



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

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Kidz Konnection II	Provider Information	CLR No: L356344
Provider Address: 1020 Industry Road, Suite 26, Lexington, KY, 40505	Provider Type: LICENSED TYPE I	Capacity: 112
Owner(s): Kidz Konnection, Inc.		Director(s): Smith, Margra Sherlon

Inspection Type: Renewal Application	Inspection Information	Inspection No: 242259
Date Initiated: 11/07/2017 8:20 AM	Date Concluded: 11/07/2017 11:25 AM	
	No. of Children Present: 30	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	Not In Compliance
265 - Health, Safety, Comfort	Not In Compliance
922 KAR 2:110. Section 4. Director Requirements and Responsibilities. (1) Effective with the adoption of this administrative regulation, a director shall: (l) Provide for the health, safety, and comfort of each child;	
Findings: General: Based on Observation, this regulatory was not met. The following was found: 1. During a tour of the two (2) year old classroom, the surveyor observed two (2) electrical cords from the refrigerator and a radio were observed hanging loose and accessible to the children. 2. During a tour of the infant classroom the surveyor observed a pile of approximately six (6) dirty tissues lying on a shelf beside the sink. The staff working in the classroom stated that they did not have a trash can/bag because they had just transitioned into the room the morning of the visit.	
275 - Caregiver Alone	Not In Compliance
922 KAR 2:110. Section 4. Director Requirements and Responsibilities. (1) Effective with the adoption of this administrative regulation, a director shall: (n) Assure that a person acting as a caregiver of a child in care shall not be left alone with a child, if the licensee has not received the results of the background checks as described in Section 3(1)(e)6 of this administrative regulation;	
Findings: General: Based on Review of Documentation, observation and interview, this regulatory requirement was not met. One (1) staff person (hire date: 8/10/17) did not have the results of a criminal record check (CRC) on file. This staff person was observed working alone with preschool children for approximately fifteen (15) minutes on the day of the inspection before a second staff person joined her in the classroom. The staff person in charge stated that she received the results of the CRC; however, was not able to locate the documentation during the visit.	

Inspection Report	
Employee Records	Not In Compliance
300 - Background checks/left alone	Not In Compliance
922 KAR 2:090. Section 6. License Issuance. (5) An individual described in subsection (4) of this section shall: (a) Submit to background checks described in paragraph (b) of this subsection; (b) May be employed or work with a child on a probationary basis for up to ninety (90) calendar days, pending completion of a: 1. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470; 2. Criminal records check required by KRS 199.896(19); 3. Criminal records check for any previous state of residence if the person resided outside the state of Kentucky in the last five (5) years; and 4. An address check of the Sex Offender Registry; and (c) Not be left alone in the presence of a child until copies of the background checks in accordance with paragraph (b) of this subsection have been received by the licensee. Findings: General: Based on Review of Documentation, observation and interview, this regulatory requirement was not met. One (1) staff person (hire date: 8/10/17) did not have the results of a criminal record check (CRC) on file. This staff person was observed working alone with preschool children for approximately fifteen (15) minutes on the day of the inspection before a second staff person joined her in the classroom. The staff person in charge stated that she received the results of the CRC; however, was not able to locate the documentation during the visit.	
315 - Educational Requirements	Not In Compliance
922 KAR 2:110. Section 5. Staff Requirements. (1) Child-care center staff: (a) Hired after January 1, 2009, who have supervisory power over a minor and are not enrolled in secondary education, shall have a: 1. High school diploma; 2. GED or qualifying documentation from a comparable educational entity; or 3. Commonwealth Child Care Credential as described in 922 KAR 2:250; Findings: General: Based on Review of Documentation, this regulatory requirement was not met. Two (2) staff (hire dates: 10/31/17 and 8/10/17) did not have educational documentation on file.	
320 - TB Verification	Not In Compliance
922 KAR 2:110. Section 5. Staff Requirements. (1) Child-care center staff: (b) Shall provide, prior to employment and every two (2) years thereafter: 1. A statement from a health professional that the individual is free of active tuberculosis; or 2. A copy of negative tuberculin results. Findings: General: Based on Review of Documentation, the following was found: 1. One (1) staff person (hire date: 9/12/17) did not have T.B. documentation on file. 2. Three (3) staff files (hire dates: 11/15/15, 11/27/01 and 5/22/17) contained results of negative T.B. tests that are no longer current. The tests were dated 11/5/15, 9/15/15 and 11/2/15 which exceeds the two (2) year time frame.	
340 - Training	Not In Compliance
922 KAR 2:110. Section 5. Staff Requirements. (14) 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 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 pediatric abusive head trauma training completed once every five (5) years. Findings: General: Based on Review of Documentation and the Training Records Information System (TRIS), the following was found: 1. Two (2) staff files (hire dates: 4/18/17 and 5/22/17) did not contain evidence of the six (6) hours of cabinet-approved training being completed within the first three (3) months of employment. 2. One (1) staff file (hire date: 1/1/98) contained a pediatric abusive head trauma training class certificate that was dated 9/15/12; therefore, this training is no longer valid. 3. Four (4) staff files (hire dates: 12/1/02, 12/1/01, 11/27/01 and 1/1/01) did not contain the required fifteen (15) hours of training.	
Programming	In Compliance

