



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL

Eric Friedlander
SECRETARY

Melissa A. Moore, Director
Division of Regulated Child Care
Eastern Branch
455 Park Place, Suite 120A
Lexington, KY 40511

Adam Mather
INSPECTOR GENERAL

Phone: (859) 246-2301 Fax: (859) 246-2307
<https://chfs.ky.gov/agencies/os/oig>

Inspection Report

Provider Name: Kare Bears	Provider Information	CLR No: L383160
Provider Address: 1697 Peabody Way, Lexington, KY, 40511	Provider Type: LICENSED TYPE I	Capacity: 60
Owner(s): Peh, Inc.		Director(s): Harshman, Ellen V.

Inspection Type: Renewal Application	Inspection Information	Inspection No: 291711
Date Initiated: 12/10/2019 9:30 AM	Date Concluded: 01/02/2020 10:30 AM	
	No. of Children Present: 26	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
145 - Fire Marshal	Not In Compliance
<p>922 KAR 2:090. Section 6. License Issuance.</p> <p>(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</p> <p>(b) Be approved by the Office of the State Fire Marshal or designee;</p> <p>Findings:</p> <p>General: Based on observation and review of documentation, the provider was unable to show proof of a current Fire Marshal report.</p>	
255 - Notification of Changes	Not In Compliance
<p>922 KAR 2:090. Section 12. Reports.</p> <p>(4)(a) Written notification of the following shall be:</p> <p>1. Made to the cabinet, in writing, to allow for approval before implementation:</p> <p>a. Change of ownership;</p> <p>b. Change of location;</p> <p>c. Increase in capacity;</p> <p>d. Change in hours of operation;</p> <p>e. Change of services in the following categories:</p> <p>(i) Infant;</p> <p>(ii) Toddler;</p> <p>(iii) Preschool-age;</p> <p>(iv) School-age;</p> <p>(v) Nontraditional hours; or</p> <p>(vi) Transportation; or</p> <p>f. Addition to or reduction of the square footage of a child-care center's premises;</p> <p>Findings:</p> <p>General: Based on observation, when entering the facility, two children were seated on the office floor. The surveyor was informed the children were there due to a staff shortage and they wanted to remain in ratio. Later, another child was brought in to the office. The staff rotated the children that were in the office every so often. Later, the school bus arrived with more children. At that time, the staff member took the children to the pre-k room. The office is not an area that is set up for or approved for caring for children.</p>	
Director Requirements	In Compliance

Inspection Report

Employee Records

Not In Compliance

410 - Training

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

(16) In accordance with KRS 199.896(15) and (16), a staff person with supervisory authority over a child shall complete the following:

- (a) Six (6) hours of cabinet-approved orientation within the first three (3) months of employment;**
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training; and**
- (c) Fifteen (15) hours of cabinet-approved early care and education training during each subsequent year of employment, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**

Findings:

General: Based on observation and review of documentation:

1. Staff with the hire dates of 5/11/2015, 10/16/2018, 5/15/2006, and 11/27/2017, did not have proof of required annual training on file or in ECE-TRIS.
2. Staff with the hire dates of 9/21/2019, 9/02/2019, and 4/01/2015, did not have proof of required orientation training on file or in ECE-TRIS.
3. Staff with the hire date of 4/1/2015, did not have proof of required PAHT training on file or in ECE-TRIS.

Programming

Not In Compliance

435 - Regularity of Routines

Not In Compliance

922 KAR 2:120. Section 2. Child Care Services.

(6) Regularity of routines shall be implemented to afford the child familiarity with the daily schedule of activity.

Findings:

General: Based on observation, when entering the facility, two children were seated on the office floor. The surveyor was informed the children were there due to a staff shortage and the provider did not want to go over staff-to-child ratio. Later, another child was brought in to the office. The staff rotated the children that were in the office every so often. Later, the school bus arrived with more children. The staff member took the children to the pre-k room. The rotation of children in and out of the office area is not indicative of a regular routine to afford the children in care with familiarity of a daily schedule of activity.

