Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL

Melissa A. Moore, Director
Division of Regulated Child Care
Eastern Branch
455 Park Place, Suite 120A
Lexington, KY 40511
Phone: (859) 246-2301 Fax: (859) 246-2307
https://chfs.ky.gov/agencies/os/oig

Eric Friedlander
SECRETARY

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Information

Provider Name: Tender Love & Care Learning Center
Provider Type: LICENSED TYPE I
License No: L359364
Provider Address: 491 Erlanger Road, Erlanger, KY, 41018
Capacity: 110
Owner(s): Tender Love & Care Learning Center, LLC
Director(s): Vance, Brandy Marie

Inspection Information

Inspection Type: Investigation
Inspection No: 191897
Visit Start Date: 08/05/2015 2:45 PM
Visit End Date: 08/05/2015 6:30 PM
No. of Children Present: 58

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;

20 - Supply Storage — **Not In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(30) Supplies shall be stored so that the adult can reach them without leaving a child unattended.

Findings:

General: Based on Interview, this regulatory requirement was not met. On 7/30/15 a one (1) year old child fell off of a diaper changing table during a diaper change. The staff person identified as the staff person changing the child's diaper at the time stated during interview, "I had him on the diapering table, but forgot to get out his supplies before I laid him up there. I turned around and bent down to get his supplies off a low shelf and he rolled off the table, fell onto my back and then rolled onto the floor". This staff person also provided a written statement to the surveyor describing the same details as described during interview. Staff present at the facility at the time of the incident and the mother of the one (1) year old child stated during interview that the child was fine and indicated that he did not have any marks or bruises as a result of the incident.

25 - Supervision During Diapering — **Not In Compliance**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(10) When a child is diapered, the child shall:
(a) Not be left unattended

Findings:

General: Based on Interview, this regulatory requirement was not met. On 7/30/15 a one (1) year old child fell off of a diaper changing table during a diaper change. The staff person identified as the staff person changing the child's diaper at the time stated during interview, "I had him on the diapering table, but forgot to get out his supplies before I laid him up there. I turned around and bent down to get his supplies off a low shelf and he rolled off the table, fell onto my back and then rolled onto the floor". This staff person also provided a written statement to the surveyor describing the same details as described during interview. Staff present at the facility at the time of the incident and the mother of the one (1) year old child stated during interview that the child was fine and indicated that he did not have any marks or bruises as a result of the incident.

Staffing Requirements

40 - Ratios and Group Size — **In Compliance**

922 KAR 2:120. Section 2. Child Care Services.
(2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows:

Age of Children	Ratio	Maximum Group Size*
Infant		
	1 staff for 5 children	10
Toddler		
	1 staff for 6 children	12
Preschool-age 2 to 3 years		
	1 staff for 10 children	20
Preschool-age 3 to 4 years		
	1 staff for 12 children	24
Preschool-age 4 to 5 years		
	1 staff for 14 children	28
School-age 5 to 7 years		
	1 staff for 15 children	30
School-age 7 and older		
	1 staff for 25 children	
(for before and after school)		30
	1 staff for 20 children	
(full day of care)		30

***Maximum Group Size shall be applicable only to Type I child-care centers.**

Director Requirements

265 - Health, Safety, Comfort — **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;

270 - Parent Notification — **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:
(m) Notify the parent immediately of an accident or incident requiring medical treatment of a child;

Findings:

General: Based on Review of Documentation and interview, this regulatory requirement was not met. An interview with staff at the facility, an interview with a parent of a one (1) year old child enrolled at the facility and a review of a facility incident report provided to the parent on 7/30/15 revealed that the facility incident report did not contain an accurate description of the incident. The staff person that was changing the child's diaper the evening of 7/30/15 described the incident by stating, "I had him on the diapering table, but forgot to get out his supplies before I laid him up there. I turned around and bent down to get his supplies off a low shelf and he rolled off the table, fell onto my back and then rolled onto the floor". This staff person also provided a written statement to the surveyor describing the same details as described during interview. An incident report was sent home with the child when the child was picked up that evening; however, the incident report did not contain an accurate description of the incident. The incident report stated, "While being changed he climbed up and bumped heads with his teacher". It is important to note that the incident report did not contain the time of the incident and it was not signed by the staff person directly involved. The incident report was signed by staff person in charge at the facility at the time of the incident and another administrative staff person. Neither of these staff were identified as being present in the room when the incident occured. The mother of the child stated during interview that the child was fine and indicated that he did not have any marks or bruises as a result of the incident.

Hygienic Practices

605 - Staff Communicable Disease — **In Compliance**

922 KAR 2:120. Section 3. General Requirements.
(6) A staff person suspected of being infected with a communicable disease shall:
(a) Not perform duties that may allow for the transmission of the disease until the infectious condition can no longer be transmitted; and
(b) Provide a statement from a health professional, if requested.

Children's Records

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, one (1) child (enrollment date: 12/19/14) had an immunization certificate on file that was no longer current as of 4/2/15.

Signature of Provider/Representative | Title | Date