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Inspection Report

Provider Name: A Treasure Chest	Provider Information	License No: L358033
Provider Address: 2872 Valley Creek Road, Elizabethtown, KY, 42701	Provider Type: LICENSED TYPE I	Capacity: 33
Owner(s): Trombley, Marcella		Director(s): Trombley, Marcella

Inspection Type: Investigation	Inspection Information	Inspection No: 215657
Visit Start Date: 05/24/2016 3:00 PM	Visit End Date: 05/24/2016 5:45 PM	
	No. of Children Present: 32	

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 Observation, and interview, the child care center failed to maintain adequate supervision in accordance with regulatory requirements. Observation of the child care center on 05/24/16 from 3:30 PM to 4:30 PM revealed a thirteen-year old child with an unknown enrollment date, asleep in the gross motor room without adequate supervision. Interview with the child care center director revealed the teenage child rides the bus to the child care center and waits in the gross motor room for his foster father to pick him up. The child care center director also provided a written statement with regard to the attendance of the older foster children in her care to include the thirteen-year old.

Staffing Requirements

35 - Adequate Adults/Qualified Staff

Not In Compliance

922 KAR 2:110. Section 5. Staff Requirements.

- (10) The minimum number of adult workers in a child-care center shall be sufficient to ensure that:**
- (a) Minimum staff-to-child ratios in accordance with 922 KAR 2:120 are followed;**
 - (b) Each staff person under eighteen (18) years of age and each student trainee are under the direct supervision of a qualified staff person who meets the requirements of this section; and**
 - (c) Unless providing care with a qualified staff person, a person under the age of eighteen (18) shall not be counted as staff for the staff-to-child ratio.**

Findings:

General: Based on Review of Documentation, and interview, the child care center failed to comply with staffing requirements in regards to a person under eighteen-years-old, with an unknown hire date, providing care to children without being under the direct supervision of a qualified staff member. Review of documentation and interview with staff, volunteers and children, through the assistance of Child Protective Services, confirmed staff role in the infant room of the center and that referenced individual worked alone at times. Interview with staff revealed he/she worked alone with infants without qualified staff present.

40 - Ratios and Group Size

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.**

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 Review of Documentation, and interview, the child care center failed to comply with regulatory requirements with regard to reporting child abuse or neglect. Record review of Intake information received on 05/20/16 revealed a report of child abuse or neglect that had been accepted by the cabinet in accordance with 922 KAR 1:330 and named the director and a volunteer staff person, who was under eighteen (18) years of age and was alleged to have unsupervised contact with a child in care as the alleged perpetrators. Intake information revealed the abuse was reported from an outside source other than the child care center. Interviews revealed the volunteer staff person was allowed to work alone with children in the child care center without qualified staff present and that the child care center director was made aware of the alleged abuse. In addition, interview with the child care center director revealed she had knowledge of the alleged abuse prior to the initiation of an investigation by CPS and OIG and failed to report it.

125 - Confidential Information

Not In Compliance

922 KAR 2:110. Section 2. General.

(3) Information concerning a child or the child's parent shall be kept in strict confidence by child-care center staff, except as otherwise required by law.

Findings:

General: Based on Review of Documentation, and interview, the child care center failed to comply with regulatory requirements with regard to confidentiality of information. Record review revealed copies of parent or authorized pick-up information in the form of driver's licenses posted in a conspicuous location that would not promote protection of confidential information of said individuals. Exit interview with the child care center designated person in charge revealed acknowledgement of deficient practice.

135 - Resident Interference

Not In Compliance

922 KAR 2:110. Section 2. General.

(6) An activity of a person living in a child-care center that is a dwelling unit shall not interfere with the child-care center program.

Findings:

General: Based on Observation, interview and record review, the child care center failed to comply with regulatory requirements with regard to resident interference. Observation of the child care center revealed entrance to the upstairs area can only be obtained through the front or back door of the child care center. As there are no other methods of entry, it would appear that anyone, who resided in the upstairs area, would have to cross the child care center to gain access. Interview with the child care center staff in charge revealed the assistant director, her boyfriend and their toddler, resided upstairs. The staff also stated in order for the residents to gain access to the upstairs area, the use of the front and back doors of the child care center must be used. Review of DRCC records revealed hours of operation of the child care center were Monday through Saturday, 12 AM to 11:59 PM and Sunday from 1:00 PM to 8:00 PM.

Inspection Report

225 - Sick Child Exclusion

Not In Compliance

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

(2) A child showing signs of an illness or condition that may be communicable shall not be admitted to the regular child-care program.

Findings:

General: Based on Observation, interview and record review, the child care center failed to comply with regulatory requirements with regard to sick child exclusion. Observation revealed a child, who was allowed to attend the child care center with active head lice. Interview with CPS revealed the child had head lice for approximately two (2) months. Interview with the child revealed attendance at the child care center throughout the duration of infestation. The child stated he/she had not been seen by the physician. However, she was treated with olive oil and apple cider vinegar. Interview with the child care center director revealed the child care center's process for head lice infestation was that children infected "must see a physician" to be treated and provide documentation that the child is without infestation before returning to the child care center. She further stated she treated the bedding of the children at the child care center and put personal items in trash bags and placed them on the porch until the parents arrived to retrieve the items. Surveyor requested a copy of the child care center's policy and procedures with regard to head lice infestation and the child care center director presented a policy for the child care center which was in contradiction to her previous statement. Review of head lice policy revealed it was not required to see a physician but try several methods of treatment and return to the child care center at the director's discretion.

Outdoor Play Area

695 - Protective Surface

Not In Compliance

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

(21) A protective surface shall:

(a) Be provided for outdoor play equipment used to:

1. Climb;
2. Swing; and
3. Slide; and

(b) Have a fall zone equal to the height of the equipment.

Findings:

General: Based on Observation, and interview, the child care center failed to maintain the outdoor play area in accordance with regulatory requirements. Observation of the outdoor play area revealed insufficient protective surface coverage with regard to the slide, swing and climbing apparatus. Further observation revealed exposed surface dirt in these areas. Exit interview with the child care center director revealed acknowledgment of deficient practice.

Children's Records

1075 - Enrollment Information

Not 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;

Findings:

General: Based on Observation, record review and interview, the child care center failed to maintain children's records in accordance with regulatory requirements. Observation of the child care center on 05/24/16, revealed a thirteen-year old child with an unknown enrollment date, asleep in the gross motor room. Review of children's records revealed no documented evidence of written enrollment information. Interview with the child care center director revealed the thirteen-year old child was her foster child and she did not have enrollment documents.

Written Documentation

1095 - Daily Attendance Records

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

(c) Daily attendance records documenting the arrival and departure time of each child, including records that are required in accordance with 922 KAR 2:160, Section 13, if a child receives services from the child-care center through the Child Care Assistance Program;

Findings:

General: Based on Observation, record review and interview, the child care center failed to maintain written documentation in accordance with regulatory requirements. Observation of the child care center on 05/24/16 revealed thirty-two (32) children present in receipt of care. Review of the child care centers attendance records revealed twenty-four (24) children signed in to care. Exit interview with the child care center director revealed acknowledgement of deficient practice. Further interview with the child care director revealed she did not sign in her foster children.

Signature of
Provider/Representative

Title

Date