



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
Eastern Branch
455 Park Place, Suite 120A
Lexington, KY 40511

Adam Mather
INSPECTOR GENERAL

Phone: (859) 246-2301 Fax: (859) 246-2307
<https://chfs.ky.gov/agencies/os/oig>

Inspection Report

Provider Name: Carter Childcare West	Provider Information	CLR No: L384186
Provider Address: 333 Warrior Drive, Olive Hill, KY, 41164	Provider Type: LICENSED TYPE I	Capacity: 47
Owner(s): Carter Childcare & Early Learning Center Limited Liability Company		Director(s): Messer, Haleigh

Inspection Type: Renewal Application	Inspection Information	Inspection No: 321278
Date Initiated: 07/07/2022 10:00 AM	Date Concluded: 07/07/2022 11:55 AM	
	No. of Children Present: 28	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
225 - 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. The surveyor toured the Two-Year-Old classroom and observed two children pick up sippy cups off the floor and drink from them. The surveyor observed six sippy cups partially full of milk lying randomly on the floor throughout the classroom. This is not a sanitary method of storage for the sippy cups.	
Director Requirements	Not In Compliance
360 - 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, one staff eligible for an annual performance review did not have current documentation of a review on file at the facility. The documentation on file was dated 2020.	

395 - 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 seven staff that did not have the date of employment listed in their file. The staff person in charge reviewed information on her computer and then verbally identified the dates 6/8/21, 5/3/21, 10/6/21, 3/15/22, 6/27/22, 5/31/22, and 12/30/19, as the hire dates. However, the dates of hire were not maintained in the personnel files.

It is important to note that a second administrative staff person arrived during the inspection and stated that hire dates were listed on each staff person's W2 form; however, a review of this documentation found that the dates listed on the W2 form did not match the hire dates presented from the computer. Furthermore, some staff did not have a W2 form present in their file.

400 - 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, one staff person (hire date: 5/31/22) did not have educational documentation on file.

405 - TB Verification

Not In Compliance

922 KAR 2:090. Section 11. 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, this regulatory requirement was not met. The following was found:

1. Two staff files (both hired on 11/27/19) contained results of negative T.B. tests that are no longer current. The tests were dated 10/28/19, and 11/15/19, which exceeds the two year time frame.
2. One staff person (hire date: 5/2/22) did not have T.B. documentation on file at the facility.

415 - CPR/First Aid Required Training

Not In Compliance

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

(8) Each center shall ensure that every staff member has received training on first aid and cardiopulmonary resuscitation (CPR).

Findings:

General: Based on review of documentation, two staff (hire dates: 5/3/21 and 3/15/22) did not have evidence of completing CPR/First Aid training on file at the facility. A review of ECE-TRIS records supports the information found during the survey.

435 - 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. Four staff (hire dates: 6/8/21, 5/3/21, 3/15/22, and 12/30/19) did not complete the required Orientation training. These staff have been employed for more than three months.
2. One staff person (hire date: 10/6/21) did not take the Orientation training within three months of employment. The course was taken 5/12/22.
3. Four staff (hire dates: 11/27/19, 6/8/21, 5/3/21, and 12/30/19) did not complete the required 15 hours of cabinet-approved training hours between 7/1/2021 and 6/30/22.
4. Two staff (hire dates: 6/8/21 and 5/3/21) did not complete the required PAHT training. These staff have been employed for more than one year.

Programming

Not In Compliance

455 - 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 and 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, this regulatory requirement was not met. The children in the Two-Year-Old classroom were not engaged in any discernable activities and the classroom was very chaotic. The surveyor briefly walked through the classroom with the staff person in charge to get to the infant/toddler classroom and observed a child standing on a chair by the gate used to separate the Two-Year-Old classroom from the Infant/Toddler classroom. The surveyor toured the classroom a few minutes later and observed children wondering aimlessly around the room. The children were fighting with each other, throwing toys, ripping pages out of books, picking sippy cups up off the floor and drinking from them, and climbing on top of the nap mat storage cart in the back corner of the classroom. Although some activities were observed, there was not enough to provide adequate programming to promote the individual child's physical emotional, social, and intellectual growth.

