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**Inspection Report**

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

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 245316
<b>Date Initiated:</b> 07/20/2018 10:30 AM	<b>Date Concluded:</b> 07/20/2018 12:00 PM	
	<b>No. of Children Present:</b> 5	

Inspection Report	
Background Checks	Not In Compliance
<b>10 - Submit background check</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:280. Section 4. Procedures and Payments.</b></p> <p>(1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:</p> <p>(a) Request that the prospective child care staff member provide a copy of his or her driver's license or other government-issued photo identification and verify that the photograph clearly matches the prospective child care staff member;</p> <p>(b) Request that the prospective child care staff member complete and sign the:</p> <ol style="list-style-type: none"> <li>1. DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and</li> <li>2. DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and</li> </ol> <p>(c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:</p> <ol style="list-style-type: none"> <li>1. Child abuse and neglect central registry pursuant to 922 KAR 1:470;</li> <li>2. National Crime Information Center's National Sex Offender Registry; and</li> <li>3. Sex Offender Registry established in accordance with KRS 17.500 through 17.580.</li> </ol> <p><b>Findings:</b></p> <p>General: Based on Review of Documentation, observation and interview, this regulatory requirement was not met. It was found that during the survey that an employee hired on 5/30/18 was observed working with the director in the main child care space. The director stated that they had not yet initiated the process to obtain this employee's background check; therefore required forms for the NBCP had not yet been filled out.</p>	
<b>Supervision</b>	<b>In Compliance</b>
<b>Staffing Requirements</b>	<b>In Compliance</b>
<b>General Administration</b>	<b>Not In Compliance</b>
<b>155 - Liability Insurance</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:090. Section 6. License Issuance.</b></p> <p>(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</p> <p>(d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;</p> <p><b>Findings:</b></p> <p>General: Based on Review of Documentation, this regulatory requirement was not met. At the time of the survey, it was found that there was no documentation of current liability insurance at the facility.</p>	

**Inspection Report**

**Director Requirements**

**Not In Compliance**

**340 - Staff Meeting**

**Not In Compliance**

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

**(1) A director shall:**

**(i) Conduct, manage, and document in writing recurring staff meetings;**

**Findings:**

General: Based on Review of Documentation, and interview, this regulatory requirement was not met. The facility could not provide written evidence of conducted staff meetings. The director stated that she has not been conducting staff meetings because she has been the only staff person employed until recently.

**Employee Records**

**Not In Compliance**

**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, this regulatory requirement was not met. The director's assistant/adult daughter that lives in the home did not have T.B. documentation on file. The director stated that this person started working in the facility on 5/30/18.

**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 ½) 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 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**

**Findings:**

General: Based on Review of Documentation, and the Training Records Information System (TRIS), the surveyor found that the director (hire date listed as 11/17/15) 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, 6/22/16 and 7/24/17.

**Programming**

**In Compliance**

**Premises**

**Not In Compliance**

**540 - Premises Requirements**

**Not In Compliance**

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

**(1) The premises shall be:**

**(a) Suitable for the purpose intended;**

**(b) Kept clean and in good repair;**

**Findings:**

General: Based on Observation, this regulatory requirement was not met. There was a long table located against the wall between the door leading upstairs and the bathroom. The table was piled with numerous papers, folders, books, a computer, first aid kit, empty drink container, diaper wipe container, various glass figurines, a tube of Orajel medication and various other items.

**Hygienic Practices**

**Not In Compliance**

**655 - Child Personal Care/Handwashing**

**Not In Compliance**

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

**(4) A child shall:**

**(a) Be helped with personal care and cleanliness based upon their developmental skills; and**

**(b) Wash his or her hands with liquid soap and warm running water:**

**1. a. Upon arrival at the center; or**

**b. Within thirty (30) minutes of arrival for school-age children;**

**2. Before and after eating or handling food;**

**3. After toileting or diaper change;**

**4. After handling animals;**

**5. After touching an item or an area of the body soiled with body fluids or wastes; and**

**6. After outdoor or indoor play time; and**

**(c) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (b) of this subsection. The child shall wash the child's hands as soon as practicable once liquid soap and warm running water are available.**

**Findings:**

General: Based on Observation, this regulatory requirement was not met. At approximately 11:15AM, the surveyor observed the director place a one (1) year old child in a high chair and serve the child dry Cheerios for a snack. The child's hands were not washed prior to eating or after finishing the snack.

