



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

Adam Mather
INSPECTOR GENERAL

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

Inspection Report

Provider Name: Owensboro Family YMCA Afterschool	Provider Information	CLR No: L353890
Provider Address: 900 Kentucky Parkway, Owensboro, KY, 42301	Provider Type: LICENSED TYPE I	Capacity: 99
Owner(s): Family Y Of Owensboro-daviess County, Inc.		Director(s): Lipscomb, Samantha Ann

Inspection Type: Renewal Application	Inspection Information	Inspection No: 247319
Date Initiated: 12/18/2018 10:45 AM	Date Concluded: 12/19/2018 11:45 AM	
	No. of Children Present: 7	

Inspection Report	
Background Checks	Not In Compliance
5 - Background check/left alone/dismissed/relocated	Not In Compliance
<p>922 KAR 2:280. Section 3. Implementation and Enforcement.</p> <p>(1) A person who is a child care staff member prior to January 1, 2018, shall submit to and complete background checks in accordance with this administrative regulation no later than September 30, 2018.</p> <p>(2) A child care staff member hired on or after April 1, 2018, shall:</p> <p>(a) Have completed the background checks required in accordance with this administrative regulation and been found to have no disqualifying offense prior to becoming a child care staff member; or</p> <p>(b) 1. Have submitted to the background checks required in accordance with this administrative regulation;</p> <p>2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and</p> <p>3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.</p> <p>Findings:</p> <p>General: Based on Review of Documentation, a caregiver hired on 10/6/16, and a driver hired on 1/9/17, had not submitted to and obtained background checks prior to 09/30/18.</p>	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
290 - Fire Marshal/Zoning Compliance	Not In Compliance
<p>922 KAR 2:120. Section 4. Premises Requirements.</p> <p>(2) A child-care center shall be in compliance with the State Fire Marshal and the local zoning laws.</p> <p>Findings:</p> <p>General: Based on Interview, there was no documentation of a fire marshal's report.</p>	
Director Requirements	Not In Compliance
340 - Staff Meeting	Not In Compliance
<p>922 KAR 2:090. Section 10. Director Requirements and Responsibilities.</p> <p>(1) A director shall:</p> <p>(i) Conduct, manage, and document in writing recurring staff meetings;</p> <p>Findings:</p> <p>General: Based on Interview, there was no documentation of staff meetings.</p>	

Inspection Report

345 - 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, four (4) caregivers, hired on 8/15/15, 5/16/16, 11/25/16, 1/9/17, and two (2) caregivers each hired on 5/18/15, did not have an evaluation on file.

Employee Records

Not In Compliance

390 - 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, four (4) caregivers hired on 11/30/18, 11/9/18, 9/26/18, 7/30/18, and two (2) caregivers each hired on 7/20/18, did not have documentation of education on file.

395 - 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, five (5) caregivers hired on 11/30/18, 7/20/18, 11/9/18, 5/18/15, 7/30/18, and a driver hired on 1/9/17, had no TB documentation on file. A caregiver hired on 10/6/16 had a TB skin test on file dated 9/22/16. Also, a caregiver hired on 11/25/16, had a TB skin test on file dated 12/1/16.

400 - CPR/First Aid Coverage

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

- (3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:

- (a) Infant and child cardiopulmonary resuscitation; and

- (b) Infant and child first aid.

- (4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:

- (a) Adult cardiopulmonary resuscitation; and

- (b) First aid.

Findings:

General: Based on Observation, a driver hired on 9/26/18, was not certified in first aid and CPR. Interview determined the driver was a lone driver and drove the center's vehicle during the month of December 2018.

410 - 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 within the first three (3) months of employment;

- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment, including one and one-half (1 1/2) hours of cabinet-approved pediatric abusive head trauma training; and

- (c) Fifteen (15) hours of cabinet-approved early care and education training during each subsequent year of employment, including one and one-half (1 1/2) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.

Findings:

General: Based on Review of Documentation, a caregiver hired on 8/18/15, had not completed the Pediatric Abusive Head Trauma Training and lacked twelve (12) hours of training; three (3) caregivers hired on 5/16/16, 5/18/15, and 1/9/17, each lacked fifteen (15) hours of training; a caregiver hired on 5/18/15, lacked ten and a half (10 1/2) hours of training; a caregiver hired on 11/25/16, lacked thirteen and a half (13 1/2) hours of training; two (2) caregivers hired on 1/1/18, 7/30/18 respectively, and two caregivers hired on 7/20/18, had not completed the six (6) hours orientation training.

415 - Driver Requirements

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(18) A driver of a vehicle transporting a child for a center shall:

- (a) Be at least twenty-one (21) years old;**
- (b) Complete:**
 - 1. The background checks as described in 922 KAR 2:280; and**
 - 2. An annual check of the:**
 - a. Kentucky driver history records in accordance with KRS 186.018; or**
 - b. Driver history records through the state transportation agency that issued the driver's license;**
- (c) Hold a current driver's license which has not been suspended or revoked during the last five (5) years; and**
- (d) Not caused an accident which resulted in the death of a person.**

Findings:

General: Based on Review of Documentation, a driver hired on 5/18/15, had a driver's history record dated 11/23/16. Also, a driver hired on 1/9/17, did not have a driver's history record on file. Interview with the director determined the driver hired on 1/9/17, drives daily.

