



Andy Beshear  
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES  
OFFICE OF INSPECTOR GENERAL

Eric Friedlander  
SECRETARY

Melissa A. Moore, Director  
Division of Regulated Child Care  
Western Branch  
901 B South Main Street  
Hopkinsville, KY 42240

Adam Mather  
INSPECTOR GENERAL

Phone: (270) 889-6052 Fax: (270) 889-6089  
<https://chfs.ky.gov/agencies/os/oig>

**Inspection Report**

<b>Provider Name:</b> Small Heart Daycare	<b>Provider Information</b>	<b>CLR 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 Renee

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 221023
<b>Date Initiated:</b> 09/01/2017 8:40 AM	<b>Date Concluded:</b> 09/01/2017 1:10 PM	
	<b>No. of Children Present:</b> 19	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	Not In Compliance

**260 - Staff Evaluation** **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:**  
**(j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;**

**Findings:**

General: Based on Review of Documentation, six (6) caregivers hired on 6/27/13, 3/8/13, 8/14/14, 7/20/15, 1/18/16, and 9/19/14, did not have an evaluation on file.

**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 Observation, a caregiver hired on 8/15/17, was alone with seven (7) toddlers for approximately ten (10) minutes in the two (2) year olds' room. This caregiver did not have a criminal records check on file.

Inspection Report

Employee Records

Not In Compliance

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 caregiver hired on 8/15/17, did not have a criminal records check on file and was alone with seven (7) toddlers for approximately ten (10) minutes in the two year olds' room. A caregiver hired on 7/25/17, did not have a Tennessee Criminal Records Check on file. Interview determined the caregiver had lived in Tennessee within the past five (5) years. A caregiver hired on 8/29/17, did not have a Kentucky and Tennessee Criminal Records Check on file. Interview determined the caregiver lived in Tennessee within the past five (5) years. A volunteer, start date on 3/1/17, had no criminal records check on file.

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, two (2) caregivers hired on 8/15/17 and 7/25/17, had no documentation of education 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, four (4) caregivers hired on 3/8/13, 8/15/17, 7/25/17, and 8/29/17 did not have TB documentation on file.

340 - Training

Not 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 1/2) 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 1/2) hours of pediatric abusive head trauma training completed once every five (5) years.

Findings:

General: Based on Review of Documentation, a caregiver hired on 3/8/13, lacked six (6) hours of training; a caregiver hired 7/20/15, lacked fifteen (15) hours of training; a caregiver hired on 9/10/13, lacked nine (9) hours of training, and a caregiver hired on 9/19/14, lacked seven and a half (7 1/2) hours of training.

Programming

In Compliance

Premises

Not In Compliance

585 - 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, a portable sink was inoperable in the two year olds' room.

**Inspection Report**

**Hygienic Practices**

**Not In Compliance**

**625 - Diaper Changing Area/Surface**

**Not In Compliance**

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

**(10) When a child is diapered, the child shall:**

**(b) Be placed on a surface that is:**

- 1. Clean;**
- 2. Padded;**
- 3. Free of holes, rips, tears, or other damage;**
- 4. Nonabsorbent;**
- 5. Easily cleaned; and**
- 6. Free of any items not used for diaper changing.**

**Findings:**

General: Based on Observation, a twenty (20) inch long tear was on a diaper changing pad located in a hallway.

**First Aid/Medication**

**In Compliance**

**Outdoor Play Area**

**In Compliance**

**Equipment**

**Not In Compliance**

**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, two (2) fitted sheets were loose on two (2) crib mattresses in the infants' room.

**760 - 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, a blue vinyl couch had several tears and exposed foam in the two year olds' room. Also, five (5) crib's Plexiglass had smudges and fingerprints in the infants' room.

**Transportation**

**Not Applicable**

**Food Service**

**In Compliance**

**Inspection Report**

**Children's Records**

**Not In Compliance**

**1075 - Enrollment Information**

**Not 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;**

**Findings:**

General: Based on Review of Documentation, a child enrolled on 4/25/17, did not include her physician's name and contact number on the enrollment form. Also, two (2) children enrolled on 11/30/15 and 8/18/15, did not include their physician's contact information on the enrollment form.

**Written Documentation**

**Not In Compliance**

**1095 - Daily Attendance Records**

**Not In Compliance**

**922 KAR 2:110. Section 3. 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, twenty-two (22) parents did not sign the DCC-94 Form to verify accuracy for the week of 6/5/17 - 6/9/17. Also, twenty (20) parents did not sign the DCC-94 Form to verify accuracy for the week of 6/12/17 - 6/16/17.

**1105 - Professional Development**

**Not In Compliance**

**922 KAR 2:110. Section 3. 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, four (4) caregivers, hired on 3/8/13, 7/20/15, 5/23/13, and 9/19/14, did not have a professional development plan on file.

**Posted Documentation**

**In Compliance**

**Animals**

**Not Applicable**

Signature of Provider/Representative

Title

Date