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**Inspection Report**

<b>Provider Name:</b> Kare Bears	<b>Provider Information</b>	<b>CLR No:</b> L358318
<b>Provider Address:</b> 3155 Custer Drive, Suite A, Lexington, KY, 40517	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 76
<b>Owner(s):</b> Peh, Inc.		<b>Director(s):</b> Oabel, Maricor Almadrones

<b>Inspection Type:</b> Investigation	<b>Inspection Information</b>	<b>Inspection No:</b> 290816
<b>Date Initiated:</b> 08/02/2019 1:05 PM	<b>Date Concluded:</b> 08/02/2019 3:15 PM	
	<b>No. of Children Present:</b> 52	

**Inspection Report**

**Background Checks**

**Not In Compliance**

**15 - Submit fingerprints**

**Not In Compliance**

**922 KAR 2:280. Section 4. Procedures and Payments.**

**(4)(a) Upon submission of payment in accordance with subsections (2) and (3) of this section, the child care provider shall print a copy of the DCC-504, Applicant Child Care Staff Member Live Scan Fingerprinting Form, from the NBCP portal and provide the form to the child care staff member.**

**(b) The child care staff member shall:**

- 1. Have no more than ninety (90) calendar days from the date of payment pursuant to subsections (2) and (3) of this section to submit the child care staff member's fingerprints at an authorized collection site for NBCP; and**
- 2. Present the DCC-504 and driver's license or other government-issued photo identification to the designated agent at an authorized collection site prior to fingerprint submission.**

**Findings:**

General: Based on review of documentation, it was found that one (1) staff at the facility did not submit fingerprints for the National Background check process after the staff did not clear the initial check. The date of hire for this staff person was 07/08/2019. Based on an interview with another staff person, it was determined that this staff did not work alone with any children during her employment.

**30 - Disqualifying background check result**

**Not In Compliance**

**922 KAR 2:280. Section 6. Disqualifying Background Check Results.**

**(1) Unless a rehabilitative review pursuant to Section 9 of the administrative regulation determines the individual is eligible to be hired, an individual shall be ineligible to:**

**(a) Be hired or otherwise serve as a child care staff member if the individual:**

- 1. Meets a criterion specified in 45 C.F.R. 98.43(c);**
- 2. Has been convicted of, or has entered an Alford plea, a plea of guilty, or a plea of nolo contendere to,:**
  - a. A drug-related felony, and five (5) years has not elapsed since the person was fully discharged from imprisonment, probation, or parole;**
  - b. A sex or violent crime pursuant to KRS 17.165; or**
  - c. A felony offense under:**
    - (i) KRS Chapter 506, inchoate offenses;**
    - (ii) KRS Chapter 511, burglary and related offenses;**
    - (iii) KRS Chapter 515, robbery;**
    - (iv) KRS Chapter 520, escape and other offense related to custody;**
    - (v) KRS Chapter 525, riot, disorderly conduct, and related offenses;**
    - (vi) KRS Chapter 527, offense relating to firearms and weapons;**
    - (vii) KRS Chapter 529, prostitution offenses; or**
    - (viii) KRS Chapter 530, family offenses;**
- 3. Is listed on:**
  - a. The central registry established in accordance with 922 KAR 1:470; or**
  - b. Another state's state-based child abuse and neglect registry or database;**
- 4. Has been convicted of, or has entered an Alford plea, plea of guilty, or a plea of nolo contendere to, an offense under a criminal statute of the United States or of another state similar to an offense specified in this paragraph;**
- 5. Has an open warrant;**
- 6. Has a criminal background check result indicating that the individual should be approached with caution by authorities; or**
- 7. Has a pending charge for a criminal offense specified in this paragraph; or**

**(b) Serve as a child-care center's applicant, licensee, or director if the individual has been convicted of, or has entered an Alford plea, a plea of guilty, or a plea of nolo contendere to, a felony offense involving fraud, embezzlement, theft, or forgery.**

**(2) An individual who has received a pardon for a disqualifying offense, has had the record expunged, or has evidenced dismissal of a warrant or disqualifying charge may serve as a child care staff member.**

**Findings:**

General: Based on review of documentation, it was found that one (1) staff person was allowed to work at the center after it was determined that the staff person had a DCBS substantiation. This was found through the initial application process of the National Background Check Program. Based on record review it was found that the process was started on 07/02/2019 and the substantiation was noted on this date. However, the staff member was allowed to work 07/08/2019 through 07/11/2019. The date of hire for this staff is 07/08/2019.

**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, it was found that one (1) staff member did not have proof of education in their employee file. The date of hire for this staff is 07/08/2019.

**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, it was found that one (1) staff did not have evidence of a negative TB screening prior to employment at the facility. The date of hire for this staff is 07/08/2019.

Signature of Provider/Representative

Title

Date