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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: 245843
Date Initiated: 07/17/2018 9:45 AM	Date Concluded: 07/17/2018 1:15 PM	
	No. of Children Present: 19	

Inspection Report	
Background Checks	Not In Compliance
5 - Background check/left alone/dismissed/relocated	Not In Compliance
<p>922 KAR 2:280. Section 3. Implementation and Enforcement.</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 January 1, 2018, shall:</p> <p>(a) Have completed the background checks required in accordance with this administrative regulation and 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>Findings:</p> <p>General: Based on Review of Documentation, a caregiver hired on 7/21/17, did not have an out-of-state background check from Delaware. Interview determined the caregiver lived in Kentucky since November 2016. Upon the surveyor's arrival at 9:45 a.m., a caregiver was alone in the two-year-olds' room for an undetermined amount of time. In addition, the caregiver hired on 7/21/17, was also alone from 11:50 a.m. to 12:28 p.m. until a floater hired on 6/11/18, arrived at 12:28 p.m. The floater hired on 6/11/18, did not have a processed background check. The floater was alone in the two-year-olds' room from 12:28 p.m. until the caregiver hired on 6/25/18, arrived at 12:43 p.m. The caregiver hired on 6/25/18, did not have a processed background check. A caregiver hired on 11/15/17, had a criminal records check dated 2/28/17, and a child abuse/neglect check dated 3/14/17. Interview determined the caregiver was rehired on 11/15/17, but had not submitted for new background checks. This caregiver was alone with five (5) toddlers in the one-year-olds' room from 9:45 a.m. to 1:15 p.m. In addition, a substitute hired on 2/5/18, did not have background check information on file.</p>	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
180 - Plan of Correction/15 days	Not In Compliance
<p>922 KAR 2:090. Section 14. Statement of Deficiency and Corrective Action Plans.</p> <p>(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.</p> <p>Findings:</p> <p>A PLAN OF CORRECTION WAS DUE ON 09/08/2018 AND AS OF 09/13/2018, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.</p>	

Inspection Report	
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 Review of Documentation, the last documented staff meeting was dated 12/2/16.	
360 - Caregiver Alone	Not In Compliance
922 KAR 2:090. Section 10. Director Requirements and Responsibilities. (1) A director shall: (n) Assume 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, upon surveyor's arrival, a caregiver hired on 7/21/17, was alone and cared for nine (9) toddlers in the two-year olds' room for an undetermined amount of time. In addition, the caregiver hired on 7/21/17, was alone with the nine (9) toddlers from 11:50 a.m. to 12:28 p.m. in the two-year olds' room. The caregiver did not have an out-of-state background check from Delaware. A floater hired on 6/11/18, was alone with the nine (9) toddlers from 12:28 p.m. to 12:43 p.m. in the two-year olds' room. The floater did not have a processed background check. A caregiver hired on 11/15/17, was alone with five (5) toddlers in the one-year-olds' room from 9:45 a.m. to 1:15 p.m. Interview determined the caregiver was rehired on 11/15/17, but had not submitted for a new criminal record check and child abuse neglect check.	
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 Review of Documentation, two (2) caregivers hired on 7/21/17 and 6/11/18, had no documentation of education on file.	
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 Review of Documentation, two (2) caregivers hired on 11/15/17 and 6/11/18, had no TB documentation on file.	
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 Observation, a substitute hired on 2/5/18, did not have a processed child abuse/neglect check and a criminal records check on file. Therefore, the center did not have two (2) qualified substitutes.	
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 Review of Documentation, four (4) caregivers hired on 4/9/18, 7/21/17, 11/15/17, and 2/5/18, had not completed six (6) hours of orientation. A director hired on 5/28/15, lacked twelve (12) hours of training and last completed the Pediatric Abusive Head Trauma Training on 4/5/13.	
Programming	In Compliance

