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**Inspection Report**

<b>Provider Name:</b> The Kidstruction Zone	<b>Provider Information</b>	<b>CLR No:</b> L383118
<b>Provider Address:</b> 1521 W Broadway, Mayfield, KY, 42066	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 48
<b>Owner(s):</b> The Kidstruction Zone LLC		<b>Director(s):</b> Gibson, Nichole Kenny

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 291434
<b>Date Initiated:</b> 11/13/2019 9:45 AM	<b>Date Concluded:</b> 11/13/2019 12:10 PM	
	<b>No. of Children Present:</b> 28	

Inspection Report	
<b>Background Checks</b>	<b>Not In Compliance</b>
<b>5 - Background check/left alone/dismissed/relocated</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:280. Section 3. Implementation and Enforcement.</b></p> <p>(1) A person who is a child care staff member prior to January 1, 2018, shall submit to and complete background checks in accordance with this administrative regulation no later than September 30, 2018.</p> <p>(2) A child care staff member hired on or after April 1, 2018, shall:</p> <p>(a) Have completed the background checks required in accordance with this administrative regulation and been found to have no disqualifying offense prior to becoming a child care staff member; or</p> <p>(b) 1. Have submitted to the background checks required in accordance with this administrative regulation;</p> <p>2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and</p> <p>3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.</p> <p><b>Findings:</b></p> <p>General: Based on observation and review of documentation, staff members, hired on 04/19/19, 08/01/19, 10/14/19 and 11/13/19, did not have background checks on file. Staff members hired 04/19/19 and 10/14/19 were the two (2) staff who supervised ten (10) children in the toddler room, from 9:45 am, when the surveyor arrived. The two (2) staff members were still alone in the toddler room, with the children, when the surveyor left at 12:10 pm on 11/13/19.</p>	
<b>Supervision</b>	<b>In Compliance</b>
<b>Staffing Requirements</b>	<b>In Compliance</b>
<b>General Administration</b>	<b>Not In Compliance</b>
<b>155 - Liability Insurance</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:090. Section 6. License Issuance.</b></p> <p>(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</p> <p>(d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;</p> <p><b>Findings:</b></p> <p>General: Based on a review of documentation and interview, the center's general liability insurance was not available for review.</p>	

Inspection Report

180 - Plan of Correction/15 days

Not In Compliance

922 KAR 2:090. Section 14. Statement of Deficiency and Corrective Action Plans.

(2) Except for a violation posing an immediate threat as handled in accordance with KRS 199.896(5)(c), a child-care center shall submit a written corrective action plan to the cabinet or its designee within fifteen (15) calendar days of the date of the statement of deficiency to eliminate or correct the regulatory violation.

Findings:

A PLAN OF CORRECTION WAS DUE ON 12/21/2019 AND AS OF 12/30/2019, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.

275 - Abuse/Neglect Report Procedure

Not In Compliance

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

(3)(b) The program shall include:

1. A procedure to ensure compliance with and inform child care staff of the laws of the Commonwealth pertaining to child abuse or neglect set forth in KRS 620.030;

Findings:

General: Based on a review of the staff handbook, observation of the center's postings and interviews, the center's handbook did not include acceptable procedures pertaining to suspected child abuse and neglect as set forth in KRS 620.030.

290 - Fire Marshal/Zoning Compliance

Not In Compliance

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

(2) A child-care center shall be in compliance with the State Fire Marshal and the local zoning laws.

Findings:

General: Based on interview, a current Fire Marshal's report was not available for review.

Director Requirements

Not In Compliance

340 - Staff Meeting

Not In Compliance

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

(1) A director shall:

(i) Conduct, manage, and document in writing recurring staff meetings;

Findings:

General: Based on interview, the center failed to provide documentation of a minimum of two (2) staff meetings conducted during the subsequent year.

345 - Staff Evaluation

Not In Compliance

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;

Findings:

General: Based on interview, staff members hired, 08/01/18, 07/30/18, 06/26/18, 04/30/18, 08/12/13 and 10/01/16, did not have written annual performance evaluations on file.

360 - Caregiver Alone

Not In Compliance

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

(1) 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 922 KAR 2:280;

Findings:

General: Based on observation and a review of documentation, two (2) staff, hire dates 04/19/19 and 10/14/19, had not begun the background check process on 11/13/19, and supervised ten (10) children, alone from 9:15 am to 12:10 pm.

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 observation and interview, staff members hired 11/13/19, 04/19/19, 10/14/19, 07/30/18, 06/26/18, 04/30/18, 08/01/18 and 08/01/19, did not have education documentation available for review.

**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 observation and interview, staff members hired 11/13/19, 04/19/19, 10/14/19, 07/30/18, 06/26/18, 04/30/18, 08/12/13, 10/01/16, 08/01/18 and 08/01/19, did not have a TB skin test or a physician statement verification on file and available for review.

**400 - CPR/First Aid Coverage**

**Not In Compliance**

**922 KAR 2:090. Section 11. 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 interview and a review of staff files, documentation was not available to verify at least (1) person was on duty and present on 11/13/19, who was currently certified in infant and child first aid and CPR.

