



Andy Beshear
GOVERNOR

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

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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Trib Ball "Free to Learn" Daycare	Provider Information	License No: L352579
Provider Address: 801 West 5th Street, Owensboro, KY, 42301	Provider Type: LICENSED TYPE I	Capacity: 175
Owner(s): H. L. Neblett Community Center, Inc.		Director(s): Ware, Carol Ann

Inspection Type: Investigation	Inspection Information	Inspection No: 138884
Visit Start Date: 01/06/2015 8:30 AM	Visit End Date: 01/06/2015 12:15 PM	
No. of Children Present:		

Inspection Report	
Supervision	
5 - Children Supervised	Not 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; Findings: General: Based on interviews and review of documentation, a caregiver left a four (4) year old child alone for about five minutes on 09/10/14. The director stated the child was asleep and the caregiver left the child inside the classroom while she took the other children outside to play.	

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 interviews, one (1) caregiver supervised seven (7) to eight (8) toddler children two (2) times a week during the morning time and rest time (exact dates unknown).

General Administration

115 - Reports to Cabinet

Not In Compliance

922 KAR 2:110. Section 6. 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;

(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 or abuse;

(d) An incident involving fire or other emergency, including a vehicular accident when the center is transporting a child receiving child care services; or

(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.

Findings:

General: Based on interviews, a child was diagnosed with Shigella on 12/26/14 and the parent notified the center on 12/26/14. Review of documentation determined the center notified the cabinet on 12/30/14.

Director Requirements

250 - Staff Management/Policy Development/Supervision

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:

(e) Manage the staff in their individual job descriptions;

(f) Develop child-care center plans, policies, and procedures;

(g) Supervise staff conduct to ensure implementation of program policies and procedures;

Findings:

General: Based on interviews, two sibling children had diarrhea and a fever of 101 degrees Fahrenheit prior to the 2014 Christmas break (exact date was unknown). The director stated the children were sent home on the same day but were allowed to return to the center the next day which was within twenty-four (24) hours. The center's policy stated if a child had nausea/vomiting/diarrhea then the child could return after symptoms have stopped for 24 hours. If a child had chills/fever of 101 degrees or above, then the child had to be absent for at least 24 hours. Also, any child picked up from the center past 12 noon would not be allowed to return the next day.

265 - Health, Safety, Comfort

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;

Employee Records

300 - Background checks/left alone

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.

Signature of
Provider/Representative

Title

Date