**715 - First Aid Supplies**

**Not In Compliance**

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

- (1) First aid supplies shall:**
- (a) Be available to provide prompt and proper first aid treatment;**
  - (b) Be stored out of reach of a child;**
  - (c) Be periodically inventoried to ensure the supplies have not expired;**
  - (d) If reusable, be:**
    - 1. Sanitized; and**
    - 2. Maintained in a sanitary manner; and**
  - (e) Include:**
    - 1. Liquid soap;**
    - 2. Adhesive bandages;**
    - 3. Sterile gauze;**
    - 4. Medical tape;**
    - 5. Scissors;**
    - 6. A thermometer;**
    - 7. Flashlight;**
    - 8. Cold pack;**
    - 9. First aid book;**
    - 10. Disposable gloves; and**
    - 11. A cardiopulmonary resuscitation mouthpiece protector.**

**Findings:**

General: Based on Observation, this regulatory requirement was not met. The following was found: 1. The first aid kit was found to be sitting on a table in the main child care space along with a computer and various papers, supplies, etc. This made the first aid kit accessible to the children. 2. An inspection of the facility's first aid kit found that it did not contain medical tape.

**730 - Medication**

**Not In Compliance**

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

- (6) Medication, including refrigerated medication, shall be:**
- (a) Stored in a separate and locked place, out of the reach of a child unless the medication is:**
    - 1. A first aid supply and is maintained in accordance with subsection (1) of this section;**
    - 2. Diaper cream, sunscreen, or toothpaste. Diaper cream, sunscreen, or toothpaste shall be inaccessible to a child;**
    - 3. An epinephrine auto-injector. In accordance with KRS 199.8951:**
      - a. An epinephrine auto-injector shall be inaccessible to a child;**
      - b. A child-care center shall have at least one person onsite who has received training on the administration of an epinephrine auto-injector if the child-care center maintains an epinephrine auto-injector;**
      - c. A child-care center shall seek emergency medical care for a child if an auto-injector is administered to the child; and**
      - d. A child-care center shall report to the child's parent and the cabinet in accordance with 922 KAR 2:090, Section 12 if an epinephrine auto-injector is administered to a child; or**
    - 4. An emergency or rescue medication for a child in care, such as medication to respond to diabetic or asthmatic condition, as prescribed by the child's physician. Emergency or rescue medication shall be inaccessible to a child in care;**
  - (b) Kept in the original bottle; and**
  - (c) Properly labeled.**
- (7) Medication shall not be given to a child if the medication's expiration date has passed.**

**Findings:**

General: Based on Observation, this regulatory requirement was not met. During a tour of the facility the surveyor observed a tube of Orajel lying on a table in the infant/toddler area of the main child care space. The Orajel was accessible to the children and was not labeled with a child's name.

**Outdoor Play Area**

**Not In Compliance**

**750 - 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, and interview, this regulatory requirement was not met. During a tour of the outdoor playground the surveyor observed a spade shovel, large rake, large broom, a six (6) foot tall wire rack and a wooden board lying in front of the garage door which is part of the children's play space. The director stated that she has needed the shovel and rake close by due to a fungus growing in the mulch and indicated that she has to dispose of it daily.

Inspection Report

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, this regulatory requirement was not met. During a tour of the outdoor playground the surveyor observed two (2) broken fence planks. These two (2) planks contained jagged and splintering edges at the top.

Equipment

Not In Compliance

800 - Twelve Inch Spacing

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.

(6) Cots, equipment, and furnishings used for sleeping and napping shall be spaced twelve (12) inches apart to allow free and safe movement by a person.

Findings:

General: Based on Observation, this regulatory requirement was not met. A tour of the main child care space found that the cribs were not spaced to decrease the spread of germs and allow free and safe movement by a person. At the time of the visit the surveyor observed children sleeping in two (2) cribs that were positioned side by side with no space in between.

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, this regulatory requirement was not met. During a tour of the outdoor playground the surveyor observed a large crack down the side panel of a Little Tykes climber with slide structure.

Transportation

Not Applicable

Food Service/Food Program

Not In Compliance

995 - Lunch/Dinner Requirements

Not In Compliance

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

(19) Lunch and dinner shall include:

- (a) Milk;
- (b) Protein;
- (c) Bread; and
- (d) 1. Two (2) vegetables;
- 2. Two (2) fruits; or
- 3. One (1) fruit and one (1) vegetable.

Findings:

General: Based on Observation, this regulatory requirement was not met. At the time of the visit the surveyor observed children eating ham and cheese rolls, apricots, potato chips and milk for lunch. Once the surveyor pointed out that the lunch did not meet nutritional requirements, the director instructed her assistant to serve mandarin oranges to the children as a second fruit.

Food Service

Not In Compliance

1040 - Kitchen Equipment Clean and Sanitary

Not In Compliance

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

(7) The following shall be clean and sanitary:

- (a) Eating and drinking utensils;
- (b) Kitchenware;
- (c) Food contact surfaces of equipment;
- (d) Food storage utensils;
- (e) Food storage containers;
- (f) Cooking surfaces of equipment; and
- (g) Nonfood contact surfaces of equipment.

