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Inspection Report

Provider Name: ABC Child Care & Learning Center	Provider Information	License No: L356629
Provider Address: 205 Churchill Drive, Richmond, KY, 40475	Provider Type: LICENSED TYPE I	Capacity: 395
Owner(s): Et II, Inc.		Director(s): Ernst, Stephanie

Inspection Type: Investigation	Inspection Information	Inspection No: 127837
Visit Start Date: 10/02/2014 9:30 AM	Visit End Date: 10/15/2014 9:10 AM	
	No. of Children Present: 155	

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;	
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 interview and record review, staff at the child care center discovered a bruise on a child's pelvic area. The director was notified of this and a report was not made pursuant to KRS 620.030 which requires that "any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately cause an oral or written report to be made to a local law enforcement agency or the Department of Kentucky State Police; the cabinet or its designated representative; the Commonwealth's attorney or the county attorney; by telephone or otherwise. Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation".	
Director Requirements	
265 - Health, Safety, Comfort	In Compliance

Inspection Report

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;

270 - Parent Notification

In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.

- (1) Effective with the adoption of this administrative regulation, a director shall:
- (m) Notify the parent immediately of an accident or incident requiring medical treatment of a 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.

305 - Background checks/discharged

In Compliance

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.

310 - Personnel File

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;

315 - Educational Requirements

In Compliance

Inspection Report

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;

320 - TB Verification

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.

Outdoor Play Area

675 - Fence Requirement

In Compliance

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

(20) An outdoor play area shall be:

- (a) Except for an after-school child-care program, located on the premises of a public or state-accredited nonpublic school, fenced for the safety of the children;

690 - Playground Conditions

In Compliance

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

(20) An outdoor play area shall be:

- (d) Safe from foreseeable hazard;
- (e) Well drained;
- (f) Well maintained;
- (g) In good repair; and
- (h) Visible to staff at all times.

705 - Infant/Toddler Outdoor Space

In Compliance

922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.

(4) If a child-care center provides an outdoor play area for an infant or toddler, the outdoor area shall be:

- (a) Shaded; and
- (b) A separate area or scheduled at a different time than an older child.

Equipment

760 - Indoor/Outdoor Equipment

In Compliance

922 KAR 2:120. Section 11. Toys and Furnishings.

(2) Indoor and outdoor equipment shall:

- (a) Be clean, safe, and in good repair;
- (b) Meet the physical, developmental needs, and interests of children of different age groups;
- (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and
- (d) Be designed to guard against entrapment or situations that may cause strangulation.

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, an immunization certificate that was not current after 9/23/14 was presented for review for a child (date of enrollment - 4/18/14).

1075 - Enrollment Information

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;

Signature of
Provider/Representative

Title

Date