Inspection Report**Premises****Not In Compliance****460 - Inaccessible Items****Not In Compliance****922 KAR 2:120. Section 3. General Requirements.****(7) Except in accordance with subsection (8) of this section, the following shall be inaccessible to a child in care:**

- (a) Toxic cleaning supplies, poisons, and insecticides;**
- (b) Knives and sharp objects;**
- (c) Matches, cigarettes, lighters, and flammable liquids;**
- (d) Plastic bags;**
- (e) Litter and rubbish;**
- (f) Bar soap; and**
- (g) Personal belongings and medications of staff.**

Findings:

General: Based on Observation, this regulatory requirement was not met. During a tour of the infant classroom the surveyor observed three (3) cans of Glade air freshener that was labeled "Keep Out of Reach of Children" and one (1) can of Great Value Spray Disinfectant labeled "Keep Out of Reach of Children" being stored in an unlocked cabinet under the sink; therefore, these items were accessible to the children in the classroom.

480 - Premises Requirements**Not In Compliance****922 KAR 2:120. Section 4. Premises Requirements.****(1) The premises shall be:**

- (a) Suitable for the purpose intended;**
- (b) Kept clean and in good repair;**

Findings:

General: Based on Observation, this regulatory requirement was not met. During a tour of the cafeteria area, the surveyor observed numerous dried liquid spills on the wall beside the trash can and embedded dirt/grime on the tile floor around the trash can.

520 - Floors, Walls, Ceilings**Not In Compliance****922 KAR 2:120. Section 4. Premises Requirements.****(9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.****Findings:**

General: Based on Observation, the following was found: 1. The long wall near the classroom table in the toddler classroom contained approximately fifty (50) staples. 2. The wall beside the refrigerator in the two (2) year old classroom contained excessive tape residue. 3. Three (3) different sections of carpet (approximately ten (10) - twelve (12) feet long each) was observed in dis-repair. These areas had threads that were missing and/or frayed. Duct tape was being used to cover the areas, but it was curling and peeling up which left a sticky residue. 4. The transition strip was missing that separated the tile floor from the carpeted area in the preschool classroom. An excessive amount of dirt particles and grime had collected in the area. The carpet in door way between the preschool classroom and the cubby room was also found in dis-repair. The carpet in this area was missing and frayed. Furthermore, several areas of the wall to wall carpet in the preschool classroom had colored Duct tape to define different sections of the room. Most of the tape had peeled off and left a sticky residue. 5. The surveyor observed three (3) ceiling tiles with dark stains in the preschool cubby room and one (1) ceiling tile with a dark stain near the exterior door that leads outside to the playground. 6. The door frame entering the infant classroom contained numerous areas of chipped/peeling blue paint.

585 - Sink**Not In Compliance****922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.****(3) A sink shall be:**

- (a) Located in or immediately adjacent to toilet rooms;**
- (b) Equipped with hot and cold running water that allows for hand washing;**
- (c) Equipped with hot water at a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit;**
- (d) Equipped with liquid soap;**
- (e) Equipped with hand-drying blower or single use disposable hand drying material;**
- (f) Equipped with an easily cleanable waste receptacle; and**
- (g) Immediately adjacent to a changing area used for infants and toddlers.**

Findings:

General: Based on Observation, this regulatory requirement was not met. The water temperature at the sink in the two (2) year old classroom was measured with a calibrated thermometer and found to be 130 degrees Fahrenheit, which exceeds the maximum allowable temperature of 120 degrees Fahrenheit.

