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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Pooh and Pals Learning Center	Provider Information	License No: L356354
Provider Address: 1278 East College Avenue, Stanton, KY, 40380	Provider Type: LICENSED TYPE I	Capacity: 47
Owner(s): Pooh And Pals, Inc.		Director(s): Preston, Rosemary

Inspection Type: Investigation	Inspection Information	Inspection No: 191540
Visit Start Date: 07/21/2015 11:35 AM	Visit End Date: 07/21/2015 3:00 PM	
	No. of Children Present: 35	

Inspection Report	
Supervision	
5 - Children Supervised	In Compliance
922 KAR 2:120. Section 2. Child Care Services. (3)(a) Each center shall maintain a child-care program that assures each child will be: 1. Provided with adequate supervision at all times by a qualified staff person who: a. Ensures the child is within scope of vision and range of voice; or b. For a school-age child, within scope of vision or range of voice;	

Inspection Report**Staffing Requirements****40 - Ratios and Group Size****Not In Compliance****922 KAR 2:120. Section 2. Child Care Services.****(2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows:****Age of Children Ratio Maximum Group Size*****Infant****1 staff for 5 children 10****Toddler****1 staff for 6 children 12****Preschool-age 2 to 3 years****1 staff for 10 children 20****Preschool-age 3 to 4 years****1 staff for 12 children 24****Preschool-age 4 to 5 years****1 staff for 14 children 28****School-age 5 to 7 years****1 staff for 15 children 30****School-age 7 and older****1 staff for 25 children****(for before and after school) 30****1 staff for 20 children****(full day of care) 30*****Maximum Group Size shall be applicable only to Type I child-care centers.****Findings:**

General: Based on observation, when the surveyor entered the child care center, there were thirty-five (35) children eating in the School Age Classroom with two (2) staff persons (DOH: 02/01/99 and 01/16/11) supervising them. The director stated during interview that there were other staff working at the child care center that day; however, one (1) staff person (DOH: 10/14/13) was on her lunch break and one (1) staff person (DOH: 07/09/15) was on a "smoke break". Based on interview the thirty-five (35) children present at the child care center ranged in age from toddlers to school-age children. Therefore, the child care center staff to ratio and maximum group size was not in compliance.

45 - Ratio/Group Size**Not Applicable****922 KAR 2:120. Section 2. Child Care Services.****(2)(b) The age of the youngest child in the group shall determine the:**

- 1. Staff-to-child ratio; and**
- 2. Maximum group size.**

Director Requirements**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 observation and record review, there was one (1) staff person (DOH: 07/09/15) caring for five (5) children in the Nursery Classroom. Based on record review, the staff person did not have a completed child abuse and neglect (CAN) check located in her file. The surveyor was not presented with documentation that the CAN check had been submitted.

Employee Records**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 observation and review of documentation, there was one (1) staff person (DOH: 07/09/15) caring for five (5) children in the Nursery Classroom. Based on record review, the staff person did not have a completed child abuse and neglect (CAN) check located in her file. The surveyor was not presented with documentation that the CAN check had been submitted.

305 - Background checks/discharged**In Compliance**

Inspection Report

922 KAR 2:090. Section 6. License Issuance.

(6) Upon completion of background checks described in subsection (4)(b) of this section, a licensee shall discharge immediately:

- (a) An individual whose name is listed on the central registry established by 922 KAR 1:470;
- (b) An individual who has been convicted of, or has entered an Alford plea or a plea of guilty to, a crime in accordance with KRS 17.165;
- (c) An individual who is confirmed by an address check of the Sex Offender Registry and supporting documentation as a registered sex offender;
- (d) An individual who has been convicted of, or entered an Alford plea or plea of guilty to, a drug-related felony, and five (5) years has not elapsed since the person was fully discharged from imprisonment, probation, or parole;
- (e) A director who has been convicted of, or entered an Alford plea or a plea of guilty to, a felony offense involving fraud, embezzlement, theft, or forgery; and

(f) An individual who has been convicted of, or has entered an Alford plea or a plea of guilty to, an offense under a criminal statute of the United States or of another state similar to an offense specified in this subsection.

(7) An individual who has been convicted of, or entered an Alford plea or a plea of guilty to, a nonviolent felony or misdemeanor not specified in this section shall be handled on a case-by-case basis by the licensee with consideration given to the:

- (a) Nature of the offense;
- (b) Length of time that has elapsed since the event; and
- (c) Individual's life experiences after conviction, Alford plea, or guilty plea.

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, there was one (1) staff (DOH: 07/09/15) file presented for review that did not contain the staff person's education documentation.

Programming

420 - Infant Sleep Position

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.

(1) An infant shall sleep or nap on the infant's back unless the infant's health professional signs a waiver that states the infant requires an alternate sleeping position.

