



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

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Kinder Care Learning Center #963	Provider Information	CLR No: L353073
Provider Address: 3199 Custer Drive, Lexington, KY, 40517	Provider Type: LICENSED TYPE I	Capacity: 157
Owner(s): Kindercare Learning Centers LLC		Director(s): Kennedy, Pamela

Inspection Type: Renewal Application	Inspection Information	Inspection No: 293701
Date Initiated: 07/22/2020 9:08 AM	Date Concluded: 07/22/2020 11:45 AM	
	No. of Children Present: 61	

Inspection Report	
Background Checks	Not In Compliance
20 - Out of state background checks	Not In Compliance
922 KAR 2:280. Section 5. Checks of Other States. (1) In accordance with 45 C.F.R. 98.43(b)(3), a prospective child care staff member who resides in or has resided in another state within the last five (5) years shall: (a) Request from each state of current or prior residency, in accordance with the state's laws, policies, and procedures, with a courtesy notice to the cabinet: 1. An in-state criminal records check by: a. Means of fingerprints for the state of residence; or b. Any means accepted by a state of prior residency; 2. A check of the state's sex offender registry or repository; and 3. A check of the state-based child abuse and neglect registry and database; and (b) Direct results of the checks required in paragraph (a) of this subsection to the Department for Community Based Services, Division of Child Care, 275 East Main Street, 3C-F, Frankfort, Kentucky 40601. Findings: General: Based on review of documentation, observation and interview, this regulatory requirement was not met. One staff person (hire date: 11/25/19) that was observed working alone with children in the Pre-K Classroom during the visit, did not have documentation of an out of state background check from Ohio. This staff person had a copy of an Ohio Driver's License in her file. The staff person in charge stated during interview that she thought an out of state check was included in the new KARES background check; therefore, did not request a separate check from Ohio.	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance

Inspection Report	
Director Requirements	Not In Compliance
350 - Health, Safety, Comfort	Not In Compliance
922 KAR 2:090. Section 10. Director Requirements and Responsibilities. (1) A director shall: (l) Assure the health, safety, and comfort of each child;	
Findings: General: Based on observation, this regulatory requirement was not met. The following was found: 1. During a tour of the facility, the surveyor observed that the roll of toilet paper that the children use in three different bathroom areas (School Age Classroom, Preschool B Classroom, and Pre-K Classroom) is stored in an unsanitary manner; positioned on top of the dispenser. 2. The roll of paper towels that the staff and children use in the Discovery Preschool A Classroom is stored in an unsanitary manner, positioned on top of a shelf in the diaper changing area. These methods of storage promotes germs due to each staff person and/or child handling the roll. 3. The surveyor observed an uncovered electrical outlet on the baseboard in the school age classroom. Several wires were exposed and sticking out of the outlet.	
Employee Records	In Compliance
Programming	In Compliance
Premises	Not In Compliance
580 - Floors, Walls, Ceilings	Not In Compliance
922 KAR 2:120. Section 4. Premises Requirements. (9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.	
Findings: General: Based on observation, this regulatory requirement was not met. The following was found: 1. The baseboard around the stage area in the school age classroom contained numerous areas of chipped paint. 2. The children's bathroom in the Pre-K classroom contained three ceiling tiles with dark stains. 3. A ceiling vent in the storage room between the Preschool B Classroom and the Pre-K Classroom contained a black residue all over the surface of the vent and part of the ceiling around it.	
650 - Toilet	Not In Compliance
922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements. (4) Each toilet shall: (a) Be kept in clean condition; (b) Be kept in good repair; (c) Be in a lighted room; and (d) Have ventilation to outside air.	
Findings: General: Based on observation and interview, this regulatory requirement was not met. During a tour of the children's bathroom in the Preschool A Classroom, the surveyor observed one toilet that was in disrepair. The toilet was covered up with a plastic bag; therefore, not in use. Staff stated during interview that it clogged up after a child used it the previous day.	
Hygienic Practices	Not In Compliance
680 - Soiled Diapers/Clothing	Not In Compliance
922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements. (8) Diapers or clothing shall be: (a) Changed when soiled or wet; (b) Stored in a covered container temporarily; and (c) Washed or disposed of at least once a day.	
Findings: General: Based on observation, this regulatory requirement was not met. During a tour of the Discovery Preschool A Classroom, the surveyor observed a uncovered trash can in the diapering area that contained soiled diapers.	
First Aid/Medication	In Compliance
Outdoor Play Area	In Compliance
Equipment	Not In Compliance
815 - Toys/Furniture	Not In Compliance
922 KAR 2:120. Section 11. Toys and Furnishings. (1) All toys and furniture contacted by a child shall be: (a) Kept clean and in good repair; and (b) Free of peeling, flaking, or chalking paint.	
Findings: General: Based on observation, this regulatory requirement was not met. During a tour of Preschool A Classroom, the surveyor observed a blue, child-size couch and chair that had holes in the vinyl surface material.	

Inspection Report	
Transportation	Not Applicable
Food Service/Food Program	In Compliance
Food Service	Not In Compliance
1025 - Refrigerator	Not In Compliance
922 KAR 2:120. Section 8. Kitchen Requirements. (4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall: (a) Have an indicating thermometer or other appropriate temperature measuring device; (b) Be in a safe environment for preservation; and (c) Be forty (40) degrees Fahrenheit or below.	
Findings: General: Based on observation, this regulatory requirement was not met. During a tour of the lower level of the building, the surveyor observed two small refrigerators in the hallway that contained cartons of milk. These refrigerators did not have an indicating thermometer.	
Children's Records	
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's file had an immunization certificate that did not have the required information (expiration date); therefore, it could not be determined whether or not the immunization certificate was current.	
1140 - 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, this regulatory requirement was not met. The following was found: 1. One child's file/enrollment documentation did not contain information for the family's preferred hospital. 2. One child's file/enrollment documentation did not have physician contact information and information for the family's preferred hospital.	
Written Documentation	
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. A review of the 2020 Disaster Drill log during the visit found the following: 1. It was documented that an earthquake and a tornado drill was conducted during the months of January, February and March; however, the specific dates of the drills were not documented. 2. It was documented that an earthquake and a tornado drill was conducted on 6/17/20 at 10:10AM. Therefore, they were done together; not separate.	
Posted Documentation	
Animals	
In Compliance	
Not Applicable	

Signature of Provider/Representative

Title

Date