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**Inspection Report**

<b>Provider Name:</b> Small Heart Daycare	<b>Provider Information</b>	<b>License No:</b> L383090
<b>Provider Address:</b> 1107 S. Virginia Street, Hopkinsville, KY, 42240	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 49
<b>Owner(s):</b> SMALL HEART DAYCARE, LLC		<b>Director(s):</b> Joseph, Melody

<b>Inspection Type:</b> Investigation	<b>Inspection Information</b>	<b>Inspection No:</b> 190676
<b>Visit Start Date:</b> 05/18/2015 1:15 PM	<b>Visit End Date:</b> 05/18/2015 3:15 PM	
<b>No. of Children Present:</b>		

Inspection Report	
Supervision	
<b>5 - Children Supervised</b>	<b>In Compliance</b>
<p><b>922 KAR 2:120. Section 2. Child Care Services.</b>                      (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;</p>	
Staffing Requirements	
<b>40 - Ratios and Group Size</b>	<b>In Compliance</b>
<p><b>922 KAR 2:120. Section 2. Child Care Services.</b>                      (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.</p>	



**Inspection Report**

**Director Requirements**

**250 - Staff Management/Policy Development/Supervision**

**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:**
  - (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;**

**Findings:**

General: Based on review of documentation, the center's disciplinary policy stated employees and administrator are expected to conduct themselves in a professional manner at all times. The center's disciplinary policy was not followed when a staff, hired on 12/22/14, used loud language in the presence of children during a verbal disagreement with another staff, hired on 05/28/13. This resulted in a staff, hired on 05/28/13, tossing a bag of ice into the one year olds' room and the bag of ice made contact with the eye of the staff, hired on 12/22/14. The staff hired on 12/22/14, had a cut on her eye, which required medical attention. Also, this staff called the local police, who went to the center and talked to staff on 05/07/15.

**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 interview, a one year old child received a knot on the right side of his forehead at approximately 3:00 pm on 05/07/15 while in the one year olds' room. Based on interviews, no staff person witnessed what caused the child's injury.

**275 - Caregiver Alone**

**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:**
  - (n) Assure that a person acting as a caregiver of a child in care shall not be left alone with a child, if the licensee has not received the results of the background checks as described in Section 3(1)(e)6 of this administrative regulation;**

**Findings:**

General: Based on review of documentation, a staff hired on 12/22/14, did not have a criminal records check and child abuse/neglect check on file and was left alone to supervise children in the one year olds' room at approximately 3:15 p.m. on 05/07/15. Based on interviews, a child received contusion on his head while in this staff member's care.

**Employee Records**

**300 - Background checks/left alone**

**Not In Compliance**

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

- (5) An individual described in subsection (4) of this section shall:**
  - (a) Submit to background checks described in paragraph (b) of this subsection;**
  - (b) May be employed or work with a child on a probationary basis for up to ninety (90) calendar days, pending completion of a:**
    - 1. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;**
    - 2. Criminal records check required by KRS 199.896(19);**
    - 3. Criminal records check for any previous state of residence if the person resided outside the state of Kentucky in the last five (5) years; and**
    - 4. An address check of the Sex Offender Registry; and**
  - (c) Not be left alone in the presence of a child until copies of the background checks in accordance with paragraph (b) of this subsection have been received by the licensee.**

**Findings:**

General: Based on review of documentation, a staff hired on 12/22/14, did not have a criminal records check and child abuse/neglect check on file and surpassed the ninety (90) day probation period. This same staff person discovered a contusion on a child's head when she was left alone to supervise children in the one year olds' room at approximately 3:15 p.m. on 05/07/15.

**310 - Personnel File**

**In Compliance**

## Inspection Report

### 922 KAR 2:110. Section 3. Records.

- (1) A child-care center shall maintain:
- (e) A current personnel file for each child-care center staff person to include:
1. Name, address, date of birth, and date of employment;
  2. Proof of educational qualifications;
  3. Record of annual performance evaluation;
  4. Written record of training participation to include:
    - a. The training source;
    - b. Location;
    - c. Date; and
    - d. Number of clock hours completed;
  5. Every two (2) years, a:
    - a. Statement from a health professional that the individual is free of active tuberculosis; or
    - b. Copy of negative tuberculin results; and
  6. For a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care, the results of a:
    - a. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;
    - b. Criminal records check required by KRS 199.896(19);
    - c. Criminal records check from any previous state of residence completed once if:
      - (i) The individual resided outside the state of Kentucky in the last five (5) years; and
      - (ii) No criminal records check has been completed for the individual's previous state of residence; and
    - d. An address check of the Sex Offender Registry;

### 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, a staff hired on 12/22/14, did not have education verification on file.

### 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, a staff hired on 12/22/14, did not have TB documentation on file.

### 325 - CPR/First Aid Coverage

Not In Compliance

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

- (3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:
- (a) Infant and child cardiopulmonary resuscitation; and
- (b) Infant and child first aid.
- (4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:
- (a) Adult cardiopulmonary resuscitation; and
- (b) First aid.

#### Findings:

General: Based on review of documentation, a staff hired on 06/27/13, applied ice to a child's injury on 05/07/15. This person was not currently certified in first aid.

### 340 - Training

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

**Inspection Report**

**Programming**

**385 - Discipline**

**Not In Compliance**

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

- (10) A child shall not be subjected to:**
  - (a) Corporal physical discipline pursuant to KRS 199.896(18);**
  - (b) Loud, profane, threatening, frightening, or abusive language; or**
  - (c) Discipline that is associated with:**
    - 1. Rest;**
    - 2. Toileting; or**
    - 3. Food.**

**Findings:**

General: Based on interview, a staff hired on 12/22/14, used loud language in the presence of children during a verbal disagreement with another staff hired on 05/28/13. The staff loudly told other staff members they "had the right one".

**Children's Records**

**1070 - Immunization**

**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;**

**1075 - Enrollment Information**

**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;**

Signature of  
Provider/Representative

Title

Date