Premises

Not In Compliance

520 - Inaccessible Items

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

(7) The following shall be inaccessible to a child in care:

- (a) Toxic cleaning supplies, poisons, and insecticides;**
- (b) Matches, cigarettes, lighters, and flammable liquids; and**
- (c) Personal belongings and medications of staff.**

Findings:

General: Based on observation in the one-year-old room:

1. There was a bottle of cleaner on the counter within reach of children.
2. Diaper rash ointment was found on the shelf, also within reach of children.
3. In the hallway bathroom on the changing table, there was diaper rash ointment accessible to children.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

755 - Protective Surface

Not In Compliance

922 KAR 2:120. Section 4. Premises Requirements.

(21) A protective surface shall:

- (a) Be provided for outdoor play equipment used to:**
 - 1. Climb;**
 - 2. Swing; and**
 - 3. Slide; and**
- (b) Have a fall zone equal to the height of the equipment.**

Findings:

General: Based on observation, the playground contained a red climbing structure. There was not any mulch or any type of protective surface on the playground around the climbing equipment.

Inspection Report

Equipment

Not In Compliance

815 - Toys/Furniture

Not In Compliance

922 KAR 2:120. Section 11. Toys and Furnishings.

- (1) All toys and furniture contacted by a child shall be:**
 - (a) Kept clean and in good repair; and**
 - (b) Free of peeling, flaking, or chalking paint.**

Findings:

General: Based on observation in the three's room, there was a stuffed Elmo toy that was deeply soiled. In the school age/pre-school room, there was a stuffed duck that was deeply soiled. In addition, there were several colored pillows that were soiled. In the pre-school room, there were multiple torn books.

Transportation

In Compliance

Food Service/Food Program

In Compliance

Food Service

Not In Compliance

1000 - Bottle Feeding

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

- (11) While bottle feeding a child, the:**
 - (a) Child shall be held; and**
 - (b) Bottle or beverage container shall not be:**
 - 1. Propped;**
 - 2. Left in the mouth of a sleeping child; or**
 - 3. Heated in a microwave.**

Findings:

General: Based on observation in the infant room, a six-month-old baby had a bottle propped while in a bouncy seat.

1075 - Bottle Preparation by Parent

Not In Compliance

922 KAR 2:120. Section 9. Food and Meal Requirements.

- (4) Formula or breast milk provided by the parent shall be prepared and labeled.**

Findings:

General: Based on observation, two bottles in the infant room were not labeled.

Children's Records

Not In Compliance

1140 - Enrollment Information

Not In Compliance

922 KAR 2:090. Section 9. Records.

- (1) A child-care center shall maintain:**
 - (b) A written record for each child:**
 - 1. Completed and signed by the child's parent;**
 - 2. Retained on file on the first day the child attends the child-care center; and**
 - 3. To contain:**
 - a. Identifying information about the child, which includes, at a minimum, the child's name, address, and date of birth;**
 - b. Contact information to enable a person in charge to contact the child's:**
 - (i) Parent at the parent's home or place of employment;**
 - (ii) Family physician; and**
 - (iii) Preferred hospital;**
 - c. The name of each person who is designated in writing to pick-up the child;**
 - d. The child's general health status and medical history including, if applicable:**
 - (i) Allergies;**
 - (ii) Restriction on the child's participation in activities with specific instructions from the child's parent or health professional; and**
 - (iii) Permission from the parent for third-party professional services in the child-care center;**
 - e. The name and phone number of each person to be contacted in an emergency involving or impacting the child;**
 - f. Authorization by the parent for the child-care center to seek emergency medical care for the child in the parent's absence;**

Findings:

General: Based on observation and review of documentation, children with the dates of enrollment of 3/27/2019, 2/10/2019, 4/22/2018, and 7/14/2014, do not have the required preferred hospital name listed in file.

Written Documentation

In Compliance

Posted Documentation

In Compliance

Animals

In Compliance

Signature of Provider/Representative

Title

Date