



Andy Beshear
GOVERNOR

**CABINET FOR HEALTH AND FAMILY SERVICES
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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: The Discovery Gym	Provider Information	CLR No: L383275
Provider Address: 116 Main Street, Shelbyville, KY, 40065	Provider Type: LICENSED TYPE I	Capacity: 37
Owner(s): The Discovery Gym, LLC		Director(s): Hall, Carrie

Inspection Type: Renewal Application	Inspection Information	Inspection No: 305615
Date Initiated: 01/04/2021 9:10 AM	Date Concluded: 01/04/2021 11:15 AM	
	No. of Children Present: 11	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
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 02/24/2021 AND AS OF 03/19/2021, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.	
Director Requirements	In Compliance
Employee Records	Not In Compliance
405 - Adequate Substitute(s)	Not In Compliance
922 KAR 2:090. Section 11. Staff Requirements. (6) Child-care centers shall have available in case of need: (a) One (1) qualified substitute staff person for a Type II child-care center; or (b) Two (2) qualified substitute staff persons for a Type I child-care center. (7) Each qualified substitute staff person shall: (a) Meet the staff requirements of this administrative regulation; and (b) Provide the required documentation to verify compliance with this administrative regulation.	
Findings: General: Based on interview and review of documentation, the staff in charge did not provide verification that the child care center had employed at least two (2) qualified substitute staff persons.	
Programming	In Compliance

Inspection Report

Premises

Not In Compliance

540 - Premises Requirements

Not In Compliance

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

- (1) The premises shall be:
- (a) Suitable for the purpose intended;
 - (b) Kept clean and in good repair;

Findings:

General: Based on observation, the overhead ventilation in the gross motor room had a buildup of dust on top of the ventilation system.

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, the restroom sink was not working as evidenced by no running water.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

In Compliance

Transportation

Not Applicable

Food Service/Food Program

Not In Compliance

995 - Lunch/Dinner Requirements

Not In Compliance

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

- (19) Lunch and dinner shall include:
- (a) Milk;
 - (b) Protein;
 - (c) Bread; and
 - (d) 1. Two (2) vegetables;
 - 2. Two (2) fruits; or
 - 3. One (1) fruit and one (1) vegetable.

Findings:

General: Observation of the lunch meal that was served revealed that the children had prepared sacks lunches and did not have all of the required components. The children were not offered or served milk or an additional fruit or vegetable to meet all the requirements. Interview with the staff revealed that the child care center does not supplement the meal.

Food Service

In Compliance

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 interview and review of documentation, the staff in charge did not present verification that the records for three (3) children with the enrollment date of 08/19/2020 had a current immunization certificate.

Inspection Report

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 interview and review of documentation, the staff in charge did not provide verification that the files for two (2) children with the enrollment date of 08/19/2020 contained an identified preferred hospital on the enrollment form.

Written Documentation

Not In Compliance

1150 - Evacuation Plan

Not In Compliance

922 KAR 2:090. Section 5. Evacuation Plan.

(1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U).

Findings:

General: Based on interview and review of documentation, upon request the staff in charge did not present verification that the evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care had been submitted to the local emergency management team within the last year. The plan presented was dated for 2019.

Posted Documentation

In Compliance

Animals

Not Applicable

Emergency Regulation

Not In Compliance

1255 - Emergency Regulation

Not In Compliance

922 KAR 2:405E. Emergency Regulation.

Due to the current declared public health emergency caused by the Novel Coronavirus Disease (COVID-19), licensed child care centers must operate under Centers for Disease Control and Prevention and public health guidelines, as mandated by 922 KAR 2:405E, to prevent the spread of COVID-19.

Findings:

General: Based on observation, interview and review of documentation, the child care center failed to comply with the regulatory requirements specific to the storage of personal bedding as established in 922 KAR 2:410e. Based on observation, several blankets located in the four/five year-old rooms were not in individually labeled containers/bags. Continued observation revealed that eleven (11) children present were wearing masks. Review of documentation and interview revealed the children had not entered first grade and did not have parental permission to wear the mask.

Signature of Provider/Representative

Title

Date