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Inspection Report

<b>Provider Name:</b> Our Lady of the Mountains Preschool	<b>Provider Information</b>	<b>CLR No:</b> L354145
<b>Provider Address:</b> 405 Third Street, Paintsville, KY, 41240	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 64
<b>Owner(s):</b> Catholic Diocese Of Lexington		<b>Director(s):</b> Andrews, Lorna M

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 217701
<b>Date Initiated:</b> 12/14/2016 11:05 AM	<b>Date Concluded:</b> 12/14/2016 12:30 PM	
	<b>No. of Children Present:</b> 21	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	Not In Compliance
<b>260 - Staff Evaluation</b>	<b>Not In Compliance</b>
<b>922 KAR 2:110. Section 4. Director Requirements and Responsibilities.</b> <b>(1) Effective with the adoption of this administrative regulation, a director shall:</b> <b>(j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;</b>	
<b>Findings:</b>	
General: Based on review of documentation, staff (DOH: 8/18/11) did not have an annual written performance evaluation.	
<b>275 - Caregiver Alone</b>	<b>Not In Compliance</b>
<b>922 KAR 2:110. Section 4. Director Requirements and Responsibilities.</b> <b>(1) Effective with the adoption of this administrative regulation, a director shall:</b> <b>(n) Assure that a person acting as a caregiver of a child in care shall not be left alone with a child, if the licensee has not received the results of the background checks as described in Section 3(1)(e)6 of this administrative regulation;</b>	
<b>Findings:</b>	
General: Based on interview, the director confirmed that staff (DOH: 9/6/16) has worked alone with children without a completed out of state criminal records check.	

**300 - Background checks/left alone**

**Not 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.**

**Findings:**

General: Based on review of documentation, the surveyor found that staff (DOH: 9/6/16) documented on their child abuse and neglect check that they have been a resident of Tennessee within the past five (5) years. The director confirmed that staff has worked alone with children without a completed out of state criminal records check.

**310 - Personnel File**

**Not 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;**

**Findings:**

General: Based on review of documentation, the surveyor found the following:

- (1.) According to staff's (DOH: 9/6/16) child abuse or neglect check, staff has been a resident of Tennessee within the past five (5) years. A criminal records check for the staff's previous state of residence was not completed.
- (2.) Staff's (DOH: 8/1/16, 8/11/16, 8/11/16, 9/6/16) file did not contain proof of educational qualifications.
- (3.) Staff's (DOH: 8/1/16, 8/11/16, 8/11/16, 9/6/16) file did not contain a statement from a healthcare professional to indicate that the staff is free of active tuberculosis.

**315 - Educational Requirements**

**Not In Compliance**

**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;**

**Findings:**

General: Based on review of documentation, the surveyor found that staff's (DOH: 8/1/16, 8/11/16, 8/11/16, 9/6/16) file did not contain a high school diploma, GED, or Commonwealth Child Care Credential.

**320 - TB Verification**

**Not 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.**

**Findings:**

General: Based on review of documentation, the surveyor found the staff's (DOH: 8/1/16, 8/11/16, 8/11/16, 9/6/16) file did not contain the results of negative tuberculin test.

**Inspection Report**

**Programming**

**Not In Compliance**

**350 - 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) That offers a variety of creative activities including the following:**
  - 1. Art;**
  - 2. Music;**
  - 3. Dramatic play;**
  - 4. Stories and books;**
  - 5. Science;**
  - 6. Block building;**
  - 7. Tactile activity;**
  - 8. Culture;**
  - 9. Indoor or 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, the surveyor found that the two-year-old and infant classrooms did not have lesson plans.

**Premises**

**Not In Compliance**

**460 - Inaccessible Items**

**Not In Compliance**

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

**(7) Except in accordance with subsection (8) of this section, the following shall be inaccessible to a child in care:**

- (a) Toxic cleaning supplies, poisons, and insecticides;**
- (b) Knives and sharp objects;**
- (c) Matches, cigarettes, lighters, and flammable liquids;**
- (d) Plastic bags;**
- (e) Litter and rubbish;**
- (f) Bar soap; and**
- (g) Personal belongings and medications of staff.**

**Findings:**

General: Based on observation, the surveyor found one (1) container of Aquaphor Healing Ointment accessible to the children on a shelf underneath the diaper changing table. The label on the ointment read to keep out of reach of children.

**Hygienic Practices**

**Not In Compliance**

**620 - 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, the surveyor found a soiled diaper in an uncovered trash can in the two-year-old classroom.

**625 - Diaper Changing Area/Surface**

**Not In Compliance**

**922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.**

**(10) When a child is diapered, the child shall:**

- (b) Be placed on a surface that is:**
  - 1. Clean;**
  - 2. Padded;**
  - 3. Free of holes, rips, tears, or other damage;**
  - 4. Nonabsorbent;**
  - 5. Easily cleaned; and**
  - 6. Free of any items not used for diaper changing.**

**Findings:**

General: Based on observation, the surveyor found a tear in the infant classroom's diaper changing pad.

**First Aid/Medication**

**In Compliance**

**Outdoor Play Area**

**In Compliance**

**Equipment**

**In Compliance**

**Inspection Report**

**Transportation**

**Not Applicable**

**Food Service**

**Not In Compliance**

**935 - 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, the surveyor found the two-year-old classroom's refrigerator did not contain a thermometer.

**940 - Frozen Food**

**Not In Compliance**

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

- (5) Frozen food shall be:**
- (a) Kept at a temperature of zero degrees Fahrenheit or below; and**
  - (b) Thawed:**
    - 1. At refrigerator temperatures;**
    - 2. Under cool, potable running water;**
    - 3. As part of the cooking process; or**
    - 4. By another method in accordance with the Department of Public Health's food safety standards and permits, established in KRS Chapter 217.**

**Findings:**

General: Based on observation, the surveyor found the following:

- (1.) The preschool room's freezer thermometer read ten (10) degrees Fahrenheit, which is above the required temperature of zero (0) degrees Fahrenheit or below.
- (2.) The two-year-old classroom's freezer did not contain a thermometer.

**Children's Records**

**Not In Compliance**

**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, the surveyor found the children's (DOE: 8/15/16, 8/15/16) immunization certificates had no expiration date.

**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 review of documentation, the surveyor found the following:

- (1.) The child's (DOE: 8/15/16) file did not contain information regarding the child's medical history.
- (2.) The children's (DOE: 9/10/16, 8/15/16, 3/1/16, 8/13/16, 8/15/16, 3/1/16, 2/11/16, 2/24/16, 12/4/12) file did not contain a preferred hospital or telephone number.
- (3.) The child's (DOE: 2/11/16) file did not contain a preferred physician.

**Written Documentation**

**In Compliance**

**Inspection Report**

**Posted Documentation**

**Not In Compliance**

**1170 - Diapering/Handwashing**

**Not In Compliance**

**922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.**

**(9) The proper methods of diapering and hand-washing shall be posted at each diaper changing area.**

**Findings:**

General: Based on observation, the surveyor found that the proper methods of diapering were not posted in the two year old classroom's diaper changing area.

**Animals**

**In Compliance**

Signature of Provider/Representative

Title

Date