



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
Western Branch
901 B South Main Street
Hopkinsville, KY 42240

Phone: (270) 889-6052 Fax: (270) 889-6089
<https://chfs.ky.gov/agencies/os/oig>

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Home Away From Home	Provider Information	CLR No: L356535
Provider Address: 114 Patrick Drive, Cadiz, KY, 42211	Provider Type: LICENSED TYPE II	Capacity: 11
Owner(s): Billham, Birgit		Director(s): Billham, Birgit

Inspection Type: Investigation	Inspection Information	Inspection No: 219873
Date Initiated: 04/20/2017 9:40 AM	Date Concluded: 04/20/2017 11:05 AM	
	No. of Children Present: 11	

Inspection Report	
Supervision	Not In Compliance
5 - Children Supervised	Not In Compliance
<p>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;</p>	
Findings:	
<p>General: Based on observation, an alone, sleeping infant (date of birth: 10/26/16), was in a playpen in the back bedroom located on the left. Surveyor observed the child at 9:43 a.m. on 04/20/17 and interview determined the infant was placed in the back room alone at 8:40 a.m.</p>	

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 and interview, the director and a caregiver supervised eleven (11) children, from 9:45 a.m. until 11:05 a.m., on 04/20/17. All children were combined together in the front room.

General Administration

Not In Compliance

100 - Plan of Correction/10 days

Not In Compliance

922 KAR 2:090. Section 9. Statement of Deficiency and Corrective Action Plans.

(2) Except for a violation posing an immediate threat as handled in accordance with KRS 199.896(5)(c), a child-care center shall submit a written corrective action plan to the cabinet or its designee within ten (10) calendar days of receipt of the statement of deficiency to eliminate or correct the regulatory violation.

Findings:

A PLAN OF CORRECTION WAS DUE ON 05/31/2017 AND AS OF 06/06/2017, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.

120 - Licensee Responsibility

Not In Compliance

922 KAR 2:110. Section 2. General.

(1) A licensee shall be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:090, and 922 KAR 2:120.

Findings:

General: Based on interview and review of documentation, there were twelve (12) to seventeen (17) children present, at various times of the day, on 03/02/17; 03/03/17; 03/08/17; 03/09/17; 03/13/17; 03/16/17; 03/20/17; 03/22/17; 03/29/17; 03/30/17; 04/03/17; 04/05/17; 04/06/17; 04/07/17; 04/11/17; 04/12/17; 04/13/17, and 04/17/17. The center provided care for seventeen (17) children, from 10:00 a.m. until 3:10 p.m. on 04/05/17. The center provided care for sixteen (16) children, from 12:00 p.m. until 12:30 p.m. on 04/06/17. Interview determined the over capacity mainly occurred on Mondays and when school was not in session. The center's licensed capacity is eleven (11).

170 - Notification of Changes

Not In Compliance

922 KAR 2:110. Section 6. Reports.

(4) Written notification of the following shall be made to the cabinet to allow for approval before implementation:

- (a) Change of ownership;**
- (b) Change of location;**
- (c) Increase in capacity;**
- (d) Change in hours of operation;**
- (e) Change of services in the following categories:**
 - 1. Infant;**
 - 2. Toddler;**
 - 3. Preschool-age;**
 - 4. School-age;**
 - 5. Nontraditional hours; or**
 - 6. Transportation; or**
- (f) Addition to the square footage a child-care center's premises.**

Findings:

General: Review of documentation and interview, the center provided care for twelve (12) to seventeen (17) children between 03/02/17 and 04/17/17. The approved licensed capacity is eleven (11); therefore, the center implemented an increase in capacity and did not provide written notification to the cabinet to receive prior approval before implementation of an increase in capacity.

Inspection Report

205 - Fire Marshal/Zoning Compliance

Not In Compliance

922 KAR 2:120. Section 4. Premises Requirements.
(2) A child-care center shall be in compliance with the State Fire Marshal requirements established in KRS 227.220 and the local zoning laws.

Findings:

General: Based on interview and review of documentation, there were twelve (12) to seventeen (17) children present at the center ten (10) days during the month of March 2017 and eight (8) days during the month of April 2017. The state fire marshal approved the center for a capacity of eleven (11). The center is not in compliance with the state fire marshal's recommended capacity.

Director Requirements

In Compliance

Premises

In Compliance

Equipment

Not In Compliance

725 - Playpens/Play Yards

Not In Compliance

922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.
(5) Playpens and play yards shall:
(a) Meet federal standards as issued by the Consumer Product Safety Commission, including 16 C.F.R. 1221;
(b) Be manufactured for commercial use; and
(c) Not be used for sleeping or napping.

Findings:

General: Based on observation, an infant (date of birth: 10/26/16) was asleep in a playpen in a back bedroom. Documentation revealed "never leave child unattended" in the playpen.

730 - Crib/Mattress/Sheet

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.
(3) Rest time shall include adequate space specified by the child's age as follows:
(a) For an infant:
1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;
2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:
a. Weekly; or
b. Immediately if it is soiled or wet;

Findings:

General: Based on observation, an infant (date of birth: 10/26/16), was not provided a crib for sleep on 04/20/17. Interview determined the crib was in storage.

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 and interview, three (3) children on 04/12/17; three (3) children on 04/05/17; three (3) children on 04/03/17; two (2) children on 03/21/17; two (2) children on 03/14/17; one (1) child on 04/07/17, and one (1) child on 03/03/17, did not have a documented departure time. Also, one (1) child on 03/22/17, did not have a documented arrival time.

Signature of Provider/Representative

Title

Date