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Inspection Report

Provider Name: First Choice Child Care-Home	Provider Information	CLR No: L358553
Provider Address: 144 Madonna Drive, Nicholasville, KY, 40356	Provider Type: LICENSED TYPE II	Capacity: 12
Owner(s): Thomas, Philnita Ann		Director(s): Thomas, Philnita Ann

Inspection Type: Renewal Application	Inspection Information	Inspection No: 220479
Date Initiated: 07/24/2017 8:25 AM	Date Concluded: 07/24/2017 9:30 AM	
	No. of Children Present: 4	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	Not In Compliance
30 - Cooking/Cleaning Staffing	Not In Compliance
<p>922 KAR 2:110. Section 4. Director Requirements and Responsibilities. (1) Effective with the adoption of this administrative regulation, a director shall: (k) Assure that additional staff are available during cooking and cleaning hours, if necessary, to maintain staff-to-child ratios pursuant to 922 KAR 2:120;</p> <p>Findings: General: Based on interview and observation, the director failed to have a staff person available during meal preparation. The director stated that she prepares the children's lunches upstairs the night before and then heats the meals in the microwave during lunch time the next day. The surveyor noted that the refrigerator and microwave are located in a separate location away from the children's play space which is in the garage. Therefore, the director has to leave the children unattended while she uses the microwave to heat meals in the garage. The director stated that she hired a person to work for her but that person did not show up this week to work.</p>	
100 - Plan of Correction/10 days	Not In Compliance
<p>922 KAR 2:090. Section 9. Statement of Deficiency and Corrective Action Plans. (2) Except for a violation posing an immediate threat as handled in accordance with KRS 199.896(5)(c), a child-care center shall submit a written corrective action plan to the cabinet or its designee within ten (10) calendar days of receipt of the statement of deficiency to eliminate or correct the regulatory violation.</p> <p>Findings: A PLAN OF CORRECTION WAS DUE ON 08/16/2017 AND AS OF 09/14/2017, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.</p>	
250 - Staff Management/Policy Development/Supervision	Not In Compliance
<p>922 KAR 2:110. Section 4. Director Requirements and Responsibilities. (1) Effective with the adoption of this administrative regulation, a director shall: (e) Manage the staff in their individual job descriptions; (f) Develop child-care center plans, policies, and procedures; (g) Supervise staff conduct to ensure implementation of program policies and procedures;</p> <p>Findings: General: Based on review of documentation, the surveyor found that the staff policies presented for review did not include job descriptions.</p>	

Inspection Report

255 - Staff Meeting

Not In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.

- (1) Effective with the adoption of this administrative regulation, a director shall:
 - (i) Conduct, manage, and document in writing staff meetings;

Findings:

General: Based on interview, the surveyor found that the director has not conducted staff meetings because she has no other staff employed. She is the only caregiver in the facility.

265 - Health, Safety, Comfort

Not In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.

- (1) Effective with the adoption of this administrative regulation, a director shall:
 - (l) Provide for the health, safety, and comfort of each child;

Findings:

General: Based on observation, the surveyor observed some random cords stored in a box underneath the television that were accessible. The cords to the television that was positioned on a tray table were also accessible to the children in care. It is important to note that there were two (2) toddlers and a pre-schooler near the space during the inspection.

Employee Records

Not In Compliance

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 presented for review, the surveyor found that the director had TB skin documentation on file that was no longer valid as of 8/25/15. Additionally, the director's husband who lives in the home had TB skin documentation that was no longer valid as of 8/13/16.

330 - Adequate Substitute(s)

Not In Compliance

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

- (6) Child-care centers shall have available in case of need:
 - (a) One (1) qualified substitute staff person for a Type II child-care center; or
 - (b) Two (2) qualified substitute staff persons for a Type I child-care center.

Findings:

General: Based on interview, the surveyor found that the director is the only staff person that works in the TYPE II facility. The director stated that she currently does not have a substitute. She stated that she recently hired a person to work for her, but the person did not show up to work. It is important to note that this regulatory violation has been cited during the following re-licensure inspections: 6/11/14, 7/27/15, and 6/22/16. The director had indicated on the plan of correction submitted to the cabinet on 7/26/16 that a substitute would be in place by August 31, 2016.

340 - Training

Not In Compliance

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

- (14) 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 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 pediatric abusive head trauma training completed once every five (5) years.

Findings:

General: Based on Review of Documentation and ECE-TRIS, the surveyor found that the director (hire date listed as: 11/17/05) did not complete the required fifteen (15) hours of early care and education training. It is important to note that this has been cited during the following re-licensure inspections: 8/1/12, 7/25/13, 6/11/14, 7/27/15, and 6/22/16. Furthermore, the director has not completed the Abusive Pediatric Head Trauma training as required by the regulations.

Programming

Not In Compliance

410 - Infant/Toddler Combined with Older Children

Not In Compliance

922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.

- (2) Except in accordance with subsection (3) of this section, an infant or toddler shall participate in an activity with an older child for no more than one (1) hour per day.

Findings:

General: Based on observation, the surveyor observed two (2) toddlers ages eighteen (18) months and twenty (20) months present with a three (3) year old child and a ten (10) year old child. Based on interview, the toddlers are grouped with the older children all day because there is no other staff person available to care for the children in a separate space. It is also important to note that based on the Provider Information Enrollments Report, there is a two (2) month old child in the process of enrolling in the facility and based on interview the director is the only staff person working with the children in the facility. Infants and toddlers can only be combined with older children no more than one (1) hour per day.

