



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL

Melissa A. Moore, Director
Division of Regulated Child Care
Western Branch
901 B South Main Street
Hopkinsville, KY 42240
Phone: (270) 889-6052 Fax: (270) 889-6089
<https://chfs.ky.gov/agencies/os/oig>

Eric Friedlander
SECRETARY

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: A Shepherd's Love Daycare	Provider Information	CLR No: L383401
Provider Address: 412 Mcleod Lane, Madisonville, KY, 42431	Provider Type: LICENSED TYPE I	Capacity: 46
Owner(s): Shepherd, Tressalyn Nicole		Director(s): Russell, Miriam Nicole

Inspection Type: Renewal Application	Inspection Information	Inspection No: 220994
Date Initiated: 08/10/2017 9:45 AM	Date Concluded: 08/10/2017 12:40 PM	
	No. of Children Present: 19	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	Not In Compliance
40 - Ratios and Group Size	Not In Compliance
<div>922 KAR 2:120. Section 2. Child Care Services. (2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows: Age of Children Ratio Maximum Group Size* Infant 1 staff for 5 children 10 Toddler 1 staff for 6 children 12 Preschool-age 2 to 3 years 1 staff for 10 children 20 Preschool-age 3 to 4 years 1 staff for 12 children 24 Preschool-age 4 to 5 years 1 staff for 14 children 28 School-age 5 to 7 years 1 staff for 15 children 30 School-age 7 and older 1 staff for 25 children (for before and after school) 30 1 staff for 20 children (full day of care) 30 *Maximum Group Size shall be applicable only to Type I child-care centers.</div>	
Findings: General: Based on Observation and interview, a caregiver, hire date 05/30/17, stood in the office speaking with the director at 9:50 am. Surveyor entered the preschool and observed twelve (12) children, the youngest a two-year-old, was supervised by one staff member, hire date 05/28/15. During interview, the caregiver, hire date 05/30/17 stated she was in the director's office less than five (5) minutes. In addition, a caregiver, hire date 08/15/16, was observed at 9:50 am to supervise seven (7) children in the toddlers' room, the youngest child was a one-year-old. Interview with the caregiver, hire date 08/15/16, determined the 7th child was moved into the toddlers' room at approximately 9:30 am.	

Inspection Report

45 - Ratio/Group Size

Not In Compliance

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

(2)(b) The age of the youngest child in the group shall determine the:

1. Staff-to-child ratio; and
2. Maximum group size.

Findings:

General: Based on Observation and interview, a caregiver, hire date 05/28/17, supervised twelve (12) children, the youngest a two-year-old at 9:50 am. During interview, the caregiver stated her co-worker left the classroom to speak to the director in the office at 9:45 am. In addition, a caregiver, hire date 08/15/16, was observed to supervise seven (7) children in the toddler's room. The youngest child was a one-year-old. Interview with the caregiver determined the 7th child was moved into the toddlers' room at approximately 9:30 am.

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 Interview, a caregiver, hire date 05/28/15, did not have an annual evaluation on file.

285 - Parental/Family Involvement Activity

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:

- (p) Coordinate at least one (1) annual activity involving parental or family participation.

Findings:

General: Based on Interview, proof of a family involvement activity was not available for review.

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 and interview, a caregiver, hire date 05/30/17, did not have proof a criminal records check and child abuse/neglect check were submitted timely. In addition, a volunteer, first day to volunteer 05/30/17, did not have proof a criminal records check and child abuse/neglect check were submitted timely.

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 and interview, a caregiver, hire date 05/28/15, had a TB skin test on file which was dated 02/03/15.

325 - CPR/First Aid Coverage

Not In Compliance

922 KAR 2:110. Section 5. 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 Review of Documentation and interview, there was no one employee who was currently certified in infant and child CPR/First Aid. Two (2) staff members' certification expired 07/2017.

Inspection Report

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 Interview, the center failed to employ two (2) qualified substitutes in case of need.

Programming

In Compliance

Premises

In Compliance

Hygienic Practices

Not In Compliance

595 - Child Personal Care/Handwashing

Not In Compliance

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

(4) A child shall:

- (a) Be helped with personal care and cleanliness based upon their developmental skills; and
- (b) Wash his or her hands with liquid soap and warm running water:
 - 1. a. Upon arrival at the center; or
 - b. Within thirty (30) minutes of arrival for school-age children;
 - 2. Before and after eating or handling food;
 - 3. After toileting or diaper change;
 - 4. After handling animals;
 - 5. After wiping or blowing nose;
 - 6. After touching items soiled with body fluids or wastes; and
 - 7. After outdoor or indoor play time.

