuberculosis test prior to caring for the children. Ms. Particka acknowledged that they had not completed this yet and would be as soon as possible.

R 400.1925

Comprehensive background check; fingerprinting.

(1) Pursuant to section 5n of the act, MCL 722.115n, prior to an individual having any unsupervised contact with children, the department shall determine the individual's eligibility to be any of the following:

(d) A child care staff member.

On July 21, 2022, Ms. Hernandez and Ms. Short stated that they had not been fingerprinted training prior to caring for the children. I conducted a search of the Michigan workforce background check website (CCBC) and did not see a profile for Hernandez or Ms. Short under Ms. Particka's childcare license. Ms. Particka acknowledged that she had not completed this yet and was in the process of doing so.

R 400. 1915

Indoor space; play equipment and materials.

(5) As required by section 15 of the children's product safety act, 2000 PA 219, MCL 722.1065, a licensee shall conspicuously post in the child care home an updated copy of the list of recalled or unsafe children's products that is provided by the department through its Michigan Child Care Matters (MCCM) online newsletter and available at the department's website MCCM.

During the inspection I did not observe the latest product safety recall list required to be posted (and provided by the Michigan Child Care Matters on the LARA website). Ms. Particka acknowledged that she is aware of the list but did not have it. I emailed her a copy of the latest list.

R 400.1905

Training

(9) When the department of licensing and regulatory affairs or the department of education publishes a notice that a new health and safety update document or a new health and safety update training activity has been published on MiRegistry, the licensee shall ensure that all personnel read and acknowledge the document or complete the activity within 6 months of the notice.

A review of the website www.miregistry.org showed that Ms. Particka did not complete the 2021 required refresher health and safety course. In addition, Ms. Phillips did not complete the 2020 or 2021 Refresher course. Ms. Particka acknowledged that she must have missed the course and did not understand the requirements. She agreed that the refresher courses would be completed.

R 400.1906

Records of a licensee; child care staff member; child care assistant.

(1) A licensee shall maintain a file for each child care staff member and each child care assistant that includes all of the following:

(g) A written statement, signed and dated by the child care staff member or child care assistant at the time of hiring, indicating all of the following information:

(i) The individual is aware that abuse and neglect of children is unlawful.

(ii) The individual knows that he or she is mandated by law to report child abuse and neglect.

(iii) The individual has received a copy of the licensee's discipline policy.

At the time of the inspection, Ms. Hernandez stated that she did not complete a written statement regarding abuse/neglect policies.

R 400.1916**Bedding and sleeping equipment.**

(13) None of the following are approved sleeping equipment for children 24 months of age or younger:

- (a) Infant car seats.
- (d) Bassinets.

At the time of the inspection, I observed an infant sleeping in a car seat in the back bedroom. Ms. Phillips stated that he was sleeping when he arrived so they let him sleep in the car seat until he woke up. I provided Ms. Phillips technical assistance about safe sleep practices and that they must remove them from the car seats when they arrive if they are sleeping. I also observed a bassinet (which was not being used) during the inspection. Ms. Particka agreed not to use the bassinet and to remove any sleeping child from a car seat.

R 400.1915**Indoor Space; play equipment and materials.**

(2) Only space that has received prior approval for child use by the department may be used for child care.

At the time of the inspection, there was a pack and play in the back bedroom being occupied by AHHM1. AHHM1 stated that sometimes the children nap in this room. During the exit conference I informed Ms. Particka that only spaces that have been approved by the department can be used for child care purposes. Ms. Particka agreed to seek approval before using any additional spaces in the home.

R 400.1921**Water hazards; water activities.**

(4) A wading pool may be used when all of the following requirements are met:

- (b) It is emptied and cleaned after each play period or immediately when it becomes dirty or contaminated.

During the inspection, I observed a large wading pool filled with approximately 1 foot of water. None of the children were using it. The water was dirty and had bugs and grass in it. Ms. Phillips stated that the pool wasn't being used that day. I provided her technical assistance on ensuring that the pool is emptied after each use. She agreed to empty the pool after the

children are done using it each day. I provided this information to Ms. Particka as well during my exit conference.