Hygienic Practices**In Compliance****First Aid/Medication****In Compliance****Outdoor Play Area****In Compliance**

Inspection Report**Equipment****Not In Compliance****755 - Toys/Equipment/Furniture****Not In Compliance****922 KAR 2:120. Section 11. Toys and Furnishings.****(1) All toys, equipment, 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, the following was found: 1. The surveyor observed sticky tape residue all over the top surface of a red classroom table in the preschool classroom. 2. An inspection of the back up vehicle (Ford fifteen (15) passenger van) found numerous pieces of debris (dirt particles, food wrappers and pieces of paper) all over the carpet. 3. An inspection of the main vehicle (Chevy fifteen (15) passenger van) found numerous pieces of debris (dirt particles, food wrappers, empty drink containers and pieces of paper) all over the carpet. The carpet also contained numerous dark spots and stains. Three (3) of the bench seats in this vehicle were grossly in dis-repair. The seats were torn from end to end on the area where the children sit which exposed the foam filling. The arm rest on the front bench seat was missing which created a hole in the side of the seat. The van driver observed transporting children during the visit stated, "We have seat covers, but they won't stay on". The surveyor observed seat covers laying in the floor under the seats.

760 - Indoor/Outdoor Equipment**Not In Compliance****922 KAR 2:120. Section 11. Toys and Furnishings.****(2) Indoor and outdoor equipment shall:**

- (a) Be clean, safe, and in good repair;**
- (b) Meet the physical, developmental needs, and interests of children of different age groups;**
- (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and**
- (d) Be designed to guard against entrapment or situations that may cause strangulation.**

Findings:

General: Based on Observation, this regulatory requirement was not met. During a tour of the infant classroom, the surveyor observed a crib mattress in dis-repair. The vinyl on the mattress contained a rip/tear approximately three (3) inches long. The surveyor also observed a Bouncy seat fabric cover that was excessively dis-colored with a dark stain.

Transportation**Not In Compliance****785 - Requirements for Transportation Services****Not In Compliance****922 KAR 2:120. Section 12. Transportation.****(2) A center providing or arranging transportation service shall:**

- (a) Be licensed and approved by the cabinet or its designee prior to transporting a child;**
- (b) Have a written plan that details the type of transportation, staff schedule, transportation schedule, and transportation route; and**
- (c) Have written policies and procedures, including emergency procedures practiced monthly by staff who transports children.**

Findings:

General: Based on Review of Documentation, this regulatory requirement was not met. A review of the emergency drill log in the transportation binder found that the facility had not practiced monthly emergency procedures since April 2017.

815 - Transportation Notification/Safety Procedures - Transporting, Loading/Unloading and Supervision**Not In Compliance****922 KAR 2:120. Section 12. Transportation.****(3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the:**

- (g) Safety procedures for:**
 - 1. Transporting a child;**
 - 2. Loading and unloading a child; and**
 - 3. Providing adequate supervision of a child.**

Findings:

General: Based on Review of Documentation and interview, this regulatory requirement was not met. Based on review of documentation the facility did not have written safety procedures for transporting a child, loading/unloading a child and providing adequate supervision of a child during transportation. The staff person in charge stated that she thought she had this documentation somewhere; however, was not able to locate it during the visit.

820 - Vehicle Equipment**Not In Compliance****922 KAR 2:120. Section 12. Transportation.****(4) A vehicle used to transport children shall be equipped with:**

- (a) A fire extinguisher;**
- (b) First aid supplies as described in Section 7 of this administrative regulation;**
- (c) Emergency reflective triangles; and**
- (d) A device to cut the restraint system, if necessary.**

Findings:

General: Based on Observation, this regulatory requirement was not met. An inspection of the facility's Chevy fifteen (15) passenger van found that it did not contain a first aid kit and a device to cut the restraint system. The van was used to transport children on the day of the inspection.

850 - Car Seats

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(7) The appropriate car safety seat meeting federal and state motor vehicle safety standards in 49 C.F.R. 571.213 and KRS 189.125 shall be used for each child.

Findings:

General: Based on Observation and interview, this regulatory requirement was not met. The surveyor observed the facility van pull up to the facility with six (6) children and two (2) staff on board (driver and monitor). The monitor escorted the children off the vehicle and into the building while the van driver remained on the vehicle to assist with the inspection. The van driver identified the ages of the children observed getting off the vehicle as an eight (8) month old, three (3) children that are two (2) years old and two (2) children that are three (3) years old. The surveyor observed the eight (8) month old getting off the vehicle in a car seat; however, only observed one (1) other car seat inside the vehicle during the inspection. The van driver stated that one (1) of the two (2) year old children rode in the car seat observed present on the van and indicated that the other four (4) children (two (2) - three (3) year olds) were transported with a regular seat belt. Therefore, these children were not provided with a safety seat.