465 - Electronic Viewing/Listening Devices

Not In Compliance

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

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

(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 the following:

12. The use of screen time, electronic viewing and listening devices if the:

- a. Material is developmentally appropriate to the child using the equipment;**
- b. Material is not a replacement for active play or a substitute for engagement and interaction with other children and adults;**
- c. Material does not include any violence, adult content viewing, or inappropriate language;**
- d. Child is over twenty-four (24) months of age;**
- e. Viewing or listening is discussed with parents beforehand; and**
- f. Viewing or listening is designed as an educational tool used to help children explore, create, problem solve, interact, and learn with and from one another.**

(5) Screen time shall be:

(a) Utilized for:

- 1. A maximum of thirty (30) minutes per day in a half-day program;**
- 3. The time needed for school-age children to complete assigned non-traditional instruction; and**
- (b) Prohibited for a child under twenty-four (24) months of age.**

(6) A child who does not wish to use an electronic device during the planned program shall be offered other appropriate activities.

Findings:

General: Based on review of documentation and observation, this regulatory requirement was not met. The surveyor observed cartoons being shown on televisions in the Infant/Toddler classroom and the Preschool/School-Age classroom during the visit. A review of the daily schedules and lesson plans posted in the classrooms found that the television shows being watched by the children were not specifically selected to enhance the planned activities/curriculum. Therefore, they were not used as a part of the child's planned program of activity. Furthermore, children in the Infant/Toddler classroom were all under 24 months of age; therefore, watching television is not age appropriate.

Premises

Not In Compliance

585 - 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. The door knob was missing from a storage closet door in the Two-Year-Old classroom.

605 - Building Requirements

Not In Compliance

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

(5) The building shall be constructed to ensure the:

(a) Building is:

- 1. Dry;**
- 2. Ventilated; and**
- 3. Well lit, including clean light fixtures that are:**
 - a. In good repair in all areas; and**
 - b. Shielded or have shatter-proof bulbs installed; and**

(b) Following are protected:

- 1. Windows;**
- 2. Doors;**
- 3. Stoves;**
- 4. Heaters;**
- 5. Furnaces;**
- 6. Pipes; and**
- 7. Stairs.**

Findings:

General: Based on observation, this regulatory requirement was not met. Numerous dead insects were observed in two ceiling light fixtures in the children's bathroom located close to the School-Age classroom.

660 - Indoor Gross Motor Space Requirements

Not In Compliance

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

(22) If a child-care center does not have access to an outdoor play area, an indoor space shall:

- (a) Be used as a play area;**
- (b) Have a minimum of sixty (60) square feet per child, separate from and in addition to the thirty-five (35) square feet minimum pursuant to subsection (6) of this section;**
- (c) Include equipment for gross motor skills; and**
- (d) Have a protective surface of at least two (2) inches thick around equipment intended for climbing.**

Findings:

General: Based on observation and interview, this regulatory requirement was not met. The surveyor observed two slides with steps positioned on carpet in the gross motor room. The staff person in charge stated that they purchased two inch thick mats to use under equipment in the gross motor room; however, the mats were not present in the gross motor room during the visit.

Inspection Report

Hygienic Practices

Not In Compliance

700 - Child Personal Care/Handwashing

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

(4) A child shall:

- (a) Be helped with personal care and cleanliness based upon his or her developmental skills;**
- (b) Except as established in paragraph (c) of this subsection, wash his or her hands with liquid soap and warm running water:**
 - 1. a. Upon arrival at the center; or**
 - b. Within thirty (30) minutes of arrival for school-age children;**
 - 2. Before and after eating or handling food;**
 - 3. After toileting or diaper change;**
 - 4. After handling animals;**
 - 5. After touching an item or an area of the body soiled with body fluids or wastes; and**
 - 6. After outdoor or indoor play time; and**

(c) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (b) of this subsection. The child shall wash the child's hands as soon as practicable once liquid soap and warm running water are available.

Findings:

General: Based on observation, this regulatory requirement was not met. The surveyor observed one child in the Two-Year-Old classroom get their diaper changed and return to the group without washing their hands with liquid soap and running water.

