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Inspection Report

Provider Name: Lily Pad Learning Center	Provider Information	CLR No: L382004
Provider Address: 1616 A 121 North, Murray, KY, 42701	Provider Type: LICENSED TYPE I	Capacity: 85
Owner(s): Lily Pad Learning Center LLC		Director(s): Girth, Sarah Elizabeth

Inspection Type: Renewal Application	Inspection Information	Inspection No: 291958
Date Initiated: 12/11/2019 9:45 AM	Date Concluded: 12/11/2019 1:05 PM	
	No. of Children Present: 22	

Inspection Report	
Background Checks	Not In Compliance
20 - Out of state background checks	Not In Compliance
<p>922 KAR 2:280. Section 5. Checks of Other States. (1) In accordance with 45 C.F.R. 98.43(b)(3), a prospective child care staff member who resides in or has resided in another state within the last five (5) years shall: (a) Request from each state of current or prior residency, in accordance with the state's laws, policies, and procedures, with a courtesy notice to the cabinet: 1. An in-state criminal records check by: a. Means of fingerprints for the state of residence; or b. Any means accepted by a state of prior residency; 2. A check of the state's sex offender registry or repository; and 3. A check of the state-based child abuse and neglect registry and database; and (b) Direct results of the checks required in paragraph (a) of this subsection to the Department for Community Based Services, Division of Child Care, 275 East Main Street, 3C-F, Frankfort, Kentucky 40601.</p>	
Findings:	
<p>General: Based on interview and review of documentation, a caregiver hired 09/13/19 and a caregiver hired 07/23/19, did not have an Illinois out of state background check, which included a criminal records check, the state's sex offender registry, and the child abuse/neglect check on file. Documentation and interview revealed the caregivers lived in the state of Illinois within the last five (5) years.</p>	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	Not In Compliance
345 - Staff Evaluation	Not In Compliance
<p>922 KAR 2:090. Section 10. Director Requirements and Responsibilities. (1) A director shall: (j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;</p>	
Findings:	
<p>General: Based on review of documentation and interview, a caregiver hired 08/17/18 and a caregiver hired 04/01/13, did not have their annual written performance evaluations on file.</p>	

350 - Health, Safety, Comfort

Not In Compliance

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

- (1) A director shall:**
(l) Assure the health, safety, and comfort of each child;

Findings:

General: Based on observation, a portable sink cord laid on the floor, accessible to the toddler children in the classroom. An bottle warmer set on a two (2) foot tall cabinet and based on interviews, was used daily. The bottle warmer was within arm's reach and accessible to toddler's in the classroom.

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, a caregiver hired 12/09/19; a caregiver hired 10/21/19, and a caregiver hired 09/13/19, did not have thier education documentation on file.

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, a caregiver hired 12/09/19; a caregiver hired 11/18/19; a caregiver hired 10/21/19, and a caregiver hired 09/13/19, did not have a TB skin test or a physician statement on file.

A caregiver hired 08/17/18, had a TB skin test dated 08/15/17. A caregiver hired 06/14/17, had a TB skin test dated 11/07/17. A caregiver hired 04/01/13, had a TB skin test dated 09/27/16.

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, a caregiver hired 07/17/18, completed six (6) hours of training within her first year of employment. A caregiver hired 09/21/18, completed her pediatric abusive head trauma on 11/19/19; therefore, she did not complete her training within the first year of her employment.

415 - Driver Requirements

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

- (18) A driver of a vehicle transporting a child for a center shall:**
(a) Be at least twenty-one (21) years old;
(b) Complete:
1. The background checks as described in 922 KAR 2:280; and
2. An annual check of the:
a. Kentucky driver history records in accordance with KRS 186.018; or
b. Driver history records through the state transportation agency that issued the driver's license;
(c) Hold a current driver's license which has not been suspended or revoked during the last five (5) years; and
(d) Not caused an accident which resulted in the death of a person.

Findings:

General: Based on interview, annual drivers history, completed through the state transportation agency that issued the employee's driver's license, was not completed for each caregivers who transported children for the center.

Programming

In Compliance

Inspection Report

Premises

Not In Compliance

520 - Inaccessible Items

Not In Compliance

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

- (7) The following shall be inaccessible to a child in care:**
 - (a) Toxic cleaning supplies, poisons, and insecticides;**
 - (b) Matches, cigarettes, lighters, and flammable liquids; and**
 - (c) Personal belongings and medications of staff.**

Findings:

General: Based on observation, a caregiver's drink set on the children's cubbies in the preschool room. A caregivers coat laid on the children's mats in the toddler room. These items were accessible to the children.

525 - Items Accessible Only During Activity

Not In Compliance

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

- (8) The following shall be inaccessible to a child in care unless under direct supervision and part of planned program of instruction:**
 - (a) Knives and sharp objects;**
 - (b) Litter and rubbish;**
 - (c) Bar soap; and**
 - (d) Plastic bags not used for personal belongings.**

Findings:

General: Based on observation, three (3) plastic bags were in an infant's crib, accessible between the safety rails in the infant room. A large butcher knife with approximately six (6) inch blade, set on the kitchen counter with the kitchen door open, leaving the knife accessible to the children who were in the hallway. The kitchen was across the hall from the two-year-old room. At the time of the observation the cook was on her break.

595 - Plumbing Code

Not In Compliance

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

- (13) All plumbing shall comply with the State Plumbing Code established in KRS Chapter 318.**

Findings:

General: Based on observation and interview, a potable sink was used to wash the childrens and caregivers hands, daily. Interview determined the sink was new; therefore, the center did not comply with the State Plumbing Code established in KRS Chapter 318.