855 - Pre-trip Inspection

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(8) A daily inspection of the vehicle shall be performed and documented for the following:

- (a) Tires;**
- (b) Lights, signals, mirrors, gauges, and wiper blades;**
- (c) Safety restraints;**
- (d) Fuel; and**
- (e) Free of debris.**

Findings:

General: Based on Review of Documentation, this regulatory requirement was not met. Record review revealed no written documentation indicating that a daily inspection of the facility's Chevy fifteen (15) passenger van was performed on 11/3/17. On this day, the vehicle was used to transport children.

900 - Children's Transportation Records

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(17) Transportation services provided shall:

- (a) Be recorded in writing and include:**
 - 1. The first and last name of the child transported; and**
 - 2. The time each child gets on and the time each child gets off;**
- (b) Be completed by a staff member other than the driver; and**
- (c) Be kept for five (5) years.**

Findings:

General: Based on Review of Documentation, observation and interview, this regulatory requirement was not met. The surveyor observed the facility van pull up to the facility with six (6) children and two (2) staff on board (driver and monitor). The monitor escorted the children off the vehicle and into the building while the van driver remained on the vehicle to assist with the inspection. The surveyor asked to review a list of names of the children transported and the on/off times. The van driver stated that she did not have a list; however, verbally identified the names of the children and where she picked them up at. The van driver stated, "Someone spilt something on my clipboard yesterday, so I don't have it with me today". In addition to the six (6) children the surveyor observed exit the vehicle, the van driver stated that she transported a school age child to Northern Elementary at 8:15AM earlier in the day.

Food Service

Not In Compliance

910 - Bottle Feeding

Not In Compliance

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

(11) While bottle feeding an infant, the:

- (a) Child shall be held; and**
- (b) Bottle shall not be:**
 - 1. Propped;**
 - 2. Left in the mouth of a sleeping infant; or**
 - 3. Heated in a microwave**

Findings:

General: Based on Observation, this regulatory requirement was not met. During a tour of the classroom the surveyor observed one (1) infant sitting in a low rocker chair while drinking a bottle and another infant sitting on the floor while drinking from a sippy cup. The staff did not know the exact age of the children; however, stated that all of the children present in the room were under twelve (12) months old.

Children's Records

Not In Compliance

1070 - Immunization

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

(a) A current immunization certificate for each child in care within thirty (30) days of the child's enrollment, unless an attending physician or the child's parent objects to the immunization of the child pursuant to KRS 214.036;

Findings:

General: Based on Review of Documentation, the following was found: 1. One (1) child (enrollment date: 2/17/17) had an immunization certificate on file that was no longer current as of 10/30/17. 2. One (1) child's file (enrollment date: 4/26/17) did not contain an immunization certificate.

Inspection Report

1075 - Enrollment Information

Not In Compliance

922 KAR 2:110. Section 3. 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 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 situation 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 Review of Documentation, this regulatory requirement was not met. At the time of the survey it was found that three (3) children's files did not contain the name and phone number of the child's physician (enrollment dates: 4/26/17 and 2 on 8/14/17).

Written Documentation

Not In Compliance

1095 - Daily Attendance Records

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

(c) Daily attendance records documenting the arrival and departure time of each child, including records that are required in accordance with

922 KAR 2:160, Section 13, if a child receives services from the child-care center through the Child Care Assistance Program;

Findings:

General: Based on Review of Documentation, observation and interview, this regulatory requirement was not met. The surveyor toured the preschool classroom at 8:53AM and observed eleven (11) children present; however, only eight (8) children had an arrival time documented. The staff person working in the classroom stated that two (2) of the children present were newly enrolled and indicated that she was waiting on the staff person in charge to give her an updated attendance sheet with their names on it.

1105 - Professional Development

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

(f) A written annual plan for child-care staff professional development;

Findings:

General: Based on Review of Documentation, this regulatory requirement was not met. Two (2) staff (hire dates: 12/1/02 and 11/27/01) did not have evidence of a current staff professional development plan on file in the facility.

Posted Documentation

Not In Compliance

1165 - Daily Activities

Not In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.

(1) Effective with the adoption of this administrative regulation, a director shall:

(h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;

Findings:

General: Based on Review of Documentation, this regulatory requirement was not met. The following was found: 1. The two (2) year old classroom had a schedule of daily activities posted that was dated 5/29/17; therefore, it was no longer current. 2. The infant classroom had a schedule of daily activities posted that was dated October 30 – November 3, 2017; therefore, it was no longer current.

Animals

In Compliance

Signature of Provider/Representative

Title

Date