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, five (5) ceiling vents were dusty in the school-age room. There were dark stained spots on a multicolored area rug located in the preschool room. In addition, there were fine particles of lint/paper scattered across the area rug. Also, peeling plaster was on a wall above a sink in the preschool room.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

760 - Fences

Not In Compliance

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

(23) Fences shall be:

- (a) Constructed of safe material;**
- (b) Stable; and**
- (c) In good condition.**

Findings:

General: Based on Observation, a fork latch was missing from the gate on the playground. Interview determined there was previously a chain and lock on the gate to ensure it was closed.

Equipment

Not In Compliance

820 - Indoor/Outdoor Equipment

Not 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.**

Findings:

General: Based on Observation, the van's floor was covered with candy wrappings, wadded paper, and crayons located in the 2008 Chevrolet Van. The van's floor was covered with candy wrappings, wadded paper, and a rusty C-clamp in the 1999 Chevrolet Van. The cover and release button was missing off a seatbelt located on the first row of the 2008 Chevrolet Van. There were holes torn in the back seat coverings which exposed the seat's foam and metal parts located on the first, second, and third rows in the 1999 Chevrolet Van.

Transportation

Not In Compliance

880 - Vehicle Equipment

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(4) A vehicle used to transport children shall be equipped with:

- (a) A fire extinguisher;**
- (b) First aid supplies as established in Section 7 of this administrative regulation;**
- (c) Emergency reflective triangles; and**
- (d) A device to cut the restraint system, if necessary.**

Findings:

General: Based on Observation, there was no first aid supplies in the 1999 and 2008 Chevrolet Vans.

Inspection Report

890 - Vehicle Inspection Documentation

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(6) A vehicle used to transport children shall comply with the requirements established in paragraphs (a) through (d) of this subsection.

(a) For a twelve (12) or more passenger vehicle, the child-care center shall maintain a current certification of inspection from the Transportation Cabinet.

Findings:

General: Based on Observation, the vehicle inspection was dated 12/28/15 on the 1999 Chevrolet Van. Also, there was no vehicle inspection documentation for the 2008 Chevrolet Van.

910 - Car Seats

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(7) The appropriate car safety seat meeting federal and state motor vehicle safety standards in 49 C.F.R. 571.213 and KRS 189.125 shall be used for each child.

Findings:

General: Based on Observation, a Dorel Juvenile Group Car Seat had a label which indicated not to use after 2015. This car seat was located in the 2008 Chevrolet Van. A Dorel Juvenile Group Car Seat and a Harmony Juvenile Products Car Seat each had a label which indicated not to use after 2015. The car seats were located in the 2008 Chevrolet Van and the 1999 Chevrolet Van.

960 - Children's Transportation Records

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(17) Transportation services provided shall:

(a) Be recorded in writing and include:

- 1. The first and last name of the child transported; and
- 2. The time each child gets on and the time each child gets off;

(b) Be completed by a staff member other than the driver; and

(c) Be kept for five (5) years.

Findings:

General: Based on Review of Documentation, there was no documented time each child got on and off the van at Highland, Deer Park, Newton Parrish, and Sutton on 12/17/18; there was no documented time each child got on and off the van at Newton Parrish on 10/29/18; there was no documented time each child got on and off the van at Highland, Deer Park, Newton Parrish, and Sutton during the weeks of 10/1/18, 10/15/18, and 10/22/18, and there was no documented time each child got on and off the van at Burns, Tamarack, and Sutton during the weeks of 10/1/18, 10/22/18, 10/29/18, and 11/5/18.

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

Not In Compliance

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, two (2) children, both enrolled on 8/14/18, did not include the name of their physician and the physician's contact number in the enrollment information.

Written Documentation

Not In Compliance

1170 - 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, two (2) caregivers hired on 5/16/16, 10/6/16, and two (2) caregivers each hired on 5/18/15, did not have a professional development plan on file.

Inspection Report

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 Interview, the documentation was not available for review for the school age and preschool fire drills conducted during February through May 2018. Documentation was not available for review for the school age earthquake and tornado drills conducted during the first, second, and third quarters of 2018. Also, documentation was not available for review for the preschool earthquake and tornado drills conducted during the first and second quarters of 2018. Interview with the director determined the drills were conducted and documented but the documentation had been filed and could not be retrieved.

1195 - 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 and a tornado drill shall be:

- (a) Conducted during hours of operation at least quarterly; and
- (b) Documented.

Findings:

General: Based on Interview, the documentation was not available for review for the school age and preschool fire drills conducted during February through May 2018. Documentation was not available for review for the school age earthquake and tornado drills conducted during the first, second, and third quarters of 2018. Documentation was not available for review for the preschool earthquake and tornado drills conducted during the first and second quarters of 2018. Interview with the director determined the drills were conducted but the documentation had been filed and could not be retrieved. Also, there was no documentation of a preschool fire drill conducted during August 2018.

Posted Documentation

Not In Compliance

1215 - Daily Activities

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) A director shall:

- (h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;

Findings:

General: Based on Observation, the posted schedule of daily activities was dated August 2017 - May 2018 in the preschool room.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date