



CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL

Andy Beshear
Governor

Melissa A. Moore, Director
Division of Regulated Child Care
Eastern Branch
1055 Wellington Way
Lexington, KY 40513
Phone: (859) 246-2301 Fax: (859) 246-2307
https://chfs.ky.gov/agencies/os/oig

Eric C. Friedlander
Secretary

Adam Mather
Inspector General

Inspection Report

Table with 3 columns: Provider Information, Provider Address, and Director(s). Includes details for Rainbow Child Care Center.

Table with 3 columns: Inspection Information, Inspection Type, and Inspection No. Includes details for Renewal Application.

Table with 2 columns: Inspection Report and Compliance Status. Lists categories like Supervision, Staffing Requirements, etc.

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, it was found that a staff person with a hire date of 04/03/2017 had a child abuse and neglect check with an unknown submission date. The child abuse and neglect check was not received until 05/01/2017. In an interview with the staff in charge, she stated that she did not write the submission date down and did not know when the form was sent off.

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, it was found that a staff person with a hire date of 05/22/2015 had no evidence of being free of TB.

Inspection Report

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 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.

Findings:

General: Based on Review of Documentation, it was found that a staff person with a hire date of 08/17/2016 did not complete the six (6) hours of orientation training until 06/01/2017. A review of ECE-TRIS confirmed this. It was also found that a staff person with a hire date of 11/09/2015 did not have the fifteen (15) hours of cabinet-approved early care and education training. A review of ECE-TRIS confirmed this.

Programming

Not In Compliance

410 - Infant/Toddler Combined with Older Children

Not In Compliance

922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.

- (2) Except in accordance with subsection (3) of this section, an infant or toddler shall participate in an activity with an older child for no more than one (1) hour per day.

Findings:

General: Based on Observation, it was found that in the two (2) year-old classroom, there were two (2) one-year-olds mixed with four (4) two-year-olds. In an interview with the staff, she stated that the children would be in her class all day because the one-year-old classroom was short staffed a teacher.

Premises

Not In Compliance

515 - Protected Openings

Not In Compliance

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

- (8) An opening to the outside shall be effectively protected against the entrance of vermin by:
- (a) Self-closing doors;
 - (b) Closed windows;
 - (c) Screening;
 - (d) Controlled air current; or
 - (e) Other effective means.

Findings:

General: Based on Observation, it was found that the back door leading to the younger playground was propped open.

520 - Floors, Walls, Ceilings

Not In Compliance

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

- (9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.

Findings:

General: Based on Observation, it was found that there was observed to be chipped paint on the walls in the Toddler 2 classroom, Pre-K 2 classroom, Preschool 2 classroom and in the Two-year-old classroom. In the Toddler 2 classroom there was observed to be a substantial amount of black stains on the alphabet carpet. In the Pre-K 2 classroom there was observed to be several brown spill stains going down the wall. In the Preschool 2 room and Pre-K 1 room, the trim was observed to be pulling away from the wall. In the Two-year-old classroom there was observed to be dirt and debris all around the edges of the wall.

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, it was found that there was a tear in the diaper changing pad in the Infant 2 classroom.

Inspection Report

First Aid/Medication

Not In Compliance

670 - Medication

Not In Compliance

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

- (6) Medication, including refrigerated medication, shall be:**
 - (a) Stored in a separate and locked place, out of the reach of a child;**
 - (b) Kept in the original bottle; and**
 - (c) Properly labeled.**
- (7) Medication shall not be given to a child if the expiration date on the bottle has passed.**

Findings:

General: Based on Observation, it was found that there were several bottles of sunscreen that were not in a locked container or area in the Pre-K 1 classroom, Pre-K 2 classroom and in the Preschool 1 classroom.

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, it was found that in the Toddler 1 classroom, two (2) of the cribs used for napping did not have tight-fitted sheets. The sheets were observed to be very loose and bunched together.

755 - Toys/Equipment/Furniture

Not In Compliance

922 KAR 2:120. Section 11. Toys and Furnishings.

- (1) All toys, equipment, and furniture contacted by a child shall be:**
 - (a) Kept clean and in good repair; and**
 - (b) Free of peeling, flaking, or chalking paint.**

Findings:

General: Based on Observation, it was found that in the Two-year-old classroom there was one (1) grey pillow that contained several black stains. In the Kindergarten classroom there was a blue couch that had three (3) tears exposing the foam.

Transportation

Not In Compliance

810 - Transportation Notification/Third Party Contracts

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:**
 - (f) Contracts, agreements, or documents detailing arrangements with any third party for services;**

Findings:

General: Based on Review of Documentation, it was found that the facility had a third party transportation contract but it did not state that the third party agreed to abide by state transportation regulations.

Food Service

Not In Compliance

935 - Refrigerator

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

- (4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:**
 - (a) Have an indicating thermometer or other appropriate temperature measuring device;**
 - (b) Be in a safe environment for preservation; and**
 - (c) Be forty (40) degrees Fahrenheit or below.**

Findings:

General: Based on Observation, it was found that there was no indicating thermometer in the refrigerator in the Toddler 1 classroom or in the Infant 1 classroom.

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, it was found that a review of ten (10) children's files found that two (2) children's files did not have documentation of the preferred hospital. The dates of enrollment for the children were 06/2011 and 12/06/2016.

Written Documentation

In Compliance

Posted Documentation

Not In Compliance

1155 - Posting Requirements

Not In Compliance

922 KAR 2:110. Section 2. General.

(7) 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) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;

(b) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;

(c) Information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897;

(d) 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;

(e) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and

(f) Daily schedule.

Findings:

General: Based on Review of Documentation, it was found that the civil penalty notice issued on 02/08/2017 and 12/09/2016 was not posted in a conspicuous place or made available for public inspection.

Animals

Not Applicable

Signature of
Provider/Representative

Title

Date