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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Creation Kingdom McConnells Trace	Provider Information	CLR No: L383584
Provider Address: 2935 Trailwood Lane, Lexington, KY, 40511	Provider Type: LICENSED TYPE I	Capacity: 186(Bldg 1: 292)
Owner(s): Creation Kingdom McConnells Trace, LLC		Director(s): Kloth, Rebecca

Inspection Type: Renewal Application	Inspection Information	Inspection No: 242708
Date Initiated: 12/08/2017 8:56 AM	Date Concluded: 12/08/2017 10:45 AM	
	No. of Children Present: 55	

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:**
(I) Provide for the health, safety, and comfort of each child;

Findings:

General: Based on Observation, the following was found: 1. Surveyor observed a radio/CD player sitting on the floor between two (2) cribs in the younger infant classroom. The radio/CD player was plugged into an electrical outlet under a window. The cord was hanging loose and was accessible to the children in the classroom. The surveyor also observed a walkie-talkie charger sitting on an interior window ledge in this same classroom. The charger was plugged into an electrical outlet behind three (3) infant swings. The cord was hanging loose and was accessible to the children in the classroom. 2. Surveyor observed a CD player and a walkie-talkie charger sitting on a book shelf in the four (4) year old classroom (Blue Room). The cords from these two (2) devices were observed hanging loose on top of the children's books; therefore, accessible to them.

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, staff person hired 05/12/2017 did not complete a CRC check until 06/12/2017. Staff hired on 10/25/2017 had a CRC on file, however it was dated 11/14/2017. There was no documentation do indicate these background check had been requested in the regulated timeframes.

310 - Personnel File

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

(e) A current personnel file for each child-care center staff person to include:

- 1. Name, address, date of birth, and date of employment;**
- 2. Proof of educational qualifications;**
- 3. Record of annual performance evaluation;**
- 4. Written record of training participation to include:**
 - a. The training source;**
 - b. Location;**
 - c. Date; and**
 - d. Number of clock hours completed;**
- 5. Every two (2) years, a:**
 - a. Statement from a health professional that the individual is free of active tuberculosis; or**
 - b. Copy of negative tuberculin results; and**
- 6. For a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care, the results of a:**
 - a. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;**
 - b. Criminal records check required by KRS 199.896(19);**
 - c. Criminal records check from any previous state of residence completed once if:**
 - (i) The individual resided outside the state of Kentucky in the last five (5) years; and**
 - (ii) No criminal records check has been completed for the individual's previous state of residence; and**
 - d. An address check of the Sex Offender Registry;**

Findings:

General: Based on Review of Documentation, One (1) of the personnel files presented for review did not include a date of employment (hire date).

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, staff persons hired 09/25/2017, 05/15/2017, 05/12/2017, 08/21/2017, 08/21/2017, and 11/13/2017 did not have evidence of proof of education on file in the facility.

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, staff persons hired on 08/07/17, 05/15/2017, 10/25/2017, and 08/21/2017 did not have documentation of negative T.B. results on file in the facility.

Staff hired on 05/12/2017 had a TB test record in file, however it was dated for 06/12/2017 which was after the start of employment.

325 - CPR/First Aid Coverage

Not In Compliance

922 KAR 2:110. Section 5. Staff Requirements.

(3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:

- (a) Infant and child cardiopulmonary resuscitation; and**
- (b) Infant and child first aid.**

(4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:

- (a) Adult cardiopulmonary resuscitation; and**
- (b) First aid.**

Findings:

General: Based on Review of Documentation, this regulatory requirement was not met. The staff person in charge stated that children are transported on the facility's mini bus on a daily basis from a local elementary school. The staff person that she identified as the main bus driver did not have evidence of CPR and first aid training documentation on file. The driver transports children alone each day.

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), staff persons hired 04/13/2017, 08/07/2017, 08/21/2017, 07/23/2017, and 08/21/2017 did not have evidence of completing the required orientation training in the first three (3) months of employment.

345 - Driver Requirements

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

- (18) A driver of a vehicle transporting a child for a center shall:**
- (a) Be at least twenty-one (21) years old;**
 - (b) Complete:**
 - 1. The background checks as described in 922 KAR 2:110; and**
 - 2. An annual check of the:**
 - a. Kentucky driver history records in accordance with KRS 186.018; or**
 - b. Driver history records through the state transportation agency that issued the driver's license;**
 - (c) Hold a current driver's license which has not been suspended or revoked during the last five (5) years; and**
 - (d) Not caused an accident which resulted in the death of a person.**

Findings:

General: Based on Review of Documentation and interview, this regulatory requirement was not met. A review of the transportation documentation on file found that one (1) staff person, who was identified as the main bus driver, did not have a driver history record through the state transportation agency that issued the driver's license on file.

