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Inspection Report

Provider Name: Miss Barbara's Day Care, LLC	Provider Information	CLR No: L383335
Provider Address: 1366 South Laurel Road, London, KY, 40744	Provider Type: LICENSED TYPE I	Capacity: 46
Owner(s): Miss Barbara's Day Care LLC		Director(s): Hensley, Maria Michelle

Inspection Type: Renewal Application	Inspection Information	Inspection No: 217698
Date Initiated: 12/20/2016 9:02 AM	Date Concluded: 12/20/2016 12:00 PM	
	No. of Children Present: 23	

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

125 - Confidential Information **Not In Compliance**

922 KAR 2:110. Section 2. General.
(3) Information concerning a child or the child's parent shall be kept in strict confidence by child-care center staff, except as otherwise required by law.

Findings:

General: Based on review of documentation, the surveyor observed that a child's allergy information was posted in multiple places throughout the child care center. The information was not covered and was easily viewed by others.

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, the surveyor found that a staff's (DOH: 11/20/15) written performance evaluation was not signed; therefore, it could not be determined if the evaluation was current.

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 observation, the surveyor found the following:

1. A child's coat and a staff's coat were hanging on pegs in the hallway near the kitchen. The coats were touching creating the potential for cross contamination.
2. The children's coats were hanging on hooks located in the hallway near the entry door. Five (5) of the coats were touching; thus, creating the potential for cross contamination.

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, the surveyor found that a staff's (DOH: 09/06/16) file contained a criminal records background check dated 09/28/16; therefore, the background check had not been submitted prior to or on the date of hire. Additionally, an out of state background check from Jacksboro, Tennessee had not been completed. Through interview, the surveyor learned that the staff person has been alone with the children.

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, the surveyor found the following:

1. A staff's (DOH: 08/22/16) file contained a criminal records background check dated 09/08/16; therefore, the background check had not been submitted prior to or on the date of hire. Through interview, the surveyor learned that the staff person had not been left alone with the children.

2. A staff's (DOH: 09/06/16) file contained a criminal records background check dated 09/28/16; therefore, the background check had not been submitted prior to or on the date of hire. Additionally, an out of state background check from Jacksboro Tennessee had not been completed. Through interview, the surveyor learned that the staff has been alone with the children.

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, the surveyor found that two (2) staff's (DOH: 07/28/16 and 08/22/16) files did not contain proof of a High School Diploma, GED or Commonwealth Child Care Credential.

330 - Adequate Substitute(s)

Not In Compliance

922 KAR 2:110. Section 5. 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.**

Findings:

General: Based on review of documentation, the surveyor found that the Type 1 child care center has two (2) staff identified as substitutes. Neither staff meet the requirements for qualification based on the lack of annual training hours.

335 - Qualified Substitute

Not In Compliance

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

(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 review of documentation, the surveyor found that the Type 1 child care center has two (2) staff identified as substitutes. Neither staff meet the requirements for qualification based on the lack of annual training hours.

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 and ECE-TRIS, the surveyor found that two (2) staff (DOH: 10/13/14 and 12/18/14) had obtained only twelve (12) hours of cabinet-approved early care and education annual training.

Programming	In Compliance
Premises	In Compliance
Hygienic Practices	In Compliance
First Aid/Medication	In Compliance
Outdoor Play Area	In Compliance
Equipment	In Compliance
Transportation	Not Applicable
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, the surveyor found no thermometer in the refrigerator located in Infant and Toddler Room #2. The interior temperature of the refrigerator could not be determined; therefore, compliance with the regulation could not be ascertained.

Children's Records	Not In Compliance
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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 contained in ten (10) children's files, the surveyor found the following:

- 1. Two (2) of the children's files did not contain information to enable a person in charge to contact the preferred hospital.
- 2. One (1) child's file did not contain information to enable a person in charge to identify or contact the preferred hospital.
- 3. One (1) child's file did not contain information to enable a person in charge to contact the family physician.

Written Documentation	In Compliance
Posted Documentation	In Compliance
Animals	Not Applicable

Signature of Provider/Representative

Title

Date