**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 record review and interview, staff members hired 08/01/18, 07/30/18, 06/26/18, 04/30/18, 08/12/13 and 10/01/16 had not completed the fifteen (15) hours of cabinet-approved early care and education training for their subsequent year of employment. Staff members hired 08/01/18, 07/30/18, 04/30/18, 08/12/13, 10/01/16 and 06/26/18 had not completed one and one half (1 ½) hours of Pediatric Abusive Head Trauma Training within their first year of employment. In addition, staff members hired 08/01/19, 04/19/19, 08/01/18 and 06/26/18 had no proof they completed six (6) hours of orientation training within the first three (3) months of their employment.

**Programming**

**In Compliance**

**Premises**

**In Compliance**

**Hygienic Practices**

**In Compliance**

**First Aid/Medication**

**Not In Compliance**

**715 - First Aid Supplies**

**Not In Compliance**

**922 KAR 2:120. Section 7. First Aid and Medicine.**

- (1) First aid supplies shall:**  
**(a) Be available to provide prompt and proper first aid treatment;**  
**(b) Be stored out of reach of a child;**  
**(c) Be periodically inventoried to ensure the supplies have not expired;**  
**(d) If reusable, be:**  
 1. Sanitized; and  
 2. Maintained in a sanitary manner; and  
**(e) Include:**  
 1. Liquid soap;  
 2. Adhesive bandages;  
 3. Sterile gauze;  
 4. Medical tape;  
 5. Scissors;  
 6. A thermometer;  
 7. Flashlight;  
 8. Cold pack;  
 9. First aid book;  
 10. Disposable gloves; and  
 11. A cardiopulmonary resuscitation mouthpiece protector.

**Findings:**

General: Based on observation and interview, the first-aid kit did not include a CPR mouth piece protector.

**Outdoor Play Area**

**In Compliance**

**Inspection Report**

**Equipment**

**In Compliance**

**Transportation**

**Not Applicable**

**Food Service/Food Program**

**In Compliance**

**Food Service**

**Not In Compliance**

**1130 - Menu**

**Not In Compliance**

**922 KAR 2:120. Section 9. Food and Meal Requirements.**

**(16) A weekly menu shall be:**

- (a) Prepared;**
- (b) Dated;**
- (c) Posted in advance in a conspicuous place;**
- (d) Kept on file for thirty (30) days; and**
- (e) Amended in writing with any substitutions on the day the meal is served.**

**Findings:**

General: Based on observation, and interview, the weekly menu posted on 11/13/19 was dated for the month of September 2019.

**Children's Records**

**Not In Compliance**

**1135 - Immunization**

**Not In Compliance**

**922 KAR 2:090. Section 9. 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 a review of documentation and interview, a child enrolled 04/02/19, had an immunization certificate on file that was valid until 06/04/19. A child enrolled 03/26/19, had an immunization certificate on file that was valid until 05/01/19. In addition, a child enrolled 04/02/19, had an immunization certificate on file that was valid until 09/28/19.

**1140 - Enrollment Information**

**Not In Compliance**

**922 KAR 2:090. Section 9. 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 a 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 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 record review and interview, enrollment documentation was not on file for three (3) children present on 11/13/19.

**Written Documentation**

**Not In Compliance**

**1160 - Daily Attendance Records**

**Not In Compliance**

**922 KAR 2:090. Section 9. 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 and interview, twenty-eight (28) children were present on 11/13/19 and twenty-four (24) children were signed into the center with a documented arrival time.

**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 a review of staff files and interview, staff members hired 08/01/18, 07/30/18, 06/26/18, 08/12/13, 10/01/16 and 04/30/18, did not have written professional development plans on file.

Inspection Report

1175 - Earthquake/Tornado/Fire Drills

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

- (h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;
- (i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;

Findings:

General: Based on interview, the Earthquake, Tornado and Fire Drill sheets were not available when requested.

1195 - Fire Drills

Not In Compliance

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

(12) A fire drill shall be:

- (a) Conducted during hours of operation at least monthly; and
- (b) Documented.

(13) An earthquake drill and a tornado drill shall be:

- (a) Conducted during hours of operation at least quarterly; and
- (b) Documented.

Findings:

General: Based on interview, the drill sheets were not available to verify if fire drills were conducted monthly and earthquake and tornado drills were conducted quarterly and documented.

Posted Documentation

Not In Compliance

1200 - Posting Requirements

Not In Compliance

922 KAR 2:090. Section 8. General.

(6) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection:

- (a) The provider's preliminary or regular license;
- (b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;
- (c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;
- (d) Information on the Kentucky Consumer Product Safety Program and the program's Website as specified in KRS 199.897;
- (e) A description of services provided by the child-care center, including:
  - 1. Current rates for child care; and
  - 2. Each service charged separately and in addition to the basic rate for child care;
- (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and
- (g) Daily planned program.

Findings:

General: Based on interview, each statement of deficiency, issued by the cabinet during the current licensure year and each plan of correction submitted by the child-care center to the cabinet during the current licensure year, was not posted in a conspicuous place.

1215 - Daily Activities

Not In Compliance

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

(1) A director shall:

- (h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;

Findings:

General: Based on observation and interview, the written daily schedule posted was dated for the week ending 04/05/19 for Group A and Group B classrooms.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date