645 - Sink

Not In Compliance

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.

- (3) A sink shall be:**
 - (a) Located in or immediately adjacent to toilet rooms;**
 - (b) Equipped with hot and cold running water that allows for hand washing;**
 - (c) Equipped with hot water at a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit;**
 - (d) Equipped with liquid soap;**
 - (e) Equipped with hand-drying blower or single use disposable hand drying material;**
 - (f) Equipped with an easily cleanable waste receptacle; and**
 - (g) Immediately adjacent to a changing area used for infants and toddlers.**

Findings:

General: Based on observation and interview, the diapering changing mat was not immediately adjacent to the handwashing sink and was used daily. The handwashing sink was located outside of the preschool classroom and across the hall.

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 his or her developmental skills;**
 - (b) Except as established in paragraph (c) of this subsection, 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, two (2) preschool children did not wash their hands with liquid soap and running water when they arrived.

First Aid/Medication

In Compliance

Inspection Report

Outdoor Play Area

Not In Compliance

755 - 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, protective surfacing material was not under a slide and a climber on the outdoor playground.

Equipment

Not In Compliance

795 - Individual Bed/Mat/Cot and Bedding

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:

(b) For a toddler or preschool-age child:

- 1. An individual bed, a two (2) inch thick waterproof mat, or cot in good repair; and**
- 2. Bedding that is in good repair and is changed:**

a. Weekly; or

b. Immediately if it is soiled or wet.

Findings:

General: Based on observation, six (6) mats in the preschool room and one (1) mat in the school age room were torn with exposed foam.

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 and interview, the red pillows in the preschool room had an excessive amount of brown stains. In addition, there was excessive amount of brown stains on the green chair in the infant/toddler room.

The top and benches to the picnic table were warped and pulled away from the frame. This picnic table set inside the fenced in playground.

A Bumbo seat was observed in the infant's room. A review of the Consumer Product Safety Commission recall information determined the Bumbo seat was recalled in 2007 and instructed consumers to order a free repair kit, which included a restraint belt and a warning label. Interview determined the center was not aware of the recall. The caregiver stated the Bumbo seat was used daily.

Transportation

Not In Compliance

845 - Requirements for Transportation Services

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(2) A center providing or arranging transportation service shall:

(a) Be licensed and approved by the cabinet or its designee prior to transporting a child;

(b) Have a written plan that details the type of transportation, staff schedule, transportation schedule, and transportation route; and

(c) Have written policies and procedures, including emergency procedures practiced monthly by staff who transports children.

Findings:

General: Based on interview, monthly emergency procedures were not practiced by the staff who transported children. In addition, the center did not have copies of the transportation routes followed. Interview revealed the center utilized third party services until August 2019.

850 - Transportation Notification/Type and Vehicle

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the:

(a) Type of transportation offered;

(b) Type of vehicle used for transportation;

Findings:

General: Based on interview and review, the center failed to notify the cabinet before transporting children in a van not approved for transportation. A review of documentation determination the center was approved for 3rd party transportation. Interviews confirmed the center utilized a van, owned by the center to transport children beginning August 2019 although the cabinet was not notified to approve the van.

Inspection Report

880 - Vehicle Equipment

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

- (4) A vehicle used to transport children shall be equipped with:
 - (a) A fire extinguisher;
 - (b) First aid supplies as established in Section 7 of this administrative regulation;
 - (c) Emergency reflective triangles; and
 - (d) A device to cut the restraint system, if necessary.

Findings:

General: Based on interview, the center utilized a personal vehicle to transport children from school, daily since August 2019. The inspection of the personal vehicle and interview determined the vehicle did not have a fire extinguisher, emergency reflective triangles, a device to cut the restraint system and a first aid kit.

915 - Pre-trip Inspection

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

- (8) A daily inspection of the vehicle shall be performed prior to the vehicle's use and documented for:
 - (a) Tire inflation consistent with tire manufacturer's recommended air pressure;
 - (b) Working lights, signals, mirrors, gauges, and wiper blades;
 - (c) Working safety restraints;
 - (d) Adequate fuel level; and
 - (e) Cleanliness and good repair.

Findings:

General: Based on interview, a daily pre-trip inspection was not conducted to inspect the vans tires, lights, signals, mirrors, gauges, wiper blades, safety restraints, fuel and free of debris.

Surveyor observed multiple pieces of wadded up paper, gum wrappers, empty drink bottles and a piece of dried gum in the car seat. Interview revealed the center utilized this van since August 2019.

960 - Children's Transportation Records

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

- (17) Transportation services provided shall:
 - (a) Be recorded in writing and include:
 - 1. The first and last name of the child transported; and
 - 2. The time each child gets on and the time each child gets off;
 - (b) Be completed by a staff member other than the driver; and
 - (c) Be kept for five (5) years.

Findings:

General: Based on interview, each child's name and time on and time off documentation was completed by the van driver and not completed by a staff member other than a driver.

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

In Compliance

Written Documentation

Not In Compliance

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, a caregiver hired 08/17/18, and a caregiver hired 04/01/13, did not have written annual professional development plans on file.

Posted Documentation

Not In Compliance

1220 - Diapering/Handwashing

Not In Compliance

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.

- (9) The proper methods of diapering and hand-washing shall be posted at each diaper changing area.

Findings:

General: Based on observation, the methods for diapering/handwashing were not posted at the changing area in the preschool room.

Animals

In Compliance

Signature of Provider/Representative

Title

Date