



Andy Beshear
GOVERNOR

**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL**

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>

Eric Friedlander
SECRETARY

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Owingsville Baptist Church Daycare	Provider Information	CLR No: L383593
Provider Address: 92 Coyle Street, Owingsville, KY, 40360	Provider Type: LICENSED TYPE I	Capacity: 49
Owner(s): Owingsville Baptist Church, Inc.		Director(s): Bailey, Christopher M

Inspection Type: Renewal Application	Inspection Information	Inspection No: 306501
Date Initiated: 05/07/2021 9:14 AM	Date Concluded: 05/07/2021 11:50 AM	
	No. of Children Present: 19	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
145 - Fire Marshal	Not In Compliance
922 KAR 2:090. Section 6. License Issuance. (8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall: (b) Be approved by the Office of the State Fire Marshal or designee;	
Findings: General: Based on review of documentation and interview, this regulatory requirement was not met. A State Fire Marshal inspection report was not presented for the surveyor to review. The staff person in charge stated that he had this documentation somewhere on file; however, he was not able to locate it during the visit.	
155 - Liability Insurance	Not In Compliance
922 KAR 2:090. Section 6. License Issuance. (8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall: (d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;	
Findings: General: Based on review of documentation, this regulatory requirement was not met. A review of the facility's liability insurance documentation on file found that the coverage dates were 5/15/15 through 5/15/18; therefore, the policy was not current.	

205 - Reports to Cabinet

Not In Compliance

922 KAR 2:090. Section 13. Reports.

- (1) The following shall be reported to the cabinet or designee and other agencies specified in this section within twenty-four (24) hours from the time of discovery:**
- (a) Communicable disease, which shall also be reported to the local health department pursuant to KRS 214.010;**
 - (b) An accident or injury to a child that requires medical care initiated by the child-care center or the child's parent;**
 - (c) An incident that results in legal action by or against the child-care center that:**
 - 1. Affects a child or staff person; or**
 - 2. Includes the center's discontinuation or disqualification from a governmental assistance program due to fraud, abuse, or criminal conviction related to that program;**
 - (d) An incident involving fire or other emergency, including a vehicular accident when the center is transporting a child receiving child care services;**
 - (e) A report of child abuse or neglect that:**
 - 1. Has been accepted by the cabinet in accordance with 922 KAR 1:330; and**
 - 2. Names a director, employee, volunteer, or person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care as the alleged perpetrator; or**
 - (f) An individual specified in Section 6(4) of this administrative regulation meeting a disqualifying criterion or background check result pursuant to 922 KAR 2:280.**

Findings:

General: Based on interview, the provider failed to report a communicable disease to the cabinet within 24 hours from the time of discovery. The staff person in charge stated during the inspection that the facility currently had 19 children and 2 staff under quarantine due to health department directive. The staff person in charge provided the surveyor with a written timeline including dates during the visit and stated that he was not aware of this regulatory requirement.

210 - Licensee Responsibility

Not In Compliance

922 KAR 2:090. Section 8. General.

- (1) A licensee shall:**
- (a) Be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280; and**
 - (b) Protect and assure the health, safety, and comfort of each child.**

Findings:

General: Based on observation, this regulatory requirement was not met. During a tour of Room #105, the surveyor observed a television positioned on top of a table. The television was plugged into an electrical outlet approximately three feet away from the table and the cord was not secure.

Director Requirements

Not In Compliance

345 - Staff Evaluation

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

- (1) A director shall:**
- (j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;**

Findings:

General: Based on review of documentation, this regulatory requirement was not met. The following was found:

- 1. Two staff eligible for an annual performance review did not have current documentation of a review on file in the facility. The documentation on file was dated 5/2019.
- 2. Six staff eligible for an annual performance review did not have documentation of a review on file in the facility.

Employee Records

Not In Compliance

385 - Personnel File

Not In Compliance

922 KAR 2:090. Section 9. 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. Documentation of compliance with tuberculosis screening in accordance with Section 11(1)(b) of this administrative regulation; and**
 - 5. The results of background checks conducted in accordance with 922 KAR 2:280;**

Findings:

General: Based on review of documentation and interview, this regulatory requirement was not met. A review of staff files during the inspection found two staff that did not have the date of employment listed in their file. The staff person in charge reviewed information on his computer and then verbally identified the dates - 11/23/20 and 2/9/21 as the hire dates. However, the dates of hire were not maintained in the personnel files.

390 - Educational Requirements

Not In Compliance

922 KAR 2:090. Section 11. 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, three staff (hire dates: 3/16/20 and 2 on 9/21/20) did not have educational documentation on file.

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 completed within the first three (3) months of employment in a child care program;**
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment in a child care program, 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 completed between July 1 and the following June 30 of each subsequent year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**

(17) A staff person's compliance with training requirements of this section shall be verified through the cabinet-designated database maintained pursuant to 922 KAR 2:240.