Programming

In Compliance

Premises

Not In Compliance

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 activity room, the surveyor observed numerous dust/dirt particles and tiny pieces of paper all over the carpeted flooring in the loft area and stairs.

Hygienic Practices

In Compliance

First Aid/Medication

Not In Compliance

670 - Medication

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

- (6) Medication, including refrigerated medication, shall be:**
- (a) Stored in a separate and locked place, out of the reach of a child;**
 - (b) Kept in the original bottle; and**
 - (c) Properly labeled.**
- (7) Medication shall not be given to a child if the expiration date on the bottle has passed.**

Findings:

General: Based on Observation, this regulatory requirement was not met. During a tour of the older one (1) year old classroom (Red Room II), the surveyor observed ten (10) individual storage bins (one (1) for each child) placed on low open shelving next to the diaper changing table and under the diaper changing table. Several of the storage bins contained diaper creams/ointments and one of the bins contained Little Remedies Infant Fever + Pain Reliever medication. None of the storage bins contained a lid; they were open, positioned a few inches off the floor and accessible to the children present in the classroom.

Outdoor Play Area

In Compliance

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. During a tour of the two (2) year old classroom (Yellow Room), the surveyor observed several books (approximately five (5) total) that were in dis-repair. These books had torn covers with torn/missing pages.
2. During a tour of the four (4) year old classroom (Blue Room), the surveyor observed a tamborine that was in dis-repair on the shelf with other musical instruments. The paper surface on the tamborine was ripped/torn.

Inspection Report**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, the following was found: 1. Based on an interview with the staff person in charge, it was determined the facility provides daily transportation services from a local elementary school. The facility did not have a transportation route included in their documentation. 2. A review of the emergency drill log in the transportation binder found that the facility had not practiced monthly emergency procedures since August 2017.

795 - Transportation Notification/Plan for Ensuring Staff Duties**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:**
- (c) Plan for ensuring staff perform duties relating to transportation properly;**

Findings:

General: Based on Review of Documentation, this regulatory requirement was not met. There was not a written description to ensure that staff who transport children perform duties relating to transportation properly.

800 - Transportation Notification/Full Coverage Insurance**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:**
- (d) Full insurance coverage for each vehicle;**

Findings:

General: Based on Review of Documentation, this regulatory requirement was not met. A review of the facility's vehicle insurance documentation on file found that the coverage dates were 5/20/16 - 6/30/17; therefore, the policy was not current.

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 and interview, this regulatory requirement was not met. The vehicle used to transport children did not contain the required first aid supplies. The mini bus had a first aid kit; however, it was incomplete. The staff person in charge stated that she had extra supplies in the office and indicated that she would put together a new kit with the required supplies.

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 and interview, this regulatory requirement was not met. The staff person in charge stated that children are transported from a local elementary school on a daily basis; however, a review of the transportation log found no evidence of daily inspections of the vehicle (2005 Chev Mini bus).

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 and interview, this regulatory requirement was not met. The staff person in charge stated during interview that children are transported from a local elementary school on a daily basis; however, the children's transportation records (names of children being transported, times children get "on" the vehicle and times children get "off" the vehicle) were incomplete and inconsistently kept. The last time that this information had been documented was 11/13/17.

Food Service**In Compliance**

Inspection Report	
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, children enrolled 4/06/2017, 7/17/2017, 7/31/2017, 8/09/2017, 11/15/2016, and 11/22/2016 did not have a current immunization certificate on file in the facility.	
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, children enrolled 8/07/2017, 10/20/2016, and 11/15/2016 did not have a physician's name and contact information on file in the facility. Four (4) out of the ten (10) children's files presented for review did not have documentation of a preferred hospital listed by the parent.	
Written Documentation	In Compliance
Posted Documentation	Not In Compliance
1155 - Posting Requirements	Not In Compliance
922 KAR 2:110. Section 2. General. (7) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection: (a) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year; (b) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year; (c) Information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897; (d) A description of services provided by the child-care center, including: 1. Current rates for child care; and 2. Each service charged separately and in addition to the basic rate for child care; (e) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and (f) Daily schedule.	
Findings: General: Based on Review of Documentation, this regulatory requirement was not met. One (1) civil penalty notice that was issued to the facility on 7/17/17 was not posted.	
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 school age classroom did not have a schedule of daily activities posted.	
Animals	In Compliance

Signature of Provider/Representative

Title

Date