Inspection Report

Premises

Not In Compliance

520 - 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, the surveyor observed an excessive amount of chipped paint on the walls throughout the children's play space. Furthermore, there were areas of large gashes in the wall. The director indicated that she was planning on painting the area soon. Additionally, the surveyor observed brown water stains on the ceiling. The director stated that there had been a leak recently.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

685 - Playground Clean

Not In Compliance

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

(20) An outdoor play area shall be:

(c) Free from:

- 1. Litter;**
- 2. Glass;**
- 3. Rubbish; and**
- 4. Flammable materials;**

Findings:

General: Based on observation, the surveyor found that the playground area was not free from litter, rubbish and flammable materials. The surveyor observed items that included but were not limited to the following: several discarded broken and splintered wood planks, empty cardboard boxes, broken brooms, pieces of gutter, an empty dish liquid bottle, a plastic paint tray, random unknown pieces of objects strewn about the area, two (2) cans of Tiki Torch fluid, and random pieces of foam and trash. It is important to note that this regulatory violation has been cited during the following re-licensure inspections: 7/25/13, 6/11/14, and 6/26/16.

690 - Playground Conditions

Not In Compliance

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

(20) An outdoor play area shall be:

- (d) Safe from foreseeable hazard;**
- (e) Well drained;**
- (f) Well maintained;**
- (g) In good repair; and**
- (h) Visible to staff at all times.**

Findings:

General: Based on observation, the surveyor found the playground area was not safe from foreseeable hazards. The surveyor observed several broken and splintered wood fencing planks lying on the ground and propped against the fence, two (2) cans of Tiki Torch fluid lying on the ground, discarded and broken miscellaneous items, a ladder propped against the house, and several tools lying in the corner of the play space (rake, broken brooms, and two (2) shovels).

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, the surveyor found that there was no fall zone material underneath the swings and a Little Tykes climber. The ground was bare underneath the swings and the climbing structure was positioned on grass. It is important to note that this regulatory violation has been cited during re-licensure inspections conducted on: 7/25/13, 6/11/14, 7/27/15, and 6/26/16.

700 - 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, the surveyor observed several discarded fence planks on the playground and propped against the fence. Several wood planks were broken and splintered. The wood fence was missing planks in several areas. It is important to note that this regulatory violation has been cited during re-licensure inspections conducted on: 6/11/14, 7/27/15, and 6/26/16. The director indicated that she was in the process of repairing the fence.

705 - Infant/Toddler Outdoor Space

Not In Compliance

922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.

- (4) If a child-care center provides an outdoor play area for an infant or toddler, the outdoor area shall be:**
(a) Shaded; and
(b) A separate area or scheduled at a different time than an older child.

Findings:

General: Based on observation, the surveyor observed a large canopy in the middle of the outdoor play area that would provide shade for the infants and toddlers while they are outside. However, the canopy covering was not attached to the canopy structure. The cover was hanging over the railing of the canopy's structure. The director stated that a recent storm blew the cover off of the canopy structure.

Equipment
Transportation
Food Service

In Compliance
Not Applicable
Not In Compliance

1050 - Menu

Not In Compliance

922 KAR 2:120. Section 9. Food and Meal Requirements.

- (16) A weekly menu shall be:**
(a) Prepared;
(b) Dated;
(c) Posted in advance in a conspicuous place;
(d) Kept on file for thirty (30) days; and
(e) Amended in writing with any substitutions on the day the meal is served.

Findings:

General: Based on Review of Documentation, the surveyor found that the menu was not posted.

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 that a child enrolled on 6/5/17 did not have immunization documentation on file. Additionally, a child enrolled on 4/28/17 had immunization documentation on file that was no longer valid as of 8/19/16.

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, two (2) children's files (enrollment dates: 4/26/17 and 7/13/17) did not have the family physician's contact information listed on their enrollment forms. Furthermore, the child enrolled on 4/26/17 did not have his parent's preferred hospital information listed on the enrollment form.

Written Documentation

Not In Compliance

1085 - Evacuation Plan

Not In Compliance

922 KAR 2:090. Section 5. Evacuation Plan.

- (1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895.**

Findings:

General: Based on Interview, the surveyor found that the director has yet to establish a written emergency preparedness plan in accordance with KRS 199.895. It is important to note that this regulatory violation has been cited during these annual inspections conducted on: 7/25/13, 6/11/14, 7/27/15, and 6/26/16.

Inspection Report

1105 - Professional Development

Not In Compliance

922 KAR 2:110. Section 3. 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, the director did not have a professional development plan on file. It is important to note that the director is the only caregiver that works in the facility with the children. It is also important to note that this regulatory violations has been cited during the following annual inspections: 8/1/12, 7/25/12, 6/11/14, 7/27/15, and 6/26/16.

Posted Documentation

Not In Compliance

1155 - Posting Requirements

Not In Compliance

922 KAR 2:110. Section 2. General.

(7) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection:

- (a) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;
- (b) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;
- (c) Information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897;
- (d) A description of services provided by the child-care center, including:
 - 1. Current rates for child care; and
 - 2. Each service charged separately and in addition to the basic rate for child care;
- (e) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and
- (f) Daily schedule.

Findings:

General: Based on Review of Documentation, the surveyor found that information about the Kentucky Consumer Product Safety Program was not posted. Additionally, the statement of deficiencies issued by the cabinet dated 6/22/16 was not posted nor was the plan of corrections addressing the deficiencies.

1160 - Disaster Course of Action

Not In Compliance

922 KAR 2:110. Section 3. Records.

- (1) A child-care center shall maintain:
 - (j) A written plan and diagram outlining the course of action in the event of a natural or manmade disaster, posted in a prominent place;

Findings:

General: Based on Review of Documentation, the surveyor found that a written plan outlining the course of action in the event of a natural or manmade disaster was not posted with the facility's diagram.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date