Findings:

General: Based on observation, when the surveyor entered the Nursery Classroom, there were two (2) children (DOE: unknown) sleeping in swings. The dates of enrollment were unknown due to the director stating during interview that she could not locate those children's enrollment packets.

Premises

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, there was one (1) empty plastic bag located in the bottom of two (2) different children's cubbies.

515 - Protected Openings

Not In Compliance

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

(8) An opening to the outside shall be effectively protected against the entrance of vermin by:

- (a) Self-closing doors;
- (b) Closed windows;
- (c) Screening;
- (d) Controlled air current; or
- (e) Other effective means.

Findings:

General: Based on observation and interview, there were two (2) window air conditioners located in the child care center. The two (2) air conditioners each had a one (1) inch gap around the unit which was exposed to the outside. The surveyor could see the outside through the one (1) inch gap around each of the air conditioners. The director stated during interview that the outside was exposed around the air conditioners due to the wind had blown out the pieces that covered the areas around the air conditioners and that she just had not had the pieces replaced.

Inspection Report

Hygienic Practices

595 - Child Personal Care/Handwashing

Not In Compliance

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

(4) A child shall:

- (a) Be helped with personal care and cleanliness based upon their developmental skills; and
- (b) Wash his or her hands with liquid soap and warm running water:
 - 1. a. Upon arrival at the center; or
 - b. Within thirty (30) minutes of arrival for school-age children;
- 2. Before and after eating or handling food;
- 3. After toileting or diaper change;
- 4. After handling animals;
- 5. After wiping or blowing nose;
- 6. After touching items soiled with body fluids or wastes; and
- 7. After outdoor or indoor play time.

Findings:

General: Based on observation, the staff person (DOH: 07/09/15) caring for children in the Nursery Classroom was observed to change a child's diaper; however, the child's hands were not washed after the diaper change.

600 - Staff Hygiene/Handwashing

Not In Compliance

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

(5) Staff shall:

- (a) Maintain personal cleanliness;
- (b) Conform to hygienic practices while on duty; and
- (c) Wash their hands with liquid soap and running water:
 - 1. Upon arrival at the center;
 - 2. After toileting or assisting a child in toileting;
 - 3. Before and after diapering each child;
 - 4. After wiping or blowing a child's or own nose;
 - 5. After handling animals;
 - 6. After caring for a sick child;
 - 7. Before and after feeding a child or eating;
 - 8. Before dispensing medication; and
 - 9. If possible, before administering first aid.

Findings:

General: Based on observation, the staff person (DOH: 07/09/15) caring for children in the Nursery Classroom was observed to change a child's diaper; however, the staff person did not wash her hands after changing the child's diaper. Instead, the staff person started caring for another child by trying to get them to lay down in their crib. After laying the child in the crib, the staff person then went to the sink and washed her hands.

Food Service

920 - Kitchen Requirements

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(1) The kitchen shall:

- (a) Be clean;
- (b) Be equipped for proper food:
 - 1. Preservation;
 - 2. Storage;
 - 3. Preparation; and
 - 4. Service;
- (c) Be adequately ventilated to the outside air; and
- (d) Except in a Type II child-care center when a meal is not being prepared, not be used for the activity of a child.

Findings:

General: Based on observation, there was one (1) twelve-year-old child (DOE: 04/01/13) that was observed to be going in and out of the kitchen area multiply times. The child was not getting anything from the kitchen, she only appeared to be wandering around while the other children were sitting at the tables.

960 - Bottles

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(9) Bottles shall be:

- (a) Individually labeled;
- (b) Promptly refrigerated;
- (c) Covered when not in use; and
- (d) Consumed within one (1) hour of being heated or removed from the refrigerator.

Findings:

General: Based on observation, the following was found:

- 1. There was one (1) bottle in the dining area that did not have a lid and the bottle was not labeled.
- 2. There was one (1) bottle located in the Nursery Classroom on a shelf that did not have a lid and the bottle was not labeled.

Inspection Report**Children's Records****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 and interview, the following was found:

1. There were six (6) children's (DOE: 06/01/15, 09/22/14, 12/01/14, 05/13/15, and two (2) unknown files presented for review that did not contain an immunization certificate. The director stated during interview that these children's immunization certificate had expired; therefore, she did not keep the expired immunization certificates.
2. There was one (1) child's file presented for review that contained an immunization certificate that was no longer current as of 06/25/14; therefore, the child did not have a current immunization certificate on file.

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 and interview, the director could not locate the enrollment packet for two (2) children that were present at the child care center on the day of the visit; therefore, the child care center did not have a written record for each of those two (2) children. The director stated during interview that she was unsure of the date of enrollment for those two (2) children.

Signature of
Provider/Representative

Title

Date