



Andy Beshear
GOVERNOR

**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL**

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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Mary Anita Nursery & Preschool	Provider Information	License No: L359341
Provider Address: 2301 Lower Hunters Trace, Louisville, KY, 40216	Provider Type: LICENSED TYPE I	Capacity: 49
Owner(s): Parker O'Neal Inc.		Director(s): Collins, Cortnie Shay

Inspection Type: Investigation	Inspection Information	Inspection No: 191296
Visit Start Date: 06/30/2015 12:00 PM	Visit End Date: 07/08/2015 3:30 PM	
	No. of Children Present: 26	

Inspection Report

Supervision

5 - Children Supervised

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;

Staffing Requirements

45 - Ratio/Group Size

In Compliance

922 KAR 2:120. Section 2. Child Care Services.

- (2)(b) The age of the youngest child in the group shall determine the:
1. Staff-to-child ratio; and
 2. Maximum group size.

General Administration

85 - Cooperate with state agency

Not In Compliance

922 KAR 2:090. Section 6. License Issuance.

- (11) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:
- (f) Cooperate with the cabinet, the cabinet's designee, or another agency with regulatory authority during:
1. An investigation of an alleged complaint, including an allegation of child abuse or neglect pursuant to KRS 620.030(4); and
 2. Unannounced inspections; and

Findings:

General: Based on Observation the child care center failed to comply with regulatory requirements. Based on observation and interviews it was determined the childcare center failed to cooperate with a state agency during an investigation. Based on observation of the DCBS interviews, it was determined that the children had been given information prior to the interviews concerning the allegations. Interview with the director revealed she had spoken to the children prior to DRCC and DCBS visit and provided information concerning the investigation.

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 Interview, the child care center failed to comply with regulatory requirement with general administration. Interview with the staff member in charge of the school-age classroom revealed the police had been called to the center during hours of operation. Continued interview with the staff revealed he was unable to recall the exact date, however, he revealed it occurred approximately the second week of June of 2015. Therefore the child care center failed to report to the cabinet within twenty-four (24) hours from the time of discovery an incident.

Employee Records

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 and interview with the director, the child care center failed to maintain employees records in accordance with regulatory requirements. Review of documentation of employees records it was revealed the employees with the hire dates of 04/01/2015 and 06/28/2015 did not contain a copy of a High school diploma: or a GED or qualifying documentation from a comparable educational entity; or Commonwealth Child Care Credential as described in 922 KAR 2:250;. Interview with the director revealed she was unable to verify the documents were present.

Programming

420 - Infant Sleep Position

Not In Compliance

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

(1) An infant shall sleep or nap on the infant's back unless the infant's health professional signs a waiver that states the infant requires an alternate sleeping position.

Findings:

General: Based on Observation and interview, the child care center failed to assure compliance with regulatory requirements in regards to programming sleep position. Observation of the infant room at 12:10 p.m. revealed a three-month-old infant asleep in crib, propped up on a "boppy" pillow. Interview revealed the child did not have a health professional waiver that stating the infant requires an alternate sleeping position.

Equipment

730 - Crib/Mattress/Sheet

Not In Compliance

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

(3) Rest time shall include adequate space specified by the child's age as follows:

(a) For an infant:

- 1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;
- 2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:
 - a. Weekly; or
 - b. Immediately if it is soiled or wet;

Findings:

General: Based on Observation the child care center failed to maintain equipment in accordance with regulatory requirements. Based on observation in the infant classroom at 12:10 p.m. there were six (6) cribs available. Continued observation revealed there were six (6) infants asleep in the cribs. A seventh infant appeared to be asleep in a baby swing, the staff present removed the child from the swing, however, there was not a crib available for the infant to rest.

Signature of
Provider/Representative

Title

Date