R 400.1923

Diapering and toilet learning.

(2) The designated changing area must comply with all of the following:

(d) Have a nonabsorbent, easily sanitized surface with a changing pad between the child and the surface.

At the time of the inspection, I observed a cloth covering over the diaper pad. I instructed Ms. Phillips to remove the covering. I provided her with technical assistance regarding the wash/rinse and sanitizing requirement for diaper pads in between each diapering. She agreed to stop using the cloth covering and I provided this information to Ms. Particka as well during my exit conference.

R 400.1925

Comprehensive background check; fingerprinting.

(2) An applicant or licensee shall do all of the following:

(e) Within the department's child care background check system, accurately complete and maintain the connection, disconnection, or withdrawn status of each individual associated with the license.

During the inspection, I reviewed the Michigan workforce childcare background check website (www.michigan.gov/ccbc) and it showed that Abigail Laba was connected to the home as a child care staff member. Ms. Phillips stated that she no longer works in the home. Ms. Particka later indicated this as well and agreed to disconnect her from the website.

R 400.1932

Home maintenance and safety.

(1) The structure, premises, and furnishings of a child care home must be in good repair and maintained in a clean, safe, and comfortable condition.

At the time of the inspection, I observed missing door trim in the children's back bathroom. AHM2 indicated that he was going to repair this and plans to soon.

R 400.1932

Home maintenance and safety.

(2) All dangerous and hazardous materials or items must be stored securely and out of the reach of children.

At the time of the inspection, I observed cleaning supplies in both bathrooms used by the children. AHHM2 stated that the older children might use the front bathroom, but most use the back bathroom. The cleaning supplies were removed from within reach of the children in both rooms.

R 400.1944

Smoke detectors; fire extinguishers.

(1) Operable smoke detectors approved by a nationally recognized testing laboratory must be installed and maintained on each floor of the home, including the basement, and in all sleeping areas and bedrooms used by children in care.

During the inspection, I tested that smoke detectors in all the required spaces. Three of the smoke detectors were not working and needed the batteries to be replaced. AHHM2 was able to replace some of the batteries while I was present. Ms. Particka agreed to maintain the batteries regularly.

Due to the violations identified in the report, **a written corrective action plan** is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- How compliance with each rule will be achieved.
- Who is directly responsible for implementing the corrective action for each violation.
- Specific time frames for each violation as to when the correction will be completed or implemented.
- How continuing compliance will be maintained once compliance is achieved.
- The signature of the responsible party and a date.

A six-month provisional license is recommended. If you do not contest the issuance of a provisional license, you must indicate so in writing; this may be included in your

corrective action plan or in a separate document. If you contest the issuance of a provisional license, you must notify this office in writing and an administrative hearing will be scheduled. Even if you contest the issuance of a provisional license, you must still submit an acceptable corrective action plan.

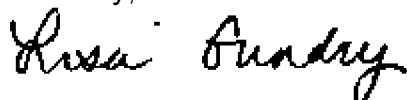
During calendar year 2021:	Total
Number of serious injuries that occurred in facility.	0
Number of deaths that occurred in the facility.	0
Number of substantiated cases of abuse and/or neglect of a child that occurred at the facility.	0

You can find a copy of this inspection letter and any associated corrective action plans on our [website](#) under [Statewide Search for Licensed Child Care Centers and Homes](#). A description of when inspection letters are completed can be found under [Overview of Licensing Reports](#).

Please contact me with any questions. In the event that I am not available and you need to speak to someone immediately, please contact the local office at (517) 284-9730.

Per MCL 722.113g, this report and any related corrective action plans must be filed in your Licensing Notebook.

Sincerely,



Lisa Gundry, Licensing Consultant
Child Care Licensing Bureau
611 W. Ottawa Street
PO Box 30664
Lansing, MI 48909-8164
(810) 931-1220

Approved By:



August 8, 2022

Crecendra Brown
Area Manager

Date