705 - Staff Hygiene/Handwashing

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

(5) Staff shall:

- (a) Maintain personal cleanliness;**
- (b) Conform to hygienic practices while on duty;**
- (c) Except as established in paragraph (d) of this subsection, wash their hands with liquid soap and running water:**
 - 1. Upon arrival at the center;**
 - 2. After toileting or assisting a child in toileting;**
 - 3. Before and after diapering each child;**
 - 4. After wiping or blowing a child's or own nose;**
 - 5. After handling animals;**
 - 6. After caring for a sick child;**
 - 7. Before and after feeding a child or eating;**
 - 8. Before dispensing medication;**
 - 9. After smoking or vaping; and**
 - 10. If possible, before administering first aid; and**

(d) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (c) of this subsection. The staff shall wash the staff's hands as soon as practicable once liquid soap and warm running water are available.

Findings:

General: Based on observation, this regulatory requirement was not met. The surveyor observed a staff person working in the Two-Year-Old classroom change a child's diaper during the visit. The staff person did not wash her hands before or after changing the child's diaper.

740 - Diapering Practice

Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.

(12) Staff shall disinfect the diapering surface after each child is diapered.

(13) If staff wears disposable gloves, the gloves shall be changed and disposed after each child is diapered.

Findings:

General: Based on observation, this regulatory requirement was not met. The surveyor observed a staff person in the Two-Year-Old classroom change a child's diaper at the diaper changing table and then allow the child to return playing in the classroom. The staff person did not disinfect the diapering surface after the diaper change.

First Aid/Medication

In Compliance

Outdoor Play Area

Not Applicable

Equipment

In Compliance

Transportation

Not Applicable

Kitchen Requirements

Not In Compliance

1065 - Bottles

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(9) Bottles shall be:

- (a) Individually labeled;**
- (b) Promptly refrigerated;**
- (c) Covered while not in use; and**
- (d) Consumed within one (1) hour of being heated or removed from the refrigerator.**

Findings:

General: Based on observation, this regulatory requirement was not met. The surveyor observed two infant bottles being stored in a refrigerator in the kitchen that were not labeled with a child's name.

Food Service

In Compliance

Inspection Report

Meal Planning/Center Provides Meals
Meal Planning/Center Does Not Provide Meals
Children's Records

In Compliance
In Compliance
Not In Compliance

1245 - 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, this regulatory requirement was not met. The following was found:

1. One child (enrollment date: 5/30/20) had an immunization certificate on file that was no longer current as of 2/27/22.
2. One child (enrollment date: 4/15/22) did not have an immunization certificate on file.

1250 - Enrollment Information

Not In Compliance

922 KAR 2:090. Section 9. 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 a 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 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, three of the children's files/enrollment documentation did not contain information for the family's preferred hospital. These children enrolled on 3/7/22, and two on 11/8/21.

Written Documentation

Not In Compliance

1280 - 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, one staff person eligible for a staff professional development plan did not have documentation of a plan on file. The hire date for this staff was 11/27/19.

1285 - 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. A review of the emergency drill log found that a fire drill was not conducted during the month of June 2022; therefore, drills were not conducted monthly.

Inspection Report

1305 - Fire Drills

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

- (12) A fire drill shall be:
 - (a) Conducted during hours of operation at least monthly; and
 - (b) Documented.
- (13) An earthquake drill, shelter-in-place or lockdown drill, and tornado drill shall be:
 - (a) Conducted during hours of operation at least quarterly; and
 - (b) Documented.

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 lockdown drills conducted at the facility.

Posted Documentation

Not In Compliance

1310 - Posting Requirements

Not In Compliance

922 KAR 2:090. Section 8. General.

- (6) 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) The provider's preliminary or regular license;
 - (b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;
 - (c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;
 - (d) Information on the Kentucky Consumer Product Safety Program and the program's Web site as specified in KRS 199.897;
 - (e) 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;
 - (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and
 - (g) Daily planned program.

Findings:

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

- 1.) A letter from the DRCC office stating the facility had submitted an acceptable plan of correction and would be recommended for renewal was posted; however, the statement of deficiency and plan of correction from the 6/30/21, post-preliminary inspection was not posted.
- 2.) The Infant/Toddler classroom had a daily planned program of activities (lesson plan) posted; however, no dates were listed.

Animals

In Compliance

Signature of Provider/Representative

Title

Date