Inspection Report	
Premises	Not In Compliance
520 - Inaccessible Items	Not In Compliance
922 KAR 2:120. Section 3. General Requirements. (7) The following shall be inaccessible to a child in care: (a) Toxic cleaning supplies, poisons, and insecticides; (b) Matches, cigarettes, lighters, and flammable liquids; and (c) Personal belongings and medications of staff.	
Findings: General: Based on Observation, a can of Kroger Foaming Bathroom Cleaner was placed on the toilet tank located in a restroom in the lounge/office area. The label indicated, "To Keep Out of the Reach of Children." This toilet room was included for the center's licensed capacity.	
580 - 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, there was a quarter size hole in the corner of the ceiling and flaky plaster in the foyer.	
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 hot water faucet did not turn on at a sink in the one-year-olds' room. Interview determined the valve to the hot water was turned off because the hot water faucet was stripped.	
<div> <div>Hygienic Practices</div> <div>In Compliance</div> </div> <div> <div>First Aid/Medication</div> <div>In Compliance</div> </div> <div> <div>Outdoor Play Area</div> <div>Not In Compliance</div> </div>	
755 - Protective Surface	Not In Compliance
922 KAR 2:120. Section 4. Premises Requirements. (21) A protective surface shall: (a) Be provided for outdoor play equipment used to: 1. Climb; 2. Swing; and 3. Slide; and (b) Have a fall zone equal to the height of the equipment.	
Findings: General: Based on Observation, a red and yellow Step 2 Slide and three (3) swings had no protective surface underneath in the older children's outdoor play area. Also, a Kangaroo Slide and three (3) swings had no protective surface underneath each item located in the younger children's outdoor play area.	
<div> <div>Equipment</div> <div>Not In Compliance</div> </div>	
820 - Indoor/Outdoor Equipment	Not In Compliance
922 KAR 2:120. Section 11. Toys and Furnishings. (2) Indoor and outdoor equipment shall: (a) Be clean, safe, and in good repair; (b) Meet the physical, developmental needs, and interests of children of different age groups; (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and (d) Be designed to guard against entrapment or situations that may cause strangulation.	
Findings: General: Based on Observation, an Evenflo high chair had no safety restraints. This high chair was in the one-year-olds' room. A Radio Flyer tricycle metal frame had rust. This tricycle was located in the older children's outdoor play area.	
<div> <div>Transportation</div> <div>Not Applicable</div> </div>	

Inspection Report	
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: Based on Observation, the children were served a corn dog, carrots, one hundred (100) percent apple juice, and milk for lunch. The lunch did not meet the requirements by not having a second vegetable or fruit.	
Food Service	Not In Compliance
1015 - Food Service Permit	Not In Compliance
922 KAR 2:120. Section 8. Kitchen Requirements. (2) A child-care center required to have a food service permit shall be in compliance with 902 KAR 45:005 and this administrative regulation.	
Findings: General: Based on Observation, the center received lunch from the YMCA Summer Lunch Program. Interview determined the center did not have a Food Service Permit from the YMCA Summer Lunch Program.	
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, the posted menu was dated 7/2/18 - 7/6/18.	
Children's Records	Not In Compliance
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 Review of Documentation, three (3) children enrolled on 6/24/17, 11/6/17, and 4/3/17, did not have a physician's phone number on file. A child enrolled on 7/16/18, did not have a physician's name and phone number on file. Also, a child enrolled on 2/5/18, did not have a preferred hospital on file.	
Written Documentation	Not In Compliance
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 Review of Documentation, a caregiver hired on 2/28/17, had no professional development plan on file. Also, a director hired on 5/28/15, had a professional development plan dated 8/29/16.	

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, fire, earthquake and tornado drills were conducted; however, the written record for the practiced fire, earthquake, and tornado drills were not available for review.

1195 - 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.

(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 documented fire, earthquake, and tornado drills were not available for review. Interview determined the drills were conducted, but the documentation could not be found for review.

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 Observation, the center posted the statement of deficiencies/plan of corrections from a renewal inspection on 7/27/16, and a post-preliminary inspection on 9/29/15. There was no posting for the current licensure year.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date