Findings:

General: Based on Observation, this regulatory requirement was not met. During a tour of the children's bathroom the surveyor observed a plastic container sitting on the back of the toilet which contained five (5) sippy cups and lids. This manner of storage is not sanitary. The director acknowledged the finding and stated, "These cups were left here by parents. I need to just throw them away".

**1070 - Food Protected From Contamination**

**Not In Compliance**

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

- (1) Food shall be:**
- (h) Protected against contamination from:**
- 1. Dust;**
  - 2. Flies;**
  - 3. Rodents and other vermin;**
  - 4. Unclean utensils and work surfaces;**
  - 5. Unnecessary handling;**
  - 6. Coughs and sneezes;**
  - 7. Cuts in skin;**
  - 8. Communicable disease;**
  - 9. Flooding;**
  - 10. Drainage; and**
  - 11. Overhead leakage.**

**Findings:**

General: Based on Observation, this regulatory requirement was not met. An inspection of the facility refrigerator during the visit found that a bowl containing mandarin oranges and juice was sitting on a shelf inside the refrigerator in an open container. There were no provisions to protect the food from contamination.

**1130 - 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, this regulatory requirement was not met. Observation of the facility's posted menu revealed it was not dated.

**Children's Records**

**Not In Compliance**

**1135 - Immunization**

**Not In Compliance**

**922 KAR 2:090. Section 9. 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, this regulatory requirement was not met. The following was found: 1. One (1) child (enrollment date: 9/8/17) had an immunization certificate on file that was no longer current as of 11/15/17. 2. One (1) child (enrollment date: 2/1/06) had an immunization certificate on file with the words "Not up to date" written in the space where the expiration date of the certificate is typically listed.

**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, interview and observation, this regulatory requirement was not met. No documentation could be provided for one (1) child that was present at the facility during the inspection. The director identified the child's enrollment date as 7/13/17 and stated, "I sent the child's enrollment packet home with the child's mother because they moved and she needed to update the information".

**Inspection Report**

**Written Documentation**

**Not In Compliance**

**1155 - Policies and Procedures**

**Not In Compliance**

**922 KAR 2:090. Section 8. General.**

**(4) Program policies and procedures shall:**

**(a) Be in writing; and**

**(b) Include:**

- 1. Staff policies;**
- 2. Job descriptions;**
- 3. An organization chart;**
- 4. Chain of command; and**
- 5. Other procedures necessary to ensure implementation of:**
  - a. KRS 199.898, Rights for children in child-care programs and their parents, custodians, or guardians - posting and distribution requirements;**
  - b. 922 KAR 2:120, Child-care center health and safety standards;**
  - c. 922 KAR 2:280, Background checks for child care staff members, reporting requirements, and appeals; and**
  - d. This administrative regulation.**

**Findings:**

General: Based on Review of Documentation, this regulatory requirement was not met. A tour of the facility found that the Children and Parent's rights document was not posted in a prominent place. The director found a copy of this document during the visit and posted it on the parent bulletin board.

**1160 - Daily Attendance Records**

**Not In Compliance**

**922 KAR 2:090. Section 9. 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 Review of Documentation, and interview, this regulatory requirement was not met. A review of the attendance records during the inspection found that daily arrival and departure times are documented for children on the required form provided by the Child Care Assistance Program; however, the child's parent is not verifying the information for accuracy each week as required. Attendance records dated 6/25/18 - 7/14/18 did not contain parent signatures. The director stated that she has a hard time getting signatures from the parents.

**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, this regulatory requirement was not met. The director did not have evidence of a current staff professional development plan on file in the facility. It is important to note that this regulatory violation has been cited during the following annual inspections: 8/1/12, 7/25/13, 6/11/14, 7/27/15, 6/26/16 and 7/24/17.

**Posted Documentation**

**Not In Compliance**

**1200 - Posting Requirements**

**Not In Compliance**

**922 KAR 2:090. Section 8. General.**

**(6) 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) The provider's preliminary or regular license;**
- (b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;**
- (c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;**
- (d) Information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897;**
- (e) 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;**
- (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and**
- (g) Daily planned program.**

**Findings:**

General: Based on Review of Documentation, this regulatory requirement was not met. The following was found: 1. The statement of deficiencies and plan of correction from a 7/24/17 relicensure inspection was not posted. 2. The current rates were not posted. 3. The facility license was not posted.

**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 Review of Documentation, this regulatory requirement was not met. The facility had a schedule of daily activities posted; however, no dates were listed.

**Animals**

**Not Applicable**

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Signature of Provider/Representative

Title

Date