Findings:

General: Based on Observation and interview, the caregiver in the toddlers' room changed two (2) toddler children's diapers but failed to wash the children's hands with liquid soap and water. The caregiver stated she wiped the children's hands with wet wipes.

600 - Staff Hygiene/Handwashing

Not In Compliance

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

(5) Staff shall:

- (a) Maintain personal cleanliness;
- (b) Conform to hygienic practices while on duty; and
- (c) Wash their hands with liquid soap and running water:
 - 1. Upon arrival at the center;
 - 2. After toileting or assisting a child in toileting;
 - 3. Before and after diapering each child;
 - 4. After wiping or blowing a child's or own nose;
 - 5. After handling animals;
 - 6. After caring for a sick child;
 - 7. Before and after feeding a child or eating;
 - 8. Before dispensing medication; and
 - 9. If possible, before administering first aid.

Findings:

General: Based on Observation, a caregiver in the toddlers' room put on disposable gloves, wiped a toddler's nose then proceeded to change a child's diaper. The caregiver did not change gloves nor wash her hands after she wiped the toddler's nose.

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

Not In Compliance

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, six (6) blue nap mats were torn and had exposed foam in the toddlers' room. The tears ranged from three (3) inches to nine (9) inches. In addition, the hand washing sink, in the toddlers' room, did not drain. Interview determined the owner discovered the clogged drain the previous day.

Transportation

Not Applicable

Food Service

In Compliance

Inspection Report	
Children's Records	Not In Compliance
1070 - Immunization	Not In Compliance
922 KAR 2:110. Section 3. 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 Review of Documentation and interview, a child, enrollment date 04/28/17, had an immunization certificate on file which was valid until 06/15/17. A child, enrollment date 09/23/15, had an immunization certificate on file which was valid until 04/30/17. A child, enrollment date 12/08/15, had an immunization certificate on file which was valid until 06/30/17. A child, enrollment date 09/29/15, had an immunization certificate on file which was valid until 05/29/17, and a child, enrollment date 07/11/15, had an immunization certificate on file which was valid until 07/30/17.	
Written Documentation	Not In Compliance
1085 - 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.	
Findings: General: Based on Review of Documentation and interview, the center did not update their written evacuation plan in accordance with KRS 199.895. Interview revealed the plan was last updated 05/04/15.	
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 and interview, a child present on 08/09/17 did not have a documented departure time. In addition, five (5) children, enrolled in the Child Care Assistance Program, were present at the center on 08/10/17. The parents of the five (5) child had signed the DCC-94E to verify accuracy of attendance prior to the end of the week. During interview, the director stated the children were scheduled to attend the center the following day, 08/11/17.	
1115 - Earthquake/Tornado Drills	Not In Compliance
922 KAR 2:110. Section 3. 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;	
Findings: General: Based on Interview, earthquake and tornado drill documentation, for the third and fourth quarters of 2016, could not be located.	
1120 - Fire Drills	Not In Compliance
922 KAR 2:110. Section 3. Records. (1) A child-care center shall maintain: (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, fire drills for August 2016 through December 2016 could not be located. A review of the 2017 fire drills determined fire drills were not conducted for January, February, April, June and July of 2017.	
1140 - Fire Drills	Not In Compliance
922 KAR 2:120. Section 3. General Requirements. (12) A fire drill shall be conducted during hours of operation: (a) At least monthly; and (b) Documented.	
Findings: General: Based on Interview, documentation of fire drills for August 2016 through December 2016 could not be located. A review of the 2017 fire drill documentation determined fire drills were not conducted for January, February, April, June and July of 2017.	
1145 - Earthquake/Tornado Drills	Not In Compliance
922 KAR 2:120. Section 3. General Requirements. (13) An earthquake drill and a tornado drill shall be conducted during hours of operation: (a) At least quarterly; and (b) Documented.	
Findings: General: Based on Interview, earthquake and tornado drills for the third and fourth quarters of 2016 could not be located.	
Posted Documentation	In Compliance

Signature of Provider/Representative

Title

Date