Findings:

General: Based on review of documentation and the Training Records Information System (TRIS), the following was found:

1. Six staff (hire dates: 9/3/19, 11/23/20, 2/9/21, 3/8/19 and 2 on 9/21/20) did not complete the required Orientation I and II courses. These staff have been employed for more than three months.
2. A staff person hired on 5/1/17, completed PAHT training on 2/26/16; however, did not renew the training due 2/26/21.
3. Three staff (hire dates: 3/16/20, 9/3/19, and 3/8/19) did not complete the required PAHT training. These staff have been employed for more than one year.

Programming

Not In Compliance

420 - Program of Activities Followed

Not In Compliance

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

(4) The child-care center shall provide a daily planned program:

- (a) Posted in writing in a conspicuous location with each age group and followed;**
- (b) Of activities that are individualized and developmentally appropriate for each child served;**
- (c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and**
- (d) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities**

including:

- 1. Art or music;**
- 2. Math or numbers;**
- 3. Dramatic play;**
- 4. Stories and books;**
- 5. Science or nature;**
- 6. Block building or stacking;**
- 7. Tactile or sensory activity;**
- 8. Multi-cultural exposure;**
- 9. Indoor or outdoor play in which a child makes use of both small and large muscles;**
- 10. A balance of active and quiet play, including group and individual activity;**
- 11. An opportunity for a child to:**
 - a. Have some free choice of activities;**
 - b. If desired, play apart from the group at times;**

Findings:

General: Based on observation and interview, this regulatory requirement was not met. The following was found:

1. There was only one book and no multi-culture activities available to the children in the Nursery II Classroom (one-year-old children).
2. There were no block building materials available for the children in the Two's Classroom.

Premises

Not In Compliance

540 - 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. A section of baseboard (approximately three feet long) was missing along the wall in the Two's Classroom.

Inspection Report	
Hygienic Practices	In Compliance
First Aid/Medication	In Compliance
Outdoor Play Area	In Compliance
Equipment	In Compliance
Transportation	Not Applicable
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, this regulatory requirement was not met. During a tour of the Infant Classroom, a child was observed to have a partially consumed bottle of milk lying beside her mouth while asleep in a crib. The child was identified as a one year old.	
Children's Records	Not In Compliance
1135 - Immunization	Not In Compliance
922 KAR 2:090. Section 9. 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, one child had an immunization certificate on file that was no longer current as of 4/29/21.	
Written Documentation	Not In Compliance
1150 - Evacuation Plan	Not In Compliance
922 KAR 2:090. Section 5. Evacuation Plan. (1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U).	
Findings: General: Based on review of documentation, this regulatory requirement was not met. The emergency preparedness plan on file had not been updated since 4/24/19.	
1170 - Professional Development	Not In Compliance
922 KAR 2:090. Section 9. 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. The following was found: 1. One employee file did not have a current annual professional development plan on file at the facility. The last professional development plan that had been completed was 5/8/19. 2. Eight staff eligible for a staff professional development plan did not have a plan on file.	
1175 - Earthquake/Tornado/Fire Drills	Not In Compliance
922 KAR 2:090. Section 9. Records. (1) A child-care center shall maintain: (h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3; (i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;	
Findings: General: Based on review of documentation, this regulatory requirement was not met. At the time of the survey, it was found that there was no record of fire, earthquake and tornado drills conducted by the facility in 2021. The surveyor reviewed the 2020 emergency drill documentation log during the visit and found that the last documented fire drill was 8/3/20, the last documented tornado drill was 7/20/20 and the last documented earthquake drill was 7/20/20.	

Inspection Report	
Posted Documentation	Not In Compliance
1210 - Disaster Course of Action	Not In Compliance
922 KAR 2:090. Section 9. Records. (1) A child-care center shall maintain: (j) A written plan and diagram outlining the course of action in the event of a natural or manmade disaster, posted in a prominent place;	
Findings: General: Based on review of documentation, this regulatory requirement was not met. The facility did not have a written emergency plan and diagram posted.	
1215 - Daily Activities	Not In Compliance
922 KAR 2:090. Section 10. Director Requirements and Responsibilities. (1) 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. Five classrooms had a schedule of daily activities posted that was dated March 22–26, 2021; therefore, they were no longer current. 2. A daily schedule was not posted in the Nursery II Classroom; therefore, the surveyor could not determine the sequence of events or the children's basic routine.	
Animals	In Compliance
Emergency Regulation	Not In Compliance
1265 - Emergency Regulation	Not In Compliance
922 KAR 2:415E. Emergency Regulation. Due to the current declared public health emergency caused by the Novel Coronavirus Disease (COVID-19), licensed child care centers must operate under Centers for Disease Control and Prevention and public health guidelines, as mandated by 922 KAR 2:415E, to prevent the spread of COVID-19.	
Findings: General: Based on review of documentation and the Training Records Information System (TRIS), this regulatory requirement was not met. One staff person (hire date: 9/21/20) did not have evidence or results of a criminal records check (CRC) on file. Furthermore, this staff person had a CAN check that had been processed by the facility she previously worked at; however, no evidence on file that this facility submitted a CAN check for processing.	